



# City of Gaithersburg

31 South Summit Avenue  
Gaithersburg, Maryland 20877

## Mayor and City Council Regular Session Minutes City Hall - Council Chambers Monday, November 17, 2014

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### I. CALL TO ORDER

A Mayor and City Council regular session was called to order at 7:30 p.m. with Mayor Ashman presiding. Council Members present: Drzyzgula, Harris, Marraffa, Sesma and Spiegel. Planning Commission present for joint public hearing: Bauer, Hopkins, Lanier, Kaufman, and Winborne. Staff present: City Manager Tomasello, Deputy City Manager Enslinger, City Attorney Board, Planning and Code Administration Director Schlichting, Economic and Business Development Director Lonergan, Information Technology Director Cottrell, Planning Division Chief Matsen, GIS Division Manager Kim, Community Planning Manager Schwarz, Planner Mann, Long Range Planner Robinson, Planner Seiden, Environmental Specialist Strider, Sustainability Planner Backe, GIS Technician Dunbar, GIS Data Technician Pandey, 3<sup>rd</sup> Qtr. Employee Recognition Award recipients, and Municipal Clerk Stokes.

### II. PLEDGE OF ALLEGIANCE

The Pledge was led by Walter Labitzky, Gaithersburg resident.

### III. INVOCATION

In lieu of a formal invocation, Mayor Ashman called for a moment of silence.

### IV. APPROVAL OF MINUTES

None-to-date.

### V. CONSENT

#### A. Resolution of the Mayor and City Council Authorizing the City Manager to Enter into a Contract to Purchase Diesel Fuel

Motion was made by Cathy Drzyzgula, seconded by Michael Sesma, that the Resolution of the Mayor and City Council Authorizing the City Manager to Enter into a Contract to Purchase Diesel Fuel (Resolution No. R-72-14), be approved.

Vote: 5-0

Joint Hearing - MCC & PC  
MP-1-14  
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#### B. Resolution of the Mayor and City Council Authorizing the City Manager to

9. Jarrod Borkat, *119 Clagett Crossing Place*, spoke on the overcrowding at Rachel Carson Elementary School. Asked the Mayor and City Council to support the community and be a part of the solution. Suggested a feasibility study be done.
10. Erin Quinn, *224 Thaxton Street*, stated that the parents are trying to address the issues and five-year plan to deal with overcrowding at the Rachel Carson Elementary School. The community is seeking to implement short term plans and requested the City's support.

Mayor Ashman announced that Bruce Crispell, MCPS Long Range Planner, will be in attendance during the December 1, 2014 regular session to provide an update on the Capital Improvement Program. It was noted that the City will be a strong advocate but urge residents to attend Board of Education hearings, keep the pressure on MCPS and to stay educated on the matter. Several members of the City Council concurred that more information is needed but will continue to advocate for City schools.

## IX. JOINT PUBLIC HEARING

### A. MP-1-14: Environment & Sustainability Element, an Amendment to the 2009 Master Plan

Long Range Planner Robinson presented the above joint public hearing. The hearing was advertised on September 17 and 24, 2014 of the Gaithersburg Gazette. On September 8, 2014, staff released the draft Element for the required 60 day comment period. Stated the City's Strategic Plan and other tools allowed staff to track and focus on updates. Background information was provided stating that MP-1-14 is the 5th and last Element of the 2009 Master Plan update. He noted that environment regulations and policies are reviewed at the Federal, State, and local mandates and programs. Spoke on the importance of urban forestry and its environmental, social, economic benefits. Staff highlighted recommendations and sought guidance from the Mayor and City Council and Planning Commission on adopting a no-net-loss of canopy policy, working with utilities, developers and State and County agencies to seek to underground overhead wires, increasing opportunities to plant large shade trees and establishing replanting or fee-in-lieu standards for removal of vegetation. In addition, staff recommended developing guidelines for, and privately funds a City grant program to subsidize all or a portion of the cost of planting trees on private property, and dedicated long-term funding streams to meet canopy and management goals.

Environmental Specialist Strider provided an update on the watershed and stormwater management section of the plan including a response to new regulations, regulatory framework for mandated restoration goals, quality of water resources, stormwater and impervious cover, and quality of Gaithersburg's water resources. To protect the City's water resources, the Element recommended the following:

- set funds aside each year for maintenance and replacement costs
- development of a comprehensive green street policy
- options for stormwater treatment during implementation of other capital project
- development of mitigation requirements for use during the planning process
- reduction of fertilizer and pesticide use
- exploration of the potential to complete a storm sewer capacity analysis

Sustainability Planner Backe provided the recommendations on the sustainability section of the plan. She reviewed topics covered within the Element such

as climate uncertainty, urban heat island effect, air quality, energy conservation, alternate energy sources, transportation improvements and alternative modes, resource efficiency, zero waste, sharing/collaborative economy and environmental justice regarding access and affordability. The Element recommended the following:

- promotion of weatherization
- energy audits and conservation measures
- creation of a voluntary program to track energy disclosure data on private properties
- increase in the amount of green power generation at City facilities
- exploration of the feasibility of retrofitting existing City buildings with ground source heating/cooling systems
- creation of an environmentally preferred purchasing policy
- creation of a community garden pilot program on City park property
- continued use of hybrid and electric vehicles in the City fleet and the exploration of the use of hybrid and electric lawn equipment and other tools
- offer smart bike programs

Mr. Robinson noted the next steps and mentioned that additional information has been received in the record. A revised document will be developed for the anticipated January 12, 2015 joint work session, anticipated approval and recommendation from the Planning Commission in February 2015, and anticipated Mayor and City Council Policy Discussion and final action. Planning staff sought input from the City's Environmental Affairs Committee and Green Team.

1. Joe Allen, *641 B Main Street*, co-founder of Bike Gaithersburg, applauded the City for including alternative transportation in the sustainability plan and requested that the City move forward with the Bikeshare plan. Asked that goals be set based on what is most important to the citizens of Gaithersburg. Suggested the City investigate additional alternative transportation.
2. Paul Hlavinka, *19 Turnham Lane*, spoke on behalf of the Muddy Branch Alliance, applauded staff for their efforts to ensure that the City is healthy and a great place to live. Requested that the City set goals for local excellence. Asked for feedback and expressed interest to continue working with the City on issues regarding water quality.

Planning Commission Chair Bauer asked that the City focus on certain goals by reorganizing the Element and making information more accessible in the document for the everyday user. Members from the Council and Commission suggested summarizing goals and objectives within the document and not make it so technical. Following suggestions and comments, staff asked for guidance and clarification on amending the Element to focus on the sections that matter in preparation for the January 2015 joint work session.

Motion was made by Kaufman, seconded by, Winborne, that the Planning Commission record on MP-1-14: Environment & Sustainability Element, an Amendment to the 2009 Master Plan, remain open until 5 p.m. on February 6, 2015 with anticipated recommendation on February 18, 2015.

Vote: 5-0

Motion was made by Michael Sesma, seconded by, Henry F. Marraffa, Jr., that the Mayor and City Council record on MP-1-14: Environment & Sustainability Element, an Amendment to the 2009 Master Plan, remain open until 5 p.m. on February 26, 2015 with anticipated Mayor and City Council policy discussion on March

16, 2015.

Vote: 5-0

X. [CONSOLIDATED JOINT PUBLIC HEARING](#)

A. [CTAM-6191-2014: An Ordinance to Amend Chapter 24 \(City Zoning Ordinance\), Article I, Entitled, "In General, " § 24-1, Entitled, "Definitions," Article V, Entitled "Site Development Plans," § 24-172A.\(b\), Entitled "Minor Amendment Requests" so as to Allow Staff to Grant Minor Parking Waivers and Changes to Parking Requirements](#)

Planner Seiden and Community Planning Manager Schwarz presented the above consolidated joint public hearing for CTAM-6190 and 6191-2014. The hearing was duly advertised on October 15, 22, 2014 in the Gaithersburg Gazette. Staff provided an overview highlighting the proposed changes to uses, categories and parking requirements. The text amendment recommended a five-year moratorium in Olde Towne. In addition, staff proposed changes to several sections of the City Code. The goals of the proposed parking ordinance amendments would assist in the City's economic development, streamline the approval process, reduce inefficiencies in parking requirements, promote shared parking across uses and properties, and encourage alternative means of transportation.

Speaker from the public:

1. Joe Allen, *641 B Main Street*, applauded the City for the bicycle amendment and stated that it was needed. Expressed concern with striking minor landscape from the language.

There were no other speakers from the public.

Motion was made by Winborne, seconded by, Kaufman, that the Planning Commission record on CTAM-6191-2014, an Ordinance to Amend Chapter 24 (City Zoning Ordinance), Article I, Entitled, "In General, " § 24-1, Entitled, "Definitions," Article V, Entitled "Site Development Plans," § 24-172A.(b), Entitled "Minor Amendment Requests" so as to Allow Staff to Grant Minor Parking Waivers and Changes to Parking Requirements, remain open until 5 p.m. on December 17, 2014 with Planning Commission recommendation anticipated on January 7, 2015.

Vote: 5-0

Motion was made by Michael Sesma, seconded by, Cathy Drzyzgula, that the Mayor and City Council record on CTAM-6191-2014, an Ordinance to Amend Chapter 24 (City Zoning Ordinance), Article I, Entitled, "In General, " § 24-1, Entitled, "Definitions," Article V, Entitled "Site Development Plans," § 24-172A.(b), Entitled "Minor Amendment Requests" so as to Allow Staff to Grant Minor Parking Waivers and Changes to Parking Requirements, remain open until 5 p.m. on January 12, 2015 with anticipated Mayor and City Council policy discussion on February 2, 2015.

Vote: 5-0

B. [CTAM-6190-2014. An Ordinance to Repeal and Re-enact With Amendments Chapter 24, Article XI of the Gaithersburg City Code, Entitled, "Off-Street Parking and Loading," §§ 24-218 Through 24-222A so as to Comprehensively Revise the City's Off-Street Parking Requirements](#)