

City of Pittsburgh

510 City-County Building
414 Grant Street
Pittsburgh, PA 15219



MEETING MINUTES

Proceedings of the Council of the City of Pittsburgh

Tuesday, April 2, 2013

10:00 AM

Council Chambers

City Council

**ONE-HUNDRED
THIRTY-SEVENTH COUNCIL**

Darlene M. Harris, President

**Council Members: Rev. Ricky V. Burgess, Patrick Dowd, Bruce A. Kraus, R. Daniel Lavelle,
Corey O'Connor, William Peduto, Natalia Rudiak, Theresa Kail-Smith**

**Linda M. Johnson-Wasler, City Clerk
Mary Beth Doheny, Deputy City Clerk**

ROLL CALL

Present: 9 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

Bill No.

[2013-1369](#)

THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does thank Mike Gable for his 39 years of exemplary service to the City of Pittsburgh, its public spaces, and its residents, while further wishing Mike the best of luck in his future endeavors; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby

declare Tuesday, March 19th 2013 “Mike Gable Day” in the City of Pittsburgh.

SPONSOR(S): PATRICK DOWD, DARLENE HARRIS AND ALL MEMBERS

A motion was made that this matter be Adopted. The motion carried.

Bill No.

[2013-1370](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend Justin Strong for his hard work and service to the community; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Tuesday, April 2, 2013, to be "The Shadow Lounge Day" in the City of Pittsburgh.

SPONSOR(S): REVEREND RICKY V. BURGESS AND ALL MEMBERS

A motion was made that this matter be Adopted. The motion carried.

Bill No.

[2013-1371](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend PACE for its efforts to assist African American and economically disadvantaged communities to identify their needs and take effective action; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Friday, April 12, 2013, to be “Pace Inclusive Voices Day” in the City of Pittsburgh.

SPONSOR(S): REVEREND RICKY V. BURGESS AND ALL MEMBERS

A motion was made that this matter be Adopted. The motion carried.

Bill No.

[2013-1372](#)

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh, does hereby commend and congratulate the St. Andrew's Society of Pittsburgh, and does hereby declare April 6, 2013 to be “Tartan Day” in the City of Pittsburgh.

SPONSOR(S): DARLENE HARRIS AND ALL MEMBERS

A motion was made that this matter be Adopted. The motion carried.

Bill No.

[2013-1373](#)

NOW, THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does hereby recognize and commend Dustin Wichelmann for his leadership and hard work and congratulates Dustin on earning the highest Boy Scout honor, The Eagle Scout Award.

SPONSOR(S): COREY O'CONNOR AND ALL MEMBERS

A motion was made that this matter be Adopted. The motion carried.

Bill No.

[2013-1374](#)

NOW, THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does hereby recognize and commend the Women of Reform Judaism Atlantic District for its steadfast dedication and commitment to progressive ideals of Reform Judaism and congratulates the Women of Reform Judaism on their 100 year Anniversary. Special recognition is given to the Atlantic District Sisterhood Area Day under the leadership of Directors Esther Nathanson of Temple Sinai, Barbara Rogal of Rodef Shalom and Atlantic District President Marcia Levaur of Rodef Shalom ; and,

BE IT FURTHER RESOLVED, , that the Council of the City of Pittsburgh does hereby declare April 14, 2013, to be “WOMEN OF REFORM JUDAISM'S ATLANTIC DISTRICT SISTERHOOD AREA DAY” in the City of Pittsburgh.

SPONSOR(S): COREY O'CONNOR AND ALL MEMBERS

A motion was made that this matter be Adopted. The motion carried.

Bill No.

[2013-1375](#)

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby congratulate Amen Corner for recognizing Judge D. Michael Fisher with the Judge Robert E. Dauer Award for Judicial Leadership and Excellence for his outstanding career and achievement in the field of law and justice; and

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby declare Wednesday, April 10, 2013, to be “Judge D. Michael Fisher Day” in the City of Pittsburgh.

SPONSOR(S): DARLENE HARRIS AND ALL MEMBERS

A motion was made that this matter be Adopted. The motion carried.

Bill No.

[2013-1376](#)

NOW, THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does hereby commend Overseer L.C. Carter, and does hereby declare Tuesday, April 2, 2013 to be "Overseer L.C. Carter Day" in the City of Pittsburgh.

SPONSOR(S): DARLENE HARRIS AND ALL MEMBERS

A motion was made that this matter be Adopted. The motion carried.

PUBLIC COMMENTS

PRESENTATION OF PAPERS

COUNCILMAN REVEREND RICKY V. BURGESS PRESENTS:

Bill No.

[2013-1347](#)

Resolution repealing items in Resolutions approved on various dates, authorizing the sale of properties in various wards of the City of Pittsburgh, in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Item A through E: A: 1021 Elkton, B: 7014 Mt. Vernon, C: 6725 Hamilton, D: 1416 Claim, E: 1386 Paulson.

Read and referred to Finance and Law Committee

Bill No.

[2013-1348](#)

Resolution providing for the filing of petitions for the sale of certain properties, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

ITEMS A through J

A: 2514 Bedford, B: 2223 Webster, C: 501 Haverhill, D: 1426 Junita, E: 1418 Stedman, F: 1420 Stedman, G: 1034 Goehring, H: 217 & 219 Jefferson, I: 7112 & 7110 Jonathan, J: 6816 Fifth.

Read and referred to Finance and Law Committee

Bill No.

[2013-1349](#)

Resolution providing for the conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984; having been placed for sale to adjoining property owners in conjunction with the City of Pittsburgh Side Yard Program. ITEMS A through L.

A: Locarna, B: 542 N. Atlantic, C: 6630 Deary, 6632 & 6634 Deary, D: 6945 Hamilton, E: 6939 Hamilton, F: 214 Four Mile Run, G: 111 Brosville PART, 110 Brosville, H: 2355 S. 18th, I: 1833 Arlington, J: 954 Lysle, K: 853 Inwood, L: 546 Frayne PART.

Read and referred to Finance and Law Committee

COUNCILMAN PATRICK DOWD PRESENTS:

Bill No.

[2013-1280](#)

Resolution authorizing a cooperation agreement or agreements, providing for the transfer of funds not to exceed Seven Million Two Hundred Thousand Dollars (\$7,200,000) dollars to the City of Pittsburgh Equipment Leasing Authority for the purchase of vehicles, equipment and vehicle accessories for use by the City of Pittsburgh Departments and Authorities.

A motion was made that this matter be Waived under Rule 8. The motion carried.

Read and referred to Intergovernmental Affairs Committee

COUNCILMAN DANIEL LAVELLE PRESENTS:

Bill No.

[2013-1367](#)

Resolution further amending Resolution No. 493, effective August 6, 2012 entitled "providing for an agreement/s, or use of existing agreements and/or a contract/s, or use of existing contracts, and for the purchase of materials, supplies, equipment, and/or services for City Council Neighborhood Needs Program and providing for the payment of the costs thereof", by transferring \$10,000 from District 6 Neighborhood Initiative to Regional Housing & Legal Services in Council District 6 Neighborhood Needs. Total cost of all projects is not to exceed \$130,802.79.

SPONSOR(S): R. DANIEL LAVELLE

Read and referred to Finance and Law Committee

Bill No. Resolution further amending and supplementing Resolution No. 855 of 2011, entitled
[2013-1368](#) “adopting and approving the 2012 capital budget and the 2012-2017 Capital Improvement Program” by transferring \$10,000 from District 6 Neighborhood Initiative to Regional Housing & Legal Services in Council District 6 Neighborhood Needs.

SPONSOR(S): R. DANIEL LAVELLE

Read and referred to Land Use and Economic Development Committee

COUNCILMAN WILLIAM PEDUTO PRESENTS:

Bill No. Resolution providing that the City of Pittsburgh enter into a professional services
[2013-1350](#) agreement with HMS Employer Solutions to conduct an eligibility audit of all employee and retiree dependents enrolled in the City's healthcare program. Cost not to exceed \$55,000.

Read and referred to Human Resources Committee

COUNCIL PRESIDENT DARLENE M. HARRIS PRESENTS:

Bill No. Resolution informing City Council of the Appointment of Stephen MacIsaac, as a
[2013-1366](#) Member of the Civil Service Commission for a term to expire on December 31, 2013. Mr. MacIsaac is replacing Kenneth Fulton.

A motion was made that this matter be Referred for Interview to the Hearings Committee. The motion carried.

A motion was made that this matter be Read, Received and Filed. The motion carried.

UNFINISHED BUSINESS

REPORTS OF COMMITTEE - FINAL ACTION

COUNCILMAN REV. RICKY V. BURGESS PRESENTS COMMITTEE ON FINANCE AND LAW

Bill No. Report of the Committee on Finance and Law for March 27, 2013 with an Affirmative
[2013-1343](#) Recommendation.

A motion was made that this matter be Read, Received and Filed. The motion carried.

Bill No. Resolution authorizing issuance of a warrant in the sum of \$3,583.26, in favor of
[2013-1302](#) George F. Babcoke, c/o 600 Grant Street, Suite 6100, Pittsburgh, PA 15219, in settlement of a claim for sidewalk damage from City tree roots at 5302 Westminster Place, Pittsburgh, PA 15232.

A motion was made that this matter be Passed Finally. The motion carried by the following vote:

Votes: Ayes: 8 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. Peduto, Ms. Rudiak and Mrs. Smith

Noes: 0

Abstentions: 0

Out of Room: 1 - Mr. O'Connor

Bill No. Resolution authorizing issuance of a warrant in the sum of \$4,230.58, in favor of
[2013-1303](#) Harold Goldwasser, 2800 Beechwood Boulevard, Pittsburgh, PA 15217, in settlement of a claim for sidewalk damage from City tree roots.

A motion was made that this matter be Passed Finally. The motion carried by the following vote:

Votes: Ayes: 8 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. Peduto, Ms. Rudiak and Mrs. Smith
Noes: 0
Abstentions: 0
Out of Room: 1 - Mr. O'Connor

COUNCILMAN BRUCE A. KRAUS PRESENTS COMMITTEE ON PUBLIC WORKS

Bill No. Report of the Committee on Public Works for March 27, 2013 with an Affirmative
[2013-1344](#) Recommendation.

A motion was made that this matter be Read, Received and Filed. The motion carried by the following vote:

Votes: Ayes: 9 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith
Noes: 0
Abstentions: 0

Bill No. Resolution granting the City, in furtherance of the City's Project Partnership
[2013-1304](#) Agreement between the Department of the Army and ALCOSAN for Design and Construction of the Sheraden Park Sewer and Chartiers Creek Section 206 Project (the "Design PPA"), leave to enter into a Cooperation Agreement with ALCOSAN to serve as non-federal sponsors for this project. In this Cooperation Agreement, the City and ALCOSAN will establish their respective rights and obligations as Non-Federal Sponsors under the Design PPA.

A motion was made that this matter be Passed Finally. The motion carried by the following vote:

Votes: Ayes: 9 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith
Noes: 0
Abstentions: 0

Bill No. Resolution further amending Resolution No.772, effective, January 1, 2013, as
[2013-1305](#) amended, entitled "Adopting and approving the 2013 Capital Budget and the 2013 Community Development Block Grant Program; and approving the 2013 through 2017 Capital Improvement Program," by creating the "Pittsburgh Bike Share" line item "in the amount of \$3,000,000.00 (\$1,600,000 BOND/\$400,000 Foundation/\$1,000,000 Corporate).

A motion was made that this matter be Passed Finally. The motion carried by the following vote:

Votes: Ayes: 9 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith
Noes: 0
Abstentions: 0

Bill No. Resolution authorizing the Mayor and/or the Director of the Department of Finance
[2013-1306](#) and/or the Director of the Department of Public Works, on behalf of the City of Pittsburgh, to enter into a grant agreement with the Commonwealth of Pennsylvania Department of Transportation for the purpose of receiving grant funds that will be used for implementation and procurement of materials to establish the "Bike Share Program" and to thereafter enter into an Agreement or Agreements with various for-profit corporations and non-profit agencies to accept any grant funds offered to the City for this program and further providing for legitimate expenditures for payments and agreement or agreements, or contract or contracts for any services required in connection with the expenditure of said grant funds per the original intent of the grant award. Said agreement or agreements, contract or contracts or expenditures shall not exceed \$3,000,000.00.

A motion was made that this matter be Passed Finally. The motion carried by the following vote:

Votes: Ayes: 9 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith
Noes: 0
Abstentions: 0

COUNCILMAN COREY O'CONNOR PRESENTS COMMITTEE ON URBAN RECREATION

Bill No. [2013-1345](#) Report of the Committee on Urban Recreation for March 27, 2013 with an Affirmative Recommendation.

A motion was made that this matter be Read, Received and Filed. The motion carried.

Bill No. [2013-1312](#) Resolution naming the former horse trail located at Riverview Park as the Moses Carper Trail and erecting a standard trail sign along Riverview Drive.

SPONSOR(S): DARLENE HARRIS

A motion was made that this matter be Passed Finally. The motion carried by the following vote:

Votes: Ayes: 9 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith
Noes: 0
Abstentions: 0

COUNCILMAN PATRICK DOWD PRESENTS COMMITTEE ON INTERGOVERNMENTAL AFFAIRS

Bill No. [2013-1346](#) Report of the Committee on Intergovernmental Affairs for March 27, 2013 with an Affirmative Recommendation.

A motion was made that this matter be Read, Received and Filed. The motion carried.

Bill No. [2013-1307](#) Resolution adopting official sewage facilities plan for the Lower Hill Redevelopment, (Sports and Exhibition Authority).

SPONSOR(S): R. DANIEL LAVELLE

A motion was made that this matter be Passed Finally. The motion carried by the following vote:

Votes: Ayes: 9 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith
Noes: 0
Abstentions: 0

MOTIONS AND RESOLUTIONS

Bill No. [2013-1377](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh urges Senator Bob Casey Jr. and Senator Pat Toomey to support Senate Bill 601, which offers a progress and effective way to help increase investment in our infrastructure while reducing cost to local governments and ratepayers.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh fully supports this measure that has the potential to help municipalities like Pittsburgh undertake water resource improvements in a cost-effective way.

SPONSOR(S): COREY O'CONNOR AND ALL MEMBERS

A motion was made that this matter be Adopted. The motion carried.

APPROVAL OF MINUTES

ADJOURNMENT

LEGISLATION PRESENTED BY SIGN LANGUAGE INTERPRETER