

# City of Rockville

City Hall  
111 Maryland Ave  
Rockville, MD 20850

Approved *Bridget Donnell Newton*  
Attest: *Sara Stefan-Fennell*  
Approved Meeting No. 23-23  
August 7, 2023



## Meeting Minutes

Monday, June 12, 2023

7:00 PM

Meeting No. 19-23

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

**1. Convene**

Mayor and Council convened in a hybrid Open Meeting Session at 7:05 p.m. on Monday, June 12, 2023, in the Mayor and Council Chambers, City Hall, 111 Maryland Avenue, Rockville, Maryland, and via WebEx.

Staff Present: City Manager Robert DiSpirito, 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.

**3. Agenda Review**

The City Clerk/Director of Council Operations reported there were changes to consent agenda items 9 A, C, E, F, H, I and G. Staff recommend that the Mayor and Council take action to either remove or vote on these items.

Councilmember Beryl L. Feinberg moved to remove consent agenda 9G- Award for Workers Compensation Insurance Policy Renewal to PMA and authorization for the City Manager to execute documents to bind insurance coverage and claim handling services for the FY2024 policy period and to execute contract documents for renew Workers' Compensation insurance and claim handling services for FY2024 in a form approved by the City Attorney and move to the special meeting schedule on June 22, 2023.

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

Councilmember Beryl L. Feinberg moved Consent Agenda items 9 A,C,E,F,H,I, recommended by the City Attorney, to be moved to the special Mayor and Council Meeting scheduled for June 22, 2023.

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

**FURTHER DISCUSSION**

June 12, Agenda Item 3

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**4. City Manager's Report - NONE**

**5. Proclamation and Recognition**

**A.** Proclamation Declaring June 2023, as Caribbean American Heritage Month.

Councilmember Monique Ashton read and moved the proclamation declaring June 2023, as Caribbean American Heritage Month, and was accepted by Ms. Althea Grey-McKensie, Chair of the National Caribbean-American Heritage Month Steering Committee.

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

**B.** Proclamation Declaring June 12 -18, 2023, as Men's Health Week, and June 2023, as Men's Health Month.

Councilmember Mark Pierzchala read and moved the proclamation declaring June 12 -18, 2023, as Men’s Health Week, and June 2023, as Men’s Health Month.

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

C. Proclamation Declaring July 17, 2023, as Mattie J. T. Stepanek National Peace Day.

Mayor Budget Donnell Newton read, and Councilmember Mark Pierzchala moved the proclamation declaring July 17, 2023, as Mattie J. T. Stepanek National Peace Day, and was accepted by Dr. Jeni Stepanek.

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

**6. Boards and Commissions Appointments and Reappointments**

A. Appointment to the Planning Commission

Councilmember Beryl L. Feinberg moved the appointment of Jaime Espinosa to fill an unexpired term on the Planning Commission until February 1, 2026.

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

**7. Community Forum**

NAME	TOPIC
<b>In Person</b> Susan Albertine, LWVMC	2023 Ballot Question
<b>Written Comments</b> Marissa Valeri	Charter Review Referendum Language

**8. Presentations**

**A. District 17 2023 State Legislative Session Wrap-Up Report**

Delegates Kumar Barve and Julie Palakovich-Carr provided a summary of their committees and legislative initiatives.

Senator Cheryl Kagan, also provided a full summary of her committees' legislation of the 2023 Maryland District 17 2023 session report.

Questions from the Mayor and Council were addressed by the District 17 Delegation and staff. The Mayor and Council provided their thoughts and comments and support.

**FURTHER DISCUSSION**

June 12, Agenda Item 8

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**B. City of Rockville Branding Initiative Options**

The Branding Initiatives Option was postponed, as the consultants had a previously scheduled meeting, were unable to present, and due to the lateness of their timeslot, the item will be placed on the July 17, 2023, meeting agenda.

**9. Consent Agenda**

- A.** Award of IFB #13-23, Construction of West Gude Drive Sidewalk, and Authorize the City Manager to Execute a Contract with Olney Masonry Corporation of Beltsville, MD, in the amount not to exceed \$1,199,932
- B.** Approval of the City of Rockville Standard Form FY2024 Human Services (Caregiver) Grant Agreement, and Authorization for the City Manager to Execute Twelve FY2024 Human Services (Caregiver) Grant Agreements in order to disburse a total of \$753,490 in City grant funds to selected nonprofit organizations.

- C.** Award of Contract responsive to Request for Proposal (RFP) 07-22 Website Redesign and Development, to Planeteria Media, LLC in an initial amount of \$195,700.00 and authorize the City Manager to execute the contract.
- D.** Approval of the City of Rockville Standard Form FY 2024 Community Organization Grant Agreement, and Authorization for the City Manager to Execute Fourteen FY2024 Community Organization Grant Agreements in order to disburse a total of \$402,050 in City Grant Funds to selected non-profit organizations.
- E.** Award of Contract responsive to Invitation for Bid 19-23 to Furnish and Plant Trees and Shrubs to Lorenz, Inc., in an amount not-to-exceed \$393,570 for a one-year planting period with options to extend for up to twelve months and to renew up to four times; and authorize the City Manager to execute the Contract and exercise the extension or renewal options at the same not-to-exceed amount for a total not-to-exceed amount of \$1,967,850 over five annual planting periods.
- F.** Award of Contract responsive to Invitation for Bid 17-23 for Janitorial Services to Integrity National Corporation, in an amount not-to-exceed \$325,691.88, with an option to extend for up to twelve months and four one-year renewal options; and authorize the City Manager to execute the Contract and exercise the extension and renewal options at the same annual not-to-exceed amount for a total not-to-exceed amount of \$1,628,459.40 over the five-year period.
- G.** Award of a Contract responsive to Request for Proposals (RFP) 14-23, Zoning Ordinance Rewrite to ZoneCo, LLC in the amount not to exceed \$294,530.00 and authorize the City Manager to execute the contract.
- H.** Award and Authorize the City Manager to Execute the Rider Contract with Quality Communications, Inc., of Ashburn, VA for an Amount Not to Exceed \$141,300.27, for Inside and Outside Plant Cable Maintenance and Installation Services.
- I.** Authorization for the City Manager to execute a grant agreement with the Maryland Energy Administration for the Streetlight and Outdoor Lighting Efficiency Program.
- J.** Authorization of the City Manager to execute the Eleventh Amendment to the Interim Management Agreement between the Mayor and Council, and Morguard.

Councilmember Beryl L. Feinberg moved and authorized the City Manager to execute on behalf of the Mayor and Council the procurement contracts for items 9 A, C, E ,F, H, and I.

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

Councilmember Beryl L. Feinberg moved to approve consent agenda items B, D, J, K. The motion was seconded by Councilmember David Myles. After further discussion by Mayor and Council, this motion was rescinded.

Councilmember Monique Ashton moved to approve consent agenda items J and K.

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

Councilmember Mark Pierzchala moved to approve consent agenda items B and D.

	<b>RESULT: APPROVED [4-1]</b>
<b>MOVER:</b>	Marc Pierzchala, Councilmember
<b>SECONDER:</b>	David Myles, Councilmember
<b>IN FAVOR:</b>	Mayor Newton, Councilmember Ashton, Councilmember Myles, Councilmember Pierzchala
<b>OPPOSED:</b>	Councilmember Feinberg

#### **FURTHER DISCUSSION**

June 12, Agenda Item 9

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**THE MAYOR AND COUNCIL WENT INTO A BRIEF RECESS AT 9:09 P.M. THE MAYOR AND COUNCIL MEETING RECONVENED AT 9:23 P.M.**

**10. Public Hearing - NONE**

**11. Introduction, Discussion and Instruction, Possible Adoption**

- A.** Introduction and Possible Adoption of an Ordinance to Amend Chapter 8 of the Rockville City Code Entitled “Elections” so as to amend the definition of Campaign Material to include electronic communications; to require additional ballot drop boxes and specify their location; to prohibit electioneering within 50 feet of a drop box located outside; to allow campaign expenses to be paid by debit card or other electronic means; to require consent from all members of a slate for a loan to the slate; to delete the provision limiting the total contributions allowed by a contributor in any election cycle; to require electronic filing of election reports, with certain exceptions; to modify the disclaimer language requirements with certain exceptions; and to make other technical revisions.

Councilmember Mark Pierzchala introduced the Ordinance.

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

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

Councilmember Monique Ashton moved to adopt the Ordinance Amend Chapter 8 of the Rockville City Code Entitled “Elections” so as to amend the definition of Campaign Material to include electronic communications; to require additional ballot drop boxes and specify their location, and update the Thomas Farm indoor drop box to be available during voting hours; to prohibit electioneering within 50 feet of a drop box located outside; to allow campaign expenses to be paid by debit card or other electronic means; to require consent from all members of a slate for a loan to the slate; to delete the provision limiting the total contributions allowed by a contributor in any election cycle; to require electronic filing of election reports, with certain exceptions; to modify the disclaimer language requirements with certain exceptions; and to make other technical revisions.



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

**FURTHER DISCUSSION**

June 12, Agenda Item 11 A.

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- B. Adoption of Resolution to cause an Advisory Referendum of the City voters to be taken on questions concerning:
  - a. allowing 16 and 17-year-olds to vote in City elections;
  - b. allowing non-citizens to vote in City elections;
  - c. imposing term limits on members of the Mayor and Council;
  - d. permitting the use of ranked choice voting; and
  - e. creating representative districts from which councilmembers would be elected.

Questions from the Mayor and Council were addressed by staff and the Chair of the Rockville Board of Supervisors of Elections. The Mayor and Council provided their thoughts and comments.

Councilmember Beryl L. Feinberg moved to direct staff to reach out to an outside consultant, Civic design or other organizations, on wording in plain language for the referenda questions relating to (1) age limits (2) citizenship or other wording for that item (3) term limits and to have the Board of Supervisors of Elections review the work with the City Clerk/Director of Council Operations and City Attorney’s Office for legal review and bring back before the Mayor and Council.

	<b>RESULT: APPROVED [3-2]</b>
<b>MOVER:</b>	Beryl L. Feinberg, Councilmember
<b>SECONDER:</b>	Monique Ashton, Councilmember
<b>IN FAVOR:</b>	Mayor Donnell Newton, Councilmember Ashton, Councilmember Feinberg,
<b>OPPOSED:</b>	Councilmember Pierzchala, Councilmember Myles

Councilmember Mark Pierzchala moved to include referenda questions 4 and 5 in the request to an outside consultant, Civic design or other organizations, for wording in plain language.

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

#### FURTHER DISCUSSION

June 12, Agenda Item 11 B.

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- C. Adoption of a Resolution to repeal Resolution No. 13-21 “Effective November 15, 2021, all City employees will be required to have received the single dose of the Johnson & Johnson COVID-19 vaccine or both doses of the Moderna or Pfizer COVID-19 vaccine. Employees approved for medical or religious exemptions will be required to submit weekly COVID-19 test results.” to sunset now that the National Emergency Concerning the Coronavirus Disease 2019 (COVID-19) Pandemic (Proclamation 9994) ended May 11, 2023.

Councilmember Beryl L. Feinberg moved to repeal Resolution No. 13-21.

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

#### FURTHER DISCUSSION

June 12, Agenda Item 11 C.

[https://rockvillemd.granicus.com/MediaPlayer.php?view\\_id=2&clip\\_id=4716](https://rockvillemd.granicus.com/MediaPlayer.php?view_id=2&clip_id=4716)

Video Timestamp 2:18:42

- D. Introduction and possible adoption of an Ordinance to repeal Ordinance No. 3-22 “to (i) require all City contractors who are required to enter a City facility and perform a service or deliver a good that brings them into close proximity

with City staff, officials, and members of the public, to provide proof of a COVID-19 vaccination before entering a City facility, (ii) require all members of City boards, commissions, and task forces who are required to enter a City facility in their capacity as a member or commissioner, to provide proof of COVID-19 vaccination before entering a City facility; and (iii) permit any party that leases a City facility to require their patrons and guests to provide proof of COVID-19 vaccination before entering the leased City facility” to sunset now that the National Emergency Concerning the Coronavirus Disease 2019 (COVID-19) Pandemic (Proclamation 9994) ended on May 11, 2023.

Councilmember Beryl L. Feinberg introduced the Ordinance to repeal Ordinance No. 3-22.

Councilmember Mark Pierzchala moved to waive the layover period.

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

Councilmember Beryl L. Feinberg moved to adopt the Ordinance to repeal Ordinance No. 3-22.

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

**FURTHER DISCUSSION**

June 12, Agenda Item 11 D.

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**12. Legislative**

**A. 2024 Maryland Municipal League Legislative Action Requests**

Assistant to the City Manager Linda Moran provided an overview of the 2024 Maryland Municipal League Action Requests.

Staff recommends the Mayor and Council discuss the recommended 2024 Legislative Action Requests and approve two for submittal to the Maryland Municipal League.

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

Councilmember Monique Ashton moved to direct staff to develop priorities of the MML an include the priority 1) Legislation to Authorize the Maryland State Department of Assessment and Taxation (SDAT) to Continue to Administer Municipal Homeowner Property Tax Credit Programs and for Municipal Authority to Adjust the Program Parameters, and 2) Enabling Legislation for Use of Automated Sound Detecting Technology 3) Emergency preparedness and the area of interest to include Vision Zero and Multi Families initiatives.

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

**FURTHER DISCUSSION**

June 12, Agenda Item 12  
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- 13. **Review and Comment - Action Report - NONE**
- 14. **Future Agendas - Reference**

**A. Future Agendas**

The Mayor and Council reviewed Future Agendas.

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

**FURTHER DISCUSSION**

June 12, Agenda Item 14  
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**15. Old/New Business**

Councilmember Mark Pierzchala move to amend section 8-41 (J) and (L) of Chapter 8 “ Elections” code to add wording “and City website.”

(j) The Board of Supervisors of Elections shall announce the unofficial results of the election as soon as possible after tabulating the results. The tentative results shall be posted at City Hall and shall be announced on the City cable television channel and City website.

(l) Within seven (7) calendar days after the election, the Board shall resolve all challenges and shall certify the results of the election to the City Clerk, who shall record the results in the minutes of the Council. The results shall be posted at City Hall and shall be announced on the City cable television channel and City website.

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

Councilmember Monique Ashton moved that she work with Assistant to the City Manager, Linda Moran, to draft a thank you letter for District 17’s support for the Twinbrook Recreation Center Bond Bill, equity for the LGBTQ+ Community, and Gender-Neutral bathrooms, and the Annex. The Mayor and Council directed staff that when District 17 assists with these types of Bonds, a letter should be sent each time expressing our thanks.

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

**FURTHER DISCUSSION**

June 12, Agenda Item 15

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**16. Adjournment**

There being no further business, the meeting adjourned at 11:00 p.m.

	<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 Pierzchala