

City of Rockville

City Hall
111 Maryland Ave
Rockville, MD 20850

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



Meeting Minutes

Monday, October 9, 2023

7:00 PM

Meeting No. 27-23

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

Convene in open session to vote on motion to go into closed session pursuant to Section 3-305(b)(4) of the General Provisions Article of the Annotated Code of Maryland to consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the Town Center area of the City.

The Mayor and Council convened in Open Session to vote on a motion to convene in Closed Session pursuant to Sections 3-305(b)(4) of the General Provisions Article of the Annotated Code of Maryland to consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the Town Center area of the City.

Upon motion by Councilmember Beryl L. Feinberg, seconded by Councilmember Mark Pierzchala, and passed 3-0 and the Mayor and Council convened by WebEx in Closed Session at 6:05 p.m.

Present: Mayor Bridget Donnell Newton, Councilmember Monique Ashton, Councilmember Beryl L. Feinberg, Councilmember David Myles, and Councilmember Mark Pierzchala.

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

Other: Director of Rockville Economic Development, Inc. Cindy Rivarde, Deputy Director Richelle Wilson, Chair Suzan Prince, Morguard Josh Nolan, and Business owner Andy Shallal.

Topic: Economic Development Incentative Package request from Rockville Economic Development, Inc. to consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the Town Center area of the City.

Motion: City staff to work with Rockville Economic Development Inc. on negotiation deal and not to exceed \$550,000 and to work with the County on what portion of contribution.

Moved by Councilmember Monique Ashton, seconded by Councilmember David Myles and passed unanimously.

There being no further motions taken, the Mayor and Council reconvened in regular session meeting.

Motion: The closed session adjourned at 7:13 p.m.

Moved by Councilmember Mark Pierzchala, seconded by Councilmember Beryl L. Feinberg and passed unanimously.

1. Convene

Mayor and Council reconvened in a Hybrid Open Meeting Session at 7:22 p.m. on Monday, October 9, 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. Mayor Newton stated that she lost a friend and mentor, Senator Jennie Forehand. Senator Forehand’s family asked that contributions be made to Peerless Rockville. Mayor Newton asked for a moment of silence in her honor.

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 – NONE

6. Boards and Commissions Appointments and Reappointments – NONE

7. Community Forum

In-Person Call-in, Email, and Walk-in Speaker and Written Comments List

NAME	TOPIC
Adam Van Grack	Issues in the Jewish community, symbols of the cross, Interfaith calendar
Izola Shaw	Domestic violence missed opportunity
Jill Cornish	Lack of civil communications, lack of sidewalks, senior center, passing of Senator Jennie Forehand
Marissa Valeri	Public Ethics
Judy Rudolph	Concern with national holidays, religious ceremonies, proclamation, equity and inclusion promoting religious diversity healing,

8. Presentations

A. Rockville Education Commission Annual Report

Community Services Program Coordinator, Cecil Rucker introduced the Chair of the Rockville Education Commission, Ariel Mendez and commission member Jacqueline Renfrow, who presented the Commission’s Annual Report.

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

FURTHER DISCUSSION

October 9, 2023, Agenda Item 8 A.

https://rockvillemd.granicus.com/MediaPlayer.php?view_id=2&clip_id=4760

Video Timestamp 19:03

9. Consent Agenda

- A. Award and Authorize the City Manager to Execute the Rider Contract with Empire Landscape, LLC of Silver Spring, MD for an amount not-to-exceed \$360,000 for the creation of new forests, supplementing existing forests, planting individual trees, and the treatment and/or removal of non-native invasive plants at citywide parks and stormwater management (SWM) facilities for a term through April 1, 2024, with authority for the City Manager to exercise the one-year renewal option at the same not-to-exceed amount through April 1, 2025, subject to annual appropriations by the Mayor and Council.**
- B. Authorize the City Manager to Execute, on behalf of the Mayor and Council, Amendment 2 for Contract #19-064 (the “2nd Amendment”) for the Enhanced Mobility Grant for the Rockville Bus Stop and Sidewalk Improvements Project (the “Enhanced Mobility Grant”) in order to Extend Contract #19-064 by Two Years, and Revise, Correct and Change the City’s Name in Contract #19-064 to “Mayor and Council of Rockville”.**
- C. Revised School Cluster Comments Support Letter - MCPS Capital Improvements Projects**
- D. Approval of Minutes**
- E. Promoting Religious Diversity and Healing**

Councilmember Beryl L. Feinberg moved to approve the consent agenda items A and B

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

Councilmember Mark Pierzchala moved to approve consent agenda item C with changes to the letter

as suggested and for Councilmember Ashton to work with staff on the letter, and it was second by Councilmember Ashton. After Mayor and Council discussion, Councilmember Pierzchala withdrew his motion.

Councilmember Mark Pierzchala moved to approve consent agenda item C to include stronger language in the letter on portables and Councilmember Ashton to work with staff and send it out.

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

Councilmember Beryl L. Feinberg moved to approve promoting religious healing short- and medium-term steps as suggested and bring back long-term steps for discussion at the October 23 meeting.

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

FURTHER DISCUSSION

October 9, 2023, Agenda Item 9.

https://rockvillemd.granicus.com/MediaPlayer.php?view_id=2&clip_id=4760

Video Timestamp 37:29

10. Public Hearing

A. Public Hearing on the Pedestrian Master Plan

Principal Transportation Planner, Brian Barnett-Woods provided a briefing overview of the Pedestrian Master Plan.

The Public Hearing opened, and the following speakers testified.

In-Person Public Hearing Speakers and Written Comments



Speaker Kathleen Kleinman
Speaker David Stinchcomb
Speaker Scott Butterworth
Speaker Peter Carlson
Speaker Joel Masselink
Speaker Marissa Valeri

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

The complete testimony of this evening’s speakers can be found in the official Public Hearing records in the City Clerk Director of Council Operations offices. There being no further speakers testifying, the Public Hearing closed at 9:24 P.M. The record will remain open, and public comment will be received through until October 13, 2023, close of business.

FURTHER DISCUSSION

October 9, 2023, Agenda Item 8 A.

https://rockvillemd.granicus.com/MediaPlayer.php?view_id=2&clip_id=4760

Video Timestamp 2:16:06

B. Public Hearing on the Street Closing and Abandonment Application, SCA2024-00001, for an 0.0445 Acre Portion of Joseph Street Unimproved Right-of-Way

Principal Transportation Planner, Gina Arnett provided a briefing overview of the Street Closing and Abandonment Application SCA2024-00001.

The Public Hearing opened, and the following speakers testified.

In-Person Public Hearing Speakers and Written Comments

Speaker Jeff Broadhurst

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

The complete testimony of this evening's speakers can be found in the official Public Hearing records in the City Clerk Director of Council Operations offices. There being no further speakers testifying, the Public Hearing closed.

The record will remain open through October 23, close of business.

Discussion and instruction is scheduled for October 9. Adoption of Ordinance is scheduled for October 23, and Authorization for revised right-of-way agreements for all remaining encroachments is scheduled for October 30.

FURTHER DISCUSSION

October 9, 2023, Agenda Item 8 A.

https://rockvillemd.granicus.com/MediaPlayer.php?view_id=2&clip_id=4760

Video Timestamp 2:25:37

THE MAYOR AND COUNCIL WENT INTO A BRIEF RECESS AT 9:45 P.M. THE MAYOR AND COUNCIL RECONVENED AT 9:53 P.M.

11. Introduction, Discussion and Instruction, Possible Adoption

- A. Discussion and Instruction and Possible Introduction of an Ordinance on Street Closing and Abandonment Application SCA2024-00001 for a 0.0445 Acre Portion of Joseph Street Unimproved Right-of-Way**

Principal Transportation Planner, Gina Arnett provided a briefing of the overview of the Street Closing and Abandonment Application SCA2024-00001.

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

Councilmember Mark Pierzchala introduced the ordinance.

Councilmember Monique Ashton moved to waive the layover period.

	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 adopt the ordinance.

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

October 9, 2023, Agenda Item 11 A.

https://rockvillemd.granicus.com/MediaPlayer.php?view_id=2&clip_id=4760

Video Timestamp 2:23:49

- B. Introduction and Adoption of Ordinance to Approve TXT2023-00261, an Interim Zoning Ordinance Update to Allow for Floating Zones that Implement the Rockville 2040 Comprehensive Plan Recommendations, to Modify or Add Certain Administrative Adjustments, and to Implement Additional Changes to Articles 3, 6, 7, 14, and 17 of Rockville City Code Chapter 25 (Zoning), Mayor and Council of Rockville, Applicants**

Chief of Zoning, Jim Wasilak provided an overview of the Adoption of an Ordinance to Approve Zoning Text Amendment TXT2023-00261.

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

Councilmember Mark Pierzchala introduced the ordinance.

Councilmember Beryl L. Feinberg moved to waive the layover period.

RESULT: APPROVED [UNANIMOUS]

MOVER: Beryl L. Feinberg, Councilmember
SECONDER: Mark Pierzchala, Councilmember
IN FAVOR: Mayor Newton, Councilmember Ashton, Councilmember Feinberg, Councilmember Myles, Councilmember Pierzchala

Councilmember Beryl L. Feinberg moved to adopt the ordinance.

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

FURTHER DISCUSSION

October 9, 2023, Agenda Item 11 B.

https://rockvillemd.granicus.com/MediaPlayer.php?view_id=2&clip_id=4760

Video Timestamp 2:25:39

C. Introduction and Possible Adoption of an Ordinance to Approve Zoning Text Amendment TXT2023-00263, to Allow Accessory Apartments as a Conditional Use Rather than a Special Exception Use in the Single-Family Residential Zones; Mayor and Council of Rockville, Applicants

Principal Planner, Jane Lyons-Raeder provided an overview of the Adoption of an Ordinance to Approve Zoning Text Amendment TXT2023-00263.

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

Councilmember Monique Ashton introduced the ordinance.

Councilmember Beryl L. Feinberg moved to waive the layover period.

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

Councilmember Mark Pierzchala moved to adopt the ordinance.

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

FURTHER DISCUSSION

October 9, 2023, Agenda Item 11 C.

https://rockvillemd.granicus.com/MediaPlayer.php?view_id=2&clip_id=4760

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D. Introduction and Possible Adoption of an Ordinance to amend Ordinance No. 12-23 to appropriate funds and levy taxes for FY 2024 (Budget Amendment #2)

Deputy Chief Financial Officer, Kimberly Francisco, provided an overview of the Adoption of an Ordinance to amend Ordinance No. 12-23 to appropriate funds and levy taxes for FY 2024.

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

Councilmember Mark Pierzchala introduced the ordinance.

Councilmember Beryl L. Feinberg moved to waive the layover period.

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

Councilmember Beryl L. Feinberg moved to adopt the ordinance.

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

FURTHER DISCUSSION

October 9, 2023, Agenda Item 11 D.

https://rockvillemd.granicus.com/MediaPlayer.php?view_id=2&clip_id=4760

Video Timestamp 3:10:53

E. Proposed 2024 Rockville State Legislative Priorities, Including Legislative Bond Initiative Options

Assistant to the City Manager, Linda Moran, provided an overview of the Proposed 2024 Rockville State Legislative Priorities, Including Legislative Bond Initiative Options.

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

Councilmember Mark Pierzchala moved to approve the revised letter as suggested and direct Councilmember Pierzchala to work with staff on the letter.

	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

October 9, 2023, Agenda Item 11 E.

https://rockvillemd.granicus.com/MediaPlayer.php?view_id=2&clip_id=4760

Video Timestamp 3:35:54

- 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 have staff bring back information to the Mayor and Council with overtime costs for police.

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

16. Adjournment

There being no further business, the meeting adjourned at 11:26 P.M.

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