



Monday, February 28, 2022
MAYOR AND COUNCIL
MEETING NO. 05-22
ROCKVILLE, MARYLAND

Approved *Bridget Donnell Newton*
Attest: *Sara Taylor-Ferrell*
Approved Meeting No. 05-22
March 28, 2022

THE HONORABLE MAYOR AND COUNCIL PRESIDING

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 7:01 p.m. on Monday, February 28, 2022, via WebEx.

Staff Present: City Manager Rob DiSpirito, Rockville Corporate Council 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.

Mayor Donnell Newton offered condolences to the family friends and colleagues of Mr. Wayne Butler, Jr.

The Mayor and Council and City Staff's thoughts and prayers go out to the people of Ukraine.

3. Agenda Review

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

4. COVID-19 Update

Emergency Manager Dr. Mark Landahl provided an update of the COVID-19 impact on the City, County, and State.

FURTHER DISCUSSION

February 28, 2022. Agenda Item 4.

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Timestamp 02:26

5. Community Forum

Name	Topic
Speaker by Phone and Written Comments Hannah Fisher	NO – Montgomery County Seven Locks Road, Proposed Bus Depot
Speaker by Computer and Written Comments Uzi Vishkin	NO – Montgomery County Seven Locks Road, Proposed Bus Depot
Speaker by Computer Written Comments Dr. Marcia Kerchner	NO – Montgomery County Seven Locks Road, Proposed Bus Depot
Speaker by Computer and Written Comments Dr. Susan Arbuck	NO – Montgomery County Seven Locks Road, Proposed Bus Depot
Speaker by Computer and Written Comments Krystal Putman-Garcia	NO – Montgomery County Seven Locks Road, Proposed Bus Depot
Speaker by Computer Leon Feuerstein Falls Ridge (HOA Board Member)	NO – Montgomery County Seven Locks Road, Proposed Bus Depot
Speaker by Computer Heather Feuerstein 15yrs old, RMHS Freshman & Freshman SGA Board Member	NO – Montgomery County Seven Locks Road, Proposed Bus Depot

Name	Topic
Speaker by Computer Barry Jackson	Community Safety and Budget
Speaker by Computer and Written Comments Nancy Breen, Chair Rockville Bicycle Advisory Committee	NO- Montgomery County Seven Locks Road, Proposed Bus Depot; the accessway to the proposed bus depot location; bikeway
Speaker by Computer and Written Comments Monica Zeitlin	NO- Montgomery County Seven Locks Road, Proposed Bus Depot; the accessway to the proposed bus depot location; bikeway
Speaker by Computer and Written Comments Martin Garcia	NO- Montgomery County Seven Locks Road, Proposed Bus Depot; the accessway to the proposed bus depot location; bikeway
Speaker by Computer and Written Comments Parva Fattahi, Esq. Fattahi Immigration Law, LLC Adams Law Center	Rescinding Mask Mandate
Speaker by Computer and Written Comments Stephanie Fulop	NO – Montgomery County Seven Locks Road, Proposed Bus Depot
Speaker by Computer and Written Comments Doris Raffel	NO – Montgomery County Seven Locks Road, Proposed Bus Depot
Written Comments Dr. Bruce Lazerow	NO – Montgomery County Seven Locks Road, Proposed Bus Depot
Written Comments Brian Hung	Community Safety

Name	Topic
Written Comments Mike Stein	Community Safety
Written Comments Ingrid Alpern	NO – Montgomery County Seven Locks Road, Proposed Bus Depot
Written Comments Dwight Alpern	NO – Montgomery County Seven Locks Road, Proposed Bus Depot
Written Comments Meyer Katzper	NO – Montgomery County Seven Locks Road, Proposed Bus Depot
Written Comments Martin H. Goldrosen	NO – Montgomery County Seven Locks Road, Proposed Bus Depot
Written Comments Samantha Meklir	NO – Montgomery County Seven Locks Road, Proposed Bus Depot
Written Comments Giora Segev	NO – Montgomery County Seven Locks Road, Proposed Bus Depot
Written Comments Yvette Segev	NO – Montgomery County Seven Locks Road, Proposed Bus Depot
Written Comments Dan Prywes	NO – Montgomery County Seven Locks Road, Proposed Bus Depot
Written Comments Isaac Abraham	NO – Montgomery County Seven Locks Road, Proposed Bus Depot
Written Comments Susan Abraham	NO – Montgomery County Seven Locks Road, Proposed Bus Depot
Written Comments Amy Linder	NO – Montgomery County Seven Locks Road, Proposed Bus Depot

Name	Topic
Written Comments Alexa Fraser	NO – Montgomery County Seven Locks Road, Proposed Bus Depot/Carver Lot
Written Comments Kathy and Joe DiGilio	NO – Montgomery County Seven Locks Road, Proposed Bus Depot
Written Comments Ayham Bakhos	NO – Montgomery County Seven Locks Road, Proposed Bus Depot
Written Comments Laura Anderson Wright, Esq.	NO – Montgomery County Seven Locks Road, Proposed Bus Depot
Written Comments Dan Fulop	NO – Montgomery County Seven Locks Road, Proposed Bus Depot
Written Comments Neil Roy, MD	NO – Montgomery County Seven Locks Road, Proposed Bus Depot
Written Comments Dr. Robert Kerchner	NO – Montgomery County Seven Locks Road, Proposed Bus Depot
Written Comments Rahul Balchandani	NO – Montgomery County Seven Locks Road, Proposed Bus Depot
Written Comments Hardeep Singh Goraya	NO – Montgomery County Seven Locks Road, Proposed Bus Depot
Written Comments Marc Raffel	NO – Montgomery County Seven Locks Road, Proposed Bus Depot

6. Presentation

A. Presentation by Montgomery County Regarding Their Plans for Properties Located Along Seven Locks Road Including a Proposed Bus Depot

Director of Development Services, John Foremen presented the report to the Mayor and Council and Mayor Newton introduced Montgomery County Government Director of General Services David Dise, and Deputy Director of General Services, Greg Ossont.

Mr. Dise and Mr. Ossont presented an overview from Montgomery County regarding its plans for property located along Seven Locks Road, including a proposed Bus Depot.

Questions from the Mayor and Council were addressed by Mr. Dise and Mr. Ossont, and staff.

The Mayor and Council provided their thoughts and comments.

FURTHER DISCUSSION

February 28, 2022, Agenda item 6

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7. Boards and Commissions Appointments and Reappointments

A. Boards and Commissions Appointments and Reappointments

Councilmember Mark Pierzchala moved the re-appointment of Karen Askin to the Cultural Arts Commission, to serve a three-year term until February 1, 2025.

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

Councilmember Mark Pierzchala moved the new appointment to the Historic District Commission, of Peter Fosselman, to serve a three-year term until January 1, 2025; and the new appointment of Michael Goldfinger to the Historic District Commission, to serve an unexpired term, until November 1, 2023.

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

Councilmember Monique Ashton moved the new appointment of John Walsh to the Retirement Board, to serve a new 3-year term, until May 13, 2025.

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

Councilmember Monique Ashton moved the new appointment of Nathan Robbins to Rockville Housing Enterprises, to serve a three-year term, until January 1, 2025.

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

Councilmember Beryl L. Feinberg moved the new appointment of Carla McCaffrey to the Senior Citizens Commission, to serve a three-year term until February 1, 2025; and the new appointment of Kevin Leary to the Senior Citizens Commission, to serve a three-year term until February 1, 2025.

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

8. Consent Agenda

A. Approving an Agreement with Montgomery County for the Provision of Mental Health Specialist Services for the Rockville City Police Department

Staff recommends that the Mayor and Council authorize the City Manager to enter into a Memorandum of Agreement (MOA) with Montgomery County for the provision of Mental Health Specialist services for the Rockville City Police Department.

B. Approval of Minutes

Staff recommends that the Mayor and Council approve the following minutes: January 10, 2022 (Meeting No. 01-22), January 24, 2022 (Meeting No. 02-22), and January 31, 2022 (Meeting No. 03-22).

Councilmember Beryl L. Feinberg moved Consent Agenda Item 8A.

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

THE MAYOR AND COUNCIL WENT INTO A BRIEF RECESS AT 9:22 p.m. THE MAYOR AND COUNCIL RECONVENED AT 9:30 p.m.

9. Presentation of the Fiscal Year 2023 Proposed Operating Budget and Capital Improvements Program

City Manager Rob DiSpirito presented the Proposed Fiscal Year 2023 Operating Budget and Capital Improvement Plan.

Staff recommends that the Mayor and Council receive the presentation on the Proposed Fiscal Year 2023 Operating Budget and Capital Improvements Program.

The Mayor and Council provided their thoughts, comments and feedback to the Proposed Fiscal Year 2023 Operating Budget and Capital Improvements Program.

FURTHER DISCUSSION

February 28, 2022, Agenda item 9.

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Councilmember Beryl L. Feinberg left the Mayor and Council meeting at 10:31 p.m. due to medical advice.

10. 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

Deputy Director of Finance Kimberly Francisco presented a brief overview of 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.

Staff recommend the 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

Questions from the Mayor and Council were addressed by staff.

The Mayor and Council provided their thoughts and comments.

Councilmember Mark Pierzchala introduced the Resolution.

FURTHER DISCUSSION

February 28, 2022, Agenda item 10.

https://rockvillemd.granicus.com/MediaPlayer.php?view_id=2&clip_id=4501

Video Timestamp 3:30:05

11. 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

Staff recommended that the Mayor and Council introduce 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.

Councilmember Mark Pierzchala introduced the Resolution.

12. Introduction of an Ordinance to Appropriate Funds and Levy Taxes for Fiscal Year 2023

Staff recommends that the Mayor and Council introduce the Ordinance to Appropriate Funds and Levy Taxes for Fiscal Year 2023.

Councilmember Monique Ashton introduced the Ordinance.

FURTHER DISCUSSION

February 28, 2022, Agenda item 12.

https://rockvillemd.granicus.com/MediaPlayer.php?view_id=2&clip_id=4501

Video Timestamp 3:32:44

13. Introduction and Possible Adoption of Ordinance to Grant Zoning Text Amendment TXT2020-00256, to Amend Section 25.21.21 of the Zoning Ordinance to Modify the Tree Planting Requirements for New Residential Lots Containing Townhouses, Duplexes and Other Attached Units (FAST Initiative); Mayor and Council of Rockville, Applicant

Principal Planner Shaun Ryan presented the recent updates to this text amendment.

Staff recommends the Mayor & Council approve the proposed Zoning Text Amendment (TXT2020-00256) as amended and adopt the attached proposed Zoning Ordinance, consistent with recommendations from the Environment Commission and Planning Commission.

Questions from the Mayor and Council were addressed by staff.

The Mayor and Council provided their thoughts and comments.

Councilmember Mark Pierzchala introduced the Ordinance.

Councilmember Monique Ashton Moved to waive the layover period.

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

Councilmember Monique Ashton moved to approve the Ordinance.

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

FURTHER DISCUSSION

February 28, 2022, Agenda item 13.

https://rockvillemd.granicus.com/MediaPlayer.php?view_id=2&clip_id=4501

Video Timestamp 3:35:47

14. Old/New Business

Mayor Donnell Newton directed that Community Forum be added to the March 7, 2022, Mayor and Council Meeting Agenda.

Assistant to the City Manager, Linda Moran provided draft testimony to the Mayor and Council on three incoming Legislative Bill and recommended that the Mayor and Council support these items:

Legislative Bill HB-1148 – Police Accountability Board and Administrative Charging Committee.

Councilmember Mark Pierzchala moved that the Mayor and Council approve the testimony on HB1184 presented this evening.

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

SB-376 – County, and Municipal Streetlight Investment Act.

Councilmember Mark Pierzchala moved that the Mayor and Council approve the testimony on SB-376 presented this evening.

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

HB-927 – Affordable Housing and Rental Housing.

Councilmember Mark Pierzchala moved that the Mayor and Council approve the testimony presented for HB 927, subject to Grammarly corrections.

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

The Mayor and Council thanked Ms. Moran for her research and draft testimony. Councilmember Ashton directed that staff to advocate to make serious crash data public.

Director Simoneau confirmed that the Department of Traffic and Transportation reviews all crash analysis, written reports are not published, and did not want to make it public. Councilmember Ashton requested that the data be made available to the Mayor and Council, Rockville Economic Development Inc. and the Rockville Bike Advisory

Committee. Staff will summarize their findings and report back to the Mayor and Council.

15. **Adjournment**

There being no further business, the meeting adjourned at 11:02 p.m.

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