



**Monday, February 26, 2018
MAYOR AND COUNCIL
MEETING NO. 06-18
ROCKVILLE, MARYLAND**

THE HONORABLE MAYOR AND COUNCIL PRESIDING

Attendee Name	Title	Status
Bridget Donnell Newton	Mayor	Present
Beryl L. Feinberg	Councilmember	Present
Virginia D. Onley	Councilmember	Present
Julie Palakovich Carr	Councilmember	Present
Mark Pierzchala	Councilmember	Present

Staff Present: City Clerk/Director of Council Operations, Kathleen Conway, City Manager Robert DiSpirito and City Attorney Debra Daniel

- 1. Convene in Open Session to Vote on a Motion to go into Closed Session pursuant to Section 3-305(b)(4) of the General Provisions Article of the Annotated Code of Maryland to discuss a matter that concerns a proposal for a business to locate, expand or remain in the City**

The Mayor and Council convened in Open Session at 6:00 p.m. in the Mayor and Council Chambers, Rockville City Hall, 111 Maryland Avenue, Rockville, MD 20850, to vote on a motion to go into Closed Session pursuant to Section 3-305(b)(4) of the General Provisions Article of the Annotated Code of Maryland to discuss a matter that concerns a proposal for a business to locate, expand, or remain in the City.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Beryl L. Feinberg, Councilmember
SECONDER:	Mark Pierzchala, Councilmember
IN FAVOR:	Mayor Newton, Councilmember Feinberg, Councilmember Onley, Councilmember Palakovich Carr, Councilmember Pierzchala

Closed Session Summary

Prior to the February 26, 2018 Open Session, the Mayor and Council convened in Closed Session in the Diamondback Terrapin Conference Room, Rockville City Hall, 111 Maryland Avenue, Rockville, MD at 6:02 p.m.

Present: Mayor Bridget Donnell Newton, Councilmember Beryl L. Feinberg, Councilmember Virginia D. Onley, Councilmember Julie Palakovich Carr, Councilmember Mark Pierzchala

Staff Present: City Clerk/Director of Council Operations Kathleen Conway, City Manager Rob

DiSpirito, City Attorney Debra Daniel, Deputy City Manager Jenny Kimball, Director of Recreation and Parks Tim Chesnutt

The topic of discussion was a proposal for a business to locate, expand or remain in the City.

Motion: to adjourn at 7:12 p.m.

Moved by Councilmember Pierzchala, seconded by Councilmember Feinberg and approved unanimously.

The Mayor and Council reconvened in Open Session at 7:23 p.m. on Monday February 26, 2018 in the Mayor and Council Chambers, City Hall, 111 Maryland Avenue, Rockville, Maryland.

2. Pledge of Allegiance

Mayor Newton led the Pledge of Allegiance.

3. Agenda Review

City Clerk/Director of Council Operations Kathleen Conway reported that there were no changes to the Agenda.

4. City Manager's Report

City Manager Rob DiSpirito presented information on the following: Wallet Hub's ranking of Rockville as the 9th most culturally diverse city in America and the fourth most diverse small city in America; the March 6th Twinbrook Neighborhood Meeting; Career Bliss' ranking of Rockville as the 9th happiest city in the United States in which to work; the "If I Were Mayor Contest for 4th Graders; and recruitment for the Boards and Commissions Task Force. Mr. DiSpirito thanked the Asian Pacific American Task Force and City Staff for the recent Lunar New Year celebration.

5. Proclamation

A. Women's History Month

Councilmember Onley proclaimed March as Women's History Month and presented the Proclamation to Recreation Programs Supervisor Karen Lumpkin, a City employee for over 44 years.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Virginia D. Onley, Councilmember
SECONDER:	Julie Palakovich Carr, Councilmember
IN FAVOR:	Mayor Newton, Councilmember Feinberg, Councilmember Onley, Councilmember Palakovich Carr, Councilmember Pierzchala

B. Rare Disease Day Proclamation

Councilmember Feinberg proclaimed February 28, 2018 as Rare Disease Day in Rockville and presented the Proclamation to Ms. Jeneva Burroughs Stone.

Ms. Stone provided information about the National Organization for Rare Disorders (NORD).

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Beryl L. Feinberg, Councilmember
SECONDER:	Mark Pierzchala, Councilmember
IN FAVOR:	Mayor Newton, Councilmember Feinberg, Councilmember Onley, Councilmember Palakovich Carr, Councilmember Pierzchala

6. Community Forum

Name	Topic
Patricia Woodward	Thank you and recognition
David Brenner	Citation
Nancy Pickard	Peerless Rockville Historic Homes Tour
Randy Alton	Rockville Residents - Olympic Gold Medalist and Philadelphia Eagles Super Bowl Player; City Elections
William Michie	Appreciation for the City's Bike Coordinator
Drew Powell	Rockville Sister City Update

7. Mayor and Council's Response to Community Forum

The Mayor and Council thanked everyone for their participation in Community Forum.

8. Mayor and Council Announcements

The Mayor and Council provided updates on their recent activities, including Boards and Commission meetings and Community Events.

9. Consent Agenda

A. Letter to the Maryland Public Service Commission in Support of Pepco's Proposal to Pilot a Microgrid in Rockville Town Center

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Julie Palakovich Carr, Councilmember
SECONDER:	Beryl L. Feinberg, Councilmember
IN FAVOR:	Mayor Newton, Councilmember Feinberg, Councilmember Onley, Councilmember Palakovich Carr, Councilmember Pierzchala

B. Approval of Minutes

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Mark Pierzchala, Councilmember
SECONDER:	Beryl L. Feinberg, Councilmember
IN FAVOR:	Mayor Newton, Councilmember Feinberg, Councilmember Onley, Councilmember Palakovich Carr, Councilmember Pierzchala

10. Public Hearing on Zoning Text Amendment TXT2018-00248 - Amendment of Retail Floor Area Limitation for Single Retail Tenants in Champion Projects; Mayor and Council of Rockville, Applicants

Planning Supervisor Deanne Mellander provided a summary of this Text Amendment in advance of the Public Hearing.

The Public Hearing opened at 8:07 p.m. The following individuals presented testimony:

1. Heather Dlhopsky, Linowes and Blocher

The record will remain open until a decision is made by the Mayor and Council on March 19, 2018. The complete testimony of the speakers can be found in the official Public Hearing file of the Mayor and Council in the City Clerk/Director of Council Operations Office.

11. Public Hearing on Rockville Housing Enterprise's Plans to Refinance Its Existing Loans and Obtain Additional Financing for Modernizing the Fireside Park Apartments Property

Chief of Housing Asmara Habte provided a brief overview of the Refinance and Modernization project for the Fireside Apartments in Rockville. Rockville Housing Enterprises Executive Director Jessica Anderson presented additional information regarding the request to finance its existing loans and obtain additional financing for modernizing the Fireside Park Apartments.

The Mayor and Council discussed the accelerated schedule for the refinancing application.

The Public Hearing opened at 8:29 p.m. The following individuals presented testimony:

1. Ed Duffy
2. Anita Goodman
3. Kenric Brooks

The Public Hearing closed at 8:37 p.m. The complete testimony of the speakers can be found in the official Public Hearing file of the Mayor and Council in the City Clerk/Director of Council Operations Office.

The record will remain open until the Mayor and Council make a decision regarding the Refinance and Modernization project for the Fireside Apartments in Rockville.

12. Discussion Board of Supervisors of Elections Recommendation for 2019 City of Rockville Election

Rockville Board of Supervisors of Elections (BSE) Chair Lois Neuman presented an overview of the BSE's Vote By Mail (VBM) recommendation for the 2019 Rockville City Election. Discussion topics included: the importance of a strong communications plan which has not previously occurred; the benefits of VBM such as making voting accessible to many people, the convenience factor and VBM eliminates a possible weather challenge on Election Day; voter list address issues; and the number of Vote Centers.

The Mayor and Council asked the BSE to provide a detailed communication plan, detailed cost estimate and possible locations of a Vote Center when this Agenda Item is brought back in the April 9th meeting.

The Mayor and Council recessed for break at 9:11 p.m. and returned from break at 9:22pm.

13. Rockville's 2018 County Legislative and Policy Priorities

Assistant to the City Manager Linda Moran presented the proposed 2018 legislative and policy priorities related to Montgomery County as follows:

1. Advocate for funding for Montgomery County Public Schools (MCPS) capital projects that impact Rockville schools;
2. Advocate for a fair and reasonable municipal tax duplication system; and
3. Advocate for Rockville to receive Program Open Space funding from Montgomery County Parks.

The Mayor and Council concurred with these priorities and asked that the letter be sent to the

County Executive and County Council within the week due to the timeline for the County's Operating Budget discussions.

14. Discussion of Potentially Procuring Internal Auditor Services

Deputy City Manager Jenny Kimball led this discussion with the Mayor and Council. The Mayor and Council discussed the possibility of procuring additional internal audit services for the City. The additional internal audit services would be available upon request by the Mayor and Council, and could include financial, compliance, operational, performance, or investigative audit work. The additional services would not change the current approach to the annual financial audit, or the internal audit work currently conducted by the City's Accounting Division.

Discussion topics included the following: the process of using an internal operational audit service as needed; how to identify the need for services; Fraud Hotline availability for employees and the public; the Operational Audit Contract Manager's role; and the department placement for the Contract Manager responsibility.

The Mayor and Council asked Staff to bring this topic back with the FY19 budget discussion and to begin the research in preparation for the RFP process.

15. Presentation of the Proposed Fiscal Year 2019 Operating Budget and Capital Improvements Program

City Manager Rob DiSpirito presented a summary of the Fiscal Year 2019 Proposed Operating Budget and Capital Improvements Program.

Sr. Management and Budget Analyst Mary Sue Martin presented an overview of the General Fund, Special Activities Fund, Community Development Block Grant Fund, Speed Camera Fund, Debt Service Fund, Water Fund, Sewer Fund, Parking Fund, Stormwater Management Fund, RedGate Golf Course Fund, Capital Improvements Program (CIP) Budget and the FY2019 Budget Calendar.

The Public Budget Survey information will be available when the Public comment period ends.

16. Introduction of an Ordinance to Appropriate Funds and Levy Taxes for Fiscal Year 2019

Councilmember Pierzchala introduced the Ordinance to appropriate funds and levy taxes for Fiscal Year 2019.

17. Introduction of an Ordinance to Amend Chapter 24 Entitled "Water, Sewers and Sewage Disposal, " Article III, "Rates and Charges" So as to Establish the Water and Sewer Usage Charges and Water and Sewer Ready to Serve Charges for Fiscal Years 2019 through 2021

Councilmember Feinberg introduced the Ordinance to amend Chapter 24 entitled "Water, Sewers and Sewage Disposal, " Article III, "Rates and Charges" to establish the water and sewer usage charges and water and sewer ready to serve charges for Fiscal Years 2019 through 2021.

18. Introduction of a Resolution to Establish the Service Charge Rate for Municipal Refuse Collection and to Establish a Charge for Unreturned Refuse and Recycling Carts Pursuant to Section 20-6 of the Rockville City Code

Councilmember Palakovich Carr introduced the Resolution to establish the service charge rate for municipal refuse collection and to establish a charge for unreturned refuse and recycling carts pursuant to Section 20-6 of the Rockville City Code.

19. Introduction of a Resolution to Establish the Equivalent Residential Unit Rate to be Used in Calculating the Stormwater Management Utility Fee Pursuant to Chapter 19 Entitled "Sediment Control and Stormwater Management" of the Rockville City Code; and to Establish a Fee for Application for a Credit Against the Stormwater Management Utility Fee for Private Stormwater Management Facilities.

Councilmember Onley introduced the resolution to establish the equivalent residential unit rate to be used in calculating the stormwater management utility fee pursuant to Chapter 19 entitled "Sediment Control and Stormwater Management" of the Rockville City Code; and to establish a fee for application for a credit against the stormwater management utility fee for private stormwater management facilities.

20. Briefing on Project Plan Application PJT2018-00010 - for an Amendment to the Approved Planned Development to Allow for a Retail and Office Center at 900 Rockville Pike; J Danshes LLC, Applicant

Principal Planner Brian Wilson introduced the applicant, Joel Danshes, Danshes LLC. Mr. Danshes and Attorney Soo Lee-Cho provided a briefing on Project Plan Application PJT2018-00010, a request to amend the approved planned development to allow for the development of 6,084 square feet of retail space and up to 900 square feet of office space with ancillary surface parking at 900 Rockville Pike.

The Mayor and Council will conduct a public hearing prior to making a decision on this application.

21. Review and Comment - Mayor and Council Action Report

The Mayor and Council reviewed the Action Report.

Councilmember Feinberg asked that the Purchasing Study Response be added to an Agenda and that the subject of an Internal Audit be added to the Mayor and Council Action Report.

Councilmember Palakovich Carr requested that the safety issues in Twinbrook and the City's

policy on lighting in City parks be added to the Mayor and Council Action Report.

22. Review and Comment - Future Agendas

The Mayor and Council reviewed future agendas.

Councilmember Pierzchala requested that the Agenda Item for Rockville Housing Enterprises (RHE) be changed to include "possible adoption".

Mayor Newton requested additional information regarding the RHE project prior to March 19th and will send an email request with questions.

Councilmember Feinberg requested the updated pro-forma document for the RHE project, including the impact of the fire and insurance adjustments.

23. Old/New Business

Assistant to the City Manager Linda Moran provided an update of Senate Bill 307 and House Bill 356 regarding the creation of a General Assembly and Congressional Legislative Redistricting Apportionment Commission.

The Mayor and Council requested a copy of the Fiscal Note and additional information about the State Districts, which will be provided by Staff.

This item will be added to the March 5th Agenda for further discussion.

24. Adjournment

The meeting adjourned at 11:00 p.m.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Julie Palakovich Carr, Councilmember
SECONDER:	Mark Pierzchala, Councilmember
IN FAVOR:	Mayor Newton, Councilmember Feinberg, Councilmember Onley, Councilmember Palakovich Carr, Councilmember Pierzchala

Minutes Approved: May 7, 2018

Attest:

