

# City of Pittsburgh

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



## Meeting Minutes - Final

**Tuesday, November 17, 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-Baskin, Deputy City Clerk***

**B. PLEDGE OF ALLEGIANCE****C. PROCLAMATIONS**[2015-2246](#)

***NOW, THEREFORE BE IT RESOLVED*** that the Council of the City of Pittsburgh does hereby recognize and congratulate the members of **HarmonEyes** for their extraordinary commitment to their music and for providing pure entertainment to senior centers , nursing homes and the community; and,

***BE IT FURTHER RESOLVED***, that the Council of the City of Pittsburgh does hereby declare Tuesday, November 17, 2015, to be “***HARMONEYES 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.**

[2015-2247](#)

***NOW, THEREFORE, BE IT RESOLVED*** that the Council of the City of Pittsburgh celebrates Ms. Katie O'Malley, and congratulates her and the other exemplary individuals who were selected for the *40 Under 40 Awards*; and,

***NOW, THEREFORE, BE IT FURTHER RESOLVED*** that the Council of the City of Pittsburgh does hereby declare ***Tuesday, November 10th 2015*** to be “***Katie O'Malley Day***” in the City of Pittsburgh.

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

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

[2015-2248](#)

***NOW, THEREFORE BE IT RESOLVED***, that the Council of the City of Pittsburgh does hereby commend Ed Roberson for his contributions as an author and poet; and,

***BE IT FURTHER RESOLVED***, that the Council of the City of Pittsburgh does hereby declare Tuesday, November 17, 2015, to be “***Ed Roberson Day***” in the City of Pittsburgh.

**SPONSORS: REV. BURGESS AND ALL MEMBERS**

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

[2015-2249](#)

**NOW, THEREFORE BE IT RESOLVED**, that the Council of the City of Pittsburgh does hereby declare Monday, November 16, 2015 “Greater Pittsburgh Arts Council Day” in the City of Pittsburgh.

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

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

#### **D. PUBLIC COMMENTS**

#### **E. PRESENTATION OF PAPERS**

#### **COUNCILMAN REVEREND RICKY V. BURGESS PRESENTS:**

[2015-2224](#)

Resolution amending Resolution No. 23 of 2014 providing that the City of Pittsburgh enter into a Professional Services Agreement(s) and/or Contract(s) with UPMC LifeSolutions for professional services in connection with the administration of the City of Pittsburgh’s Employee Assistance Program; by increasing the total cost from \$141,700.00 to \$212,550.00, and extending the contract one (1) calendar year through 2016.

**Read and referred to the Committee on Human Resources**

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

[2015-2225](#)

Resolution authorizing the Mayor and the Director of the Department of Public Works to enter into an Intergovernmental Agreement or Agreements with Allegheny County with respect to the winter season(s) of 2015-2016, 2016-2017, and 2017-2018 (November 1 to March 31 of each year) under which (1) (a) the City will store, handle, and load salt for the County and (b) the County will store, handle, and load salt for the City, and, (2) (a) the City will perform snow and ice clearance together with the application of anti-skid and/or deicing materials for certain County Roads, including bridges with their approaches, and (b) the County will perform snow and ice clearance together with the application of anti-skid and/or deicing materials for certain City Roads, including bridges with their approaches.

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

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

[2015-2226](#) Ordinance amending and supplementing the Pittsburgh Code, Title Four, Public Places and Property, Article I, Public Rights of Way, Section 420.10, to clarify street naming notification procedures.

**SPONSORS: MR. GILMAN**

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

[2015-2227](#) Ordinance amending the Pittsburgh City Code, Title Five: Traffic, Article VII: Parking; by amending language to Sections 541.01, 541.03, and 541.05.

**SPONSORS: MR. GILMAN**

**Read and referred to the Committee on Public Safety Services**

**COUNCILMAN R. DANIEL LAVELLE PRESENTS:**

[2015-2245](#) Ordinance amending Title 6: Conduct, Article 1: Regulated Rights and Actions by adding section 626 providing for the assessment of a civil fine for the possession of small amounts of cannabis in the City of Pittsburgh under certain terms and conditions.

**SPONSORS: MR. LAVELLE**

**Read and referred to the Committee on Public Safety Services**

**COUNCILMAN COREY O'CONNOR PRESENTS:**

[2015-2229](#) Ordinance supplementing the Pittsburgh Code of Ordinances, Title IV: Public Places and Property, Article XI: Parks and Playgrounds, Chapter 473: Use Regulations, § 473.05 - Behavior; by adding new language designating parks and playground as "Tobacco-Free."

**SPONSORS: MR. O'CONNOR, REV. BURGESS AND MR. KRAUS**

**Read and referred to the Committee on Urban Recreation**

**COUNCILWOMAN NATALIA RUDIAK PRESENTS:**

[2015-2228](#) Resolution authorizing issuance of two (2) warrants as follows: one warrant in the amount of \$4,578.69, in favor of Marcus & Carole Gottlieb 307 S. Dithridge Street, Apt. 802, Pittsburgh, PA 15213 and one warrant in the amount of \$1,000.00, in favor of Alan & Linda Gordon, 5400 Albemarle Avenue, Pittsburgh, PA 15217, in settlement of their claim for property damage to the sewer lateral at 5400 Albemarle Avenue from encroachment of roots of a city tree during May/June 2014.

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

[2015-2230](#) 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. A: 5229 Poe

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

[2015-2231](#) 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: 908 Cherokee, B: 5438 Camelia, C: 7806 Kelly, & 7809 Formosa, D: 5017 & 5019 Blair, E: 959 Kirkbride, F: 205 Knox

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

[2015-2232](#) Resolution authorizing the Director of Finance to enter into a contract or agreement, or use of existing contract or agreement with the Pittsburgh Community Reinvestment Group for the purpose of providing an annual analysis of community reinvestment of possible City depositories and other associated work associated with RFPs for City Depository Analysis. The contract will be with the Department of Finance and the contract period shall be for January 1 to December 31, 2015, renewable annually for up to three (3) years by mutual agreement of the parties. Total cost for 2015 is \$20,000.

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

[2015-2233](#) 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 2016, by fixing the rate of interest on delinquent Earned Income Tax for the year 2016.

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

[2015-2234](#) 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 2016, by fixing the rate of interest on delinquent Home Rule Tax for the year 2016.

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

[2015-2235](#) Ordinance amending the Pittsburgh Code, 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 2016.

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

[2015-2236](#) 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, 2016

**SPONSORS: MS. RUDIAK**

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

[2015-2237](#) Resolution fixing the number of officers and employees of the City of Pittsburgh, and the rate of compensation thereof, and setting maximum levels for designated positions.

**SPONSORS: MS. RUDIAK**

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

[2015-2238](#) Resolution adopting and approving the 2016 Capital Budget and the 2016 Community Development Block Grant Program; and approving the 2016 through 2021 Capital Improvement Program.

**SPONSORS: MS. RUDIAK**

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

[2015-2239](#) Resolution authorizing City Council to approve intra-departmental transfers throughout the 2016 Fiscal Year

**SPONSORS: MS. RUDIAK**

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

[2015-2240](#) Resolution providing for the City of Pittsburgh to participate in or purchase of contracts for goods, materials, services, construction, vehicles or equipment entered into by the U.S. General Services Administration, the Commonwealth of Pennsylvania, any Commonwealth of Pennsylvania County, City, Township, Municipality, Borough, Authority, Public Procurement Unit and the Pittsburgh School District for the 2015 fiscal year pursuant to the Pennsylvania Intergovernmental Cooperation Law, Act 57 of 1998 and Act 180 of 1972 as amended by Act 148 of 1986.

**SPONSORS: MS. RUDIAK**

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

[2015-2241](#) Resolution amending and supplementing Resolution 273 of 2009, as amended, entitled "Resolution providing for an agreement between the City of Pittsburgh ("City") and the County of Allegheny ("County") for the continued assumption by the County of purchasing activities on behalf of the City which henceforth shall include service contracts (B contracts) and commodity purchases for the purchase of materials, general supplies, and equipment by the various Departments of the City of Pittsburgh for any or all Departments of the City of Pittsburgh; and providing for the payment of all costs thereof" so as to extend the authorization.

**SPONSORS: MS. RUDIAK**

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

**COUNCILWOMAN THERESA KAIL-SMITH PRESENTS:**

[2015-2242](#) Resolution authorizing the Mayor and the Directors of the Department of Parks and Recreation and the Department of Public Works to enter into a License and Project Agreement with United Way of Allegheny County, a Pennsylvania non-profit corporation, to renovate Stargell Field in Homewood Park.

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

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

[2015-2243](#) Resolution establishing the locations of certain property and accepting these locations as right-of-way for Wenzell Avenue in the 20th Ward, 2nd Council District of the City of Pittsburgh.

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

[2015-2244](#) An Ordinance amending Ordinance No. 41, effective 11-2-2015, entitled, "Ordinance amending the Pittsburgh Code, Title IV, Public Places and Property, Article VII, City Realty, by adding a new Chapter 454 entitled "Adopt-A-Lot Program" so as to add language in Section 452.03 (c) and add a new Section 452.04 entitled "City Council Approval."

**SPONSORS: MRS. KAIL-SMITH**

**Read and referred to the Committee on Land Use and Economic Development****F. UNFINISHED BUSINESS****G. REPORTS OF COMMITTEE - FINAL ACTION****COUNCILWOMAN NATALIA RUDIAK PRESENTS COMMITTEE ON FINANCE AND LAW**

[2015-2220](#) Report of the Committee on Finance and Law for November 10, 2015 with an Affirmative Recommendation.

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

[2015-2180](#) 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 B. A: 2506 Hallett, B: 1325 Sheffield

**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, Mrs. Harris, Mr. O'Connor, Mrs. Kail-Smith, and Mr. Kraus



**No:** 0

**Abstain:** 0

**Absent:** 2 - Mr. Lavelle, and Ms. Rudiak

[2015-2181](#) 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 B. A: 46 Mount Oliver, B: 841 Gearing

**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, Mrs. Harris, Mr. O'Connor, Mrs. Kail-Smith, and Mr. Kraus

**No:** 0

**Abstain:** 0

**Absent:** 2 - Mr. Lavelle, and Ms. Rudiak

[2015-2182](#) 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: 301 Montooth

**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, Mrs. Harris, Mr. O'Connor, Mrs. Kail-Smith, and Mr. Kraus

**No:** 0

**Abstain:** 0

**Absent:** 2 - Mr. Lavelle, and Ms. Rudiak

[2015-2183](#) Resolution providing for 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.  
ITEM A: Musgrave

**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, Mrs. Harris, Mr. O'Connor, Mrs. Kail-Smith, and Mr. Kraus

**No:** 0

**Abstain:** 0

**Absent:** 2 - Mr. Lavelle, and Ms. Rudiak

[2015-2184](#) 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 creating "2015 Beechview Community and Senior Center" to be funded by a \$500,000 transfer from Office of Management and Budget's Operating Budget.

**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, Mrs. Harris, Mr. O'Connor, Mrs. Kail-Smith, and Mr. Kraus

**No:** 0

**Abstain:** 0

**Absent:** 2 - Mr. Lavelle, and Ms. Rudiak

[2015-2187](#) Resolution amending Resolution number 768 of 2009, effective January 1, 2010, as amended, entitled "Adopting and approving the 2010 Capital Budget and the 2010 Community Development Block Grant Program; and approving the 2010 through 2014 Capital Improvement Program" so as to transfer \$25,000 from Hazelwood Imitative to Hazelwood Master Plan

**SPONSORS: MR. O'CONNOR**

**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, Mrs. Harris, Mr. O'Connor, Mrs. Kail-Smith, and Mr. Kraus

**No:** 0

**Abstain:** 0

**Absent:** 2 - Mr. Lavelle, and Ms. Rudiak

[2015-2189](#)

Resolution amending Resolution number 855 of 2011, effective January 1, 2010, as amended, entitled "Resolution adopting and approving the 2012 Capital Budget and the 2012 Community Development Block Grant Program; and approving the 2012 through 2017 Capital Improvement Program" so as to transfer \$65,000 to the Hazelwood Master Plan and \$15,000 to the Forbes and Murray Improvement Plan

**SPONSORS: MR. O'CONNOR**

**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, Mrs. Harris, Mr. O'Connor, Mrs. Kail-Smith, and Mr. Kraus

**No:** 0

**Abstain:** 0

**Absent:** 2 - Mr. Lavelle, and Ms. Rudiak

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

[2015-2221](#)

Report of the Committee on Public Works for November 10, 2015 with an Affirmative Recommendation.

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

[2015-2206](#) Resolution providing for an Agreement between the City of Pittsburgh and Ingram Borough in connection with the paving of West Prospect Avenue and providing for the payment of the costs thereof, by the Borough to the City, of the costs associated with the paving of the Borough's portion of West Prospect Avenue. The estimated cost of preparation and completion of work is Eighteen Thousand Seven Hundred Fifteen Dollars (\$18,715.00).

**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, Mrs. Harris, Mr. O'Connor, Mrs. Kail-Smith, and Mr. Kraus

**No:** 0

**Abstain:** 0

**Absent:** 2 - Mr. Lavelle, and Ms. Rudiak

[2015-2207](#) Resolution providing for an Agreement between the City of Pittsburgh and Mt. Oliver Borough in connection with the paving of Brownsville Road and providing for the payment of the costs thereof, by the Borough to the City, of the costs associated with the paving of the Borough's portion of Brownsville Road. The estimated cost of preparation and completion of work is Sixty Two Thousand Five Hundred Fifty Six Dollars (\$62,556.00).

**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, Mrs. Harris, Mr. O'Connor, Mrs. Kail-Smith, and Mr. Kraus

**No:** 0

**Abstain:** 0

**Absent:** 2 - Mr. Lavelle, and Ms. Rudiak

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

[2015-2222](#) Report of the Committee on Land Use and Economic Development for November 10, 2015 with an Affirmative Recommendation.

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

[2015-2188](#) Resolution authorizing the Department of City Planning to enter into a contract or contracts, agreement or agreements, lease or leases, professional service agreements or the use of existing contracts, leases or agreements, and other services, along with other approved expenditures and for the payment of supplies, equipment, materials, rentals, and other services for the Hazelwood Master Plan project using 2010 and 2012 Capital funds in an amount not to exceed \$90,000

**SPONSORS: MR. O'CONNOR**

**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, Mrs. Harris, Mr. O'Connor, Mrs. Kail-Smith, and Mr. Kraus

**No:** 0

**Abstain:** 0

**Absent:** 2 - Mr. Lavelle, and Ms. Rudiak

[2015-2190](#) Resolution authorizing the Department of City Planning to enter into a contract or contracts, agreement or agreements, or the use and expansion of existing contracts or agreements, along with other approved expenditures for the Forbes & Murray Improvement Plan using 2012 Capital funds in an amount not to exceed \$15,000

**SPONSORS: MR. O'CONNOR**

**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, Mrs. Harris, Mr. O'Connor, Mrs. Kail-Smith, and Mr. Kraus

**No:** 0

**Abstain:** 0

**Absent:** 2 - Mr. Lavelle, and Ms. Rudiak

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

[2015-2223](#) Report of the Committee on Performance and Asset Management for November 10, 2015 with an Affirmative Recommendation.

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

[2015-2178](#) Resolution authorizing the Mayor and Chief & Director of Innovation & Performance to enter into a Fellowship Participation Agreement with the SCA of Pittsburgh not to exceed \$13,000 per year.

**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, Mrs. Harris, Mr. O'Connor, Mrs. Kail-Smith, and Mr. Kraus

**No:** 0

**Abstain:** 0

**Absent:** 2 - Mr. Lavelle, and Ms. Rudiak

## **I. MOTIONS AND RESOLUTIONS**

### **K. EXCUSE ABSENT MEMBERS - MR. LAVELLE & MS. RUDIAK**

### **L. APPROVAL OF MINUTES**

### **M. ADJOURNMENT**

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