



Approved: *Bridget Donnell/Newton*
 Attest: *Shana Lujan-Snell*
 Approved Meeting No. 07-20;
 November 16, 2020

**Monday, February 24, 2020
 MAYOR AND COUNCIL
 MEETING NO. 07-20
 ROCKVILLE, MARYLAND**

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 in open session to vote on a motion to go into closed session pursuant to Sections 3-305(b)(7) and 3-305(b)(8) of the General Provisions Article of the Annotated Code of Maryland to 1) to consult with counsel to obtain legal advice; and 2) to consult with staff, consultants, or other individuals about pending or potential litigation.**

The Mayor and Council convened in Open Session at 5:00 p.m. on Monday February 24, 2020, in the Mayor and Council Chambers, City Hall, 111 Maryland Avenue, Rockville, Maryland, to vote on a Motion to go into closed session pursuant to Sections 3-305(b)(7) and 3-305(b)(8) of the General Provisions Article of the Annotated Code of Maryland to obtain legal advice; and consult with staff, consultants, or other individuals about potential litigation.

	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

- 2. Closed Session Summary**

Motion: Closed Session adjourned at 7:01 p.m.

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

3. Reconvene into Open Session

The Mayor and Council reconvened in Open Session at 7:05 p.m. on Monday, February 24, 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.

4. Pledge of Allegiance

Mayor Bridget Donnell Newton led the Pledge of Allegiance.

5. Agenda Review

Sara Taylor-Ferrell, City Clerk/Director of Council Operations reported no changes to the Agenda.

6. City Manager's Report

City Manager Rob DiSpirito presented information on events and topics: WalletHub announced that The City of Rockville is 7th overall and 4th among small cities to be ethnically diverse. Their report compared 500 U.S. cities across three key metrics. Rockville ranked 27th overall in ethnic racial diversity, 7th in language diversity, and 32nd and birthplace diversity. Code enforcement removed over 300 illegal signs throughout the City over the weekend and has begun educating business on Code guidelines. The 2020 Census is underway, all residents are encouraged to complete the Census questioner online, by phone or through the mail.

7. Proclamation

A. Proclamation Declaring Commitment to Goal of Counting Everyone in Rockville for Census 2020

Councilmember Mark Pierzchala read the Proclamation proclaiming April 1, 2020 as Census Day and presented the Proclamation to U.S. Census Bureau Partnerships Specialist Robin

Brown.

	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

B. Proclamation Declaring Rare Disease Day

Councilmember David Myles read the Proclamation declaring February 25, 2020 as Rare Disease Day and presented the Proclamation to Mr. and Mrs. Anthony Marill, parents of Erin Marill.

	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

8. Boards and Commissions Appointments and Reappointments

A. Boards and Commissions Appointments and Reappointments

Councilmember David Myles moved the appointment of Justus Getty to the Environment Commission to serve an unexpired two-year term until February 1, 2022.

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

Councilmember David Myles moved the appointment of William McClain to the Environment Commission to serve a three-year term until February 1, 2023.

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

Councilmember David Myles moved the reappointment of Clark Reed to the Environment Commission to serve a three-year term until February 1, 2023.

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

Councilmember Mark Pierzchala moved the appointment of Ross Machurek to the Human Rights Commission to serve a three-year term until February 1, 2023.

	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 Mark Pierzchala moved the appointment of Jennifer Alvarez Franz to the Human Rights Commission to serve a three-year term until February 1, 2023.

	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 Mark Pierzchala moved the reappointment of Nancy Sushinsky to the Human Services Advisory Commission to serve a three-year term until February 1, 2023.

	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

Councilmember Mark Pierzchala moved the appointment of Mikhail Sukhenko to the Retirement Board to serve a three-year term until February 1, 2023.

	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

Councilmember Mark Pierzchala moved the designee appointment to the Retirement Board (replacement of Mark Pierzchala) of Councilmember Beryl L. Feinberg to serve a concurrent term with Councilmember Feinberg's term of office.

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

Councilmember Beryl L. Feinberg moved the appointment of Elaine Koubek to the Senior Citizens Commission to serve a three-year term until February 1, 2023.

	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 David Myles moved the appointment of Matthew Perkins to the Traffic and Transportation Commission to serve a three-year term until February 1, 2023.

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

9. Community Forum

Name	Topic
Vincent DeMarco	Prescription Drug Affordability
Drew Powell, President, Rockville Sister Cities Corporation	Thanks to Rockville City Councilmembers Ashton and Myles for speaking at the Celebration; Presentation of the State of Governors Proclamation to Mayor and Council
Dr. Carolyn O'Connor	Prescription Drug Affordability
Stephanie Pankiewicz	RedGate Park, presentation using the park and people who want to keep it a park
David Brenner	Police Citation #8
Clark Reed	Thanked Mayor and Council for reappointment; ask the Myor and Council to consider a bill to support greenhouse gas
Pravita Srinivasan	Support for the Clean Cars Act
Matthew Perkins	Support for Rockville City Police Department
Don Masters	Lancaster Landscapes on Consent Agenda
Randy Alton	Pickleball Courts; Boche Courts; Diversity; move Mayor and Council to 7, to Consider before 2024

10. Mayor and Council's Response to Community Forum

Councilmember Beryl L. Feinberg thanked everyone who participated in Community Forum.

11. Consent

A. Award of Invitation for Bid (IFB) #07-20 for Mowing Services to Lancaster Landscapes, Inc.

Councilmember Beryl L. Feinberg requested further information from staff in order to avoid rescinding the Award of Invitation for Bid (IFB) #07-20.

Director of Recreation and Parks Tim Chesnutt stated that he was comfortable with the Mayor and Council's approval of the Award of Invitation for Bid (IFB) #07-20 for Mowing Services to Lancaster Landscapes, Inc.

Councilmember David Myles commented on the use of pest controls and the adoption of use of Roundup products.

Councilmember Beryl L. Feinberg asked if staff checked references from other municipalities who did business with Lancaster Landscapes, Inc.

Councilmember Beryl L. Feinberg moved to adopt Award of Invitation for Bid (IFB) #07-20 for mowing services to Lancaster Landscapes, Inc.

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

B. Authorization to Release, Extinguish or Modify Existing Easements as Necessary to Implement the Twinbrook Quarter Project Plan.

Councilmember Beryl L. Feinberg moved Authorization to Release, Extinguish or Modify Existing Easements as Necessary to Implement the Twinbrook Quarter Project Plan.

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

C. Adoption of Resolution to Appointment Process for 2020 Charter Review Commission

On January 13, 2020, the Mayor and Council discussed establishing a Charter Review Commission during calendar year 2020. The Mayor and Council agreed to establish a Charter Review Commission in accordance with the procedure set forth in the resolution and did not decide what provisions of the charter should be reviewed by the Commission. Instead, the Mayor and Council decided to hold a public hearing to get input from the public regarding what provisions of the charter should be reviewed by the newly created Commission.

Councilmember Monique Ashton moved to adopt the Resolution to appointment process for the 2020 Charter Review Commission.

	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

12. Presentation and Discussion on East Rockville Residential Design Guidelines and Standards

Chief of Long Range Planning Andrea Gilles presented an overview on the East Rockville Residential Design Guidelines and Standards. Historic Preservationist Sheila Bashiri, Senior Planner Nicole Walters, Urban Design and Architecture Principal Mike Watkins, Designer Scott Laten, and LSG Landscape Architecture Principal Amol Deshpande are part of a team established to assist with this project.

Mike Watkins presented an overview of residential design guidelines and standards regarding building orientation, placement and percentage of lot area covered by buildings. The impact of

how building materials, porches and stoops add character and interest to a home was also discussed.

Scott Laten discussed parking garages, pavement, additions which complement the design and proportions of buildings, building massing and scale referring to roof lines, massing variations, window placements, and porches.

Amol Deshpande continued with a discussion of building heights, roof pitches, and building articulation.

THE MAYOR AND COUNCIL WENT INTO A BRIEF RECESS AT 9:10 P.M. THE MAYOR AND COUNCIL WORKSESSION RECONVENED AT 9:19 P.M.

13. Comprehensive Review and Revision of the Personnel Policy and Procedures Manual (PPM)

Director of Human Resources Karen Marshall provided an overview of the revisions to the Personnel Policy and Procedures Manual (PPM). Staff recommends that the Mayor and Council discuss the City Manager's proposed amendments to the Personnel Policy and Procedures Manual (PPM). Per City Code, unless the Mayor and Council instruct staff to modify the proposed amendments, the amended PPM will go into effect on March 26, 2020 (55 days from the January 31, 2020 distribution of the PPM to the Mayor and Council).

Mayor Bridget Donnell Newton thanked Ms. Marshall for the overview and asked for discussions on the PPM.

14. Presentation of the Fiscal Year 2021 Proposed Operating Budget and Capital Improvements Program

City Manager Rob DiSpirito gave a brief presentation on the Fiscal Year 2021 Proposed Operating Budget and Capital Improvements Program. The City Manager's top priorities based on Mayor and Council requests, staff recommendations and input from the community include:

- Increase for Regular Full Time Equivalent Positions
- Minimum Wage
- Radio System
- Website Redesign and Setup
- Smart Meters
- Water Treatment Plant Security Cameras and Access Control
- Operating Grant to Rockville Economic Development, Inc.
- Branding Consultant
- Support for Compliance with America's Water Infrastructure Act

- Rubber Track Skid Loader
- Debris Grinder Pump
- Grant to Rockville Volunteer Fire Department
- Special Events
- Fall Protection Solutions
- Urban Area Security Initiative Program Costs

FY2021 Capital Improvements Program (CIP) funding priorities of the Mayor and Council and residents include:

- Promenade Park Elevator and Park Redesign
- Spray Park
- Traffic Signal at E. Middle Lane/Helen Heneghan Way
- Traffic Signal Upgrades
- Commercial Water Meter Replacement
- Core Financial, HR & Procurement ERP
- Data Center and Disaster Recovery Infrastructure
- Financial System Upgrade

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

15. Introduction of an Ordinance to Appropriate Funds and Levy Taxes for Fiscal Year 2021

Staff recommended that the Mayor and Council introduce the Ordinance to Appropriate Funds and Levy Taxes for Fiscal Year 2021. Change in Law or Policy Adoption of the operating and Capital Improvements Program (CIP) budgets will require passage of the standard budget ordinance. This budget ordinance is scheduled to be introduced on February 24, 2020, with adoption scheduled for May 4, 2020.

Councilmember Beryl L. Feinberg introduced the Ordinance.

16. Introduction of a Resolution to Establish the Service Charge Rate for Municipal Refuse Collection and to Establish a Charge for Unreturned Refuse and Recycling Carts Pursuant to Section 20-6 of the Rockville City Code

Staff recommended that the Mayor and Council introduce the Resolution to establish the service charge rate for Municipal Refuse Collection and to establish a charge for unreturned refuse and recycling carts pursuant to Section 20-6 of the Rockville City Code.

Councilmember Mark Pierzchala introduced the Resolution.

17. Review and Comment - Mayor and Council Action Report

A. Action Report

Councilmember Monique Ashton requested that King Farm Homestead item be moved to an earlier Agenda.

Councilmember Mark Pierzchala requested staff review the second choice for deer culling and come back to the Mayor and Council with findings.

Councilmember Beryl L. Feinberg requested directional signs be posted for general neutral restrooms.

Councilmember Beryl L. Feinberg requested the volunteer program be moved from August 10 to July.

Councilmember Mark Pierzchala requested an overall comprehensive plan to meet both Rockville and Council of Government (COG) goals for affordable housing in Rockville.

18. Review and Comment - Future Agendas

The Mayor and Council reviewed Future Agendas.

19. Old/New Business

Councilmember David Myles moved to support prescription drug affordability.

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

Mayor Bridget Donnell Newton and Councilmember Mark Pierzchala commented on being in support of a coalition bill resolution.

Councilmember David Myles commented on being in support of writing a letter to support House Bill 561 for municipalities to find solutions to power homes and businesses.

Councilmember Monique Ashton moved to support House Bill 1223, the Electric Vehicle Recharging Equipment Rebate Program and vehicle excise tax credit for the purchase of certain electric vehicles.

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 Beryl L. Feinberg moved to support draft letter for House Bill 1424, Establishing the Public-Private Partnership Oversight Review Board.

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

20. Adjournment

There being no further business, the meeting adjourned at 12:30 A.M.

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