



Approved: *Bridget Donnell Newton*

Attest: *Sara Taylor-Ferrell*

Approved Meeting No. 28-19;
April 27, 2020

**Monday, July 8, 2019
MAYOR AND COUNCIL
MEETING NO. 28-19
ROCKVILLE, MARYLAND**

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 at 7:02 p.m. on Monday, July 8, 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 Taylor- Ferrell.

2. Pledge of Allegiance

Mayor Bridget Donnell Newton led the Pledge of Allegiance.

3. Agenda Review

City Clerk/Director of Council Operations Sara Taylor-Ferrell reported no changes to the Agenda. However, there was a replacement of Attachment B for Agenda Item 19.

4. City Manager's Report

City Manager Rob DiSpirito presented information on events and topics: thanks to the Special Events team, and other staff in Recreation & Parks, and the Rockville City Police Department for executing another successful Fourth of July Celebration; the City is pleased to host the Urban Land Institute for a 2-day study of enhancing the vibrancy of Rockville Town Center starting on Wednesday, July 10; the County's new Ride On Flex service begins, for more information, including a map of the Rockville service area visit www.montgomerycountymd.gov/dot-transit;

introduced Development Services Manager John Foreman, to the Mayor and Council and the Rockville community.

5. Proclamation

A. Proclamation Declaring July 13 Mattie J.T. Stepanek Peace Day

Councilmember Beryl L. Feinberg read, moved, and presented the Proclamation to Jeni Stepanek, CEO of Mattie J.T. Stepanek Foundation and two of her guests.

	RESULT: APPROVED [UNANIMOUS]
MOVER:	Beryl L. Feinberg, Councilmember
SECONDER:	Virginia D. Onley, Councilmember
IN FAVOR:	Mayor Newton, Councilmember Feinberg, Councilmember Onley, Councilmember Pierzchala

B. Proclamation Declaring July 2019 as Park and Recreation Month in Rockville

Councilmember Mark Pierzchala read, moved and presented a Proclamation to Recreation and Parks Foundation President Chip Boylan.

	RESULT: APPROVED [UNANIMOUS]
MOVER:	Mark Pierzchala, Councilmember
SECONDER:	Virginia D. Onley, Councilmember
IN FAVOR:	Mayor Newton, Councilmember Feinberg, Councilmember Onley, Councilmember Pierzchala

Mr. Boylan provided an overview of the Recreation and Parks Foundation and presented two community achievement awards to Tom Najjar, Owner of Business Care Plus Home, Inc., and Amy Crown of Maryland Farmers Market Association.

6. Boards and Commissions Appointments, Reappointments and Announcement of Vacancies

A. Boards and Commissions Appointments, Reappointments and Announcement of Vacancies

Cultural Arts Commission

Councilmember Mark Pierzchala moved the reappointment of Mary Baltimore to the Cultural Arts Commission to serve a three-year term until July 1, 2022.

RESULT: APPROVED [UNANIMOUS]
MOVER: Mark Pierzchala, Councilmember
SECONDER: Virginia D. Onley, Councilmember
IN FAVOR: Mayor Newton, Councilmember Feinberg, Councilmember Onley, Councilmember Pierzchala

Councilmember Mark Pierzchala moved the reappointment of Jesse Marciniak to the Cultural Arts Commission to serve a three-year term until July 1, 2022.

RESULT: APPROVED [UNANIMOUS]
MOVER: Mark Pierzchala, Councilmember
SECONDER: Virginia D. Onley, Councilmember
IN FAVOR: Mayor Newton, Councilmember Feinberg, Councilmember Onley, Councilmember Pierzchala

Environment Commission

Councilmember Beryl L. Feinberg moved the appointment of Scott Fazekas to the Environment Commission to serve a three-year term until July 1, 2022.

RESULT: APPROVED [UNANIMOUS]
MOVER: Beryl L. Feinberg, Councilmember
SECONDER: Virginia D. Onley, Councilmember
IN FAVOR: Mayor Newton, Councilmember Feinberg, Councilmember Onley, Councilmember Pierzchala

Historic District Commission

Councilmember Virginia D. Onley moved the reappointment of Laura Kawa to the Historic District Commission to serve a three-year term until July 1, 2022.

	RESULT: APPROVED [UNANIMOUS]
MOVER:	Virginia D. Onley, Councilmember
SECONDER:	Mark Pierzchala, Councilmember
IN FAVOR:	Mayor Newton, Councilmember Feinberg, Councilmember Onley, Councilmember Pierzchala

Councilmember Virginia D. Onley moved the reappointment of Anita Neal Powell to the Historic District Commission to serve a three-year term until July 1, 2022.

	RESULT: APPROVED [UNANIMOUS]
MOVER:	Virginia D. Onley, Councilmember
SECONDER:	Mark Pierzchala, Councilmember
IN FAVOR:	Mayor Newton, Councilmember Feinberg, Councilmember Onley, Councilmember Pierzchala

Human Rights Commission

Councilmember Beryl L. Feinberg moved the reappointment of Courtney Proctor to the Human Rights Commission to serve a three-year term until July 1, 2022.

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

Councilmember Beryl L. Feinberg moved the appointment of Karyne Messina to the Human Rights Commission to serve a three-year term until July 1, 2022.

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

Councilmember Beryl L. Feinberg moved the reappointment of Oyebisi Olatoye to the Human Rights Commission to serve a three-year term until July 1, 2022.

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

Councilmember Beryl L. Feinberg moved the reappointment of Marissa Valeri to the Human Rights Commission to serve a three-year term until July 1, 2022.

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

Rockville Economic Development Inc.

Councilmember Beryl L. Feinberg moved the appointment of Angela Chaney to the Board of the Rockville Economic Development Inc. to serve a three-year term until July 1, 2022.

RESULT: APPROVED [UNANIMOUS]
MOVER: Beryl L. Feinberg, Councilmember
SECONDER: Virginia D. Onley, Councilmember
IN FAVOR: Mayor Newton, Councilmember Feinberg, Councilmember Onley,
Councilmember Pierzchala

Sign Review Board

Councilmember Mark Pierzchala moved the appointment of Paul Giadrone to the Sign Review Board to serve a three-year term until July 1, 2022.

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

Councilmember Mark Pierzchala moved the appointment of Barry Stadd to the Sign Review Board to serve a three-year term until July 1, 2022.

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

7. Community Forum

Name	Topic
Drew Powell	Adoption of Yilan Resolution
Leah White	Vote by Mail
David Brenner	Police Citation 8

8. Mayor and Council's Response to Community Forum

The Mayor and Council thanked all speakers for their participation in Community Forum.

9. Mayor and Council Announcements

The Mayor and Council provided updates on their recent activities, including Boards and Commissions meetings and Community events.

10. Consent

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

Councilmember Virginia D. Onley moved the Consent Agenda.

	RESULT: APPROVED [UNANIMOUS]
MOVER:	Virginia D. Onley, Councilmember
SECONDER:	Mark Pierzchala, Councilmember
IN FAVOR:	Mayor Newton, Councilmember Feinberg, Councilmember Onley, Councilmember Pierzchala

11. Adoption of a Resolution to make Yilan, Taiwan a Sister City of the City of Rockville.

Councilmember Beryl L. Feinberg moved the adoption of the Resolution-making establishing Yilan, Taiwan a Sister City of the City of Rockville.

	RESULT: APPROVED [UNANIMOUS]
MOVER:	Beryl L. Feinberg, Councilmember
SECONDER:	Virginia D. Onley, Councilmember
IN FAVOR:	Mayor Newton, Councilmember Feinberg, Councilmember Onley, Councilmember Pierzchala

12. Update on Stonestreet Corridor Study Implementation and Next Steps

Principal Planner Andrea Gilles provided an overview of the timeline and options for the Stonestreet Corridor.

Councilmember Beryl L. Feinberg moved that the Mayor and Council direct staff to initiate a separate plan amendment process for Park Road and North Stonestreet Area.

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

13. Discussion and Instructions to Staff on Project Plan PJT2018-00010, to Allow an Amendment to the Existing Planned Development to Permit 6,084 Square Feet of Retail Use and 900 Square Feet of Office Use in the PD-CB (Planned Development - Champion Billiards) Zone at 900 Rockville Pike; J. Danshes, LLC, Applicant

Public Works Director Craig Simoneau provided an update on the conversations staff had with the applicant and adjacent property owner regarding access to this development. Staff suggests holding off on this conversation until further progress has been made with the parties involved. The Mayor and Council agreed to hold off on this Agenda item until September.

14. Adoption of Ordinance to Grant Zoning Text Amendment TXT2019-00253, to Amend the Land Use Table for the MXE (Mixed Use Employment) Zone and Make Certain Technical Changes; Mayor and Council of Rockville, Applicant

Chief of Zoning Jim Wasilak provided an overview of the Ordinance.

Councilmember Mark Pierzchala moved to adopt the Ordinance.

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

15. **Adoption of an Ordinance to Amend Chapter 1 of the Rockville City Code Entitled "General Provisions," Section 1-8 Entitled "Application of County Law" So as to Exclude Straws from the Definition of "Disposable Food Service Ware" in the Prohibition on the Use of Disposable Food Service Ware**

Chief of Environmental Management Mark Charles provided an overview of the Ordinance.

	RESULT: APPROVED [UNANIMOUS]
MOVER:	Beryl L. Feinberg, Councilmember
SECONDER:	Virginia D. Onley, Councilmember
IN FAVOR:	Mayor Newton, Councilmember Feinberg, Councilmember Onley, Councilmember Pierzchala

16. **Discussion and Instructions, Possible Introduction and Possible Adoption of an Ordinance to Grant Zoning Text Amendment TXT2019-00252 - Revisions to Article 20 of the Zoning Ordinance (Adequate Public Facilities) to Revise the Adequacy of Water Supply and Sewer Service Provisions for New Developments; Mayor and Council of Rockville, Applicant**

Community Enhancement Code Inspector Manager Dean Mellander provided an overview of the Ordinance to revise Article 20 of the Zoning Ordinance.

Councilmember Mark Pierzchala moved to waive the layover period.

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

Councilmember Mark Pierzchala moved to adopt the Ordinance.

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

17. Discussion, Instructions and Possible Adoption of a Resolution to Amend the Adequate Public Facilities Standards - Revisions to the Adequate Public Facilities Standards (APFS) for Water and Sewer Service

Community Enhancement Code Inspector Manager Dean Mellander provided an overview of the Resolution to amend the Adequate Public Facilities Standards (APFS).

Councilmember Mark Pierzchala moved to adopt the Resolution.

	RESULT: APPROVED [UNANIMOUS]
MOVER:	Mark Pierzchala, Councilmember
SECONDER:	Virginia D. Onley, Councilmember
IN FAVOR:	Mayor Newton, Councilmember Feinberg, Councilmember Onley, Councilmember Pierzchala

18. Discussion and Instructions to Staff and Possible Adoption of the Ordinance to Repeal in Its Entirety and Re-Enact Chapter 21 of the Rockville City Code Entitled "Streets and Public Improvements" So as to Amend the Title to Include Roads and Rights-Of-Way; to Reorganize the Code to Improve Readability; to Clarify that the Chapter Applies to City-Owned Water, Sewer and Stormwater Management Facilities; to Revise and Clarify Certain Administrative Provisions; to Add and Amend Definitions; to Clarify Standards and Specification for Public Improvements; to Reorganize and Clarify the Provisions for Permits and Construction of Roads, Public Improvements in the City Right of Way; to Clarify Enforcement Provisions, and to Add an Appeals Process.

Deputy Director of Public Works Susan Straus provided an overview of the Ordinance and explained two changes made since the introduction of the Ordinance.

Councilmember Beryl L. Feinberg moved to amend the introduced Ordinance.

	RESULT: APPROVED [UNANIMOUS]
MOVER:	Beryl L. Feinberg, Councilmember
SECONDER:	Virginia D. Onley, Councilmember
IN FAVOR:	Mayor Newton, Councilmember Feinberg, Councilmember Onley, Councilmember Pierzchala

Councilmember Mark Pierzchala moved to adopt the Ordinance.

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

19. **Discussion and Instructions and Possible Adoption of an Ordinance to Repeal in Its Entirety and Re-Enact Chapter 24 of the Rockville City Code Entitled "Water, Sewers and Sewage Disposal" So as to Revise the Title to "Water, Sewers, and Wastewater Disposal," to Include New Administration Sections; to Comply with Federal and State Provisions; to Provide for Proper Maintenance of Private Water and Sewer Facilities; to Amend Requirements for Water Restrictions and Droughts; to Revise and Establish Requirements and Standards for Water and Sewer Authorization to Connect to City Water and Sewer Systems; to Establish Monetary Credit Towards Capital Contribution Charges When a Developer Constructs an Off-Site City Water or Sewer Improvement; and to Generally Reorganize and Revise the Chapter**
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Deputy Director of Public Works Susan Straus provided an overview of the Ordinance and highlighted the four changes that took place after the Ordinance was introduced which is located in the staff report.

Councilmember Beryl L. Feinberg moved to amend the introduced Ordinance.

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

Councilmember Mark Pierzchala moved to adopt the Ordinance.

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

20. Future Zoning Text Amendment Discussion on Parkland Dedication and Payment -In-Lieu Initiative

Chief of Zoning Jim Wasilak provided an overview of the potential future zoning text amendment on Parkland Dedication and Payment in lieu initiative.

Councilmember Mark Pierzchala moved to agree with the staff recommendations.

	RESULT: APPROVED [UNANIMOUS]
MOVER:	Mark Pierzchala, Councilmember
SECONDER:	Virginia D. Onley, Councilmember
IN FAVOR:	Mayor Newton, Councilmember Feinberg, Councilmember Onley, Councilmember Pierzchala

21. Review and Comment - Mayor and Council Action Report

The Mayor and Council reviewed the Action Report.

A. Action Report

Mayor Bridget Donnell Newton requested an update on the deer population issue.

Councilmember Beryl L. Feinberg requested that staff bring back the topic of their first internal audit. Councilmember Beryl L. Feinberg also requested that the changes to the Sign Ordinance be given to the Mayor and Council by August 15, as well as an update on the LGBT initiatives, specifically at the Senior Center bathroom and the Swim and Fitness Center.

Mayor Bridget Donnell Newton asked that the salary history item be marked as completed on the Action Report.

The Mayor and Council requested a future discussion about the Personnel Policy Manual particularly related to the election campaign policy for employees.

22. Review and Comment - Future Agendas

The Mayor and Council reviewed Future Agendas.

A. Future Agendas

City Attorney Debra Daniel informed the Mayor and Council that an Agenda item would be added to next week's Agenda to approve the agreement with Yilan, Taiwan.

The Mayor and Council requested an Ordinance to ban ballot harvesting be added to the September 9, Agenda.

23. Old/New Business

There was no old/new business.

24. Adjournment

There being no further business, the meeting adjourned at 10:12 p.m.

RESULT: APPROVED [UNANIMOUS]

MOVER: Beryl L. Feinberg, Councilmember

SECONDER: Mark Pierzchala, Councilmember

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