



**Monday, December 3, 2018**  
**MAYOR AND COUNCIL**  
**MEETING NO. 41-18**  
**ROCKVILLE, MARYLAND**

Approved: *Bridget Donnell Newton*  
Attest: *Sara Taylor-Ferrell*  
Approved Meeting No. 19-19;  
May 13, 2019

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**THE HONORABLE MAYOR AND COUNCIL PRESIDING**

<b>Attendee Name</b>	<b>Title</b>	<b>Status</b>
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**

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The Mayor and Council convened in Open Session at 7:13 p.m. on Monday, December 3, 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 City Clerk/Director of Council Operations Sara Taylor-Ferrell.

**2. Pledge of Allegiance**

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Mayor Newton led the Pledge of Allegiance.

**3. Agenda Review**

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

**4. City Manager's Report**

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City Manager Rob DiSpirito presented information on events and topics: Rockville Holiday Drive underway; Senior Center Holiday Bazaar gift shopping open on December 8; snow removal help for older residents; and City Hall closing for the Annual Employee Recognition event for City employees.

## 5. Recognition

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### A. Good Neighbor Award Recognition

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The Mayor and Council presented certificates of recognition to the 2018 Good Neighbor Award recipients which recognize the efforts of Rockville residents who improve the quality of life in their neighborhoods. The Award recipients are Margaret Reiman nominated by Suzanne Noonan, Ellen Stein nominated by Patricia Reber, Danny Bengero nominated by Brigitta Mullican, and Paul Fitzpatrick nominated by Casey Smith.

## 6. Presentation

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### A. Board of Supervisors of Elections 2019 Election Update

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Dr. Lois Neuman provided an update on the 2019 election preparations for the City of Rockville in response to the Mayor and Council's request to include the BSE Status Report, supplemental information on the 2019 City election, updated projected costs for the 2019 City election, and an article on Amber McReynolds, Denver's former Director of Elections.

Amber McReynolds was present and provided a brief overview of the best practices of vote by mail which is being entertained in the City of Rockville. Questions of clarification from the Mayor and Council were addressed.

## 7. Community Forum

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Marissa Valeri	Twinbrook Community Association, thanks to Chief Britio
David Brenner	Police Citation 8
Alexander Dace Denita	Support of Sofive LLC, trash blowing
Andrea Kemper Wink	Hometown Holidays
Soo Lee Cho	Agenda Item #14 Sofive, Inc.

## 8. Mayor and Council's Response to Community Forum

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The Mayor and Council thank everyone for their participation in Community Forum.

## 9. Mayor and Council Announcements

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

## 10. Consent

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### A. Rockville Housing Enterprise's Request for Extension of Payment in Lieu of Taxes (PILOT) Agreement with RELP ONE Limited Partnership

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### B. Approval of Minutes

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Councilmember Onley moved to approve Consent Items A and B.

	<b>RESULT: APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Virginia Onley, Councilmember
<b>SECONDER:</b>	Mark Pierzchala, Councilmember
<b>IN FAVOR:</b>	Mayor Newton, Councilmember Feinberg, Councilmember Onley, Councilmember Palakovich Carr, Councilmember Pierzchala

## 11. Humane Society of the United States White-Tailed Deer Presentation

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Recreation and Parks Director Tim Chesnutt provided a brief introduction of John Griffin, Director of Urban Wildlife at the Humane Society of the United States. At the request of the Mayor and Council following the September 17, 2018 meeting, Mr. Griffin provided the perspective of the Humane Society on the management of the White-Tailed Deer population.

Questions of clarification from the Mayor and Council were addressed by staff and Mr. Griffin. Staff will return on December 10, 2018, for further discussion and instructions and will provide a summary and options for the Mayor and Council consideration.

## 12. Annual Report and an Update on the Refinancing and Modernization of Fireside Park Apartments

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Community Planning and Development staff member Asmara Habte provided a brief overview of the report to cover two parts: the financial health of the operations and management for the Fireside Park Apartments and a status report on the refinance and modernization of the

apartments. Asmara Habte also recognized two members of Rockville Housing Enterprise, Ed Duffy and James Hedrick.

Rockville Housing Enterprises Director Jessica Anderson provided the presentation on the 2017 Annual Report and an update on the Refinance and Modernization of the Fireside Park Apartments. Questions of clarification from the Mayor and Council were addressed by staff and Jessica Anderson. Discussions were also held to consider Rockville financial support as a grant versus a loan and the County's support as a loan.

**13. Introduction and Possible Adoption of an Ordinance to Grant Historic District Map Amendment Application MAP2018-00118, to Create a Historic District at 214 Frederick Avenue by Changing the Zone from R-60 to R-60 (HD - Historic District); Historic District Commission of Rockville, Applicant**

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Councilmember Julie Palakovich Carr excused herself at 9:29 p.m. from the meeting to attend a meeting at the County. Community Planning and Development staff member Sheila Bashari provided an overview of the ordinance. Councilmember Feinberg moved to introduce the ordinance. Councilmember Pierzchala moved to waive the layover period.

<b>RESULT:</b>	<b>APPROVED [4-0-1]</b>
<b>MOVER:</b>	Mark Pierzchala, Councilmember
<b>SECONDER:</b>	Beryl Feinberg, Councilmember
<b>IN FAVOR:</b>	Mayor Newton, Councilmember Feinberg, Councilmember Onley, Councilmember Pierzchala
<b>ABSENT:</b>	Councilmember Palakovich Carr

Councilmember Pierzchala moved to adopt the ordinance.

<b>RESULT:</b>	<b>ADOPTED (4-0-1)</b>
<b>MOVER:</b>	Mark Pierzchala, Councilmember
<b>SECONDER:</b>	Beryl Feinberg, Councilmember
<b>IN FAVOR:</b>	Mayor Newton, Councilmember Feinberg, Councilmember Onley, Councilmember Pierzchala
<b>ABSENT:</b>	Councilmember Palakovich Carr

**14. Discussion and Instructions to Staff on Zoning Text Amendment Application TXT2018-00249, to Amend the Definition of "Sport Facility, Multi-Purpose, Indoor, Commercial" to Delete the Restriction on the Sale And/Or Consumption of Alcoholic Beverages on the Premises; So-Five, Inc., Applicant**

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Community Planning and Development staff member Deane Mellander provided an overview of the text amendment on Sofive, Inc. Questions of clarification regarding hours of operation from the Mayor and Council were addressed by staff. Councilmember Mark Pierzchala moved to instruct staff to proceed with the text amendment application.

<b>RESULT:</b>	<b>APPROVED [4-0-1]</b>
<b>MOVER:</b>	Mark Pierzchala, Councilmember
<b>SECONDER:</b>	Beryl Feinberg, Councilmember
<b>IN FAVOR:</b>	Mayor Newton, Councilmember Feinberg, Councilmember Onley, Councilmember Pierzchala
<b>ABSENT:</b>	Councilmember Julie Palakovich

**15. Presentation and Discussion of the Study on the Review of Uses Within the Mixed-Use Employment (MXE) Zone**

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Community Planning and Development staff member Jim Wasilak presented an overview of the study on the review of uses within the mixed-use employment (MXE) zone. Discussion topics included:

- Background
- Historical Zoning and Development of Areas Currently Zone MXE
- Creation of the MXE Zone
- Current Market Conditions and Rockville 2040
- Potential Changes to the MXE Zone
- Commercial/Office Uses
- Assembly and Entertainment Uses
- Industrial and Service Uses
- Staff Recommendation

Questions of clarification from the Mayor and Council were addressed by staff. The Mayor and Council instructed staff to bring back the recommended changes.

**THE MAYOR AND COUNCIL TOOK A BRIEF RECESS AT 10:05 P.M. THE MEETING RECONVENED AT 10:11 P.M.**

## **16. Hometown Holidays Future Scope Update**

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Recreation and Parks staff member Colleen McQuitty provided an update on the future of Hometown Holidays. Discussion topics included:

- Hometown Holidays 2019
- Hometown Holidays 2020 and beyond

Further questions of clarification from the Mayor and Council were addressed by staff. The Mayor and Council provided their comments and recommendations of having the festival on Sunday and the parade on Monday starting in 2020 and beyond.

## **17. Review and Comment**

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The Mayor and Council reviewed the Action Report and the Priority Initiatives Update.

### **A. Mayor and Council Action Report**

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The Mayor and Council had no comments on the Action Report.

### **B. Mayor and Council Priority Initiatives Update**

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Councilmember Pierzchala requested the 3 or 4 items regarding REDI be placed in adjacent rows to more easily follow.

Mayor Newton requested an update on the underpass mural. Deputy City Manager Kimball stated there is a meeting with DPW to determine how to get the water off the wall.

## **18. Review and Comment - Future Agendas**

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The Mayor and Council reviewed the future agendas.

### **A. Future Agendas**

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Councilmember Feinberg requested the Emergency Management item on December 17, 2018, be pulled. Further to December 17, 2018, Councilmember Feinberg requested the time be extended to 20 minutes on the charter amendments/code amendments Chapter 8

discussion and instructions and requested the packet be delivered a week before the meeting due to the information requested for the APFS worksession.

For the January 14, 2019 meeting, the Mayor and Council agreed to bring the State Legislative lobbyist to provide a 2019 Legislative Priorities presentation.

#### **19. Old/New Business**

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No old/new business items discussed.

#### **20. Adjournment**

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There being no further business, the meeting adjourned at 10:37 p.m.

<b>RESULT:</b>	<b>APPROVED [4-0-1]</b>
<b>MOVER:</b>	Beryl Feinberg, Councilmember
<b>SECONDER:</b>	Mark Pierzchala, Councilmember
<b>IN FAVOR:</b>	Mayor Newton, Councilmember Feinberg, Councilmember Onley, Councilmember Pierzchala
<b>ABSENT:</b>	Councilmember Palakovich Carr