



**Monday, June 6, 2022
MAYOR AND COUNCIL
MEETING NO. 19-22
ROCKVILLE, MARYLAND**

Approved *Bridget Donnell Newton*
Attest: *Sara Taylor-Ferrell*
Approved Meeting No. 26-22
September 19, 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

Mini Mayor Mirtha Karthic and Mayor and Council convened in a hybrid Open Meeting Session at 7:00 p.m. on Monday, June 6, 2022, in the Mayor and Council Chambers, City Hall, 111 Maryland Avenue, Rockville, Maryland, and via WebEx.

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

2. Pledge of Allegiance

Mini Mayor Karthic led the Pledge of Allegiance.

Mayor Bridget Donnell Newton presented Mini Mayor Karthic, the winner of the City of Rockville's "If I Were Mayor" essay contest. Mini Mayor Karthic is a fourth-grader at College Gardens Elementary School. Mini Mayor Karthic spent the day visiting City departments, had a ride along with the City Police, and lunch with the Mayor at Taco Bamba.

3. Agenda Review

Mini Mayor Karthic asked the City Clerk if there were any changes to the Agenda for this evening. City Clerk/Director of Council Operations Sara Taylor-Ferrell reported no changes to the agenda.

4. Recognition

A. Recognition of Winner - 2022 Rockville "If I Were Mayor Essay Contest"

Mayor Bridget Donnell Newton presented a Certificate of Recognition to Mini Mayor Karthic and he read his winning essay. Mayor Karthic presented Mayor Bridget Donnell Newton with a rose and book titled "The Kural"; photos were taken with Mini Mayor Karthic and his family.

5. Proclamation

A. Proclamation Declaring National Gun Violence Awareness Month

Mayor Bridget Donnell Newton read the proclamation declaring June as National Gun Violence Awareness Month.

Councilmember Mark Pierzchala moved the Proclamation.

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

B. Proclamation Declaring June 2022 as LGBTQ+ Pride Month

Councilmember Beryl L. Feinberg read and moved the proclamation declaring June as LGBTQ+ Pride Month.

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

C. Proclamation Declaring June 13-19, 2022 as Men's Health Week

Councilmember Mark Pierzchala read and moved the proclamation declaring June 13-19, 2022 as Men's Health Week.

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

D. Proclamation Declaring June 14, 2022 as Flag Day

Councilmember David Myles read and moved the proclamation declaring June 14, 2022 as Flag Day.

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

E. Proclamation Declaring June 19, "Juneteenth Independence Day"

Councilmember Monique Ashton read and moved the proclamation declaring June 19, 2022 as Juneteenth Independence Day, and the City of Rockville will celebrate with Montgomery County on June 20 at Black Rock Center for the Arts.

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

F. Proclamation Declaring June 20, 2022, World Refugee Day

Mayor Bridget Donnell Newton read the proclamation declaring June 20, 2022 as World Refugee Day.

Councilmember Mark Pierzchala moved the proclamation.

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

6. Community Forum

IN-PERSON

Name	Topic
Tony Silva	RedGate Park
Michael Rose	Rockville Concerns
Speaker with Written Comments Randy Alton	TCAT/10 Year Anniversary/RFQ
Nancy Pickard Peerless Rockville	Agenda Item 9

7. Consent

A. Award of RFP #06-22 - Rockville Community Branding Initiative Contract

B. City Manager Authorization to Execute the MOU for the Scott Drive Shared Use Path Grant

C. Award of Task Order Under Baltimore County Public Schools Contract, RFP JMI-615-18, Building Renovation and Alteration Services, for the Dogwood Park ADA Restroom Renovations.

D. Award of Contract to EAI Security Systems, Inc. in the Amount Not-To-Exceed \$500,000 for Repair, Maintenance, and Installation of Electronic Security Systems at City Facilities as a Rider to Montgomery County Contract # 1113122

E. Award IFB 15-22, Single Stream Recycling Processing Services, to Multiple Vendors in the Amount Not to Exceed \$500,000 Annually for Up to a 5-Year Period

F. Authorization for a Maryland Smart Energy Communities Grant Agreement for City Hall Energy Efficiency Measures

G. Authorization to Execute the Ninth Amendment to the Interim Management Agreement with Federal Realty Investment Trust (FRIT)

H. To Approve the Adoption of the Document Entitled "City of Rockville, Title VI of the Civil Rights Act of 1964, Implementation Plan"

Councilmember Mark Pierzchala moved the Consent Agenda.

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

8. Neighborhood Shopping Centers – Exploring Ways to Support and Encourage Improving and Revitalizing

Principal Planner Manisha Tewari presented an overview on ways to improve the viability of shopping centers in Rockville. Staff met with Rockville Economic Development, Inc. to obtain information and recommendations.

Recommendations to the Mayor and Council for consideration are:

1. Comprehensive Zoning Ordinance Rewrite
2. Shopping Center Stakeholders Workshop
3. Create a Business Action Team
4. New Business Welcome Package
5. Develop a Legacy Business Program

Staff recommends that the Mayor and Council discuss and provide direction.

Mini Mayor Karthic left the meeting at 8:23 p.m.

Questions from the Mayor and Council were addressed by staff. The Mayor and Council provided their thoughts, and comments and direction, and asked to include better signage when the item comes back.

FURTHER DISCUSSION

June 5, 2022. Agenda Item 8.

https://rockvillemd.granicus.com/MediaPlayer.php?view_id=2&clip_id=4553

Video Time Stamp 36:08

9. **Discussion and Instructions to Staff on Sectional Map Amendment MAP2022-00123, an Application to Rezone the Property at 406 Great Falls Road from R-90 to R-90 (HD - Historic District) in Order to Place the Property in a Historic District; Historic District Commission of Rockville, Applicant**
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THE MAYOR AND COUNCIL WENT INTO A BRIEF RECESS AT 8:55 P.M. THE MAYOR AND COUNCIL WORKSESSION RECONVENED AT 9:09 P.M.

Councilmember Monique Ashton announced Mayor Bridget Donnell Newton recusal from this agenda item no. 9 and to nominate Councilmember Beryl L. Feinberg to preside over this agenda item.

Councilmember Monique Ashton moved to nominate Councilmember Beryl L. Feinberg to preside over this agenda item.

	RESULT: APPROVED [3-0-1]
MOVER:	Monique Ashton, Councilmember
SECONDER:	David Myles, Councilmember
IN FAVOR:	Councilmember Ashton, Councilmember Myles, Councilmember Pierzchala

Councilmember Beryl L. Feinberg requested that the following statement be added to the record "Although I was not present at the initial public hearing on this item, I have since reviewed the full administrative record and intend to participate in tonight's proceedings."

Councilmember Mark Pierzchala disclosed that he received an email on May 17 from Mr. Vincent Russo with a commentary from a meeting held on May 16. This action was in violation of the ex parte rule, Councilmember Pierzchala disclosed this email to the Council. The email received from Mr. Russo has no bearing on Councilmember Pierzchala's thought process and he will continue to participate in this agenda item.

Councilmember Monique Ashton asked that her following statement below be included in the record.

Councilmember Monique Ashton disclosed that she received communication from the applicant's attorney asking if Councilmember Ashton was in communication with Nancy Pickard, Executive Director at Peerless Rockville. Councilmember Ashton confirmed that she "attends community association meetings regularly."

"In May, attended the Lincoln Park meeting and a segment of the WECA meeting. Also recently attended the Twinbrook Community Association walk and public safety meeting at the East Rockville Community, participated at the Fireside safety meeting and King Farm Community Association meeting, that we organized. Just to note that I take my job seriously to listen and be in the community."

"In regards to the meeting in question, the first part of the meeting included general updates, I posted a chat in the comments about the Maryland Avenue road diet, and the success of that, also a presentation from Eileen McGuckian of which I asked a question about Black history. When I saw that Nancy was presenting I signed off."

"I do not know the content of Ms. Pickard's presentation and did not participate. The meeting was recorded and meeting host should be able to prove that I was not on the meeting for the duration of representation. Zoom recordings should also have a length of time and information on who joined and for how long."

"The information contained in this letter is accurate. I consulted with the City Attorney's Office and he recommended that I share this information with you. I've also had some resident's attempt to chat with me, and I say that I cannot discuss, ex parte communication and I've cut that off. I have shown and told everyone, I'll be fair, that I will listen to all the facts, and that I will do what I think is in the best interest of the City. "

Chief of Zoning Jim Wasilak presented a brief presentation summarizing 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 Falls Road by changing the zone (on the Zoning Map) from RD-90 to RD-90 HD.

Councilmember Mark Pierzchala moved to reopen the record and to accept limited testimony regarding staff's reports since the public hearing, including the existence of the second buildable lot on the subject property, and close after testimony and discussion.

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

The record reopened at 9:29 pm and the following speakers testified:

1. Ms. Ingrid Chau - Owner
2. Mr. Martinez – Owner
3. Nancy Pickard – Peerless Rockville
4. Doug Lunenfeld
5. Erin Girard

Councilmember Monique Ashton moved to accept an email received today, dated June 6, 2022 from Peerless Rockville.

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

Councilmember Monique Ashton withdrew the motion as they had not had a chance to review the letter received today, dated June 6, 2022, from Peerless Rockville.

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

The complete testimony of this evening’s speakers can be found in the record in the City Clerk/Director of Council Operations offices. There being no further speakers testifying, the record closed at 9:59 pm.

Councilmember Monique Ashton moved to direct staff to look into opportunities on improvements on communications to the community and efficiencies processes for Historic District Commission

	RESULT: APPROVED [3-0-1]
MOVER:	Monique Ashton, Councilmember
SECONDER:	David Myles, Councilmember
IN FAVOR:	Councilmember Ashton, Councilmember Feinberg, Councilmember Myles
OPPOSED:	Councilmember Pierzchala

Councilmember Mark Pierzchala, based on the administrative records and deliberations of the Mayor and Council, I move that we direct staff to bring back a resolution denying Sectional Map Amendment MAP2022-00123.

Motion failed for a lack of a second.

Councilmember Monique Ashton, based on the administrative records and deliberations of the Mayor and Council, I move that we direct staff to bring back a draft ordinance granting Sectional Map Amendment MAP2022-00123 in part, to rezone the only existing house and its associated lot at 406 Great Falls Road, from R-90 to R-90 HD in order to place the home and its associated Lot P629 in a historic district.

	RESULT: APPROVED [3-0-1]
MOVER:	Monique Ashton, Councilmember
SECONDER:	David Myles, Councilmember
IN FAVOR:	Councilmember Ashton, Councilmember Feinberg, Councilmember Myles
OPPOSED:	Councilmember Pierzchala

Mayor Bridget Donnell Newton returned to preside over the meeting when agenda item 11 concluded for the evening.

FURTHER DISCUSSION

June 5, 2022. Agenda Item 9.

https://rockvillemd.granicus.com/MediaPlayer.php?view_id=2&clip_id=4553

Video Time Stamp 1:53:26

10. Review and Comment - Future Agendas

A. Future Agendas

Mayor and Council reviewed Future Agendas.

11. Old/New Business

The Mayor reminded Councilmembers to submit their comments to Assistant to the City Manager, Linda Moran on the 2023 MML Legislative Action.

Councilmember Monique Ashton moved to work with Assistant to the City Manager, Linda Moran on the call to action letter on ghost gun and assault rifles at the Federal level.

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

Councilmember Mark Pierzchala moved to send letter dated June 6, 2022 to Secretary of Transportation Buttigieg with no changes to the wording.

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

12. Adjournment

There being no further business, the meeting adjourned at 11:41 p.m.

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