



Monday, July 18, 2022
MAYOR AND COUNCIL
MEETING NO. 22-22
ROCKVILLE, MARYLAND

Approved *Bridget Donnell Newton*
Attest: *Sara Taylor-Ferrell*
Approved Meeting No. 28-22
October 17, 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 7:02 p.m. on Monday, April 4, 2022, in the Mayor and Council Chambers, City Hall, 111 Maryland Avenue, Rockville, Maryland, and via WebEx.

Staff Present: City Manager Rob DiSpirito, City Attorney 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.

3. Agenda Review

City Clerk/Director of Council Operations Sara Taylor-Ferrell reported changes to Agenda Item 7E, Consent - Proposed Bus Depot and Restoration Facility Letter to County; and Agenda Item 10 title and staff report changes.

Councilmember Mark Pierzchala moved that Agenda Item 13 Old/New Business be moved to after Agenda Item 5, Boards and Commission Appointments and Reappointments based, on the need to approve a letter from the Mayor and Council to the Sierra Club on I-270 and extension of the comment period.

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

4. Presentation

A. Rockville Goes Purple 2022

Community Services Manager, Frederika Granger presented an overview of Rockville Goes Purple 2022 initiative. The theme for this year is “Let’s Talk About It”. The target audience is teenagers and young adults and will include events on education, outreach, and intervention in the community. The City is collaborating with Montgomery County on other activities and events.

Staff recommends that the Mayor and Council review and discuss the status report on Rockville Goes Purple.

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

FURTHER DISCUSSION

July 18, 2022. Agenda Item 4.

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5. Boards and Commission Appointments and Reappointments

A. Boards and Commissions Appointments and Reappointments

Councilmember Mark Pierzchala moved the reappointment of Roy Deitchman to the Board of Appeals, to serve a 3-year term, until November 1, 2024.

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

Councilmember Beryl L. Feinberg moved the new appointment of Dr. Alan Cheung to the Board of Supervisors of Elections, to serve a 4-year term, until June 1, 2026.

Councilmember Beryl L. Feinberg moved the new appointment of Linda Silversmith to the Board of Supervisors of Elections, to serve an unexpired term until June 3, 2024.

Councilmember Beryl L. Feinberg moved the new appointment of Dr. Joe Williams to the Board of Supervisors of Elections, to serve an unexpired term until June 1, 2026.

	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

Councilmember Mark Pierzchala moved the reappointment of Frances Bevington to the Cultural Arts Commission, to serve a three year term until July 1, 2025.

Councilmember Mark Pierzchala moved the new appointment of Dr. Cristin Cash to the Cultural Arts Commission, to serve a three year term until July 1, 2025.

Councilmember Mark Pierzchala moved the reappointment of Howard Jung to the Cultural Arts Commission, to serve a three year term until April 1, 2024.

Councilmember Mark Pierzchala moved the new appointment of Mary Ortuzar to the Cultural Arts Commission, to serve a three year term until July 1, 2025.

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

Councilmember Monique Ashton moved the new appointment of Peyton Hawkins to the Human Rights Commission, to serve a three year term until July 1, 2025.

Councilmember Monique Ashton moved the new appointment of Yasmin Nasser to the Human Rights Commission, to serve an unexpired term until November 1, 2024.

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 Mark Pierzchala moved the new appointment of Ricky Mui to the Human Services Advisory Commission, to serve an unexpired term, as an at large representative, until September 1, 2024.

Councilmember Mark Pierzchala moved the new appointment of Tal Shahar to the Human Services Advisory Commission, to serve a three year term, as a consumer representative, until July 1, 2025.

Councilmember Mark Pierzchala moved the new appointment of Leah White to the Human Services Advisory Commission, to serve an unexpired term until April 1, 2024.

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

Councilmember Beryl L. Feinberg moved the new appointment of Louzolo Grange to the Landlord Tenant Affairs Commission, to serve a three year term until July 1, 2025.

Councilmember Beryl L. Feinberg moved the new appointment of Barry Stadd to the Landlord Tenant Affairs Commission, as a Landlord Representative, to serve a three year term until July 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

Councilmember Mark Pierzchala moved the reappointment of Chip Boylan to the Recreation and Parks Advisory Board to serve a three year term until March 1, 2025.

Councilmember Mark Pierzchala moved the new appointment of Ken Scales to the Recreation and Parks Advisory Board to serve an unexpired term until November 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

Mayor Bridget Donnell Newton confirmed the appointment of David Hill to the Rockville Sister Cities Corporation to serve a three year term until July 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

Councilmember Beryl L. Feinberg moved the new appointment of Dr. Judith Mairs to the Senior Citizens Commission to serve a three year term until July 1, 2025.

Councilmember Beryl L. Feinberg moved the new appointment of Stephen Smith to the Senior Citizens Commission to serve a three year term until July 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

Councilmember Mark Pierzchala moved the reappointment of Kathleen Kleinman to the Traffic and Transportation 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

6. Community Forum

NAME (PLEASE PRINT)	TOPIC
In Person Robert Kurnick Chair, Board of Supervisors of Elections	BSE Appointments
In Person Anne Goodman	RedGate Park Concepts
In Person Dinis Camara	King Farm Farmstead Real Estate Market Analysis Report
In Person Setu van Lare	King Farm Farmstead Real Estate Market Analysis Report
In Person and Written Comment Kate Gould	King Farm Farmstead Real Estate Market Analysis Report
In Person and Written Comment Anna Chung	King Farm Farmstead Real Estate Market Analysis Report
In Person Kirsten Kaplan	RedGate Park
In Person Deborah Landau President, ERCA	RedGate Park
In Person Bob Elliott	The grape arbor in Rosehill
In Person Elaine Gilby	Rockville Civic Ballet

In Person Pastor Davis	Crusader Baptist Church
In Person Montrea Davis	Crusader Baptist Church
In Person Wayne Breslyn	RedGate Park
In Person Pannell Prather	Crusader Baptist Church
In Person David Jefferson	Crusader Baptist Church
In Person Joyce Brown	Crusader Baptist Church
In Person Colleen Prather	Crusader Baptist Church
In Person Rose Mary Riley	Washington DC Gayles, RedGate
In Person Charles Pavitt	Rockville Civic Ballet King Farm Farmstead Real Estate Market Analysis Report
In Person Cynthis Davis	Crusader Baptist Church
In Person Terrell Burris	Crusader Baptist Church
In Person Pamela Davis	Crusader Baptist Church
In Person Amanda Schwartz	HSAC – School based mental health services
In Person Silvie Gallardo	Rockville Civic Ballet King Farm Farmstead Real Estate Market Analysis Report
In Person Johanna Camara	Rockville Civic Ballet King Farm Farmstead Real Estate Market Analysis Report
In Person Bridgette Pfeufer	Rockville Civic Ballet King Farm Farmstead Real Estate

	Market Analysis Report
In Person Chuck Wollery	RedGate Park
In Person Angus Chen	Swim Center; RedGate Park; Bike Paths

In response to the speakers at this evening's Community Forum, Mayor Bridget Donnell Newton stated that the Mayor and Council have not decided on the final plan for RedGate Park.

Montgomery County owns the Lincoln High School property, and closed the school a few years ago based on structural and integrity issues. The City has no role in the renovation/restoration of Lincoln High School.

The Mayor and Council approved the Stonestreet Master Plan and there have been conversations with interested stakeholders regarding the new plan being in mixed income housing and moving the Montgomery County Public School Material Facility. The community will be very involved in the process going forward. And there is currently no proposal on Lincoln High/Crusader Baptist Church.

July 18, 2022. Agenda Item 6.

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7. Consent

Councilmember Monique Ashton moved approval of Consent Agenda Items A, C and D.

Approval of minutes for May 2, 2022 Meeting No. 15-22; May 9, 2022 Meeting No. 16-22; May 16, 2022 Meeting No. 17-22; and May 23, 2022 Meeting No. 18-22.

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

A. Award of RFP # 25-20 – Rockville Swim and Fitness Center Outdoor Recreation Pool Renovations: Concepts, Design and Construction Administration Services

THE MAYOR AND COUNCIL WENT INTO A BRIEF RECESS AT 9:35 P.M. DUE TO SMOKE IN THE CHAMBERS. THE MAYOR AND COUNCIL WORKSESSION RECONVENED AT 9:43 P.M.

B. Human Services Grant (Caregivers Agency Grants) Agreements

Councilmember Monique Ashton moved to approve the grant with clarification of the commas; second step, have another discussion with the task force and looking forward; documentation; receipts and invoices are required; make sure of some flexibility.

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

C. Application Signature Authorization for Street Closing and Abandonment Application SCA2022-00109 for a 0.0027 Acre Portion of an Unnamed Roadway Adjacent to Twinbrook Quarter LLC

D. Approval of Minutes

E. Proposed Bus Depot and Restoration Facility Letter to County

Councilmember Monique Ashton moved for Councilmember Beryl L. Feinberg work with Assistant to the City Manager Linda Moran on the letter to the County and bring back the letter to the Mayor and Council at the August 1, 2022 meeting.

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

FURTHER DISCUSSION

July 18, 2022. Agenda Item 7.

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8. Adoption of Resolution to Deny 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

Mayor Bridget Donnell Newton recused herself from this agenda item.

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

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

Chief of Zoning, Jim Wasilak presented a brief overview of the resolution to deny the application for a map amendment to rezone the property at 406 Great Falls Road.

Staff recommends that the Mayor and Council adopt the proposed resolution to deny Map Amendment Application MAP2022-00123, for the rezoning of a portion of the property at 406 Great Falls Road from R-90 to R-90 (HD - Historic District).

Questions from the Council were addressed by staff.

Councilmember Monique Ashton moved to adopt the resolution to deny.

	RESULT: APPROVED [3-1]
MOVER:	Monique Ashton, Councilmember
SECONDER:	Mark Pierzchala, Councilmember
IN FAVOR:	Councilmember Ashton, Councilmember Feinberg, Councilmember Mark Pierzchala
OPPOSE:	Councilmember Myles

FURTHER DISCUSSION

July 18, 2022. Agenda Item 8.

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Mayor Bridget Donnell Newton returned to preside over the meeting when agenda item 8 concluded for the evening.

9. Introduction and Possible Adoption of an Ordinance on Zoning Text Amendment Application TXT2019-00254 – to Modify the Requirements for Accessory Buildings and Structures in Residential Zones; Mayor and Council of Rockville, Applicants

Deputy Zoning Manager, Seth Rivard provided a brief overview of the proposed Text Amendment. The amendment would revise the height standards, maximum footprint, and the rear yard coverage requirements for accessory buildings and structures in residential zones. The revisions also add a compliance provision for accessory buildings built under previous standards and clarify the requirements for accessory buildings in historic districts, including those in the Mixed-Use Transition Zone.

Staff recommends that the Mayor and Council review the proposed ordinance and introduce.

Questions from the Mayor and Council were addressed by staff. The Mayor and Council provided their thoughts, comments, and directions for staff to make changes to the Text Amendment and bring back to the Mayor and Council for approval later in the meeting after Agenda Item No. 11.

FURTHER DISCUSSION

July 18, 2022. Agenda Item 9.

https://rockvillemd.granicus.com/MediaPlayer.php?view_id=2&clip_id=4570

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10. Introduction and Possible Adoption of an Ordinance to Amend Section 1-8, Entitled “Application of County Law,” of Chapter 1 of the Rockville City Code, Entitled “General Provisions,” to Allow Chapter 40, Real Property, Section 40-13B (Energy Performance Audits -Single Family Homes), Section 40-13C (Radon Test- Single Family Home), and Section 40-14 (Penalty for Violation of Article; Enforcement) of the Montgomery County Code to Apply in the City of Rockville

Chief of Environmental Management, Erica Shingara provided an overview of the ordinance to amend Section 1-8.

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

Councilmember Monique Ashton moved to have staff continue to monitor the rental units in basement apartments, notification and radon testing.

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

Mayor **Newton** announced Councilmember Feinberg left the meeting for the evening at 10:50 p.m. due to ongoing medical advice restricting the length she may participate in meetings.

FURTHER DISCUSSION

July 18, 2022. Agenda Item 10.

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Video Time Stamp 3:28:50

Councilmember Feinberg left the meeting for the evening at 10:50 p.m. due to ongoing medical advice restricting the length of time she may participate in meetings.

11. RedGate Park - Results of Public Outreach on Concept Plans

Director of Recreation and Parks, Tim Chesnutt, Principal Planner, Nelson Ortiz, and Tom McGilloway, Principal from Mahan Rykiel Associates Inc., and consultant for the concept, provided a brief overview of RedGate Park concepts. The overview is a result of second round input received from the community in April and May of this year.

Staff recommends that the Mayor and Council receive the latest concept plan for RedGate Park and provide guidance and directions on the next steps.

Questions from the Mayor and Council were addressed by staff. The Mayor and Council provided their thoughts, comments, and directions including a more detailed operational costs; possible cross county trails and dog facility.

FURTHER DISCUSSION

July 18, 2022. Agenda Item 11.

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**9. Introduction and Possible Adoption of an Ordinance on Zoning Text Amendment
Application TXT2019-00254 – to Modify the Requirements for Accessory Buildings and
Structures in Residential Zones; Mayor and Council of Rockville, Applicants**

Staff provided to the Mayor and Council updates to the Text Amendment as instructed earlier in the meeting including allowance for the height of an accessory building up to 20 feet; clarification that a building of 12 feet in height may be within 3 feet of the property line; the height cannot exceed the height of the peak of the main house; clarification in the footnotes regarding the way that height is measured – not measuring to the peak measuring to the mid- point for a gable roof and flat elevation to a flat roof.

Councilmember Monique Ashton moved to introduce the ordinance.

Councilmember David Myles moved to waive the layover period.

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

Councilmember Monique Ashton moved to adopt the ordinance, strike the word “front” and replace with the word “location” in footnote 1 in the table in Sec. 25.09.03.

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

FURTHER DISCUSSION

July 18, 2022. Agenda Item 9.

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12. Discussion and Instructions - King Farm Farmstead Real Estate Market Analysis Report

Director of Recreation and Parks, Tim Chesnutt introduced Abigail Ferretti and Anita Morrison, Partners for Economic Solutions, who provided a quick review of the market analysis report.

Staff recommends that the Mayor and Council review the presentation, originally presented at the April 4, 2022, meeting and provide feedback and instructions.

Questions from the Mayor and Council were addressed by staff. The Mayor and Council provided their thoughts, comments, and directions including recreational spaces.

FURTHER DISCUSSION

July 18, 2022. Agenda Item 12.

https://rockvillemd.granicus.com/MediaPlayer.php?view_id=2&clip_id=4570

Video Time Stamp 4:58:36

13. Old/New Business

Councilmember Mark Pierzchala moved to agree to have Rockville as one of the signatories on the letter from the Sierra Club to the State and Federal Governments regarding the I-495 and I-270 Managed Lanes proposal.

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

14. Adjournment

There being no further business the meeting adjourned at 12:56 am

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

FURTHER DISCUSSION

July 18, 2022. Agenda Item 14.

https://rockvillemd.granicus.com/MediaPlayer.php?view_id=2&clip_id=4570

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