



**Monday, May 10, 2021
MAYOR AND COUNCIL
MEETING NO. 18-21
ROCKVILLE, MARYLAND**

Approved: *Bridget Donnell Newton*
Attest: *Sara Taylor-Ferrell*
Approved Meeting No. 32-21
September 13, 2021

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 virtual Open Session at 7:05 p.m. on Monday, May 10, 2021, via Webex.

Staff Present: City Manager Rob DiSpirito, Acting City Attorney Cynthia Walters, and City Clerk/Director of Council Operations Sara Taylor-Ferrell.

2. Pledge of Allegiance

Bridget Donnell Newton led the Pledge of Allegiance.

3. Agenda Review

City Clerk/Director of Council Operations Sara Taylor-Ferrell reported a change to the Agenda.

4. City Manager's Report

City Manager Rob DiSpirito presented information on events and topics: There will be planned COVID-19 public testing this week at the following locations throughout Rockville, and for Montgomery County HHS Testing Website for the latest information by visiting:

<https://www.montgomerycountymd.gov/covid19/testing.html>

Registration is now open for the Capital Area Solar Co-op. Rockville is promoting Solar installations and will host a free virtual information session on Thursday, May 13.

The 20th annual Bike-To-Work day will be held on Friday, May 21. Registration is now open for all 15 Montgomery County pit stops. Visit [www. biketoworkmetrodc.org](http://www.biketoworkmetrodc.org) for registration, an interactive map of pit stops locations and more information.

The virtual Memorial Day Ceremony is scheduled for Monday, May 31 at 9:30 a.m. and may be viewed on the City's website, social media, and Rockville channel 11. The ceremony includes a Statement of Purpose by Mayor Bridget Donnell Newton, remarks by Grand Marshal Eric Bernard, a wreath laying ceremony and concert by the Rockville Concert Band.

Kudos to City Forester Paula Perez and Recreation and Parks Marketing and Development Manager Elisabeth Deal, for creating a video to commemorate Arbor Day on April 30, which was posted to the City's Recreation and Parks social media accounts.

5. COVID-19 Update

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

FURTHER DISCUSSION

May 10, 2021. Agenda Item 5.

http://rockvillemd.granicus.com/MediaPlayer.php?view_id=2&clip_id=4353 video timestamp 05:25

6. Proclamations

A. Proclamation Declaring May as Mental Health Awareness Month

Councilmember David Myles read and moved the proclamation declaring May as Mental Health Awareness Month.

	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 9-15 as National Women's Health Week

Councilmember Monique Ashton read and moved the proclamation declaring May 9-15 as National Women’s Health Week.

	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 Declaring May 15, 2021 as National Parks to Kids Day

Councilmember Mark Pierzchala read and moved the proclamation declaring May 15, 2021 as National Parks to Kids Day.

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

D. Proclamation Recognizing May 17-21, 2021 as National Public Works Week

Councilmember Beryl L. Feinberg read and moved the proclamation recognizing May 17-21, 2021 as National Public Works Week and presented the proclamation to Deputy Director of Public Works James Woods.

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

The Mayor and Council acknowledge the following staff for their work during COVID:

- James Boone – Water Treatment Plant Assistant Superintendent
- Warren Gaskill – Sanitation Operator
- Julia Huang – Operations Maintenance Secretary

- Tommy Kelpy – Fleet Mechanic III
- Michael Mattocks – Operations maintenance (Streets) Maintenance Worker I

7. Community Forum

Speaker by Phone and Written Comments Mary Allegra Cermak	Agenda Topic No. 17 Public Art in Rockville
Written Comments Shannon Brescher Shea	2040 Comprehensive Plan

8. Mayor and Council's Response to Community Forum

The Mayor and Council thanked everyone for participating in Community Forum.

9. Consent

- A. Award of Fairfax County Rider Contract #4400004410, 42-Inch Diameter Corrugated Metal Pipe Storm Drain, for Renewal Project on Denham Road in the Amount of \$378,102.67**
-

Councilmember Beryl L. Feinberg moved the consent Agenda item A.

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

10. Public Hearing on Zoning Text Amendment TXT2019-00255, to Allow for Accessory Dwelling Units in Accessory Buildings on Properties with Single Unit Detached Dwellings; Mayor and Council of Rockville, Applicants

Chief of Zoning, Jim Wasilak provided a short presentation and overview of the Accessory Dwelling Units.

The public hearing opened at 7:59 p.m. The following individuals presented testimony:

Name
Speaker by Computer and Written Comments Yajie Li
Speaker by Computer and Written Comments Mike Stein, President Twinbrook Community Association
Speaker by Phone and Written Comments Dr. Alexandra Dace Denito, President, Lincoln Park Civic Association
Speaker by Computer and Written Comments Deborah Landau, President East Rockville Civic Association
Speaker by Computer Brian Shipley West End
Speaker by Computer **Noreen Bryan
Speaker by Computer **Margaret Magner
Speaker by Computer **Patrick Woodward
Written Comments Michael Dutka

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 office. There being no further speakers testifying, the Public Hearing closed at 8:26 p.m.

FURTHER DISCUSSION

Monday May 10, 2021 Agenda item 10.

http://rockvillemd.granicus.com/MediaPlayer.php?view_id=2&clip_id=4353 video time stamp 40:39

11. Public Hearing on Zoning Text Amendment Application TXT2019-00254 – Regarding Requirements for Accessory Buildings and Structures in Residential Zones; Mayor and Council of Rockville, Applicants

Chief of Zoning, Jim Wasilak provided a brief overview of the Accessory Buildings and Structures.

The public hearing opened at 8:32 p.m. The following individuals presented testimony:

Name
Speaker by Phone and Written Comments Scott Roberson
Speaker by Computer Brian Shipley West End

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 office. There being no further speakers testifying, the Public Hearing closed at 8:27 p.m.

A Councilmember left the meeting unexpectedly at 1:34:58 therefor, the Mayor and Council did not provide their thoughts, comments, or directions. This matter will be further discussed at the next Mayor and Council meeting.

FURTHER DISCUSSION

Monday May 10, 2021 Agenda item 11.

http://rockvillemd.granicus.com/MediaPlayer.php?view_id=2&clip_id=4353 video time stamp 55:39

12. Introduction, and Possible Adoption, of an Ordinance to Amend Chapter 24 of the Rockville City Code, Entitled “Water, Sewers and Sewage Disposal,” by Amending Article III, Entitled “Rates and Charges,” to Extend the Current Water and Sewer Usage Charges and Water and Sewer Ready to Serve Charges through December 31, 2021

Deputy Chief Financial Officer Stacey Webster provided a brief overview of the extension of the water and sewer rates through December 31, 2021.

Councilmember Mark Pierzchala introduced the Ordinance.

Councilmember Mark Pierzchala moved to waive the layover period.

	APPROVED [4-0-1]
MOVER:	Mark Pierzchala, Councilmember
SECONDER:	David Myles, Councilmember
IN FAVOR:	Mayor Newton, Councilmember Ashton, Councilmember Myles, Councilmember Pierzchala
ABSENT:	Councilmember Beryl L. Feinberg

Councilmember Mark Pierzchala moved to adopt the ordinance.

	APPROVED [4-0-1]
MOVER:	Mark Pierzchala, Councilmember
SECONDER:	Monique Ashton, Councilmember
IN FAVOR:	Mayor Newton, Councilmember Ashton, Councilmember Myles, Councilmember Pierzchala
ABSENT:	Councilmember Beryl L. Feinberg

FURTHER DISCUSSION

May 10, 2021 Agenda item 12

http://rockvillemd.granicus.com/MediaPlayer.php?view_id=2&clip_id=4353 video timestamp
1:36:39

13. Adoption of an Ordinance to Appropriate Funds and Levy Taxes for Fiscal Year 2022

Deputy Chief Financial Officer Stacey Webster provided a brief overview of the ordinance and recommends that the Mayor and Council adopt the ordinance as submitted.

Councilmember Mark Pierzchala moved to amend the ordinance attachment A.

	APPROVED [4-0-1]
MOVER:	Mark Pierzchala, Councilmember
SECONDER:	Monique Ashton, Councilmember
IN FAVOR:	Mayor Newton, Councilmember Ashton, Councilmember Myles, Councilmember Pierzchala
ABSENT:	Councilmember Beryl L. Feinberg

Councilmember Mark Pierzchala moved to adopt the amended ordinance.

	APPROVED [4-0-1]
MOVER:	Mark Pierzchala, Councilmember
SECONDER:	Monique Ashton, Councilmember
IN FAVOR:	Mayor Newton, Councilmember Ashton, Councilmember Myles, Councilmember Pierzchala
ABSENT:	Councilmember Beryl L. Feinberg

FURTHER DISCUSSION

May 10, 2021 Agenda item 13.

http://rockvillemd.granicus.com/MediaPlayer.php?view_id=2&clip_id=4353 video timestamp 1:40:53

- 14. Adoption 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**
-

Deputy Chief Financial Officer Stacey Webster provided an introduction to the adoption of the resolution and recommends that the Mayor and Council adopt as submitted.

Councilmember Monique Ashton moved the adoption the accept the Stormwater Management Resolution FY22.

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

FURTHER DISCUSSION

May 10, 2021 Agenda item 14

http://rockvillemd.granicus.com/MediaPlayer.php?view_id=2&clip_id=4353 video timestamp 1:44:01

15. 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

Deputy Chief Financial Officer Stacey Webster provided a brief overview of the resolution and recommends that the Mayor and Council adopt the resolution as submitted.

Councilmember Mark Pierzchala moved to adopt the resolution to establish the service charge rate for municipal refuse.

	APPROVED [4-0-1]
MOVER:	Mark Pierzchala, Councilmember
SECONDER:	David Myles, Councilmember
IN FAVOR:	Mayor Newton, Councilmember Ashton, Councilmember Feinberg, Councilmember Myles, Councilmember Pierzchala
ABSENT:	Councilmember Beryl L. Feinberg

FURTHER DISCUSSION

May 10, 2021 Agenda item 15

http://rockvillemd.granicus.com/MediaPlayer.php?view_id=2&clip_id=4353 video timestamp 1:45:30

16. Adoption of a Resolution to Close Completed Capital Improvements Program Projects

Deputy Chief Financial Officer Stacey Webster provided an overview for the adoption a resolution to close completed Capital improvements program projects.

Councilmember Mark Pierzchala moved to adopt the resolution.

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

FURTHER DISCUSSION

May 10, 2021 Agenda item 16

http://rockvillemd.granicus.com/MediaPlayer.php?view_id=2&clip_id=4353 video timestamp 1:49:33

THE MAYOR AND COUNCIL WENT INTO A BRIEF RECESS AT 8:57 P.M. THE MAYOR AND COUNCIL WORKSESSION RECONVENED AT 9:03 P.M.

Councilmember Beryl L. Feinberg returned to the meeting.

17. Volunteer Program Update

Senior Neighborhood Resource Coordinator Hjarman Cordero provided an update and overview of the Volunteer Program and steps to improve the program. A final report containing the information from volunteer opportunities originated in the second half of FY2021 will be presented to the Mayor and Council in July.

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

FURTHER DISCUSSION

May 10, 2021 Agenda Item 17

http://rockvillemd.granicus.com/MediaPlayer.php?view_id=2&clip_id=4353 video timestamp 2:03:44

18. Vacancy Report/Hiring Freeze Status

Human Resources Director Karen Marshall provided an update to the vacancy report/hiring freeze status.

FURTHER DISCUSSION

May 10, 2021 Agenda Item 18

http://rockvillemd.granicus.com/MediaPlayer.php?view_id=2&clip_id=4353 video timestamp 2:39:18

19. Art in Public Architecture: Rockville Swim and Fitness Center Art Project

Superintendent of Recreation Andy Lett introduced Cultural Arts Commission chair Liliane Blom and Patricia Dubroff who provided a brief overview of the art project. Staff recommends that the Mayor and Council discuss and consider approval of the Art in Public Architecture: Rockville Swim and Fitness Center Art Project.

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

FURTHER DISCUSSION

May 10, 2021

http://rockvillemd.granicus.com/MediaPlayer.php?view_id=2&clip_id=4353 video timestamp 2:40:01

Councilmember Mark Pierzchala moved to approve the art and public architectures as presented.

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

20. Review and Comment - Mayor and Council Action Report

The Mayor and Council reviewed the Action Report.

21. Review and Comment - Future Agendas

The Mayor and Council reviewed Future Agendas.

22. Old/New Business

The Mayor and Council discussed Old/New Business.

23. Adjournment

There being no further business; meeting adjourned at 10:15 p.m.

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