

# City of Rockville

City Hall  
111 Maryland Ave  
Rockville, MD 20850

Approved *Bridget Donnell Newton*  
Attest: *Alex Tappin-Fennell*  
Approved Meeting No. 28-23  
October 23, 2023



## Meeting Minutes

**Monday, September 18, 2023**

**7:00 PM**

**Meeting No. 25-23**

**WebEx**

## Mayor and Council

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

**Closed Session Summary – September 11, 2023 (Meeting No. 24-23)**

**Convene to go into Closed Session pursuant to Section 3-305(b)(1)(i) of the General Provisions Article of the Annotated Code of Maryland to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of the City Manager, employees over whom the Mayor and Council has jurisdiction.**

The Mayor and Council convened via hybrid to vote on a motion to convene in Closed Session pursuant to section 3-305(b)(1)(i) of the General Provisions Article of the Annotated Code of Maryland to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of the City Manager, employees over whom the Mayor and Council has jurisdiction.

Upon motion by Councilmember Monique Ashton, seconded by Councilmember Mark Pierzchala, Councilmembers Beryl L. Feinberg and David Myles absent. The Mayor and Council convened in Closed Session at 6:05 p.m in person and hybrid.

**Present:** Mayor Bridget Donnell Newton, Councilmember Monique Ashton, Councilmember David Myles in hybrid, Councilmember Mark Pierzchala.

Staff Present: Barack Mattie, Acting City Manger, Robert Dawson, City Attorney and Sara Taylor-Ferrell, City Clerk/Director of Council Operations.

**Topic:** The Mayor and Council discussed the City Manager’s contract and agreement.

**Motion:** To accept the agreement as discussed with amendments per the Mayor and Council.

Moved by Councilmember Mark Pierzchala, second by Councilmember Monique Ashton, and approved 4-0.

There being no further discussion the meeting adjourned at 6:45 pm.

**Motion:** to adjourn

Moved by Councilmember Mark Pierzchala, seconded by Councilmember Monique Ashton, and approved unanimously.

**1. Convene**

Mayor and Council reconvened in a Hybrid Open Meeting Session at 7:10 p.m. on Monday, September 18, 2023, in the Mayor and Council Chambers, City Hall, 111 Maryland Avenue, Rockville, Maryland, and via WebEx.

Staff Present: Acting City Manager Barack Matite, Rockville 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 no changes to the agenda.

**4. City Manager's Report - NONE**

**5. Proclamation and Recognition**

**A. Proclamation Declaring September 2023, as Childhood Cancer Awareness Month In Rockville, Maryland**

Councilmember David Myles read and moved the proclamation declaring September 2023, as Childhood Cancer Awareness Month in Rockville, Maryland.

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

**B. Proclamation Declaring September 22, 2023, as National Car Free Day in Rockville, Maryland**

Councilmember Monique Ashton read and moved the proclamation declaring September 22, 2023, as Car Free Day in Rockville, Maryland.

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

**C. Proclamation Declaring September 2023, as National Preparedness Month**

Councilmember Beryl L. Feinberg read and moved the proclamation declaring September 2023, as

National Preparedness Month in Rockville, Maryland, and presented the proclamation to City of Rockville Emergency Manager, Dr. Mark Landahl.

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

**D. Proclamation Declaring September 19, 2023, National Voter Registration Day in Rockville, Maryland**

Councilmember Mark Pierzchala read and moved the proclamation declaring September 19, 2023, as National Voter Registration Day in Rockville, Maryland, and presented to chair of the Rockville Board of Elections, Mr. Robert Kurnick Esq., and Board member, Stephen Fisher.

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

**6. Boards and Commissions Appointments and Reappointments**

**A. Mayor and Council will appoint and reappoint the following members to the Boards and Commissions**

Councilmember Monique Ashton moved the appointment of Kelly Groff to the Rockville Economic Development, Inc. (REDI) Board of Directors, to serve a three-year term until October 1, 2026, and the new appointment of Nick Fullenkamp to serve an unexpired three-year term until October 1, 2024, and the reappointments of Bei Ma, Suzanne Osbourne, and Nancy Regelin to serve three-year terms until October 1, 2026.

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

**7. Community Forum**

<b>NAME</b>	<b>TOPIC</b>
<b>In Person</b> Jake Jakubek	Town Center complete Streets project, vape shops in the City
<b>In Person</b> Adam Van Grack	Candidate Orientation during Rosh Hashanah, Branding options contain religious symbols
<b>In Person</b> Stephen Fischer / Gilbert Santiago	Rockville Sister City Bubble Tea Event
<b>In Person</b> Paul Scott	REDI Annual Report, DROP Benefits

## **8. Presentations**

### **A. REDI Annual Report Presentation**

Rockville Economic Development, Inc., CEO Cindy Rivarde, Deputy Director, Richelle Wilson, Managing Director, Danette Nguyen, Communications Manager, Amanda Bosland, and Board Chair, Susan Prince, provided a summary of REDI's annual activities and accomplishments.

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

#### **FURTHER DISCUSSION**

September 18, 2023, Agenda item 8A.

[https://rockvillemd.granicus.com/MediaPlayer.php?view\\_id=2&clip\\_id=4747](https://rockvillemd.granicus.com/MediaPlayer.php?view_id=2&clip_id=4747)

Video Timestamp 38:10

### **B. Deferred Retirement Option Program (DROP) for Police Employees**

Chief Financial Officer, Stacey Webster, provided a summary the Deferred Retirement Option Program (DROP) for Police Employees, and introduced Pension Plan Actuary, Mr. Jim Ritchie, who provided an overview of the DROP program and plan options.

Questions from the Mayor and Council were addressed Mr. Jim Ritchie and staff. The Mayor and Council provided their thoughts, comments, and support.

Councilmember Monique Ashton moved to direct staff to work with the Rockville Retirement Board and the consultant to include items discussed this evening and come back with options.

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

**FURTHER DISCUSSION**

September 11, 2023, Agenda item 8B.

[https://rockvillemd.granicus.com/MediaPlayer.php?view\\_id=2&clip\\_id=4743](https://rockvillemd.granicus.com/MediaPlayer.php?view_id=2&clip_id=4743)

Video Timestamp 1:18:10

- 9. **Consent Agenda**
  - A. **School Cluster Comments Support Letter - MCPS Capital Improvements Projects**
  - B. **Adoption of Resolution to Amend Charter so as to modify the procedures for adopting ordinance by increasing the number of Councilmembers needed to request a public hearing on an ordinance when it is introduced and increasing the number of Councilmembers needed to affirmatively vote to waive the layover and agenda requirements to adopt an ordinance.**
  - C. **Adoption Authorize the City Manager to Execute the Maryland market Money MOU Between the Tri-County Council for Southern Maryland and the Mayor and Council Regarding the City of Rockville Farmers market Eat Fresh Rockville Program**

Councilmember Beryl L. Feinberg moved to have Consent Agenda item 9A comeback to the October 2 meeting with changes.

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

Councilmember Monique Ashton moved to add “Acting City Manager,” instead of “City Manager” to 9C and approve Consent Agenda Items 9B and 9C.

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

**THE MAYOR AND COUNCIL WENT INTO A BRIEF RECESS AT 9:04 P.M. THE MAYOR AND COUNCIL RECONVENED AT 9:14 P.M.**

**10. Public Hearing – NONE**

**11. Introduction, Discussion and Instruction, Possible Adoption**

**A. Presentation, Discussion and Instructions - City of Rockville Branding Initiative Options**

Director of Communications, Kathy Kirk-Dantzler, provided an introduction of the Rockville Branding presentation and turned the discussion over to the consultant Medium Giant, who gave a presentation on the Rockville Branding options.

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

Staff was directed to bring back additional branding options to the Mayor and Council at a future meeting.

**FURTHER DISCUSSION**

September 11, 2023, Agenda item 11A.

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Video Timestamp 1:53:09

**B. Discussion of and Potential Authorization to File a Draft Zoning Text Amendment to Regulate Vape and Tobacco (Smoke) Shops**

Deputy Zoning Manager, Li Alligood, provided a presentation and brief overview of the draft Zoning Text Amendment to Regulate Vape and Tobacco (Smoke) shops.

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

Councilmember Mark Pierzchala moved to have Mayor and Council authorize filing a Text Amendment, changing 500ft to 1000ft, changing categories, Pre-School, and Private School half-mile buffer, and 10% floor area instead of 25% floor area.

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

**FURTHER DISCUSSION**

September 11, 2023, Agenda item 11B.

[https://rockvillemd.granicus.com/MediaPlayer.php?view\\_id=2&clip\\_id=4743](https://rockvillemd.granicus.com/MediaPlayer.php?view_id=2&clip_id=4743)

Video Timestamp 3:31:08

- 12. Other NONE
- 13. Review and Comment - Action Report - NONE
- 14. Future Agendas - Reference
  - A. Future Agendas
- 15. Old/New Business

Councilmember Monique Ashton moved to authorize the Acting City Manager, on behalf of the Mayor and Council, to execute the First Amendment to the Moratorium of Agreements between the City of Rockville and Montgomery County procurement of the services of a Mental Health Specialist.

**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 David Myles moved to have staff draft a certificate in support of the National Association of Real Estate Brokers in its effort to provide opportunities for the Black Wealth Tour.

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

**FURTHER DISCUSSION**



September 11, 2023, Agenda item 15.

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**16. Adjournment**

There being no further business, the meeting adjourned at 12:02 a.m.

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