



**Monday, February 28, 2022**  
**MAYOR AND COUNCIL**  
**MEETING NO. 05-22**  
**ROCKVILLE, MARYLAND**

Approved *Bridget Donnell Newton*  
Attest: *Sara Taylor-Ferrell*  
Approved Meeting No. 05-22  
March 28, 2022

Approved *Bridget Donnell Newton*  
Attest: *Sara Taylor-Ferrell*  
Approved Meeting No. 05-22  
June 27, 2022

**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**

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The Mayor and Council convened in a hybrid Open meeting Session at 7:01 p.m. on Monday, February 28, 2022, via WebEx.

Staff Present: City Manager Rob DiSpirito, Rockville Corporate Council Robert E. Dawson, and City Clerk/Director of Council Operations Sara Taylor-Ferrell.

**2. Pledge of Allegiance**

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Mayor Bridget Donnell Newton led the Pledge of Allegiance.

Mayor Donnell Newton offered condolences to the family friends and colleagues of Mr. Wayne Butler, Jr.

The Mayor and Council and City Staff's thoughts and prayers go out to the people of Ukraine.

**3. Agenda Review**

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

**4. COVID-19 Update**

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Emergency Manager Dr. Mark Landahl provided an update of the COVID-19 impact on the City, County, and State.

**FURTHER DISCUSSION**

February 28, 2022. Agenda Item 4.

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**5. Community Forum**

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Name	Topic
<b>Speaker by Phone and Written Comments</b> Hannah Fisher	NO – Montgomery County Seven Locks Road, Proposed Bus Depot
<b>Speaker by Computer and Written Comments</b> Uzi Vishkin	NO – Montgomery County Seven Locks Road, Proposed Bus Depot
<b>Speaker by Computer Written Comments</b> Dr. Marcia Kerchner	NO – Montgomery County Seven Locks Road, Proposed Bus Depot
<b>Speaker by Computer and Written Comments</b> Dr. Susan Arbuck	NO – Montgomery County Seven Locks Road, Proposed Bus Depot
<b>Speaker by Computer and Written Comments</b> Krystal Putman-Garcia	NO – Montgomery County Seven Locks Road, Proposed Bus Depot
<b>Speaker by Computer</b> Leon Feuerstein Falls Ridge (HOA Board Member)	NO – Montgomery County Seven Locks Road, Proposed Bus Depot
<b>Speaker by Computer</b> Heather Feuerstein 15yrs old, RMHS Freshman & Freshman SGA Board Member	NO – Montgomery County Seven Locks Road, Proposed Bus Depot

Name	Topic
<b>Speaker by Computer</b> Barry Jackson	Community Safety and Budget
<b>Speaker by Computer and Written Comments</b> Nancy Breen, Chair Rockville Bicycle Advisory Committee	NO- Montgomery County Seven Locks Road, Proposed Bus Depot; the accessway to the proposed bus depot location; bikeway
<b>Speaker by Computer and Written Comments</b> Monica Zeitlin	NO- Montgomery County Seven Locks Road, Proposed Bus Depot; the accessway to the proposed bus depot location; bikeway
<b>Speaker by Computer and Written Comments</b> Martin Garcia	NO- Montgomery County Seven Locks Road, Proposed Bus Depot; the accessway to the proposed bus depot location; bikeway
<b>Speaker by Computer and Written Comments</b> Parva Fattahi, Esq. Fattahi Immigration Law, LLC Adams Law Center	Rescinding Mask Mandate
<b>Speaker by Computer and Written Comments</b> Stephanie Fulop	NO – Montgomery County Seven Locks Road, Proposed Bus Depot
<b>Speaker by Computer and Written Comments</b> Doris Raffel	NO – Montgomery County Seven Locks Road, Proposed Bus Depot
<b>Written Comments</b> Dr. Bruce Lazerow	NO – Montgomery County Seven Locks Road, Proposed Bus Depot
<b>Written Comments</b> Brian Hung	Community Safety

Name	Topic
<b>Written Comments</b> Mike Stein	Community Safety
<b>Written Comments</b> Ingrid Alpern	NO – Montgomery County Seven Locks Road, Proposed Bus Depot
<b>Written Comments</b> Dwight Alpern	NO – Montgomery County Seven Locks Road, Proposed Bus Depot
<b>Written Comments</b> Meyer Katzper	NO – Montgomery County Seven Locks Road, Proposed Bus Depot
<b>Written Comments</b> Martin H. Goldrosen	NO – Montgomery County Seven Locks Road, Proposed Bus Depot
<b>Written Comments</b> Samantha Meklir	NO – Montgomery County Seven Locks Road, Proposed Bus Depot
<b>Written Comments</b> Giora Segev	NO – Montgomery County Seven Locks Road, Proposed Bus Depot
<b>Written Comments</b> Yvette Segev	NO – Montgomery County Seven Locks Road, Proposed Bus Depot
<b>Written Comments</b> Dan Prywes	NO – Montgomery County Seven Locks Road, Proposed Bus Depot
<b>Written Comments</b> Isaac Abraham	NO – Montgomery County Seven Locks Road, Proposed Bus Depot
<b>Written Comments</b> Susan Abraham	NO – Montgomery County Seven Locks Road, Proposed Bus Depot
<b>Written Comments</b> Amy Linder	NO – Montgomery County Seven Locks Road, Proposed Bus Depot

Name	Topic
<b>Written Comments</b> Alexa Fraser	NO – Montgomery County Seven Locks Road, Proposed Bus Depot/Carver Lot
<b>Written Comments</b> Kathy and Joe DiGilio	NO – Montgomery County Seven Locks Road, Proposed Bus Depot
<b>Written Comments</b> Ayham Bakhos	NO – Montgomery County Seven Locks Road, Proposed Bus Depot
<b>Written Comments</b> Laura Anderson Wright, Esq.	NO – Montgomery County Seven Locks Road, Proposed Bus Depot
<b>Written Comments</b> Dan Fulop	NO – Montgomery County Seven Locks Road, Proposed Bus Depot
<b>Written Comments</b> Neil Roy, MD	NO – Montgomery County Seven Locks Road, Proposed Bus Depot
<b>Written Comments</b> Dr. Robert Kerchner	NO – Montgomery County Seven Locks Road, Proposed Bus Depot
<b>Written Comments</b> Rahul Balchandani	NO – Montgomery County Seven Locks Road, Proposed Bus Depot
<b>Written Comments</b> Hardeep Singh Goraya	NO – Montgomery County Seven Locks Road, Proposed Bus Depot
<b>Written Comments</b> Marc Raffel	NO – Montgomery County Seven Locks Road, Proposed Bus Depot

**6. Presentation**

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**A. Presentation by Montgomery County Regarding Their Plans for Properties Located Along Seven Locks Road Including a Proposed Bus Depot**

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Director of Development Services, John Foremen presented the report to the Mayor and Council and Mayor Newton introduced Montgomery County Government Director of General Services David Dise, and Deputy Director of General Services, Greg Ossont.

Mr. Dise and Mr. Ossont presented an overview from Montgomery County regarding its plans for property located along Seven Locks Road, including a proposed Bus Depot.

Questions from the Mayor and Council were addressed by Mr. Dise and Mr. Ossont, and staff.

The Mayor and Council provided their thoughts and comments.

**FURTHER DISCUSSION**

February 28, 2022, Agenda item 6

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**7. Boards and Commissions Appointments and Reappointments**

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**A. Boards and Commissions Appointments and Reappointments**

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Councilmember Mark Pierzchala moved the re-appointment of Karen Askin to the Cultural Arts Commission, to serve a three-year term until February 1, 2025.

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

Councilmember Mark Pierzchala moved the new appointment to the Historic District Commission, of Peter Fosselman, to serve a three-year term until January 1, 2025; and the new appointment of Michael Goldfinger to the Historic District Commission, to serve an unexpired term, until November 1, 2023.

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

Councilmember Monique Ashton moved the new appointment of John Walsh to the Retirement Board, to serve a new 3-year term, until May 13, 2025.

	<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 Mark Pierzchala

Councilmember Monique Ashton moved the new appointment of Nathan Robbins to Rockville Housing Enterprises, to serve a three-year term, until January 1, 2025.

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

Councilmember Beryl L. Feinberg moved the new appointment of Carla McCaffrey to the Senior Citizens Commission, to serve a three-year term until February 1, 2025; and the new appointment of Kevin Leary to the Senior Citizens Commission, to serve a three-year term until February 1, 2025.

	<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 Mark Pierzchala

## 8. Consent Agenda

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### A. Approving an Agreement with Montgomery County for the Provision of Mental Health Specialist Services for the Rockville City Police Department

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Staff recommends that the Mayor and Council authorize the City Manager to enter into a Memorandum of Agreement (MOA) with Montgomery County for the provision of Mental Health Specialist services for the Rockville City Police Department.

### B. Approval of Minutes

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Staff recommends that the Mayor and Council approve the following minutes: January 10, 2022 (Meeting No. 01-22), January 24, 2022 (Meeting No. 02-22), and January 31, 2022 (Meeting No. 03-22).

Councilmember Beryl L. Feinberg moved Consent Agenda Item 8A.

	<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 Mark Pierzchala

**THE MAYOR AND COUNCIL WENT INTO A BRIEF RECESS AT 9:22 p.m. THE MAYOR AND COUNCIL RECONVENED AT 9:30 p.m.**

## 9. Presentation of the Fiscal Year 2023 Proposed Operating Budget and Capital Improvements Program

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City Manager Rob DiSpirito presented the Proposed Fiscal Year 2023 Operating Budget and Capital Improvement Plan.

Staff recommends that the Mayor and Council receive the presentation on the Proposed Fiscal Year 2023 Operating Budget and Capital Improvements Program.

The Mayor and Council provided their thoughts, comments and feedback to the Proposed Fiscal Year 2023 Operating Budget and Capital Improvements Program.

### **FURTHER DISCUSSION**



February 28, 2022, Agenda item 9.

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Councilmember Feinberg left the meeting for the evening at 10:31 p.m. due to ongoing medical advice restricting the length she may participate in meetings.

**10. 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**

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Deputy Director of Finance Kimberly Francisco presented a brief overview of 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.

Staff recommend the 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

Questions from the Mayor and Council were addressed by staff.

The Mayor and Council provided their thoughts and comments.

Councilmember Mark Pierzchala introduced the Resolution.

**FURTHER DISCUSSION**

February 28, 2022, Agenda item 10.

[https://rockvillemd.granicus.com/MediaPlayer.php?view\\_id=2&clip\\_id=4501](https://rockvillemd.granicus.com/MediaPlayer.php?view_id=2&clip_id=4501)

Video Timestamp 3:30:05

**11. Introduction of a Resolution to Establish the Equivalent Residential Unit Rate to be Used in Calculating the Stormwater Management Utility Fee Pursuant to Chapter 19 Entitled "Sediment Control and Stormwater Management" of the Rockville City Code; and to Establish a Fee for Application for a Credit Against the Stormwater Management Utility Fee for Private Stormwater Management Facilities**

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Staff recommended that the Mayor and Council introduce the Resolution to Establish the Equivalent Residential Unit Rate to be Used in Calculating the Stormwater Management Utility Fee Pursuant to Chapter 19 Entitled "Sediment Control and Stormwater Management" of the Rockville City Code, and to Establish a Fee for Application for a Credit Against the Stormwater Management Utility Fee for Private Stormwater Management Facilities.

Councilmember Mark Pierzchala introduced the Resolution.

## **12. Introduction of an Ordinance to Appropriate Funds and Levy Taxes for Fiscal Year 2023**

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Staff recommends that the Mayor and Council introduce the Ordinance to Appropriate Funds and Levy Taxes for Fiscal Year 2023.

Councilmember Monique Ashton introduced the Ordinance.

### **FURTHER DISCUSSION**

February 28, 2022, Agenda item 12.

[https://rockvillemd.granicus.com/MediaPlayer.php?view\\_id=2&clip\\_id=4501](https://rockvillemd.granicus.com/MediaPlayer.php?view_id=2&clip_id=4501)

Video Timestamp 3:32:44

## **13. Introduction and Possible Adoption of Ordinance to Grant Zoning Text Amendment TXT2020-00256, to Amend Section 25.21.21 of the Zoning Ordinance to Modify the Tree Planting Requirements for New Residential Lots Containing Townhouses, Duplexes and Other Attached Units (FAST Initiative); Mayor and Council of Rockville, Applicant**

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Principal Planner Shaun Ryan presented the recent updates to this text amendment.

Staff recommends the Mayor & Council approve the proposed Zoning Text Amendment (TXT2020-00256) as amended and adopt the attached proposed Zoning Ordinance, consistent with recommendations from the Environment Commission and Planning Commission.

Questions from the Mayor and Council were addressed by staff.

The Mayor and Council provided their thoughts and comments.

Councilmember Mark Pierzchala introduced the Ordinance.

Councilmember Monique Ashton Moved to waive the layover period.

	<b>RESULT: APPROVED [4-0]</b>
<b>MOVER:</b>	Monique Ashton, Councilmember
<b>SECONDER:</b>	Mark Pierzchala, Councilmember
<b>IN FAVOR:</b>	Mayor Newton, Councilmember Ashton, Councilmember Myles, Councilmember Mark Pierzchala

Councilmember Monique Ashton moved to approve the Ordinance.

	<b>RESULT: APPROVED [4-0]</b>
<b>MOVER:</b>	Monique Ashton, Councilmember
<b>SECONDER:</b>	Mark Pierzchala, Councilmember
<b>IN FAVOR:</b>	Mayor Newton, Councilmember Ashton, Councilmember Myles, Councilmember Mark Pierzchala

#### **FURTHER DISCUSSION**

February 28, 2022, Agenda item 13.

[https://rockvillemd.granicus.com/MediaPlayer.php?view\\_id=2&clip\\_id=4501](https://rockvillemd.granicus.com/MediaPlayer.php?view_id=2&clip_id=4501)

Video Timestamp 3:35:47

#### **14. Old/New Business**

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Mayor Donnell Newton directed that Community Forum be added to the March 7, 2022, Mayor and Council Meeting Agenda.

Assistant to the City Manager, Linda Moran provided draft testimony to the Mayor and Council on three incoming Legislative Bill and recommended that the Mayor and Council support these items:

Legislative Bill HB-1148 – Police Accountability Board and Administrative Charging Committee.

Councilmember Mark Pierzchala moved that the Mayor and Council approve the testimony on HB1184 presented this evening.

	<b>RESULT: APPROVED [4-0]</b>
<b>MOVER:</b>	Mark Pierzchala, Councilmember
<b>SECONDER:</b>	Monique Ashton, Councilmember
<b>IN FAVOR:</b>	Mayor Newton, Councilmember Ashton, Councilmember Myles, Councilmember Mark Pierzchala

SB-376 – County, and Municipal Streetlight Investment Act.

Councilmember Mark Pierzchala moved that the Mayor and Council approve the testimony on SB-376 presented this evening.

	<b>RESULT: APPROVED [4-0]</b>
<b>MOVER:</b>	Monique Ashton, Councilmember
<b>SECONDER:</b>	David Myles, Councilmember
<b>IN FAVOR:</b>	Mayor Newton, Councilmember Ashton, Councilmember Myles, Councilmember Mark Pierzchala

HB-927 – Affordable Housing and Rental Housing.

Councilmember Mark Pierzchala moved that the Mayor and Council approve the testimony presented for HB 927, subject to Grammarly corrections.

	<b>RESULT: APPROVED [4-0]</b>
<b>MOVER:</b>	Mark Pierzchala, Councilmember
<b>SECONDER:</b>	Monique Ashton, Councilmember
<b>IN FAVOR:</b>	Mayor Newton, Councilmember Ashton, Councilmember Myles, Councilmember Mark Pierzchala

The Mayor and Council thanked Ms. Moran for her research and draft testimony. Councilmember Ashton directed that staff to advocate to make serious crash data public.

Director Simoneau confirmed that the Department of Traffic and Transportation reviews all crash analysis, written reports are not published, and did not want to make it public. Councilmember Ashton requested that the data be made available to the Mayor and Council, Rockville Economic Development Inc. and the Rockville Bike Advisory Committee. Staff will summarize their findings and report back to the Mayor and Council.

## 15. **Adjournment**

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There being no further business, the meeting adjourned at 11:02 p.m.

**RESULT: APPROVED (4-0)**

**MOVER:** Mark Pierzchala, Councilmember  
**SECONDER:** Monique Ashton, Councilmember  
**IN FAVOR:** Mayor Newton, Councilmember Ashton, Councilmember Myles,  
Councilmember Pierzchala