



Approved: *Bridget Donnell Newton*
 Attest: *Sara Taylor-Ferrell*
 Approved Meeting No. 01-20;
 November 16, 2020

**Monday, January 6, 2020
 MAYOR AND COUNCIL
 MEETING NO. 01-20
 ROCKVILLE, MARYLAND**

THE HONORABLE MAYOR AND COUNCIL PRESIDING

Attendee Name	Title	Status
Bridget Donnell Newton	Mayor	Present
Monique Ashton	Councilmember	Present
Beryl L. Beryl L. Feinberg	Councilmember	Present
David E. Myles	Councilmember	Present
Mark Pierzchala	Councilmember	Present

1. Convene

The Mayor and Council convened in Open Session at 7:02 p.m. on Monday, January 6, 2020 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 changes to the Agenda; a revised Proclamation for the Richard Montgomery Jazz Ensemble and a revised Mock Agenda to remove the Closed Session from January 13 to the January 27 Mayor and Council meeting.

Councilmember Mark Pierzchala moved to remove from the Agenda Item 10 as it is a personnel issue about the Open Meetings Act which involves a direct report to the Mayor and Council.

RESULT:	FAILED [2-0-3]
MOVER:	Mark Pierzchala, Councilmember
SECONDER:	David Myles, Councilmember
NOT IN FAVOR:	Mayor Newton, Councilmember Feinberg, Councilmember Ashton

4. City Manager's Report

City Manager Rob DiSpirito presented information on events and topics: The City of Rockville was named one of the most generous Cities by the Go Fund Me Review. The 48th annual Martin Luther King, Jr. Day celebration will be held on January 20 from 11 a.m. – 2 p.m. at Richard Montgomery High School. Blankets for needy children will be made and survival kits for homeless veterans will be distributed. The awards ceremony will start at 12 noon and the event is free and open for all ages. To volunteer, please contact Human Rights and Community Mediation Administrator Janet Kelly at (240) 314-8316. The 2020 Student Art Show, in conjunction with the Rockville Art League, will take place February 2 through February 22 at Glenview Mansion. The deadline for students to participate in the festival is January 13. For more information contact Betty Wisda at (240) 314-8601 or email bwisda@rockvillemd.gov. The FY21 Budget Public Hearing meeting is January 13 at 7 p.m.

5. Proclamation

A. Certificate of Recognition for the Richard Montgomery High School Jazz Ensemble

Mayor Bridget Donnell Newton read and presented the Certificate of Recognition to Richard Montgomery High School Jazz Ensemble.

Students introduced themselves and the instruments they played. Dr. Peter Perry provided a brief overview of the student's trip to Yilan, Taiwan in May. The Mayor and Council thanked Rockville Sister City for their support which helps to bring world peace.

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

6. Community Forum

Name	Topic
David Brenner	Introduction 2020
Nancy Pickard Peerless Rockville	Open Meetings Act violation

Name	Topic
Harold Pskowski Peerless Rockville	Open Meetings Act violation

7. Mayor and Council's Response to Community Forum

The Mayor and Council thanked everyone for their participation at Community Forum.

8. Mayor and Council Announcements

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

9. Discussion, Instructions, Possible Introduction and Possible Adoption of an Ordinance to Amend Chapter 16 of the Rockville City Code Entitled "Public Ethics" So as to Amend, Delete, and Add Definitions; and to Amend the Purpose and Policy, Administration, and Enforcement Sections Contained in Article I; Amend the Conflicts of Interest Provisions in Article II; Amend the Financial Disclosure Provisions in Article III; Amend the Lobbying Provisions in Article IV; and Add a New Article VI Entitled "Whistleblower Protection."

City Attorney Debra Daniel introduced Assistant City Attorney and Ethics Commission staff liaison Marlaine White.

Staff recommended that the Mayor and Council discuss the Ethics Commission's recommended amendments to Chapter 16. The Mayor and Council instructed staff to revise the Ordinance before adoption.

Councilmember Mark Pierzchala introduced the Ordinance.

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

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

Councilmember Mark Pierzchala moved to adopt the Ordinance.

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

THE MAYOR AND COUNCIL WENT INTO A BRIEF RECESS AT 9:12 P.M. THE MAYOR AND COUNCIL RECONVENED IN OPEN SESSION AT ~~9:12~~ 9:17 P.M

10. Discussion Regarding Letter on Open Meetings Act Violations

The Mayor and Council discussed the next steps in deciding how to direct staff to improve policy transparency and be in compliance with the Open Meetings Act.

Councilmember Monique Ashton moved to discuss this item in Closed Session.

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

11. Consent

A. Authorize the City Manager to Execute the Revocable License Agreement Between the Mayor and Council of Rockville and 204 N. Stonestreet Properties, LLC to Temporarily Occupy a Portion of the North Stonestreet Avenue Right-Of-Way During the Construction of the Adjacent Self-Storage Building at 204 North Stonestreet Avenue

B. Award of IFB #05-20, Stream Restoration Spot Repairs: Bullards Park and Woodley Gardens Park, to Old Line Construction in the Amount of \$692,017.77

Councilmember Beryl L. Feinberg moved the Consent Agenda.

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

12. Review and Comment - Mayor and Council Action Report

Councilmember Beryl L. Feinberg asked staff to provide a six month update on the Emergency Management Plan.

The Mayor and Council discussed moving the Boards and Commissions Task Force Recommendation Report to an earlier time on the agenda and perhaps make it a Worksession. This would enable items to be moved forward and possibly take votes on other detailed items before moving forward.

13. Review and Comment - Future Agendas

A. Future Agendas

The Mayor and Council discussed making the following changes to Future Agendas:

- January 27 - Closed Session for City Manager's review; Procurement update for longer than 15 minutes; Arts and Culture study sixty minutes
- February 3 – Comp and Class study
- February 24 – Personnel Policy Manual presentation allow one hour; East Rockville update one hour.

14. Old/New Business

The Mayor and Council discussed the letter to the State Board of Public Works was to oppose the I-270 widening.

Mayor Bridget Donnell Newton suggested to approve the letter with changes brought forward from City Public Works Staff.

Councilmember Beryl L. Feinberg moved to approve letter with suggested edits.

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

Councilmember Mark Pierzchala agreed to the draft letter from Mayor Bridget Donnell Newton be sent to the County Executive and Council regarding not to support the widening of I-270.

City Attorney Debra Daniel advised the Mayor and Council that they can approve the letter and authorize the Mayor to send out.

15. Adjournment

Councilmember Monique Ashton requested a Proclamation for the Lunar New Year celebration be added to the next meeting agenda.

There being no further business, the meeting adjourned at 11:06 p.m.

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