

City of Rockville

City Hall
111 Maryland Ave
Rockville, MD 20850

Approved *Bridget Donnell Newton*
Attest: *Sara Jagan-Fennell*
Approved Meeting No. 21-23
July 17, 2023



Meeting Minutes

Monday, May 15, 2023

7:00 PM

Meeting No. 16-23

WebEx

Mayor and Council

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

1. Convene

The Mayor and Council convened in a hybrid Open Meeting Session at 7:03 p.m. on Monday, May 15, 2023, in the Mayor and Council Chambers, City Hall, 111 Maryland Avenue, Rockville, Maryland, and via WebEx.

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

2. Pledge of Allegiance

Mayor Bridget Donnell Newton led the Pledge of Allegiance.

3. Agenda Review

City Clerk/Director of Council Operations Sara Taylor-Ferrell reported no changes to the agenda.

4. City Manager's Report

City Manager Rob DiSpirito presented information on events and topics:

The City of Rockville congratulates the Richard Montgomery High School Swim Team on winning the Maryland State Championship. The Farmer's Market is scheduled for 9:00 AM – 1:00 PM next Saturday. The Rockville Bike Hub will present bikes to 79 Children on May 20, 2023, at RedGate Park.

5. Proclamation and Recognition

A. Proclamation Declaring May 14 -20, 2023 as Women's Health Week

Councilmember Beryl L. Feinberg read and moved the proclamation declaring May 14-20, 2023, as Women's Health Week.

RESULT: APPROVED [UNANIMOUS]

MOVER:	Beryl L. Feinberg, Councilmember
SECONDER:	Monique Ashton, Councilmember
IN FAVOR:	Mayor Newton, Councilmember Ashton, Councilmember Feinberg, Councilmember Myles, Councilmember Pierzchala

B. Proclamation Declaring May 14-20, 2023, as National Police Week.

Councilmember Mark Pierzchala read and moved the proclamation declaring May 14-20, 2023, as National Police Week, and presented it to Sergeant Javier Barquero, Corporal Ronnie Crowe, and Corporal Derrick Tibbs.

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

C. Proclamation Declaring May 14-20, 2023, as Taiwanese American Heritage Week

Mayor Bridget Donnell Newton read the proclamation declaring May 14-20, 2023, as Taiwanese American Heritage Week. Councilmember Mark Pierzchala moved the proclamation. It was presented to Mr. Drew Powell, President of the Rockville Sister Cities organization. Dr. Lindsey Chin and Dr. Shi played "Little Umbrella."

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

D. Proclamation Declaring May 20, 2023, as National Kids to Parks Day

Councilmember David Myles read and moved the proclamation declaring May 20, 2023, as National Kids to Parks Day in Rockville, Maryland. The proclamation was presented to the Rockville Recreation and Parks Board.

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

6. Boards and Commissions Appointments and Reappointments - NONE

7. Presentations – NONE

8. Community Forum

NAME
In Person Adam Van Grack
In Person Drew Powell
In Person Anita Powell
In Person Dr. Nancy Breen

9. Consent Agenda

- A.** Adoption of a Resolution to Establish the Storm Water Management Equivalent Residential Unit for Fiscal Year 2024.
- B.** Adoption 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.
- C.** Adoption of a Resolution to Close Completed Capital Improvements Program Projects.
- D.** Adoption of a Resolution to Close the RedGate Golf Course Fund.
- E.** Adoption of Resolution to declare the official intent of the Mayor and Council of Rockville to reimburse expenditures for certain projects from the proceeds of tax-exempt obligations under U.S. Treasury Income Tax Regulation Section 1.150-2.
- F.** Authorize the City Manager to Execute the Chesapeake Charter, Inc. Contract # RFP 22SC-049, Bus Transportation Services for the City’s Recreation and Parks Programs, in the amount of \$125,000.

Councilmember Mark Pierzchala moved to approve Consent Agenda items A, B, C, D, E.

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

Councilmember Mark Pierzchala moved to approve Consent Agenda item F.

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

10. Public Hearing

The Public Hearing opened at 7:55 pm

- A.** Public Hearing on TXT2023-00261, an Interim Zoning Ordinance Update to Allow for Floating Zones that Implement the Rockville 2040 Comprehensive Plan Recommendations and Proposed Changes to Section 25.06.06, Administrative Adjustments; Mayor and Council of Rockville, Applicants.

Rockville Director of Zoning, Jim Wasilak gave a brief presentation on TXT2023-00261, an Interim Zoning Ordinance Update to Allow for Floating Zones that Implement the Rockville 2040 Comprehensive Plan Recommendations, and Proposed Changes to Section 25.06.06, Administrative Adjustments, Mayor and Council of Rockville, applicants.

Questions from the Mayor and Council were addressed by staff.

The Mayor and Council provided their thoughts, comments, and requests to staff.

The Public Hearing Closed at 8:03 pm.

- B.** Public Hearing and Briefing for Zoning Text Amendment Application TXT2023-00263, Accessory Apartments.

Rockville Director of Zoning, Jim Wasilak gave a brief presentation on Zoning Text Amendment Application TXT2023-00263.

Staff recommends Mayor and Council receive a briefing and conduct the Public Hearing.

The Public Hearing opened at 8:19 p.m.

The following speakers testified.

NAME
In Person Wendy Lee
In Person Chris Gorder
In Person Marissa Valeri
In Person Paul Scott
Written Comments Barry Mirtagavi

Questions from the Mayor and Council were addressed by staff.

The Mayor and Council provided their thoughts, comments, and requests to staff. The complete testimony of this evening’s speakers can be found in the official Public Hearing record in the City Clerk/Director of Council Operations Offices. There being no further speakers testifying, the Public Hearing Closed at 8:31 pm.

FURTHER DISCUSSION

May 15,2023, Agenda Item 10 B.
https://rockvillemd.granicus.com/MediaPlayer.php?view_id=2&clip_id=4700
Video Timestamp 1:01:26

11. Introduction, Discussion and Instruction, Possible Adoption 8:55 PM

A. Adoption of an Ordinance to Appropriate Funds and Levy Taxes for Fiscal Year 2024.

Rockville Deputy Chief Financial Officer gave a brief presentation on the Ordinance to Appropriate Funds and Levy Taxes for Fiscal Year 2024.

Staff recommends that the Mayor and Council adopt the attached Ordinance to Appropriate Funds and Levy Taxes for Fiscal Year 2024 through the following actions: 1) motion to amend the ordinance as modified in Attachment A, seconded, and passed; and 2) motion to adopt the amended ordinance, seconded, and passed.

Mayor and Council provided their thoughts, questions, and comments. Staff responded to Mayor and Council questions.

Councilmember Beryl L. Feinberg moved to amend the ordinance as modified in Attachment A.

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

Councilmember Beryl L. Feinberg moved to adopt the amended ordinance.

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

FURTHER DISCUSSION

May 15,2023, Agenda Item 11 A.

https://rockvillemd.granicus.com/MediaPlayer.php?view_id=2&clip_id=4700

Video Timestamp 1:29:13

- B.** Introduction, and Possible Adoption, of an Ordinance to Levy Special Assessments For Driveway Aprons Constructed in 2022

Rockville Director of Finance, Stacey Webster provided a brief overview of the Ordinance to Levy Special Assessment for Driveway Aprons Constructed in 2022.

Staff recommends that the Mayor and Council introduce the ordinance to levy special assessments for driveway aprons constructed in 2022. If the Mayor and Council wish to introduce the ordinance and proceed to adoption at the same meeting, the ordinance should first be introduced, then a motion should be made to waive the layover period. If the motion to waive the layover period is approved by an affirmative vote of four or more members of the Mayor and Council, a motion to adopt the ordinance can then proceed.

Mayor and Council provided their thoughts, questions, and comments. Staff responded to Mayor and Council questions.

Councilmember Mark Pierzchala Introduced the Ordinance.

Councilmember Beryl L. Feinberg moved to waive the layover period.

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

Councilmember Mark Pierzchala moved to adopt the Ordinance to Levy Special Assessments For Driveway Aprons Constructed in 2022.

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

FURTHER DISCUSSION

May 15,2023, Agenda Item 11 B.

https://rockvillemd.granicus.com/MediaPlayer.php?view_id=2&clip_id=4700

Video Timestamp 1:41:54

- C.** Introduction and Possible Adoption of an Ordinance to Amend Ordinance #02-23 to Appropriate Funds and Levy Taxes for Fiscal Year 2023 (Budget Amendment #5).

Rockville Senior Management and Budget Analyst Mary Sue Martin provided a brief overview to Mayor and Council of the Ordinance to Amend Ordinance #02-23 to Appropriate Funds and Levy Taxes for Fiscal Year 2023 (Budget Amendment #5).

Staff recommends that the Mayor and Council introduce the attached ordinance to amend Ordinance #02-23 to appropriate funds and levy taxes for Fiscal Year 2023 (Budget Amendment #5). If the Mayor and Council wish to proceed with adoption of the ordinance at the same meeting, the ordinance should first be introduced and then a motion should be made to waive the layover period. If the motion to waive the layover period is approved by an affirmative vote of four or more members of the Mayor and Council, a motion to adopt the ordinance may then proceed.

Mayor and Council provided their thoughts, questions, and comments. Staff responded to Mayor and Council questions.

Councilmember Monique Ashton introduced the Ordinance.

Councilmember Mark Pierzchala moved to waive the layover period.

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

Councilmember Monique Ashton moved the adoption of an ordinance to amend ordinance 02-23 to appropriate funds and levy taxes for Fiscal Year 2023 (Budget Amendment #5).

	RESULT: APPROVED [4-1]
MOVER:	Monique Ashton, Councilmember
SECONDER:	Mark Pierzchala, Councilmember
IN FAVOR:	Mayor Newton, Councilmember Ashton, Councilmember Myles, Councilmember Pierzchala
OPPOSED:	Councilmember Feinberg

FURTHER DISCUSSION

May 15,2023, Agenda Item 11 C.

https://rockvillemd.granicus.com/MediaPlayer.php?view_id=2&clip_id=4700

Video Timestamp 1:43:25

- 12. **Other - NONE**
- 13. **Review and Comment - Action Report - NONE**
- 14. **Future Agendas - Reference**
 - A. Future Agendas

The Mayor and Council reviewed Future Agendas.

Questions from the Mayor and Council were addressed by staff. The Mayor and Council provided their thoughts and comments.

FURTHER DISCUSSION

May 15,2023, Agenda Item 14

https://rockvillemd.granicus.com/MediaPlayer.php?view_id=2&clip_id=4700

Video Timestamp 2:11:00

15. Old/New Business

Councilmember Monique Ashton moved for staff to work with Mayor and Council to develop a letter regarding the needs of the schools on the Rockville Cluster.

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

FURTHER DISCUSSION

May 15,2023, Agenda Item 15

https://rockvillemd.granicus.com/MediaPlayer.php?view_id=2&clip_id=4700

Video Timestamp 2:35:25

16. Adjournment

There being no further business, the meeting adjourned at 9:51 p.m.

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