



**Monday, June 14, 2021
MAYOR AND COUNCIL
MEETING NO. 25-21
ROCKVILLE, MARYLAND**

Approved: *Bridget Donnell Newton*
Attest: *Sara Lopez-Sanville*
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 in Open Session to vote on motion to go into closed session pursuant to Sections 3-305(b)(7) and 3-305(b)(8) of the General Provisions Article of the Annotated Code of Maryland to obtain legal advice and consult with staff, consultants, or other individuals about pending or potential litigation related to 1) a construction project and 2) the P3 I-270 expansion project.**

The Mayor and Council Convene in Open session to vote on motion to go into closed session pursuant to Sections 3-305(b)(7) and 3-305(b)(8) of the General Provisions Article of the Annotated Code of Maryland to obtain legal advice and consult with staff consultants, or other individuals about pending or potential litigation related to 1) a construction project and 2) the P3 I-270 Expansion project.

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

- 2. Closed Session**

Prior to the June 14, 2021 Open Session Meeting, the Mayor and Council convened in Open Session to vote on a motion to go into Closed Session via Webex at 5:30 p.m. pursuant to Sections 3-305(b)(7) and 3-305(b)(8) of the General Provisions Article of the Annotated Code of Maryland to obtain legal advice and consult with staff consultants, or other individuals about

pending or potential litigation related to 1) a construction project and 2) the P3 I-270 Expansion project.

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

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

Motion: The Closed Session adjourned at 5:30 p.m.

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

3. Reconvene into Open Session

The Mayor and Council reconvened into Open Session at 7:22 p.m.

4. Pledge of Allegiance

Mayor Bridget Donnell Newton led the Pledge of Allegiance.

5. Agenda Review

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

6. City Manager's Report

City Manager Rob DiSpirito presented information on events and topics: I am pleased to introduce Angela Judge as the new Deputy City Manager for Rockville. Please join me in welcoming Ms. Judge to Rockville.

We are pleased to announce that the Rockville Skate Park has officially opened to the public. The park is located at 355 Martins Lane, adjacent to the outdoor pool's parking lot. Check www.rockvillemd.gov/skatepark for hours of operation and safety rules. Special Recognition is

due to Superintendent of Recreation Andy Lett, Parks, Facilities Development Coordinator Mauricio Daza, Sports Program Supervisor Derrick Thompson, and Recreation Program Coordinator II Jordan Perry who worked tirelessly to see the project and the park's opening through to completion.

There will be planned COVID-19 public testing this week at the following locations throughout Rockville. A friendly reminder to always check the County HHS Testing Website for the latest information by visiting: <https://www.montgomerycountymd.gov/covid19/testing.html>

The Recreation and Parks Department's Montrose Discovery Preschool Program received \$16,600 in Child Care Pandemic Relief Grant funding from the State of Maryland.

Live at RedGate performances has been announced and ticket reservations went live on June 4. Go to www.rockvillemd.gov/events for more details.

Congratulations to seven high school students from Rockville who have been named winners of the 2021 National Merit \$2,500 Scholarship. The recipients were selected from a pool of more than 16,000 finalists. The students attend Charles E. Smith Jewish Day School, Magruder High School, Wootton High School (3), Rockville High School, and Melvin J. Berman Hebrew Academy, respectively. Kudos to the students' hard work. We wish them success on their future endeavors.

Finally, some well-deserved employee recognitions:

Inspector Tony Maclin was recognized by a resident for his professionalism, attention to detail, and integrity regarding a complaint he received from a resident concerning a faint odor coming from a ventless gas fireplace in the resident's home. He inspected the air quality and functionality of all the resident's CO₂ alarms, mitigating a potential fire hazard in the home. And finally, to Parks Maintenance Manager, Dianne Fasolina who was successful in acquiring a \$185,000 Department of Natural Resources Community Parks and Playgrounds grant to fully fund the Potomac Woods Park Playground Replacement project

7. Proclamation

A. Proclamation Declaring June 14-20 as Men's Health Week

Councilmember Pierzchala read and moved the proclamation declaring June 14-20 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

B. Proclamation Declaring June 19 Juneteenth Holiday

Councilmember Beryl L. Feinberg read and moved the proclamation declaring June 19 Juneteenth holiday and presented the proclamation to Eileen Hebron.

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

C. Proclamation Declaring June 20 World Refugee Day

Councilmember David Myles read and moved the proclamation declaring June 20 as World Refugee 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

8. Community Forum

Name	Address/Phone
(Written Comments) John Becker	148 Monroe Street, #201 Rockville, MD 20850 301-738-2009
Speaker by Computer Janet Gallant	664 Azalea Drive Rockville, MD 20850 301-775-3377

Mayor Newton thanked everyone who participated in Community Forum.

9. Consent

- A. Rejection of All Bids for IFB #20-21, Streetlight Maintenance**

- B. Introduction of an Ordinance to Amend Chapter 23 of the Rockville City Code Entitled "Traffic" So as to Increase the Fine Amount for Violations of Parking Restrictions Within Fifteen Feet of a Fire Hydrant; Parking Restrictions Within the Lane Markings, or Signs, Designating a Fire Lane; and Parking Restrictions in Designated Handicapped Parking Spaces**

- C. Authorization for the City Manager to Execute a License and Maintenance Agreement with Pepco for Electric Vehicle Charging Stations**

- D. Authorization to Approve a License and Maintenance Agreement for Support of Excavation Improvements in the Public Rights-Of-Way Associated with Twinbrook Quarter Phase 1**

- E. Award of IFB #10-21, Mount Vernon Stormwater Facility Retrofit, to Triangle Contracting, LLC in the Amount Not to Exceed \$954,764.25, and Water Treatment Plant Stream Stabilization and Infrastructure Protection to Stormwater Maintenance, LLC in the Amount Not to Exceed \$284,734.12**

F. Award IFB #18-21, Installation of Sewer Grinders at N. Horners Lane and Falls Grove Sewage Pump Stations, to CPP Construction Co. of Gaithersburg, MD in the Amount of \$299,600

Councilmember Beryl L. Feinberg moved to approve consent agenda items A, B, C, D, E, and F.

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

10. Rockville 2040 Comprehensive Plan Second Public Hearing

Chief of Long Range Planning, Andrea Gilles provided a brief introduction of the second public hearing on the Rockville 2040 Comprehensive Plan.

The Public Hearing opened at 7:50 p.m. The following individuals presented testimony:

Name	Address Phone Number/Email
Speaker by Computer Barbara A. Sears, Esq. of Miles & Stockbridge	301-509-4212 bsears@milesstockbridge.com
Speaker by Computer Andrew Issacson	301-919-2633 andyissacson@comcast.net
Speaker by Phone Steven VanGrack	110 North Washington Street Suite 300-6 Rockville, MD 20850 301-548-6734 301 455-4361(cell) steven@stevengracklelaw.com
Speaker by Computer Patricia Harris, Esq.	202-509-3351 paharris@lercheearly.com
Speaker by Computer Christine McGuirl Federal Realty	443-956-3310 cmcguirl@federalrealty.com

Name	Address Phone Number/Email
Speaker by Computer Barbara A. Sears, Esq. of Miles & Stockbridge	301-509-4212 bsears@milesstockbridge.com
Speaker by Computer Andrew Issacson	301-919-2633 andyissacson@comcast.net
Speaker by Computer Ms. Pavitra Srinivasan, Chair Rockville Environment Commission	240-731-2377 mobile pavitra_srinivasan@hotmail.com
Speaker by Computer Suzan Pitman	722 Grandin Avenue Rockville, MD 20850 suzanwp@gmail.com
Speaker by Computer Soo Lee-Cho, Esq. on behalf of CBT Associates	200-B Monroe Street Rockville, MD 20850 (301) 318-3884 (cell) slcho@mmcanby.com
Speaker by Computer Joey Soleiman	216 Park Road Rockville, MD 20850 (240) 994-1436 (cell) (301) 963-4545 (office) camvest@gmail.com
Speaker by Computer and Written Comments Bob Youngentob EYA LLC Rockshire Village Center	4800 Hampden Lane, Suite 300 Bethesda MD 20814 301-634-8625 bob@eya.com
Written Comments Robert R. Harris, Attorney Lerch, Early & Brewer, Chtd Rockshire Village Shopping Center	7600 Wisconsin Ave. Suite 700 Bethesda, MD 20814 301-580-1319 rrharris@lerchearly.com
Written Comments Christopher Ruhlen, Esq. Lerch, Early & Brewer, Chtd Rockshire Village Shopping Center	7600 Wisconsin Ave. Suite 700 Bethesda, MD 20814 301-841-3834 Cmruhlen@lerchearly.com

Name	Address Phone Number/Email
Speaker by Computer Barbara A. Sears, Esq. of Miles & Stockbridge	301-509-4212 bsears@milesstockbridge.com
Speaker by Computer Andrew Issacson	301-919-2633 andyissacson@comcast.net
Written Comments Melissa A. Schulze Manager, Planning & Accreditation Section Montgomery County Fire & Rescue Service Public Safety Headquarters	100 Edison Park Drive, Room 2E-09 Gaithersburg, MD, 20878 240-777-2417 Melissa.Schulze@montgomerycountymd.gov
Written Comments Rachel Kramer	4 Eldon Ct. kramerrachel@gmail.com
Written Comments Tim Hale	tim.hale2@aol.com
Written Comments Deborah Tallman	822 Bowie Rd, Rockville dtallman090@gmail.com
Written Comments Sheila Cochran	sscochran@erols.com
Written Comments Steven Bindman	smb7us@yahoo.com
Written Comments Staci L Pies	5512 Amesfield Court Rockville, MD 20853 202-340-4178 spies99@gmail.com
Written Comments Shweta Bansal Khandelwal Associate Professor of Biology, Georgetown University	321 Lorraine Dr. Rockville, MD 20852 shweta.bansal@gmail.com
Written Comments Eric Fulton, Chair Rockville Pedestrian Advocacy Committee	240-498-8808 chair.rpac@gmail.com
Written Comments Nancy Breen	nancy.breen@yahoo.com

Name	Address Phone Number/Email
Speaker by Computer Barbara A. Sears, Esq. of Miles & Stockbridge	301-509-4212 bsears@milesstockbridge.com
Speaker by Computer Andrew Issacson	301-919-2633 andyissacson@comcast.net
Chair Rockville Bicycle Advisory Committee	
Written Comments Jessica Reynolds	1022 Paul Dr jlgreynolds@gmail.com
Written Comments The Belard Family	18 Lodge Pl. Rockville, MD 20850 r.n.belard@gmail.com
Written Comments Stephanie Yoffee	702 Maple Ave. stephyoffee@icloud.com
Written Comments Jennifer Khouri	5711 Ridgway Ave jeanniekhour@gmail.com
Written Comments Mary Lee Hancock	mleehancock@gmail.com
Written Comments Farhud Batmanglich ZONING	batmanwithaglich@gmail.com
Written Comments Tracy Niebauer	611 Nelson St, Rockville, MD tracyagster@gmail.com

The complete testimony of this evening's speakers can be found in the official Public Hearing records located in the office of the City Clerk/Director of Council Operations. The record will remain open until Friday July 2, 2021. The Public Hearing closed at 8:46 p.m.

FURTHER DISCUSSION

June 14, 2021 Agenda Item 10

http://rockvillemd.granicus.com/MediaPlayer.php?view_id=2&clip_id=4377 video time stamp 28:29

11. Discussion and Instructions to Staff and Possible Adoption of a Resolution to Approve Project Plan PJT2018-00010, a Request to Amend an Existing Planned Development to Allow a Retail and Office Center at the Southeast Corner of the Intersection of Rockville Pike and Edmonston Drive, Known as 900 Rockville Pike; J. Danshes LLC, Applicant

Chief of Zoning Jim Wasilak provided a brief presentation of the resolution. Staff recommends that the Mayor and Council discuss the proposed application and provide instructions to staff on next steps.

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

Councilmember Beryl L. Feinberg moved to deny the amendment to the approved preliminary development plan, PDP2006-00011, based on the multiplicity of waivers needed to be sought and approved from the State Highway Administration, Washington Metropolitan Area Transit Authority, public open space, and the unenforceability of the conditions that have been proposed – lack of deliveries between the hours of 3:00 – 6:30 p.m. daily.

The motion failed for a lack of a second.

Councilmember Mark Pierzchala motioned to approve the project plan application no. PJT2018-0001 as an amendment to approve preliminary development plan no. PDP2006-00011.

	RESULT: Failed [2-3]
MOVER:	Mark Pierzchala, Councilmember
SECONDER:	David Myles, Councilmember
IN FAVOR:	Councilmember Myles, Councilmember Pierzchala
OPPOSED:	Mayor Newton, Councilmember Feinberg, Councilmember Ashton

FURTHER DISCUSSION

June 14, 2021 Agenda Item 11

http://rockvillemd.granicus.com/MediaPlayer.php?view_id=2&clip_id=4377 video timestamp
1:13:59

THE MAYOR AND COUNCIL WENT INTO A BRIEF RECESS AT 10:26 P.M. THE MAYOR AND COUNCIL WORKSESSION RECONVENED AT 10:45 P.M.

12. Rockville 2040 Comprehensive Plan Work Session - Planning Areas: 4 (West End and Woodley Gardens East-West), 11 (Woodmont) and 10 (Montrose and North Farm)

Rescheduled TBD

13. Review and Comment - Mayor and Council Action Report

A. Mayor and Council Action Report

Rescheduled TBD

14. Review and Comment – Futur

A. Future Agendas

Rescheduled TBD

15. Old/New Business

Rescheduled TBD

16. Adjournment

Councilmember Beryl L. Feinberg moved to adjourn at 10:46 p.m.

Due to the inclement weather which resulted in technical difficulties the meeting adjourned.

RESULT: APPROVED [4-0-1]

MOVER: Beryl L. Feinberg, Councilmember

SECONDER: Mark Pierzchala, Councilmember

IN FAVOR: Mayor Newton, Councilmember Ashton, Councilmember Feinberg,
Councilmember Pierzchala