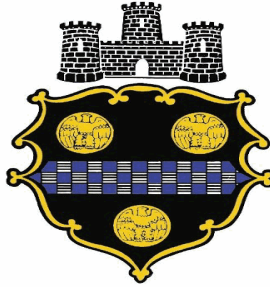


# City of Pittsburgh

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



## Meeting Minutes - Final

Tuesday, February 10, 2015

10:00 AM

Council Chambers

### City Council

**ONE-HUNDRED  
THIRTY-EIGHTH COUNCIL**

*Bruce A. Kraus, President of Council*

*Council Members: Rev. Ricky V. Burgess, Dan Gilman, Deborah L. Gross, Darlene M. Harris, R. Daniel Lavelle, Corey O'Connor, Natalia Rudiak, Theresa Kail-Smith*

*Mary Beth Doheny, City Clerk - Kimberly Clark, Deputy City Clerk*

**ROLL CALL**

**Present** 9 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak, Mrs. Kail-Smith, and Mr. Kraus

**PLEDGE OF ALLEGIANCE****PROCLAMATIONS**

[2015-1298](#) **NOW, THEREFORE BE IT RESOLVED**, that the Council of the City of Pittsburgh hereby recognizes the years of artistic works Mr. Jordan has invested in Pittsburgh and his dedication to the community and its cultural enrichment, and;

**BE IT FURTHER RESOLVED** that the Council hereby declares Tuesday, February 10, 2015, to be “Patrick Jordan Day” in the City of Pittsburgh.

**Sponsors:** Ms. Rudiak and All Members

**A motion was made that this matter be Adopted. The motion carried by a unanimous vote.**

[2015-1299](#) **NOW, THEREFORE BE IT RESOLVED**, that the Council of the City of Pittsburgh does hereby declare February, 10 2015 to be “*Classic Events! Legends*” in the City of Pittsburgh.

**Sponsors:** Rev. Burgess, Mr. Lavelle, Mr. O'Connor and All Members

**A motion was made that this matter be Adopted. The motion carried by a unanimous vote.**

[2015-1300](#) **NOW, THEREFORE BE IT RESOLVED**, that the Council of the City of Pittsburgh does hereby congratulate Jeremie and Angela Musyt on their successful creation of their first software application; and,

**BE IT FURTHER RESOLVED**, that the Council of the City of Pittsburgh does hereby declare Tuesday, February 10, 2015, to be “*Jeremie and Angela Musyt Day*” in the City of Pittsburgh.

**Sponsors:** Mrs. Kail-Smith and All Members

**A motion was made that this matter be Adopted. The motion carried by a unanimous vote.**

[2015-1301](#) ***NOW, THEREFORE BE IT RESOLVED***, that the Council of the City of Pittsburgh does hereby congratulate Mr. Rocco Mell on his 91st Birthday and honor him for his years of service to our great nation; and,

***BE IT FURTHER RESOLVED***, that the Council of the City of Pittsburgh does hereby declare Saturday, February 7, 2015, to be “***Mr. Rocco Mell Day***” in the City of Pittsburgh.

**Sponsors:** Mrs. Kail-Smith and All Members

**A motion was made that this matter be Adopted. The motion carried by a unanimous vote.**

## **PUBLIC COMMENTS**

## **PRESENTATION OF PAPERS**

### **COUNCILMAN DAN GILMAN PRESENTS:**

[2015-1297](#) Resolution requesting the approval of an inter-municipal transfer of a restaurant liquor license, License R-7386 from Don Pablos Operating, LLC., 122 Mall Blvd., Monroeville, PA 15146 to the Applicant, Teppy, LLC., 5430 Penn Ave., Pittsburgh, PA 15206, pursuant to amended Pennsylvania Liquor Code, §4-461.

#### **CABLECAST**

**Read and referred to the Committee on Intergovernmental Affairs**

### **COUNCILWOMAN DEBORAH L. GROSS PRESENTS:**

[2015-1296](#) Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article IV, Chapter 909.01.I by adding a new section 909.01.I.4 to establish the standards applicable to the existing SP-4 (IV) East Station Square subdistrict; renumbering existing Article IV, Chapter 909.01.I.4 “Regulations Applicable Throughout the SP-4 District” to Chapter 909.01.I.5; and amending Article I, Chapter 902.03 to modify the Zoning Map to include Block and Lot 4-D-45 and the remaining portion of Block and Lot 4-D-60 in the SP-4 (IV) East Station Square subdistrict.

**Read and referred to the Committee on Land Use and Economic Development**

### **COUNCILWOMAN NATALIA RUDIAK PRESENTS:**

[2015-1290](#) Ordinance amending the Pittsburgh City Code, Title One-Administrative, Article IX-Boards, Commissions and Authorities, by amending Chapter §178B.01 - §178B.02: Propel Pittsburgh Commission in order to create the Young Pittsburgh Advisory Commission.

**Read and referred to the Committee on Finance and Law**

[2015-1291](#) Resolution authorizing issuance of a warrant in the amount of \$8,166.00, in favor of Yellow Cab Company c/o Innovative Claims Management, 4240 Greensburg Pike, Suite L100, Pittsburgh, PA 15221, for damage to a cab from an intersectional accident with a City police vehicle on December 16, 2013, at the intersection of Ross Street and Second Avenue.

**Read and referred to the Committee on Finance and Law**

[2015-1292](#) Resolution authorizing the issuance of a warrant in the sum of Twenty-five Thousand Dollars and 00/100 (\$25,000.00), in favor of Troi Baldwin and Joel Sansone, c/o Joel Sansone, Esquire, Three Gateway Center, 401 Liberty Avenue, Suite 1700, Pittsburgh, PA 15222, in Full and Final Settlement of an action filed in the United States District Court for the Western District of Pennsylvania filed at 2:14-cv-00829.

**Read and referred to the Committee on Finance and Law**

[2015-1293](#) Resolution authorizing the issuance of a warrant in the sum of Twenty-five Thousand Dollars and 00/100 (\$25,000.00), in favor of Earl D. Baldwin, Jr. and Joel Sansone, c/o Joel Sansone, Esquire, Three Gateway Center, 401 Liberty Avenue, Suite 1700, Pittsburgh, PA 15222, in Full and Final Settlement of an action filed in the United States District Court for the Western District of Pennsylvania filed at 2:14-cv-00829.

**Read and referred to the Committee on Finance and Law**

[2015-1294](#) Resolution authorizing the issuance of a warrant in the sum of Fifty-five Thousand Dollars and 00/100 (\$55,000.00), in favor of Robert J. Palmosina and Timothy P. O'Brien, c/o Timothy P. O'Brien, Esquire, 1705 Allegheny Building, 429 Forbes Avenue, Pittsburgh, PA 15219, in Full and Final Settlement of an action filed in the United States District Court for the Western District of Pennsylvania filed at 2:14-cv-00326.

**Read and referred to the Committee on Finance and Law**

[2015-1295](#) Resolution authorizing the Mayor and the City Solicitor on behalf of the City of Pittsburgh to enter into a Professional Services Agreement or Agreements with Rothman Gordon, P.C. to provide professional legal representation to the City in the real estate tax assessment case of Omni Pittsburgh Corporation v. The Board of Property Assessments Appeals and Review (case docket no. BV-13-006771) at a cost not to exceed Fifteen Thousand Dollars and No Cents (\$15,000.00) chargeable to and payable from 11101.53.53517.108000.2015.

**Read and referred to the Committee on Finance and Law**

## UNFINISHED BUSINESS

[2015-1239](#) Resolution appointing Sabina Eva Deitrick, 521 East End Avenue, Pittsburgh, PA 15221, as a member of the Pittsburgh Planning Commission for a term to expire on January 22, 2018. Ms. Deitrick will fill the vacant seat on the Commission.

**A motion was made that this matter be Approved. The motion carried by a unanimous vote.**

## REPORTS OF COMMITTEE - FINAL ACTION

### COUNCILWOMAN NATALIA RUDIAK PRESENTS COMMITTEE ON FINANCE AND LAW

[2015-1285](#) Report of the Committee on Finance and Law for February 4, 2015 with an Affirmative Recommendation.

**A motion was made that this matter be Read, Received and Filed. The motion carried by a unanimous vote.**

[2015-1196](#) Resolution authorizing the issuance of a warrant in the total sum of Fifteen Thousand Dollars and 00/100 (\$15,000.00), in favor of David Carpenter, c/o Charles F. Bowers, Esquire, Bowers, Ross and Fawcett, LLC, 820 Kennedy Drive, P.O. Box 280, Ambridge, PA, 15003, in Full and Final Settlement of an action filed in the United States District Court for the Western District of Pennsylvania at 2:12-cv-00653.

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

**Aye:** 9 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak, Mrs. Kail-Smith, and Mr. Kraus

**No:** 0

**Abstain:** 0

[2015-1197](#) Resolution authorizing the issuance of a warrant in the sum of Twelve Thousand Dollars and 00/100 (\$12,000.00) to Evelyn Marie C. Reese, c/o P. William Bercik, 310 Grant Street, Suite 2330, Pittsburgh, PA 15219, in Full and Final Settlement of an action filed in the United States District Court for the Western District of Pennsylvania at 2:12-cv-01667.

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

**Aye:** 9 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak, Mrs. Kail-Smith, and Mr. Kraus

**No:** 0

**Abstain:** 0

[2015-1198](#) Resolution providing for the issuance of a warrant in the total sum of \$8,347.50, in favor of Cliff Jobe Consulting, LLC, 204 Kennan Drive, Greensburg, PA 15601, for payment of professional services rendered.

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

**Aye:** 9 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak, Mrs. Kail-Smith, and Mr. Kraus

**No:** 0

**Abstain:** 0

[2015-1199](#) Resolution authorizing the issuance of a warrant in the total sum of \$6,411.44 to Burns White LLC, Four Northshore Center, and 106 Isabella St., Pittsburgh, PA 15212 for professional consulting services in connection with expert consulting services related to Beech Construction Inc. vs. City of Pittsburgh.

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

**Aye:** 9 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak, Mrs. Kail-Smith, and Mr. Kraus

**No:** 0

**Abstain:** 0

[2015-1219](#) Resolution providing for the issuance of a warrant in the sum of \$7,000.00, in favor of Visual Evidence, 8555 Sweet Valley Drive, Suite A, Valley View, OH 44125, for payment of professional services rendered.

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

**Aye:** 9 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak, Mrs. Kail-Smith, and Mr. Kraus

**No:** 0

**Abstain:** 0

[2015-1220](#) Resolution authorizing and directing the Director of Finance and the Controller to reimburse the three pension funds each month for the increase in monthly payments **not to exceed** \$350 for survivors of members of the Fire, Municipal and Police Pension Funds, who receive less than \$350 per month in pension benefits.

**A motion was made that this matter be AMENDED. The motion carried by a unanimous vote.**

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

**Aye:** 9 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak, Mrs. Kail-Smith, and Mr. Kraus

**No:** 0

**Abstain:** 0

[2015-1221](#) Resolution authorizing and directing the Director of Finance and the Controller to reimburse the three pension funds each month for monthly payments **not to exceed** of \$350 to widows of members of the Fire, Municipal and Police Pension Funds, who were not listed as survivors by their spouse.

**A motion was made that this matter be AMENDED. The motion carried by a unanimous vote.**

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

**Aye:** 9 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak, Mrs. Kail-Smith, and Mr. Kraus

**No:** 0

**Abstain:** 0

[2015-1222](#) 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 F: A: ~~2808 Bedford~~, B: ~~1108, 1112 Lincoln~~, C: ~~6 Boggs~~, D: 1412, 1414, 1416 Loraine E: 2242, 2244 Wilson, F: ~~327 Hancock~~.

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

**Aye:** 9 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak, Mrs. Kail-Smith, and Mr. Kraus

**No:** 0

**Abstain:** 0

[2015-1223](#) 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 D. A: 5333 Broad, B: 5232 Gertrude, C: 1832 Valora, D: 137 Herndon

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

**Aye:** 9 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak, Mrs. Kail-Smith, and Mr. Kraus

**No:** 0

**Abstain:** 0

[2015-1224](#) 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: 1044 Marena.

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

**Aye:** 9 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak, Mrs. Kail-Smith, and Mr. Kraus



**No:** 0

**Abstain:** 0

[2015-1236](#) Resolution further amending Resolution 549, effective September 21, 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 \$5,500 to Brighton Heights Citizens Federation for security cameras and \$7,000 to Brighton Heights Citizens Federation for a community group office. Total cost of all projects is not to exceed \$437,779.53.

**Sponsors:** Mrs. Harris

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

**Aye:** 9 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak, Mrs. Kail-Smith, and Mr. Kraus

**No:** 0

**Abstain:** 0

## **COUNCILWOMAN THERESA KAIL-SMITH PRESENTS COMMITTEE ON PUBLIC WORKS**

[2015-1286](#) Report of the Committee on Public Works for February 10, 2015 with an Affirmative Recommendation.

**A motion was made that this matter be Read, Received and Filed. The motion carried by a unanimous vote.**

[2015-1225](#) Resolution further amending Resolution No.858, effective, January 1, 2015, as amended, entitled “Adopting and approving the 2015 Capital Budget and the 2015 Community Development Block Grant Program; and approving the 2015 through 2020 Capital Improvement Program,” by decreasing the “Bridge Repairs” line item” by the amount of \$37,500 (from \$200,000 BOND to \$162,500 BOND) and creating the “South Negley Avenue Bridge” line item in the amount of \$750,000.00 ( \$37,500 BOND/ \$600,000 FHWA/\$112,500 SH)

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

**Aye:** 9 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak, Mrs. Kail-Smith, and Mr. Kraus

**No:** 0

**Abstain:** 0

[2015-1226](#) Resolution providing for a Contract or Contracts, or use of existing Contracts, providing for an Agreement or Agreements, or use of existing Agreements, and providing for the design, repairs, maintenance, improvements, emergencies and/or the purchase of materials and supplies in connection with the design and construction of the South Negley Avenue Bridge; including Construction Management Services; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation; and providing for the payment of the costs thereof not to exceed \$750,000.

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

**Aye:** 9 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak, Mrs. Kail-Smith, and Mr. Kraus

**No:** 0

**Abstain:** 0

## **COUNCILWOMAN DEBORAH L. GROSS PRESENTS COMMITTEE ON LAND USE & ECONOMIC DEVELOPMENT**

[2015-1287](#) Report of the Committee on Land Use and Economic Development for February 4, 2015 with an Affirmative Recommendation.

**A motion was made that this matter be Read, Received and Filed. The motion carried by a unanimous vote.**

[2015-1237](#) Resolution further amending and supplementing Resolution No. 855 of 2011, entitled “adopting and approving the 2012 Capital Budget and the 2012-2017 Capital Improvement Program” by transferring \$5,500 to Brighton Heights Citizens Federation for security cameras and \$7,000 to Brighton Heights Citizens Federation for a community group office.

**Sponsors:** Mrs. Harris

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

**Aye:** 9 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak, Mrs. Kail-Smith, and Mr. Kraus

**No:** 0

Abstain: 0

## COUNCILMAN COREY O'CONNOR PRESENTS COMMITTEE ON URBAN RECREATION

[2015-1288](#) Report of the Committee on Urban Recreation for February with an Affirmative Recommendation.

**A motion was made that this matter be Read, Received and Filed. The motion carried by a unanimous vote.**

[2015-1230](#) Resolution providing for an Agreement or Agreements, Lease(s) and/or License Agreement(s) for the use of certain property for senior facilities for the provision of center services to seniors in an amount not to exceed Sixty Five Thousand, Four Hundred Dollars (\$65,400.00), chargeable to and payable from the Seniors Community Program Trust Fund in the Department of Parks and Recreation.

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

**Aye:** 9 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak, Mrs. Kail-Smith, and Mr. Kraus

**No:** 0

**Abstain:** 0

[2015-1231](#) Resolution providing for an Agreement or Agreements with the Pittsburgh Board of Public Education or another vendor chosen through the City bid process for the purpose of providing meals in connection with the 2015 Food Service Program in the Department of Parks and Recreation. The total cost shall not exceed Seven Hundred, Fifty Thousand Dollars (\$750,000.00).

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

**Aye:** 9 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak, Mrs. Kail-Smith, and Mr. Kraus

**No:** 0

**Abstain:** 0

[2015-1232](#) Resolution authorizing the Mayor and the Department of Parks and Recreation to enter into a License Agreement with the Catholic Diocese of Pittsburgh, St. Catherine of Sienna Parish parking lot located at Broadway Avenue and Belasco Street for a 2015 Farmers' Market.

**A motion was made that this matter be RECOMMENDED. The motion carried by a unanimous vote.**

[2015-1233](#) Resolution authorizing the Mayor and the Director of the Department of Parks and Recreation to enter into a license agreement with Union Real Estate Company of Pittsburgh for the use of property behind Carrick shopping center for the 2015 Farmers' Market.

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

**Aye:** 9 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak, Mrs. Kail-Smith, and Mr. Kraus

**No:** 0

**Abstain:** 0

[2015-1235](#) Resolution authorizing the Mayor and the Department of Parks and Recreation to enter into a License Agreement with the Parking Authority for the use of property located between Beacon and Bartlett Streets for the 2015 Farmers' Market.

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

**Aye:** 9 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak, Mrs. Kail-Smith, and Mr. Kraus

**No:** 0

**Abstain:** 0

## **COUNCILWOMAN DARLENE M. HARRIS PRESENTS COMMITTEE ON PERFORMANCE AND ASSET MANAGEMENT**

[2015-1289](#) Report of the Committee on Performance and Asset Management for February 4, 2015 with an Affirmative Recommendation.

**A motion was made that this matter be Read, Received and Filed. The motion carried by a unanimous vote.**

[2015-1227](#)

Resolution authorizing the Mayor and the Director of the Department of Finance and/or the Director of Public Works to enter into an agreement or agreements or amendments to existing agreements or to adopt Commonwealth of Pennsylvania CoStars agreements with Cartegraph in order to continuing licensing Cartegraph Enterprise software; to purchase subscription, maintenance, and cloud hosting services; and to procure professional services relating to data conversion, integration, and migration from a self-hosted to a cloud environment hosted by Cartegraph.

**A motion was made that this matter be AMENDED. The motion carried by a unanimous vote.**

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

**Aye:** 9 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak, Mrs. Kail-Smith, and Mr. Kraus

**No:** 0

**Abstain:** 0

## **I. MOTIONS AND RESOLUTIONS**

At the request of Councilwoman Theresa Kail-Smith:

Motion to Schedule a Cablecast Post Agenda on Fugitive Safe Surrender

## **K. EXCUSE ABSENT MEMBERS - NONE**

## **L. APPROVAL OF MINUTES**

## **M. ADJOURNMENT**

## **P LEGISLATION PRESENTED BY SIGN LANGUAGE INTERPRETER**