



Monday April 25, 2022

MAYOR AND COUNCIL
MEETING NO. 14-22
ROCKVILLE, MARYLAND

Approver: *Bridget Donnell Newton*
Attest: *Sara Taylor Hamell*
Approved Meeting No. 14-22
June 27, 2022

THE HONORABLE MAYOR AND COUNCIL PRESIDING

Attendee Name	Title	Status
Bridget Donnell Newton	Mayor	Present
Monique Ashton	Councilmember	Present
Beryl L. Feinberg	Councilmember	Absent
David Myles	Councilmember	Present
Mark Pierzchala	Councilmember	Present

- Convene in Open Session to vote on motion to go into closed session pursuant to Section 3-305(b)(7) of the General Provisions Article of the Annotated Code of Maryland to consult with counsel to obtain legal advice regarding the Federal Highway's 4(f) Evaluation process and de minimis impact determination for the I-495 & I-270 Managed Lanes Study.**

The Mayor and Council convened via WebEx to vote on a motion to go into Closed Session pursuant to Section 3-305(b)(7) of the General Provisions Article of the Annotated Code of Maryland to consult with Counsel to obtain legal advice regarding the Federal Highway's 4(f) Evaluation process and de minimis impact determination for the I-495 & I-270 Managed Lanes Study.

	RESULT: APPROVED [4-0]
MOVER:	Mark Pierzchala, Councilmember
SECONDER:	Monique Ashton, Councilmember
IN FAVOR:	Mayor Newton, Councilmember Ashton, Councilmember Myles, Councilmember Pierzchala

- Closed Session Summary**

Others Present: Beveridge and Diamond Attorneys Gus Bauman and James Auslander.

City Attorney Robert Dawson provided a brief overview to the Mayor and Council regarding the coversation with FHW and MDOT SHA regarding the Section 4 (f) impacts of the three (3) parcels for mitigation.

The Mayor and Council ask staff to go back and negotiate in the letter what the City wants in

order to resolve the deeminimis issues on the proposed fourth (4) City parcel and make the package whole in the cover letter.

The Mayor and Council requested that the City Manger work with the City Attorney and PIO on a public statement that the City opposes the project and protects the interest of the City and it's residents, and property owners.

There being no further discussion the meeting adjourned at 6:50 p.m.

Councilmember Mark Pierzchala moved to adjouorn.

	RESULT: APPROVED [4-0]
MOVER:	Mark Pierzchala, Councilmember
SECONDER:	Monique Ashton, Councilmember
IN FAVOR:	Mayor Newton, Councilmember Ashton, Councilmember Myles, Councilmember Pierzchala

3. Reconvene into Open Session

The Mayor and Council convened in a virtual hybrid Open meeting Session at 7:05 p.m. on Monday, April 25, 2022, in the Mayor and Council Chambers, City Hall, 111 Maryland Avenue, Rockville, Maryland and via Webex.

Councilmember Beryl L. Feinberg joined the meeting.

Staff Present: City Manager Rob DiSpirito, Rockville Corporate Council Robert E. Dawson, and City Clerk/Director of Council Operations Sara Taylor-Ferrell.

4. Pledge of Allegiance

Mayor Bridget Donnell Newton led the Pledge of Allegiance.

5. Agenda Review

No changes to the Agenda.

6. Proclamation

A. Proclamation Recognizing ALS Awareness Month

Mayor Bridget Donnell Newton read the Proclamation declaring May as ALS Awareness Month.

Councilmember David Myles moved the Proclamation.

	RESULT: APPROVED [UNANIMOUS]
MOVER:	David Myles, Councilmember
SECONDER:	Monique Ashton, Councilmember
IN FAVOR:	Mayor Newton, Councilmember Ashton, Councilmember Feinberg, Councilmember Myles, Councilmember Pierzchala

B. Proclamation Declaring May 2022 as National Building Safety Month

Councilmember Monique Ashton read and moved the Proclamation declaring May as National Building Safety Month.

	RESULT: APPROVED [UNANIMOUS]
MOVER:	Monique Ashton, Councilmember
SECONDER:	Beryl L. Feinberg, Councilmember
IN FAVOR:	Mayor Newton, Councilmember Ashton, Councilmember Feinberg, Councilmember Myles, Councilmember Pierzchala

C. Proclamation Recognizing May 2022 as Lyme Disease Awareness Month

Councilmember David Myles read and moved the Proclamation declaring May 2022 as Lyme Disease Awareness Month.

	RESULT: APPROVED [UNANIMOUS]
MOVER:	David Myles, Councilmember
SECONDER:	Monique Ashton, Councilmember
IN FAVOR:	Mayor Newton, Councilmember Ashton, Councilmember Feinberg, Councilmember Myles, Councilmember Pierzchala

D. Proclamation Declaring Yom HaShoah Day in Rockville

Councilmember Beryl L. Feinberg read and moved the Proclamation declaring Yom HaShoah Day in Rockville.

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

7. Recognition

A. Certificate of Recognition for the 55th Anniversary of Community Reach of Montgomery County

Councilmember Mark Pierzchala read the recognition for the 55th Anniversary of Community Reach of Montgomery County and it was presented to the Executive Director of Community Reach of Montgomery County, Agnes Saenz.

8. Community Forum

Virtual Speakers

Name	Topic
Speaker by Computer Zola Shaw Charter Review Commission	Resolution No. 9-20 CRC Scope of Work

9. Consent

A. Award of IFB #02-22, Streetlight Maintenance, to Lighting Maintenance, Inc. in the Amount Not to Exceed \$120,000 Per Fiscal Year, with the Option to Renew for Four Additional One-Year Terms

B. Award of NCPA Contract #05-36 for the Purchase of Smart Parking Meters.

C. Authorize the City Manager to Award a Rider Contract Via Sourcewell Contract #052417-VTL for an Asphalt Paver, to Valley Supply and Equipment Co, Inc., of Hagerstown, MD in the Amount of \$141,155

D. Award a Rider Contract for Diesel Fuel.

Councilmember Mark Pierzchala moved the Consent Agenda.

	RESULT: APPROVED [UNANIMOUS]
MOVER:	Mark Pierzchala, Councilmember
SECONDER:	David Myles, Councilmember
IN FAVOR:	Mayor Newton, Councilmember Ashton, Councilmember Feinberg, Councilmember Myles, Councilmember Pierzchala

Councilmember Beryl L. Feinberg left the meeting for the evening at 7:31 p.m. due to medical advice restricting the length of time to participate in meetings.

10. MAP2022-00123 406 Great Falls Road Historic Designation - Public Hearing

Preservation Planner Shelia Bashiri presented a brief overview of the proposed MAP2022-00123 history of the map amendment to place as historic designation in the historic district overlay zone on the property at 406 Great Fall Road by changing the zone (on the Zoning Map) from RD-90 to RD-90 HD.

The Mayor and Council have the opportunity to review the public hearing testimony and make its determination as to whether to approve or deny the proposed amendment.

The Public Hearing opened at 8:06 pm and the following speakers testified.

Virtual Speakers

Name	Address Phone Number/Email
Speaker Doug Lunenfeld Chair of Landlord Tenant Commission	727 Anderson Ave Rockville, MD 20850 240 994 8117 dlunenfeld@gmail.com
Speaker and Written Comments Margaret Magner	115 Forest Ave. Rockville, MD 20850 917-609-8648 margaretmagner@nyc.rr.com
Speaker and Written Comments Nancy Pickard; Dr. Miriam Bunow Director Peerless Rockville	39 Courthouse Square Rockville, MD 20850 301-762-0096 director@peerlessrockville.org

Speaker Larry Giammo	124 Monument St. Rockville, MD 20850 301-213-5678 larry@larrygiammo.com
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IN-PERSON

Name	Address Phone Number / Email
In Person and Written Comment Ms. Noreen Bryan	207 S. Washington St. Rockville, MD 20850 301-762-1256 Noreen1945@yahool.com
Ms. Chua Property Owner 406 Great Fall Road Rockville, MD	406 Great Falls Road Rockville, MD 20850
Mr. Martinez Property Owner 406 Great Fall Road Rockville, MD	406 Great Falls Road Rockville, MD 20850
Ms. Kuranda Architect	RC Goodwin & Associates 241 E 4 th Street Frederick, MD 21701 kkurnda@rcgoodwin.com
Craig Moloney Architect	CEM Design 520 Anderson Ave. Rockville, MD 20850 301-294-0682 craig@cemdesign.com

Questions from the Mayor and Council were addressed by staff. The Mayor and Council provided their thoughts, comments and request their questions to staff be included in the May 16 agenda staff report.

The complete testimony of this evening's speakers can be found in the official Public Hearing records in the City Clerk/Director of Council Operations offices. There being no further speakers testifying, the Public Hearing closed at 8:38 p.m. The record will remain open until May 9, 2022.

FURTHER DISCUSSION

April 25, 2022. Agenda Item 10.

https://rockvillemd.granicus.com/MediaPlayer.php?view_id=2&clip_id=4533

Video Time Stamp 23:38

THE MAYOR AND COUNCIL WENT INTO A BRIEF RECESS AT 8:55 P.M. THE MAYOR AND COUNCIL WORKSESSION RECONVENED AT 9:05 P.M.

Councilmember Beryl L. Feinberg returned to the meeting at 9:05 p.m.

11. FY 2023 Budget and ARPA Worksession

Deputy Chief Financial Officer Kimberly Francisco provided a brief overview of the 4th worksession for FY 2023 proposed Operating Budget and Capital Improvement Program.

Staff included American Rescue Plan Act (ARPA) funding options, and requested that the Mayor and Council provide final direction on changes and additional appropriations to be provided for special projects, programs, and initiatives.

Questions from the Mayor and Council were addressed by staff. The Mayor and Council provided their thoughts, comments, and directions to include moving line items 17 and 22 to access reserves; leave the \$2.8 million for RedGate renovation unobligated; because of time sensitivity proceed with Bank On Rockville; 6 Taft Ct under APPA; meetings in the fall for further directions; Stonestreet corridor; pay for police scale;

FURTHER DISCUSSION

April 25, 2022. Agenda Item 11.

https://rockvillemd.granicus.com/MediaPlayer.php?view_id=2&clip_id=4533

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Councilmember Beryl L. Feinberg left the meeting for the evening at 11:24 p.m. due to medical advice restricting the length of time to participate in meetings.

12. Adoption of Paid Parental Leave Policy

The Mayor and Councilmembers discussed and agreed to remove Agenda Item No. 13 from tonight's Agenda to a future meeting.

13. Adoption of Reduction in Force and Furlough Policy

The Mayor and Councilmembers discussed and agreed to remove Agenda Item No. 13 from tonight's Agenda to a future meeting.

14. Adoption of Changes to Work-Related Injury Paid Leave Benefits

The Mayor and Councilmembers discussed and agreed to remove Agenda Item No. 14 from tonight's Agenda to a future meeting.

15. Old/New Business

Councilmember Monique Ashton moved to approve the revised letter, from Assistant to the City Manager Linda Moran on Monday April 25, 2022, regarding an update to the City on status of major Montgomery County Public School capital projects and issues of interest.

	RESULT: APPROVED [4-0]
MOVER:	Monique Ashton, Councilmember
SECONDER:	Mark Pierzchala, Councilmember
IN FAVOR:	Mayor Newton, Councilmember Ashton, Councilmember Myles, Councilmember Pierzchala

Councilmember Mark Pierzchala moved to work with Mayor Bridget Donnell Newton on the draft letter to the Transportation Planning Board climate and transportation letter.

	RESULT: APPROVED [4-0]
MOVER:	David Myles, Councilmember
SECONDER:	Monique Ashton, Councilmember
IN FAVOR:	Mayor Newton, Councilmember Ashton, Councilmember Myles, Councilmember Pierzchala

FURTHER DISCUSSION

April 25, 2022. Agenda Item 15.

https://rockvillemd.granicus.com/MediaPlayer.php?view_id=2&clip_id=4533

Video Time Stamp 4:26:07

16. Adjournment

There being no further business the meeting adjourned at 11.47 p.m.

RESULT: APPROVED [4-0]

MOVER: Mark Pierzchala, Councilmember

SECONDER: Monique Ashton, Councilmember

IN FAVOR: Mayor Newton, Councilmember Ashton, Councilmember Myles,
Councilmember Pierzchala