

# City of Pittsburgh

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



## Meeting Minutes - Final

**Tuesday, December 20, 2016**

**10:00 AM**

**Council Chambers**

### **City Council**

**ONE-HUNDRED**

**THIRTY-NINTH 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-Baskin, Deputy City Clerk***

**ROLL CALL**

**Present** 8 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, and Ms. Rudiak

**Absent** 1 - Mrs. Kail-Smith

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

[2016-1093](#)

***NOW, THEREFORE BE IT RESOLVED*** that the Council of the City of Pittsburgh does hereby recognize and commend **Pittsburgh Allderdice High School** for its consistent and unwavering emphasis on academics, rigor and diversity in education and congratulates the students who have achieved National Merit Scholar designations; and,

***BE IT FURTHER RESOLVED*** that the Council of the City of Pittsburgh does hereby declare Tuesday, December 20, 2016 to be "***ALLDERDICE NATIONAL MERIT SCHOLAR DAY***" in the City of Pittsburgh.

**SPONSORS: MR. O'CONNOR AND ALL MEMBERS**

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

[2016-1094](#)

***NOW, THEREFORE BE IT RESOLVED***, that the Council of the City of Pittsburgh does hereby declare December 20, 2016 to be "***Dr. Nelson E. Harrison Day***" in the City of Pittsburgh.

**SPONSORS: MR. LAVELLE AND ALL MEMBERS**

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

[2016-1095](#)

***NOW, THEREFORE BE IT RESOLVED***, that the Council of the City of Pittsburgh does hereby commend Aria Eppinger for the motivation, creativity, and hard work that led her to receive some of the highest honors available to a young scientist and wishes her continued success in future endeavors; and,

***BE IT FURTHER RESOLVED***, that the Council of the City of Pittsburgh does hereby declare December 20, 2016 to be "***Aria Eppinger Day***" in the City of Pittsburgh.

**SPONSORS: MR. GILMAN AND ALL MEMBERS**

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

[2016-1096](#)

***NOW, THEREFORE BE IT RESOLVED***, that the Council of the City of Pittsburgh does hereby commend Pastor White and his congregation at Kingdom Life Fellowship Pittsburgh for their dedication to the youth and community; and,

***BE IT FURTHER RESOLVED***, that the Council of the City of Pittsburgh does hereby declare Tuesday, December 20, 2016 to be “***Pastor Frederick White and KLFP Day***” in the City of Pittsburgh.

**SPONSORS: MRS. KAIL-SMITH, MR. KRAUS AND ALL MEMBERS**

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

[2016-1097](#)

***NOW, THEREFORE BE IT RESOLVED*** that the Council of the City of Pittsburgh does hereby commend and congratulate Modern Era Weddings and its staff for their commitment to less fortunate children in the region and congratulates them on their generous donations to Toys for Tots through the Dance-A-Thon; and,

***BE IT FURTHER RESOLVED***, that the Council of the City of Pittsburgh does hereby declare Saturday, December 17, 2016 to be “***DANCE-A-THON DAY***” in the City of Pittsburgh.

**SPONSORS: MR. O'CONNOR**

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

[2016-1098](#)

***BE IT RESOLVED***, that the Council of the City of Pittsburgh does hereby recognize and extend deep appreciation to all nominated Pittsburgh Protectors for their selfless commitment to the community and congratulates the Albert Anthony Real Estate family for creating this recognition; and,

***BE IT FURTHER RESOLVED***, that the Council of the City of Pittsburgh does hereby declare Tuesday, December 20, 2016 to be “***PITTSBURGH PROTECTOR OF THE YEAR THOMAS POLITO DAY***” in the City of Pittsburgh.

**SPONSORS: MR. O'CONNOR AND ALL MEMBERS**

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

## **PUBLIC COMMENTS**

## **PRESENTATION OF PAPERS**

**COUNCILMAN DAN GILMAN PRESENTS:**

[2016-1085](#) Resolution adopting Plan Revision to the City of Pittsburgh's Official Sewage Facilities Plan for the 6600 Hamilton Avenue Project at 6600 Hamilton Avenue, Pittsburgh, PA 15206.

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

[2016-1086](#) Resolution adopting Plan Revision to the City of Pittsburgh's Official Sewage Facilities Plan for the Penn @ Eighth Development which will be located along the north side of Penn Avenue, between Maddock Place and Eighth Street in the 2nd Ward of the City of Pittsburgh. The complex will consist of 4 buildings (two existing and two proposed) with the main addresses being 725, 731, 737 Penn Avenue and 150 Eighth Street, Pittsburgh, PA 15222.

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

**COUNCILWOMAN DEBORAH L. GROSS PRESENTS:**

[2016-1087](#) Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article I, Section 902.03 Zoning Map, by changing from by changing from Urban Industrial (UI) to Local Neighborhood Commercial (LNC) property at 5515 Butler Street identified as Block No. 120-N Lot 15; Block No. 120-J Lot 70; and Block No. 119-S Lot 191 all in the Allegheny County Block and Lot System, 10th Ward.

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

**COUNCILWOMAN NATALIA RUDIAK PRESENTS:**

[2016-1088](#) Resolution authorizing the Mayor to enter into a Memorandum of Understanding with Holdings Acquisition Co, L.P. for the payment of a minimum of \$10,000,000.00 funding for the local share assessment of the Pennsylvania Race Horse Development and Gaming Act for the calendar year of 2017.

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

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

[2016-1090](#) Resolution authorizing the City Solicitor, on behalf of the City of Pittsburgh (“City”) to Petition the Court of Common Pleas of Allegheny County to transfer a certain lot (the “Subject Property”), now part of East Liberty Park, to the Housing Authority of the City of Pittsburgh (“HACP”), for the sum of One Dollar (\$1.00), plus all necessary or appropriate expenses incurred by the City, and / or upon such other terms and conditions as the Court or the City may authorize and/or direct.

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

[2016-1091](#) Ordinance amending and supplementing the Pittsburgh Code at Title One: Administrative, Article VII: Procedures, Chapter 161: Contracts by amending section 161.01, “Adoption of County Procedure; Review of City Council”, adding a new section 161.01A to reflect current contracting requirements, and amending section 161.09, “Executing Contracts Exceeding the Councilmanic Amount; Countersignature and Accounts.”

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

**COUNCILWOMAN NATALIA RUDIAK FOR COUNCILWOMAN THERESA KAIL-SMITH PRESENTS:**

[2016-1092](#) Resolution providing for a Contract or Contracts, or the use of existing Contracts, providing for an Agreement or Agreements, or the use of existing Agreements, providing for repairs, maintenance, improvements, emergencies and/or the purchase of materials, equipment and supplies, and/or the creation of a Trust Fund in connection with Trail Repairs; and providing for the payment of the costs thereof not to exceed \$70,000.00.

**Read and referred to the Committee on Public Works**

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

**UNFINISHED BUSINESS**

**REPORTS OF COMMITTEE - FINAL ACTION**

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

[2016-1079](#) Report of the Committee on Finance and Law for December 14, 2016 with an Affirmative Recommendation.

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

[2016-0939](#) Resolution authorizing the Mayor and City Controller to issue a payment for in the amount of Six Thousand Three Hundred Twenty Dollars (\$6,320.00) to Tucker Independent Medical Experts, 1082 Bower Hill Road, Suite 100, Pittsburgh, PA 15243 for professional services by Alan H. Tissenbaum, M.D. and Stephen Thomas, M.D., related to the trials of Lili Josephson and Catherine Lobaugh.  
(EXECUTIVE SESSION HELD)

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

**Aye:** 8 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, and Ms. Rudiak

**No:** 0

**Abstain:** 0

**Absent:** 1 - Mrs. Kail-Smith

[2016-0942](#) 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 F: A: 7827 Kelly, B: 7110 Race C: 508 Sickles, D: 206 Mansion, E: 15 Furley, F: 1200 Marvista

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

**Aye:** 8 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, and Ms. Rudiak

**No:** 0

**Abstain:** 0

**Absent:** 1 - Mrs. Kail-Smith

[2016-0944](#) 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 U. A: 5322 Hillcrest, B: 5320 Hillcrest, C: 5301 Hillcrest, D: 401 N. Aiken, E: 5521 Broad, F: 310 N. Fairmount, G: 707 McLain, H: 629 McLain, I: 625 McLain, J: 622 Eureka, K: 49 Southern, L: 1501 Allegheny, M: 1503 Allegheny, N: 1217 W. North, O: 1912 Manhattan, P: 1012 Liverpool, Q: 1214 N. Franklin, R: 1218 N. Franklin, S: 900 Chestnut, T: 847 Suismon, U: 859 Peralta

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

**Aye:** 8 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, and Ms. Rudiak

**No:** 0

**Abstain:** 0

**Absent:** 1 - Mrs. Kail-Smith

[2016-0945](#) 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 N: A: 18 Ellers, B: 5222 Rosetta, 313 & 315 N. Atlantic, C: 5233, 5231 Kincaid, D: 5227, 5225, 5223, 5221 Kincaid, E: 5004 Dearborn, F: 7248 Westmoreland, G: 841 & 843 Inwood, H: 919 ½, 921, & 919 Gerritt, I: 7405 Monticello, J: 1103 Tropical, K: 203 Tabor, L: 1230 Spring Garden, M: 2820 Wadlow, N: 1936 Noblestown

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

**Aye:** 8 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, and Ms. Rudiak

**No:** 0

**Abstain:** 0

**Absent:** 1 - Mrs. Kail-Smith

[2016-0964](#) Ordinance amending the Pittsburgh Code, Title Two, Fiscal; Article VII, Business Related Taxes; Chapter 245, Earned Income Tax; Section 245.03, Declaration and Payment of Tax; subsection (e), Interest for 2017, by fixing the rate of interest on delinquent Earned Income Tax for the year 2017.

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

**Aye:** 8 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, and Ms. Rudiak

**No:** 0

**Abstain:** 0

**Absent:** 1 - Mrs. Kail-Smith

[2016-0965](#) Ordinance amending the Pittsburgh Code, Title Two, Fiscal; Article VII, Business Related Taxes; Chapter 246, Home Rule Tax; Section 246.03, Declaration and Payment of Tax; subsection (e), Interest for 2017, by fixing the rate of interest on delinquent Home Rule Tax for the year 2017.

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

**Aye:** 8 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, and Ms. Rudiak

**No:** 0

**Abstain:** 0

**Absent:** 1 - Mrs. Kail-Smith

[2016-0966](#) Ordinance amending the Pittsburgh Code at Title Two: Fiscal, Article IX: Property Taxes, Chapter 263: Real Property Tax and Exemption, Section 263.01: Levy and Rate on Lands and Buildings, by fixing the rate of taxation for 2017 and clarifying the City Code.

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

**Aye:** 8 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, and Ms. Rudiak

**No:** 0

**Abstain:** 0



**Absent:** 1 - Mrs. Kail-Smith

[2016-0967](#) Ordinance amending the Pittsburgh Code at Title Two: Fiscal, Article IX: Property Taxes, Chapter 263: Real Property Tax and Exemptions, Section 263.02: Payment Options, Discount and Delinquency Penalty, so as to set the payment, discount, and delinquent dates for the 2017 fiscal year.

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

**Aye:** 8 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, and Ms. Rudiak

**No:** 0

**Abstain:** 0

**Absent:** 1 - Mrs. Kail-Smith

[2016-0968](#) Resolution making appropriations to pay the expenses of conducting the public business of the City of Pittsburgh and for meeting the debt charges thereof for the Fiscal Year, beginning January 1, 2017

**SPONSORS: MS. RUDIAK**

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

**Aye:** 7 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, and Ms. Rudiak

**No:** 1 - Mrs. Harris

**Abstain:** 0

**Absent:** 1 - Mrs. Kail-Smith

[2016-0969](#) Resolution fixing the number of officers and employees of the City of Pittsburgh for the 2017 fiscal year, and the rate of compensation thereof, and setting maximum levels for designated positions.

**SPONSORS: MS. RUDIAK**

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

**Aye:** 7 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, and Ms. Rudiak

**No:** 1 - Mrs. Harris

**Abstain:** 0

**Absent:** 1 - Mrs. Kail-Smith

[2016-0970](#) Resolution adopting and approving the 2017 Capital Budget and the 2017 Community Development Block Grant Program; approving the 2017 through 2022 Capital Improvement Program

**SPONSORS: MS. RUDIAK**

**A motion was made that this matter be AMENDED. The motion carried.**

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

**Aye:** 7 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, and Ms. Rudiak

**No:** 1 - Mrs. Harris

**Abstain:** 0

**Absent:** 1 - Mrs. Kail-Smith

[2016-1021](#) Resolution providing for the creation of a trust fund for the South Side Parking Enhancement District Trust Fund and setting conditions for the deposit and expenditure of such funds. This fund is for the exclusive use of funding public safety, maintenance, and parking enforcement for the South Side Parking Flats Enhancement District as shown in Exhibit A.

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

**Aye:** 7 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, and Ms. Rudiak

**No:** 1 - Mrs. Harris

**Abstain:** 0

**Absent:** 1 - Mrs. Kail-Smith

## **COUNCILMAN R. DANIEL LAVELLE PRESENTS COMMITTEE ON PUBLIC SAFETY SERVICES**

[2016-1080](#) Report of the Committee on Public Safety Services for December 14, 2016 with an Affirmative Recommendation.

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

[2016-1015](#) Resolution authorizing the Directors of the Departments of Public Safety, City Planning and Finance to create on behalf of the City of Pittsburgh a Parking Enhancement District in the South Side Flats neighborhood pursuant to the requirements set forth in Title 5, Article VII, Chapter 546 of the City of Pittsburgh Code of Ordinances (see Ordinance No. 5 of 2016, Bill No. 2016-0075).

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

**Aye:** 7 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, and Ms. Rudiak

**No:** 1 - Mrs. Harris

**Abstain:** 0

**Absent:** 1 - Mrs. Kail-Smith

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

[2016-1081](#) Report of the Committee on Public Works for December 14, 2016 with an Affirmative Recommendation.

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

[2016-1073](#) Resolution vacating a portion of North Shore Drive, in the 21st Ward, 6th Council District of the City of Pittsburgh.

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

**Aye:** 8 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, and Ms. Rudiak

**No:** 0

**Abstain:** 0

**Absent:** 1 - Mrs. Kail-Smith

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

[2016-1082](#) Report of the Committee on Land Use and Economic Development for December 14, 2016 with an Affirmative Recommendation.

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

[2016-0602](#) Ordinance supplementing the Pittsburgh Code of Ordinances, Title Two--Fiscal, Article V--Special Funds, to add a new Chapter 232, "Housing Opportunity Fund", to stabilize communities and protect the public welfare by creating the Pittsburgh Housing Opportunity Fund (the "Fund"), to create a budget obligation for the Fund, to establish the purposes for which monies in the Fund may be used; and to create a Housing Opportunity Fund Governing Board and Advisory Board.

**SPONSORS: MR. LAVELLE**

**A motion was made that this matter be AMENDED. The motion carried.**

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

**Aye:** 7 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, and Ms. Rudiak

**No:** 0

**Abstain:** 1 - Mrs. Harris

**Absent:** 1 - Mrs. Kail-Smith

## **COUNCILMAN REV. RICKY V. BURGESS PRESENTS COMMITTEE ON INNOVATION, PERFORMANCE AND ASSET MANAGEMENT**

[2016-1083](#) Report of the Committee on Innovation, Performance and Asset Management for December 14, 2016 with an Affirmative Recommendation.

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

[2016-1049](#) Resolution authorizing the Mayor and the Chief and Director of Innovation & Performance to enter into a grant agreement with the City Energy Project, a program of the Natural Resources Defense Council and Institute for Market Transformation to receive \$200,000 in funding to support (1) one consultant energy advisor for two-years; (2) Participation in the City Energy Project and (3) the development of a city-wide energy efficiency policy and programs.

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

**Aye:** 8 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, and Ms. Rudiak

**No:** 0

**Abstain:** 0

**Absent:** 1 - Mrs. Kail-Smith

## **COUNCILMAN DAN GILMAN PRESENTS COMMITTEE ON INTERGOVERNMENTAL AFFAIRS**

[2016-1084](#) Report of the Committee on Intergovernmental Affairs for December 14, 2016 with an Affirmative Recommendation.

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

[2016-1050](#) Resolution adopting Plan Revision to the City of Pittsburgh's Official Sewage Facilities Plan for Plummer 47 Residences at 302, 306, 310, 312, and 316 47th Street, Pittsburgh, Pennsylvania 15201.

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

**Aye:** 8 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, and Ms. Rudiak

**No:** 0

**Abstain:** 0

**Absent:** 1 - Mrs. Kail-Smith

## **MOTIONS AND RESOLUTIONS**

**EXCUSE ABSENT MEMBERS - MRS. KAIL-SMITH**

**APPROVAL OF MINUTES**

**ADJOURNMENT**

**LEGISLATION PRESENTED BY SIGN LANGUAGE INTERPRETER**