Present were Mayor Phyllis Marcuccio, Councilmember John Britton, Councilmember Piotr Gajewski, Councilmember Bridget Donnell Newton, and Councilmember Mark Pierzchala.

1. **Convene**

The Mayor and Council of Rockville met on Monday, September 13, 2010 at 7:00 p.m. in the Mayor and Council Chambers, Rockville City Hall, 111 Maryland Avenue, Rockville, Maryland.

2. **Pledge of Allegiance**

Mayor Marcuccio led those present in the Pledge of Allegiance.

3. **Agenda Review**

City Clerk Glenda Evans indicated that Item 8D of the Consent Agenda is being considered as a separate item.

Councilmember Newton requested that Item 8C of the Consent Agenda be removed for Mayor and Council discussion. Mayor Marcuccio polled other Councilmembers and it was agreed that this item could be removed.

4. **City Manager’s Report**

City Manager Scott Ullery stated that Public Works Director, Craig Simoneau would be providing the Mayor and Council with an update on the water transmission main project and also on the pedestrian bridges. Prior to Mr. Simoneau’s update, Mr. Ullery (with the assistance of Mr. Simoneau) responded to Councilmember Gajewski’s request about the progress on addressing the cut-through truck traffic through King Farm primarily servicing the Intercounty Connector (ICC) project. Mr. Ullery stated that staff had met with King Farm officials and contacted the ICC officials. ICC officials indicated they would bring signs for delivery on September 14. Mr. Ullery also indicated that the Traffic and Transportation Director would meet with the King Farm Committee on September 14 to discuss other measures.

Mr. Simoneau indicated that the State Highway Administration (SHA) and Montgomery County had been contacted to explore other ideas to direct trucks to Shady Grove Road off 270. Also, he indicated ICC was being contacted to add to the contract to change the truck traffic route.

Mayor Marcuccio commented on Mr. Ullery and Mr. Simoneau’s reports.

Mr. Simoneau provided the Mayor and Council with an update on the water transmission main and Lakewood Bridge construction. Mr. Simoneau reported on the progress on the transmission main and stated that Pure Technologies was inspecting the lines and had inspected most of Phase I except five areas. Mr. Simoneau advised that the Bridge opened on August 27, 2010 and gave his Kudos to City Staff for their efforts.

Mayor Marcuccio also extended her appreciation to Mr. Simoneau and staff for their efforts.

5. **Appointments and Reappointments**

Motion moved by Councilmember Mark Pierzchala, seconded by Councilmember Bridget Donnell Newton, to appoint Beryl Feinberg as a member of the Board of Supervisors of Elections until September 1, 2014. Motion passed 5-0.

Motion moved by Councilmember Piotr Gajewski, seconded by Councilmember John Britton, to reappoint George Northway as a member of the Cultural Arts Commission until September 1, 2013. Motion passed 5-0.

Motion moved by Councilmember John Britton, seconded by Councilmember Bridget Donnell Newton, to appoint David Zbarsky as student representative to the Environment Commission until September 1, 2013. Motion passed 5-0.

6. **Citizen’s Forum**

Citizen - Issue

(1) Ben Murphy - Bikes for the World
(2) Ted Reuther - Pipeline in communities of private property
(3) Ann Goodman - Support for RedGate
(4) Col. Dick Johns - Support for RedGate
(5) Susan Swain - Support for RedGate
(6) Alice Von Sauber - Support for RedGate
(7) Karl Harger - Support for RedGate
(8) Teresa Defino - Beals’ Grant II-support
(9) John Kappel - Support for RedGate
(10) Mary Caroline Collette - Support for RedGate/Carl Henn/Handicap Accessibility
(11) Roger Horst - Support for RedGate
(12) Susan Price - Support for RedGate
(13) Dave Gross - Support for RedGate
(14) Eric Hall - Support for RedGate
(15) Judy Miller - Support for RedGate
(16) Art Stigile - Opposition to RedGate
The following members of the Mayor and Council commented on remarks made during Citizens Forum: Mark Pierzchala, Bridget Newton, Piotr Gajewski and Mayor Marcuccio.

Mayor Marcuccio stated that Items 8C and 8D had been removed from the Consent Agenda and will be addressed separately.

A. Contract Award for Temporary Personnel

In response to earlier questions from Mayor Marcuccio and Councilmember Newton, City Manager Scott Ullery stated that the contracts were dedicated to unskilled labor, not any administrative assistance and that the rate of pay under those contracts was up to $12.69 (Federal Minimum wage is $7.25). He indicated that the pay scale for the contracts falls between those two amounts.

B. Adoption of resolution to petition the State of Maryland to reinstate state shared revenues diverted from municipal governments to fund operations of the state and to provide more diverse revenue raising authority to municipalities

C. Request for Information (RFI) for Adaptive Reuse of King Farm Farmstead

[DONE: Item 8C was removed from the Consent Agenda and addressed as a separate item] Councilmember Bridget Newton requested a discussion on the parameters for RFI for the King Farm Farmstead. Recreation and Parks Director, Burt Hall responded to Councilmember Newton's questions and indicated that staff did participate in a meeting with King Farm residents.

A discussion was held between the Mayor and Council and Mr. Hall regarding the RFI for King Farm Farmstead. Mayor Marcuccio asked if the property was currently historic and Mr. Hall responded that the entire park is currently a historic district.

Councilmember Pierzchala asked if there was support among the Mayor and Council to include the possibility of selling the property, acknowledging that the property is located in a historic district and thus would be maintained as historic even if sold. Councilmember Gajewski indicated that he was in support of exploring the option. Councilmembers Britton and Newton indicated that they were opposed to the notion and would like to keep the RFI more focused.

It was agreed among the Mayor and Council that they would just "keep it the way it is".

D. Recognition for Mr. Carl Henn

[DONE: Item 8D was removed from the Consent Agenda and addressed as a separate item] Councilmember Marcuccio indicated that she had spoken with Ms. Carol Henn on the 11 items that were mentioned to memorialize Carl Henn. Mayor Marcuccio indicated that the item that appealed to Ms. Henn the most was renaming the Millennium Trail. Assistant Manager Jenny Kimball indicated to the Mayor and Council that staff was looking to the Mayor and Council for direction. Mayor and Council decided that the presentation would be made at the September 27, 2010 Town Hall meeting in Town Square.

Motion moved by Councilmember Mark Pierzchala, seconded by Councilmember Piotr Gajewski, to rename the Millennium Trail the Carl Henn Millineum Trail .Motion passed 5-0.


The Mayor and Council convened in Public Hearing on the Municipal Growth Element (MGE) of the Master Plan. Mayor Marcuccio verified with the City Clerk that the public hearing had been properly advertised. Mayor Marcuccio advised the audience of the speaker time limits and referred the audience to the Municipal Growth Element document.

Mr. David Levy, Chief of Long Range Planning and Development, provided background information for the Public Hearings for the Municipal Growth Element and the Water Resource Element. Mr. Levy also advised the audience on the procedures involved to ensure their testimony and comments are included in the public record.

The Public Hearing began.

Speakers at the Public Hearing for Municipal Growth Element:

1. Cindy Barr, Attorney at Holland & Knight (on behalf of Tower Dawson LLC)
2. Andrea Hall, resident of College Gardens
3. Christopher Kelly, Richard Montgomery Cluster, Montgomery County PTA (providing an appendix to testimony)
4. Crystal Oler, parent of elementary students attending College Gardens Elementary School
5. Susan Caster, Potomac Woods Neighborhood
6. Laura Berthiaume, Montgomery County Public Schools, Board of Education
7. Lynn Perry Parker, 7 East Argyle

Mayor Marcuccio and Councilmembers Britton, Gajewski, Newton and Pierzchala commented at various times regarding the issues raised by speakers during the Public Hearing.

Municipal Growth Element Public Hearing closed.

10. Public Hearing - Draft Water Resources Element of the City's Comprehensive Master Plan

Mayor Marcuccio verified with the City Clerk that the public hearing had been properly advertised. Mayor Marcuccio advised the audience on the speaker time limits and referred the audience to the Draft Water Resources Element of the City's Comprehensive Master Plan document.

Mayor Marcuccio advised the audience on the speaker time limits and referred the audience to the Water Resource Element document.
Mr. Jake Marren, Environment Specialist with the Department of Public Works, provided the background for Water Resources Element Public Hearing.

The Public Hearing began.

No one was present to speak for the Public Hearing for the Water Resources Element.

Water Resources Element Public Hearing Closed.

It was determined by the Mayor and Council that the public hearing records for the Municipal Growth Element and the Water Resources Element would remain open until October 8, 2010.

11. **Presentation - Town Center Update**

Assistant City Manager, Jenny Kimball provided the Town Center Update. Among the items she discussed were: FRIT’s submittal of an application for an ice rink in Town Square and an update on the parking garage use.

Ms. Kimball also provided an update on the “Uncorked Festival”. There were 13 Maryland wineries participating and 3000 paid attendees. Ms. Kimball indicated that the merchants gave positive feedback to the event.

Ms. Kimball indicated that FRIT would be holding a Jazz Festival and Taste of Town Square on September 25, 2010.

Ms. Kimball also provided an update on the rooftop events, planned events, noise complaints, the William Cochran piece scheduled for installation and a public safety update.

There was additional discussion among the Mayor and Council, Ms. Kimball and Mr. Hall regarding various aspects of Ms. Kimball’s update.

12. **Adoption of Zoning Text Amendment TXT2010-00225**

Mayor Marcuccio indicated that she had spoken to the seven property owners. Mayor Marcuccio stated that in the future owners should be sent letters. Deane Mellander discussed the amendment with the Mayor and Council and recommended that the amendment be adopted.

Motion moved by Councilmember Mark Pierzchala, seconded by Councilmember John Britton, to adopt Zoning Text Amendment TXT2010-00225. Motion passed 5-0.

13. **Introduction of Ordinance to adopt Zoning Text Amendment TXT2010-00226 on public use space and open area percentages**

Councilmember Gajewski introduced the Ordinance to adopt Zoning Text Amendment TXT2010-00226 on public use space and open area percentages.

14. **Presentation - Montgomery College Facilities Master Plan Update**

Dr. Judy Ackerman, Vice President and Provost of the Rockville Campus and John McLean, Director of Capital Planning, Design and Engineering, of the Montgomery College presented an overview of the process, content and status of the College’s Facilities Master Plan.

The Mayor and Council discussed the update with Dr. Ackerman and Mr. McLean.

15. **Presentation - RedGate Golf Course - (Worksession with RedGate Advisory Committee)**

Mr. Joe Jordan, Chairman of RedGate Advisory Committee, expressed his appreciation for the opportunity to make their presentation. The presentation began with a video.

Slides - Presenters.

(1) A background and introduction of this evening’s discussion and review of slides - Joe Jordan
(2) History of RedGate - Ray Evans
(3) Environmental Considerations - Ray Evans
(4) Bird/Wildlife - Martha Klassing
(5) Community Benefits - Martha Klassing
(6) Today’s Golf Market Environment - Kieron Mooney
(7) Financial Discussion - Martha Klassing
(8) RedGate Golf Course Fund - Martha Klassing
(9) Comments on Five-Year Business Plan - Joe Jordan
(10) Options Under Consideration = Joe Jordan
(11) Proposed Business Model - Joe Jordan
(12) Revenue and Rounds Analysis - Joe Jordan
(13) RedGate as a Community Park - Frank McDonough
(14) Recommendations & Next Steps - Joe Jordan

Councilmembers Pierzchala, Newton, Gajewski, Britton and Mayor Marcuccio responded to the RedGate Advisory Committee’s presentation in addition to asking questions of the Committee as well as Mr. Burt Hall, Recreation and Parks Director and Mr. Gavin Cohen, Finance Director.

16. **Mayor and Council Liaisons to Boards and Commissions Report - Senior Citizens Commission**

Mayor Marcuccio indicated that Staff would report on FORS after they have worked with the Senior Commission for discussion.

Councilmember Pierzchala indicated that the Finance and Budget Task Force had held their final meeting, completed their final edits, and a summary was being written. Councilmember Pierzchala also stated that he hoped to have the summary available for the meeting on September 20, 2012.

Councilmember Pierzchala also stated that the Rockville Pike Advisory Committee had voted in support of renaming the Millennium Trail for the late Carl Henn.

17. **Review & Comment regarding Future Agendas and Discussion Memorandum**

Councilmember Bridget Newton requested that a discussion on truck traffic in residential neighborhoods be added as a TBD agenda item.

Councilmember Gajewski requested that the Mayor and Council propose on an upcoming agenda a discussion on the APFO (affordable housing). It was decided that the item would be placed on the October 4, 2010 agenda.
Councilmember Pierzchala requested information on the upcoming Town Hall Meeting. Mayor Marcuccio responded that the meeting was being held for residents to have an informal opportunity to engage in conversation with the Mayor and Council.

Councilmember Gajewski responded to the staff requests for direction and instruction on various items related to the Town Hall Meeting. The Mayor and Council discussed the meeting format, parking, noise ordinance and concluding the meeting by 9:00 pm.

Councilmember Bridget Newton discussed with Bridget Broullire changes to the seating arrangement for the Town Hall Meeting.

City Manager Scott Ullery requested an Executive Session next week at 6:15 pm as a follow-up to the July 19, 2010 Executive Session to update the Mayor and Council. The issue concerns a proposal for a business or industrial organization to locate, expand or remain in the City. The meeting on the 19th discussed the potential monetary/non-monetary incentives.

City Attorney Debra Daniel requested that the Beall’s Grant II decision be listed as a future agenda item.

18. **Review & Comment regarding Mayor and Council Action Report**

Councilmember Pierzchala requested that information be provided on asphalt industry standards include sources in addition to local jurisdictions, such as university-related traffic research institutes and associations.

19. **Review & Comment regarding FY 2012 Budget Survey Tools**

Councilmember Newton requested postponement of Agenda #19 due to the lateness of the hour and until Councilmember Pierzchala’s Task Force Report is provided. The Councilmembers held a brief discussion on the request. City Manager Scott Ullery indicated that he would move the item to next week.

20. **Old/New Business**

City Manager, Scott Ullery discussed a request from the West End Citizens Association for a Town Hall meeting on October 21st. Councilmember Bridget Newton responded that the association had made the request prior to the Mayor and Council’s decision to hold a Town Hall Meeting in Town Square. Councilmember Piotr Gajewski indicated that WECA could be invited to the Town Hall Meeting in Town Square.

Motion moved by Councilmember Mark Pierzchala, seconded by Councilmember Piotr Gajewski, to not appeal the Beall’s Grant II decision. Motion passed 5-0.

Councilmember Gajewski indicated that he would like to hear City Attorney Debra Daniel’s opinion regarding whether the Mayor and Council should appeal the Beall’s Grant decision. Ms. Daniel indicated that she would not recommend that the Mayor and Council appeal the decision. Ms. Daniel further stated that it is within the Mayor and Council’s purview to amend the APFO and/or the APFS.

Councilmember John Britton asked City Attorney, Debra Daniel for an explanation of all pending projects and how the Beall’s Grant II decision would impact them. Councilmember Britton and Ms. Daniel named several items: Avalon Bay, a potential site across from King Farm for annexation, different amendments, Chestnut Lodge, for example. Ms. Daniel indicated that she had been working with the Planning staff.

Assistant City Manager, Jenny Kimball updated the Mayor and Council on the Montgomery County Multi-Government Rockville Core Coordinating Committee. Ms. Kimball discussed the names of individuals the Mayor and Council would like to fill the positions. The Mayor and Council indicated: Eric Rainer (East Rockville) and Councilmember Bridget Donnell Newton.

21. **Adjournment**

Motion moved by Councilmember Bridget Donnell Newton, seconded by Councilmember Mark Pierzchala, to adjourn . Motion passed 5-0.

There being no further business, the meeting adjourned at 12:52 am