



**Monday, February 4, 2019
MAYOR AND COUNCIL
MEETING NO. 07-19
ROCKVILLE, MARYLAND**

Approved: *Bridget Donnell Newton*
Attest: *Sara Ferrell Taylor*
Approved Meeting No. 31-19;
September 9, 2019

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
Mark Pierzchala	Councilmember	Present

1. Convene

The Mayor and Council convened in Open Session on Monday, February 4, 2019 in the Mayor and Council Chambers, City Hall, 111 Maryland Avenue, Rockville, Maryland.

Staff present: City Manager Rob DiSpirito, City Attorney Debra Daniel and City Clerk/Director of Council Operations Sara Ferrell Taylor.

2. Pledge of Allegiance

Mayor Bridget Donnell Newton led the Pledge of Allegiance.

3. Agenda Review

City Clerk/Director of Council Operations Sara Ferrell Taylor noted there were several changes in the revised agenda. Under 5C, Boards and Commissions appointments was added, and two consent agenda items were pulled from Items 9, A and C. Also provided is a staff report provided for the Compensation Commission appointment and there is a revised adopted resolution on the APFS standards.

4. City Manager's Report

City Manager Rob DiSpirito presented information on events and topics: 11th Lunar New Year celebration scheduled for February 16, 2019; Mayor and Council's Environmental Excellence Awards nominations being accepted through February 22, 2019; Glenview Mansion and Peerless Rockville Speaker Series on Glenview Mansion scheduled for February 24, 2019; second public hearing on recommendations from the King Farm Task Force for the future of the historic former farmstead in the King Farm neighborhood to be held February 27, 2019; Mayor and Council sponsoring an opioid awareness and prevention campaign, called Rockville Goes Purple with a kickoff event scheduled for March 7, 2019; Black History Month celebration with a guest speaker Ralph Buglass to deliver a talk on Rockville's Central Role in the Education of African-Americans to be held on February 24, 2019; City Hall to be closed on February 18, 2019 in observance of Presidents Day.

5. Proclamation

A. National African American History Month

Councilmember Mark Pierzchala read the proclamation establishing the month of February as National African American History Month. Councilmember Mark Pierzchala presented the proclamation to and was accepted by Mr. Franz Wilson.

RESULT:	APPROVED (UNANIMOUS)
MOVER:	Councilmember Mark Pierzchala
SECONDER:	Councilmember Virginia D. Onley
IN FAVOR:	Mayor Bridget Donnell Newton, Councilmember Beryl L. Feinberg, Councilmember Virginia D. Onley, Councilmember Mark Pierzchala

B. Proclamation Rare Disease Day

Councilmember Beryl L. Feinberg read the proclamation establishing February 4, 2019 as Rare Disease Day. Councilmember Beryl L. Feinberg presented the proclamation to the Marill family to include daughter Aaron Marill, who has a rare disease.

RESULT:	APPROVED (UNANIMOUS)
MOVER:	Councilmember Beryl L. Feinberg
SECONDER:	Councilmember Mark Pierzchala
IN FAVOR:	Mayor Bridget Donnell Newton, Councilmember Beryl L. Feinberg, Councilmember Virginia D. Onley, Councilmember Mark Pierzchala

C. Board and Commission Appointment

Councilmember Beryl L. Feinberg moved to appoint Mr. Jonelle Williams as a new appointment to serve a four-year term until December 3, 2022 as a member on the Compensation Commission.

RESULT:	APPROVED (UNANIMOUS)
MOVER:	Councilmember Beryl L. Feinberg
SECONDER:	Councilmember Virginia D. Onley
IN FAVOR:	Mayor Bridget Donnell Newton, Councilmember Beryl L. Feinberg, Councilmember Virginia D. Onley, Councilmember Mark Pierzchala

6. Community Forum

Name	Topic
Mark Fisher	APFS
Wendy Calhoun	APFS
Michael Dulka	APFS
James Hedrick	APFS
Alexandra Dace Denito	APFS
Vincent Russo	APFS
Bronwen Sandor	APFS
Alan Schwartz	APFS
Melissa McKenna	APFS
Carolyn Weiss	APFS
Lok Samson	APFS
Rohit Ranjan	APFS
Kosalai Lewis	APFS
Yovi Seever	APFS
David Brenner	Police Citation #8
David Green	APFS
Mary Caroline Coletti	APFS
Noreen Bryan	APFS
Jennifer Timmick	APFS
Jack Gelin	APFS

Susan Suzan Pittman	APFS
Doran Hoffman	APFS
Debbie Helmafara	APFS
Howard Van	APFS
Anita Powell	Black History Month, MLK Celebration, African American Talking Tour
Lee Dutchman	APFS
Jennifer Young	APFS
Karel Hodger	APFS
Brandon Brendon Miller	APFS
Evan Morris	APFS
Lori Polluck	APFS
Mike Stein	APFS
Ben Burger	APFS
Brigitta Mullican	APFS
Melissa McKenna	APFS

7. Mayor and Council's Response to Community Forum

The Mayor and Council thanked all for their participation at 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

A. Agenda Item #9A – Item Pulled and Rescheduled for Later Date

B. Authorization for a Revocable License Agreement for a Portion of Monroe Street

C. Agenda Item #9 C - Item Pulled and Rescheduled for Later Date

D. Adoption of a Resolution to Declare the Official Intent of the Mayor and Council to Bond Finance Certain Projects Under U.S. Treasury Income Tax Regulation Section 1.150-2.

Councilmember Virginia D. Onley moved the Consent Agenda Items B and D.

RESULT:	APPROVED (UNANIMOUS)
MOVER:	Councilmember Virginia D. Onley
SECONDER:	Councilmember Beryl L. Feinberg
IN FAVOR:	Mayor Bridget Donnell Newton, Councilmember Beryl L. Feinberg, Councilmember Virginia D. Onley, Councilmember Mark Pierzchala

10. Public Hearing on the King Farm Farmstead Task Force Report

Director of Recreation and Parks Tim Chesnutt presented a brief overview and summary of the King Farm Farmstead Task Force Report noting the goal of this public hearing was to solicit community input on the future uses of the King Farm Farmstead property. The vision for the property includes:

- A vibrant open market allowing residents to find produce, prepared food and arts and crafts products produced locally,
- A commercial kitchen to support the market and event spaces, and provide opportunities for cooking instruction, a museum to tell the history of the farm site and surrounding area,
- A 150-seat theatre providing entertainment and community assembly space and a variety of other ancillary uses requiring little additional investment.

The Public Hearing opened at 8:43 p.m. The following individual(s) presented testimony:

Mary Caroline Coletti
Joseph Kister
Brian Belanger

There being no further testimony, the Public Hearing closed at 8:53 p.m. The complete testimony of this evening's speakers can be found in the official Public Hearing record files in The City Clerk/Director of Council Operations offices.

THE MAYOR AND COUNCIL TOOK A BRIEF RECESS AT 8:54 P.M. THE MAYOR AND COUNCIL RECONVENED IN OPEN SESSION AT 9:07 P.M.

11. Emergency Management

This briefing is intended to provide information on Rockville's emergency management operations and hear from emergency management partners and guests about operations in Montgomery County and the City of Laurel, Rockville. Police Chief Victor Brito introduced guests from Montgomery County and the City of Laurel, Maryland as follows:

- Director Earl Stoddard of the Office of Emergency Management and Homeland Security
- Fire Chief Scott Goldstein, Montgomery County Fire and Rescue Services
- Assistant Chief Maurice Witt, **MCFRS-SOC**
- Volunteer Fire Chief James Vagonis, Rockville Volunteer Fire Department
- Mayor Craig Moe, City of Laurel, Maryland
- Emergency Manager Steve Allen, City of Laurel, Maryland

After the briefing, questions **of clarification** from the Mayor and Council were addressed by the guests and City of Rockville staff, and comments and suggestions from the Mayor and Council were provided.

12. Discussion, Instructions and Possible Adoption of a Resolution to Amend the Adequate Public Facilities Standards to Revise the Public Schools Test

Community Planning and Development Services staff member Jim Wasilak provided a brief overview of the proposed resolution to amend the APFS to revise the Public Schools Test. Direction is needed from the Mayor and Council on the options generated by process to include:

1. No change
2. Increase the capacity standard above 120% within certain areas
3. Provide for an exemption, based on conditions
4. Provide for a waiver, based on criteria
5. Other?

Questions **of clarification** from the Mayor and Council were addressed by staff with the Mayor and Council's thoughts and comments provided. Councilmember Mark Pierzchala made a motion that the Mayor and Council amend the Adequate Public Facilities Standards for the purpose of aligning the Rockville School Standard with Montgomery County Planning Boards **Annual Schools Test and provide for an exemption from the School Adequacy Adequate C Test**

for certain development applications based on certain criteria restricted to Champion Projects in the South Pike.

RESULT:	APPROVED (3-1)
MOVER:	Councilmember Mark Pierzchala
SECONDER:	Councilmember Virginia D. Onley
IN FAVOR:	Mayor Bridget Donnell Newton, Councilmember Virginia D. Onley, Councilmember Mark Pierzchala
OPPOSED:	Councilmember Beryl L. Feinberg

THE MAYOR AND COUNCIL WENT INTO A BRIEF RECESS AT 11:18 P.M. THE MAYOR AND COUNCIL RECONVENED IN OPEN SESSION AT 11:26 P.M.

13. Introduction, and Possible Adoption, of an Ordinance to Amend Ordinance #20-18 to Appropriate Funds and Levy Taxes for Fiscal Year 2019 (Budget Amendment #3)

Finance Department staff member Stacey Webster provided a brief overview of the ordinance to amend ordinance #20-18 to appropriate funds and levy taxes for Fiscal Year 2019. Items for discussion include:

- General Fund
- Special Activities and Community Development Block Grant Funds
- Debt Service Fund
- Water Fund
- Capital Improvements Program

Councilmember Mark Pierzchala moved to introduce the ordinance. Councilmember Mark Pierzchala moved to waive the layover period.

RESULT:	APPROVED (UNANIMOUS)
MOVER:	Councilmember Mark Pierzchala
SECONDER:	Councilmember Virginia Onley
IN FAVOR:	Mayor Bridget Donnell Newton, Councilmember Beryl L. Feinberg, Councilmember Virginia D. Onley, Councilmember Mark Pierzchala

Councilmember Virginia D. Onley moved to adopt the ordinance with changes.

RESULT:	APPROVED (UNANIMOUS)
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MOVER:	Councilmember Virginia D. Onley
SECONDER:	Councilmember Mark Pierzchala
IN FAVOR:	Mayor Bridget Donnell Newton, Councilmember Beryl L. Feinberg, Councilmember Virginia D. Onley, Councilmember Mark Pierzchala

14. FY 2020 Mayor and Council Budget Priorities

Finance Department staff member Stacey Webster provided a brief overview of the budget priorities and what is happening in the budget for the Mayor and Council's review and discussion. Also provided were the Survey results, top priorities and an update on major changes to the General Fund budget projections for FY 2020.

Questions ~~of clarification~~ from the Mayor and Council were addressed by staff and comments and suggestions from the Mayor and Council were provided. The City Manager's budget will be presented on February 25, 2019 with additional budget hearings and worksessions taking place in March and April. The budget is scheduled for adoption by the Mayor and Council on May 6, 2019.

15. Review and Comment - Mayor and Council Action Report

The Mayor and Council reviewed the Action Report and Priority Initiatives Update.

A. Mayor and Council Action Report

No action taken on the Action Report.

B. Mayor and Council Priority Initiatives Update

No action taken on the Priority Initiatives Update.

16. Review and Comment - Future Agendas

The Mayor and Council reviewed the Future Agendas.

A. Future Agendas

Councilmember Mark Pierzchala requested a Town Center Worksession be scheduled as quickly as possible.

Councilmember Beryl L. Feinberg requested the Business Investment Fund and REDI and the criteria currently in place for the grants be added to a future agenda.

17. Old/New Business

Mark Pierzchala stated there are several drafts of the I-270 letter with Kumar Barve and City Manager staff member Linda Moran noted that comments would be helpful if received by close of business on Tuesday, February 5, 2019.

Councilmember Beryl L. Feinberg suggested staff draft a letter regarding County regulatory changes to the Healthcare for the Uninsured Program and that it be ready for discussion at the next Mayor and Council's meeting. Linda Moran stated a letter is under development and will be ready for the next meeting. ~~preparing a letter to the County for the agenda at the next meeting in support of the Health Care changes in regulation for uninsured program. City Manager staff person Linda Moran stated a letter is being prepared for the Mayor and Council's next meeting.~~

18. Adjournment

There being no further business, the meeting adjourned at 12:03 a.m.

RESULT:	APPROVED (UNANIMOUS)
MOVER:	Councilmember Virginia D. Onley
SECONDER:	Councilmember Mark Pierzchala
IN FAVOR:	Mayor Bridget Donnell Newton, Councilmember Beryl L. Feinberg, Councilmember Virginia D. Onley, Councilmember Mark Pierzchala