



**Monday, October 22, 2018
MAYOR AND COUNCIL
MEETING NO. 36-18
ROCKVILLE, MARYLAND**

Approved:
Bridget Donnell Newton
Attest: *Sara Taylor-Ferrell*
Approved Meeting No. 15-19
April 1, 2019

THE HONORABLE MAYOR AND COUNCIL PRESIDING

Attendee Name	Title	Status
Bridget Donnell Newton	Mayor	Present
Beryl L. Feinberg	Councilmember	Present
Virginia D. Onley	Councilmember	Present
Julie Palakovich Carr	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)(4) and 3-305(b)(7) of the General Provisions Article of the Annotated Code of Maryland to 1) consult with counsel a matter that concerns the proposal for a business to locate, expand, or remain in the City; and 2) to consult with counsel to obtain legal advice.**
-

2. Closed Session Summary

The Mayor and Council convened in Open Session to vote on a motion to convene in Closed Session pursuant to Sections 3 305(b)(4) and 3-305(b)(7) of the General Provisions Article of the Annotated Code of Maryland to 1) consult with counsel a matter that concerns the proposal for a business to locate, expand, or remain in the City; and 2) to consult with counsel to obtain legal advice.

Upon motion by Councilmember Palakovich Carr, seconded by Councilmember Pierzchala and Unanimously approved, the Mayor and Council convened in Closed Session at 6:10 p.m in the Diamondback Terrapin Conference Room, 111 Maryland Avenue, Rockville, MD

Staff Present: City Manager Rob DiSpirito, City Attorney Debra Daniel, Deputy City Manager Jenny Kimball, Assistant City Attorney Eliot Schaefer, Director of Finance Gavin Cohen, Director of Community Planning and Development Services Ricky Barker, Long Range Planner David Levy and City Clerk/Director of Council Operations Sara Taylor-Ferrell.

The City Manager provided the Mayor and Council with an update on Dawson's Market and Town Center businesses.

No motions were made at the closed session.

Motion: to adjourn

Moved by Councilmember Onley, seconded by Councilmember Pierzchala, and passed unanimously.

The Closed Session adjourned at 7:05 p.m.

3. Reconvene into Open Session

The Mayor and Council reconvened in Open Session at 7:00 p.m. on Monday, October 22, 2018, in the Mayor and Council Chambers, City Hall, 111 Maryland Avenue, Rockville, Maryland.

Staff Present: City Manager Rob DiSpirito, City Attorney Debra Daniel, and Deputy City Clerk Sara Taylor-Ferrell.

4. Pledge of Allegiance

Mayor Newton led the Pledge of Allegiance.

5. Agenda Review

City Clerk/Director of Council Operations Sara Taylor-Ferrell stated there had been several changes to the agenda. The staff report for Agenda Item 6 was revised; the Boards and Commissions Agenda Item 14 attachments were added; Agenda Item 15 staff report was provided by the City Clerk but noted she was not the staff liaison to the Board at the time, and the materials provided were not the updated materials. City Clerk Sara Taylor-Ferrell stated additional documents were received and provided to the Mayor and Council.

6. City Manager's Report

City Manager Rob DiSpirito presented information on the following events and topics: Human Rights Commission Municipal Equality Index; Honorable Mention Award for Rockville-Pinneberg Sister Cities' Anniversary Special; seeking nominations for the Good Neighbor Awards program; City of Rockville's Annual Holiday Drive currently underway; November 6 Election Day reminder; Veterans Day observance.

7. Proclamation

A. Proclamation Declaring November 2018 as Municipal Government Works Month

Councilmember Julie Palakovich Carr moved the proclamation declaring November 2018 as Municipal Government Works Month. Assistant to the City Manager, Linda Moran accepted the proclamation.

RESULT:	APPROVED (UNANIMOUS)
MOVER:	Councilmember Julie Palakovich Carr
SECONDER:	Councilmember Mark Pierzchala
IN FAVOR:	Mayor Bridget Newton, Councilmember Beryl Feinberg, Councilmember Virginia Onley, Councilmember Julie Palakovich Carr, Councilmember Mark Pierzchala

B. Proclamation Declaring November 24, 2018, as Small Business Saturday in Rockville

Councilmember Mark Pierzchala moved the proclamation declaring November 24, 2018, as Small Business Saturday in Rockville. Rockville Chamber of Commerce president Margi Graff accepted the proclamation.

8. Boards and Commissions Appointments, Reappointments and Announcements of

RESULT:	APPROVED (UNANIMOUS)
MOVER:	Councilmember Mark Pierzchala
SECONDER:	Councilmember Beryl Feinberg
IN FAVOR:	Mayor Bridget Newton, Councilmember Beryl Feinberg, Councilmember Virginia Onley, Councilmember Julie Palakovich Carr, Councilmember Mark Pierzchala

Vacancies

Mayor Bridget Newton read the list of appointments and reappointments to the Boards and Commissions.

A. Boards and Commissions Appointments, Reappointments and Announcement of Vacancies

Councilmember Mark Pierzchala moved to appoint Karen Askin to serve a one-year term until October 1, 2019, on the Cultural Arts Commission.

RESULT:	APPROVED (UNANIMOUS)
MOVER:	Councilmember Mark Pierzchala
SECONDER:	Councilmember Beryl Feinberg
IN FAVOR:	Mayor Bridget Newton, Councilmember Beryl Feinberg, Councilmember Virginia Onley, Councilmember Julie Palakovich Carr, Councilmember Mark Pierzchala

Councilmember Julie Palakovich Carr moved to reappoint Deborah Bodin Cohen to serve a three-year term until September 1, 2021, to the Human Rights Commission.

RESULT:	APPROVED (UNANIMOUS)
MOVER:	Councilmember Palakovich Carr
SECONDER:	Councilmember Beryl Feinberg
IN FAVOR:	Mayor Bridget Newton, Councilmember Beryl Feinberg, Councilmember Virginia Onley, Councilmember Julie Palakovich Carr, Councilmember Mark Pierzchala

Councilmember Virginia Onley moved to reappoint Kenric Brooks to serve a three-year term until September 1, 2021, to the Rockville Housing Enterprises.

RESULT:	APPROVED (UNANIMOUS)
MOVER:	Councilmember Virginia Oley
SECONDER:	Councilmember Mark Pierzchala
IN FAVOR:	Mayor Bridget Newton, Councilmember Beryl Feinberg, Councilmember Virginia Onley, Councilmember Julie Palakovich Carr, Councilmember Mark Pierzchala

Councilmember Beryl L. Feinberg moved to appointment as new members Jennifer Hester and Anik Singal to serve three-year terms until September 1, 2021, to the Rockville Economic Development Inc.

RESULT:	APPROVED (UNANIMOUS)
MOVER:	Councilmember Beryl Feinberg
SECONDER:	Councilmember Mark Pierzchala
IN FAVOR:	Mayor Bridget Newton, Councilmember Beryl Feinberg, Councilmember Virginia Onley, Councilmember Julie Palakovich Carr, Councilmember Mark Pierzchala

Councilmember Beryl L. Feinberg moved to reappoint Alan Kaplan to serve a three-year term Until September 1, 2021, to the Traffic and Transportation Commission.

RESULT:	APPROVED (UNANIMOUS)
MOVER:	Councilmember Beryl Feinberg
SECONDER:	Councilmember Julie Palakovich Carr
IN FAVOR:	Mayor Bridget Newton, Councilmember Beryl Feinberg, Councilmember Virginia Onley, Councilmember Julie Palakovich Carr, Councilmember Mark Pierzchala

Mayor Bridget Newton read the list of vacancies to the various Boards and Commissions.

9. Community Forum

<i>Name</i>	<i>Topic</i>
Soo Lee-Cho	Sofive Inc.
Steven VanGrack	RSCC positions
Patricia Woodward	City Clerk appointment
Lynn Wagman	Dawson's Market
David Brenner	Police 5Citation 8
Noreen Bryan	Town Center town hall meetings
Brigitta Mullican	RSCC
Jill Cornish	Boards and Commissions appointments and reappointments
Randy Alton	Wootton Parkway lights; ADA concerns on Wootton Parkway; Wootton footprint
Drew Powell	RSCC

10. Mayor and Council's Response to Community Forum

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

11. Mayor and Council Announcements

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

12. Consent

A. Award of IFB #04-19 Hayes Forest Bridge Replacement Project

B. Approval of Minutes

RESULT:	APPROVED (UNANIMOUS)
MOVER:	Councilmember Beryl Feinberg
SECONDER:	Councilmember Virginia Onley
IN FAVOR:	Mayor Bridget Newton, Councilmember Beryl Feinberg, Councilmember Virginia Onley, Councilmember Julie Palakovich Carr, Councilmember Mark Pierzchala

13. Introduction of Ordinance to Amend Chapter 8 of the Rockville City Code Entitled "Elections" by Amending Sections 8-6, 'Voter Registration,' 8-22, "Special Elections," 8-41, "Election Procedures Generally, " and 8-83 "Requirements of Election Reports and Statements," and by Adding a New Section 8-25, 'Elections by the Mayor and Council to Fill a Vacancy,' So as to Clarify Certain Provisions Regarding Special Elections and Filling Mayor and Council Vacancies

City Attorney Debra Daniel reported that these are the proposed amendments that Councilmember Julie Palakovich Carr drafted and the City Attorney put into ordinance form. Councilmember Julie Palakovich Carr provided a brief overview of the proposed amendments for public information purposes. Questions by the Mayor and Council were addressed by staff. The Mayor and Council provided their concerns and suggestions.

Councilmember Julie Palakovich Carr moved to introduce the ordinance with two changes: in Section 8-22B change from “no sooner than 90 days” to “less than 90 days”; and in Section, 8-25A change the “60 days” to “75 days”.

Councilmember Beryl L. Feinberg requested a Public Hearing, and Mayor Bridget Newton seconded. Councilmember Julie Palakovich Carr suggested November 19, 2018.

14. Introduction of Resolution to Amend Section 1 of Article II, "The Mayor and Council," of the Charter of the City of Rockville So as to Clarify that the Members of the Mayor and Council Must Continue Residency in the City During Their Tenure in Office

Councilmember Beryl L. Feinberg moved to introduce the resolution. Councilmember Julie Palakovich Carr moved that the Mayor and Council initiate the Charter amendment process on the resolution regarding residency for elected officials.

RESULT:	APPROVED (UNANIMOUS)
MOVER:	Councilmember Julie Palakovich Carr
SECONDER:	Councilmember Beryl Feinberg
IN FAVOR:	Mayor Bridget Newton, Councilmember Beryl Feinberg, Councilmember Virginia Onley, Councilmember Julie Palakovich Carr, Councilmember Mark Pierzchala

15. Introduction of Resolution to Amend Section 5 of Article III of the Charter of the City of Rockville So as to Provide More Specific Requirements for Filling Vacancies in the Office of Mayor or Councilmember and to Clarify Certain Terminology

Councilmember Julie Palakovich Carr gave a brief summary of the resolution. Questions from the Mayor and Council were addressed by the City Attorney. The Mayor and Councilmembers set a date for the public hearing on both charter amendments.

Councilmember Palakovich Carr moved that the Mayor and Council initiate the Charter amendment process for the resolution regarding setting November 15 as the date regards to when a vacancy occurs, whether it's a special election or an appointment process, as outlined in Attachment A of Agenda Item 13.

RESULT:	APPROVED (UNANIMOUS)
MOVER:	Councilmember Julie Palakovich
SECONDER:	Councilmember Mark Pierzchala
IN FAVOR:	Mayor Bridget Newton, Councilmember Beryl Feinberg, Councilmember Virginia Onley, Councilmember Julie Palakovich Carr, Councilmember Mark Pierzchala

16. Introduction of Resolution to Amend the City Charter, Section 5, Article III So as to Modify the Timeframe in Which a Special Election is Required to Fill a Vacancy in the Office of Mayor or Councilmember

Councilmember Feinberg gave a brief summary of the resolution. Councilmember Feinberg moved to introduce the resolution and to follow the same process as in Agenda Item 13.

RESULT:	APPROVED (UNANIMOUS)
MOVER:	Councilmember Beryl Feinberg
SECONDER:	Councilmember Mark Pierzchala
IN FAVOR:	Mayor Bridget Newton, Councilmember Beryl Feinberg, Councilmember Virginia Onley, Councilmember Julie Palakovich Carr, Councilmember Mark Pierzchala

17. Hometown Holidays Future Scope

Recreation and Parks staff member Colleen McQuitty, Special Events Manager, gave a presentation on the future scope of the Hometown Holidays event. Questions from the Mayor and Council were addressed by staff. A discussion followed where the Mayor and Council provided their thoughts, comments, and recommendations.

18. Review and Comment - Mayor and Council Action Report

The Mayor and Council reviewed the Action Report.

A. Mayor and Council Action Report

Mayor Newton requested a date for the deer discussion to come back with the Humane Society. Deputy City Manager Kimball stated the City was waiting to hear back but would try again to get a firm date.

Mayor Newton requested dates for the changes to the sign ordinance. City Attorney Daniel stated she would consult with the Planning Department and will get back to the Mayor and Council.

Councilmember Feinberg requested an update to the Board of Supervisors of Elections item to include a fiscal impact.

19. Review and Comment - Future Agendas

The Mayor and Council reviewed Future Agendas.

A. Future Agendas

Councilmember Pierzchala requested to reschedule the Rockville Sister City Corporation item be added to the October 29, 2018 agenda. The Mayor and Council were in agreement.

20. Old/New Business

Councilmember Feinberg moved to reopen the record without a specific closing date for the text amendment for SoFive, Inc.

RESULT:	APPROVED (UNANIMOUS)
MOVER:	Councilmember Beryl Feinberg
SECONDER:	Councilmember Mark Pierzchala
IN FAVOR:	Mayor Bridget Newton, Councilmember Beryl Feinberg, Councilmember Virginia Onley, Councilmember Julie Palakovich Carr, Councilmember Mark Pierzchala

21. Adjournment

There being no further business, the meeting adjourned at 9:31 p.m.

RESULT:	APPROVED (UNANIMOUS)
MOVER:	Councilmember Beryl Feinberg
SECONDER:	Councilmember Mark Pierzchala
IN FAVOR:	Mayor Bridget Newton, Councilmember Beryl Feinberg, Councilmember Virginia Onley, Councilmember Julie Palakovich Carr, Councilmember Mark Pierzchala