

City of Pittsburgh

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



Meeting Minutes - Final

Tuesday, April 19, 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

A. ROLL CALL

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

Absent 1 - Ms. Rudiak

B. PLEDGE OF ALLEGIANCE**C. PROCLAMATIONS**

[2016-0320](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby applaud Rabbis Jamie Gibson and Karen Gorban, Cantor Laura Berman, Executive Director Deborah Fidel, the rest of Temple Sinai's staff, the board of directors, and the entire congregation for their commitment to the ideals of Reform Judaism, social justice, and lifelong learning and for seventy years of success; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare April 19th, 2016 to be "**Temple Sinai Seventieth Anniversary Day**" in the City of Pittsburgh.

SPONSORS: MR. GILMAN AND ALL MEMBERS

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

[2016-0321](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize Christina French and the Table Magazine team for a decade of success and for promoting Pittsburgh's culinary scene to the rest of the country and to the world, and;

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare April 19th, 2016 to be "**Table Magazine Tenth Anniversary Day**" in the City of Pittsburgh.

SPONSORS: MR. GILMAN AND ALL MEMBERS

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

[2016-0322](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend and congratulate **Harold Hayes** for a distinguished career in broadcast journalism, 37 of those with KDKA, for being recognized by his colleagues as the consummate journalist and wishes Harold Hayes health, happiness and safe travels on the occasion of his retirement; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Tuesday, April 19, 2016, to be "**HAROLD HAYES 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.

[2016-0323](#)

NOW THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize and honor Allegheny General Hospital, its Auxiliary organization, the Northside Leadership Conference, and our students and teachers, for their commitment to educating local youth and making their lives safer through the **Stranger Awareness** program; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare the month of May 2016, to be "**Stranger Awareness Month**" in the City of Pittsburgh.

SPONSORS: MRS. HARRIS AND ALL MEMBERS

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

[2016-0324](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh encourages all agencies, institutions, and individuals, public and private, to abide by the letter and spirit of Title VIII of the Civil Rights Act in pursuit of expanding housing opportunities for all; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare the month of **April 2016**, to be "**Fair Housing Month**" in the City of Pittsburgh.

SPONSORS: MRS. HARRIS AND ALL MEMBERS

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

[2016-0325](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend the Daniel Family for their dedication and love for the City of Pittsburgh; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Tuesday, April 19, 2016, to be “***The Daniel Family 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.

[2016-0326](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend the ***Lincoln Avenue Church of God*** for its long and distinctive service to the community; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Sunday, April 24, 2016 to be “***Lincoln Avenue Church of God Day***” in the City of Pittsburgh.

SPONSORS: REV. BURGESS AND ALL MEMBERS

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

[2016-0327](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize the Congress of Neighboring Communities (CONNECT) for its commitment to promoting inter-municipal cooperation and to creating a more livable region, and;

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare April 21, 2016 to be “***CONNECT Seventh Congress Day***” in the City of Pittsburgh.

SPONSORS: MR. GILMAN AND ALL MEMBERS

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

[2016-0328](#)

NOW THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh honors Mrs. Irene Smaglo's 100 years of life, wisdom, and accomplishments, and;

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare April 19, 2016 to be "**Irene Smaglo Day**" in the City of Pittsburgh.

SPONSORS: MS. RUDIAK AND ALL MEMBERS

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

[2016-0329](#)

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby request the Secretary of the Department of Community and Economic Development to conduct a rescission hearing to determine if the conditions which led to the City's distressed determination have been alleviated.

SPONSORS: MRS. HARRIS

A motion was made by Councilwoman Harris that this be approved. Due to a lack of a second on the motion, the motion failed.

D. PUBLIC COMMENTS

E. PRESENTATION OF PAPERS

COUNCILWOMAN THERESA KAIL-SMITH FOR COUNCILWOMAN NATALIA RUDIAK PRESENTS:

[2016-0311](#)

Resolution providing for the issuance of a warrant in the total sum of Two Thousand Two Hundred Seventy-Seven Dollars and Ten Cents (\$2,277.10) in favor of Michael E. Zobrak, Labor Arbitrator, 1217 Pleasant Street, Aliquippa, PA 15001-9425 for arbitration services, charging same to 11101.53.53513.108000.2016, Item number 522700.

Read and referred to the Committee on Finance and Law

[2016-0312](#)

Resolution authorizing the issuance of a warrant in the sum of Thirteen Thousand Five Hundred Dollars and 00/100 (\$13,500.00), in favor of Bart Maverick Yagla, c/o Ira M. Karoll, Jones Day, 500 Grant Street, Suite 4500, 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-00181.

Read and referred to the Committee on Finance and Law

[2016-0313](#) 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: 3627 & 3629 Mexico

Read and referred to the Committee on Finance and Law

[2016-0314](#) 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 I: A: 135 & 133 Moultrie, B: 143 Moultrie, C: 3416 Webster, D: 5304 Hillcrest, E: 123 Finley, F: 6816 Fifth, G: 417 East Carson H: 960 & 926 E Warrington, I: 2911 Merwyn, J: 1312 Warner, K: 2039 Straubs, L: 1129 Voskamp

Read and referred to the Committee on Finance and Law

[2016-0315](#) 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 G: A: 701 & 712 Webster, B: 341 Flowers, C: 83 & 87 Westwood, D: 1231 Troy Hill, E: 2024 Straubs, F: 1535 Garfield, G: 1506 & 1509 Nobles

Read and referred to the Committee on Finance and Law

COUNCILMAN BRUCE A. KRAUS PRESENTS:

[2016-0316](#) Resolution authorizing the appointment of Wasiullah Mohamed, 221 North Dithridge Street, Pittsburgh, PA 15213, as a member of the Human Relations Commission effective May 1, 2016 for a term to expire April 30, 2020.

Referred for Interview to the Committee on Hearings

[2016-0317](#) Resolution authorizing the appointment of Gabriel McMorland, 534 Aspen Street, Pittsburgh, PA 15224, as a member of the Human Relations Commission effective May 1, 2016 for a term to expire April 30, 2020.

Referred for Interview to the Committee on Hearings

[2016-0318](#) Resolution authorizing the appointment of Rabbi Sharyn Henry, 6408 Bartlett Street, Pittsburgh, PA 15217, as a member of the Human Relations Commission effective May 1, 2016 for a term to expire April 30, 2020.

Referred for Interview to the Committee on Hearings

[2016-0319](#) Resolution authorizing the appointment of Robert Samuel, 743 Chautauqua Court, Pittsburgh, PA 15214, as a member of the Human Relations Commission effective May 1, 2016 for a term to expire April 30, 2020.

Referred for Interview to the Committee on Hearings

F. UNFINISHED BUSINESS

G. REPORTS OF COMMITTEE - FINAL ACTION

**COUNCILWOMAN THERESA KAIL-SMITH FOR COUNCILWOMAN
NATALIA RUDIAK PRESENTS COMMITTEE ON FINANCE AND LAW**

[2016-0307](#) Report of the Committee on Finance and Law for April 13, 2016 with an Affirmative Recommendation.

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

[2016-0255](#) Resolution authorizing the Mayor to execute relevant agreements to receive grant funding to support the U.S. Department of Transportation Federal Highway Administration "Beyond Traffic: The Smart City Challenge" Phase 1 Award and further providing for an agreement and expenditures not to exceed ONE HUNDRED THOUSAND (\$100,000.00) dollars for this stated purpose. This concept development grant is on a 7 stage milestone payment plan.

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

Aye: 6 - Rev. Burgess, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, and Mrs. Kail-Smith

No: 0

Abstain: 1 - Ms. Gross

Out of Room: 1 - Mr. Gilman

Absent: 1 - Ms. Rudiak

[2016-0279](#) Resolution amending Resolution 816, effective January 2, 2014, entitled, "Resolution amending Resolution No. 628/2008 by providing for the continued designation of an Oakland Business Improvement District" so as to include a list of block and lot numbers attached as Exhibit "B" to coincide with Exhibit "A" the official OBID Map.

SPONSORS: MR. KRAUS

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

Aye: 7 - Rev. Burgess, Ms. Gross, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, and Mrs. Kail-Smith

No: 0

Abstain: 0

Out of Room: 1 - Mr. Gilman

Absent: 1 - Ms. Rudiak

COUNCILWOMAN THERESA KAIL-SMITH PRESENTS COMMITTEE ON PUBLIC WORKS

[2016-0308](#) Report of the Committee on Public Works for April 13, 2016 with an Affirmative Recommendation.

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

[2016-0270](#) 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 the South Side Slopes Neighborhood Association, to renovate the Bandi Shaum Community Garden entrance to the Southside Park Trail.

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

Aye: 7 - Rev. Burgess, Ms. Gross, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, and Mrs. Kail-Smith

No: 0

Abstain: 0

Out of Room: 1 - Mr. Gilman

Absent: 1 - Ms. Rudiak

[2016-0294](#) Resolution vacating a portion of Chesney Way at Centre Avenue southerly in the 4th Ward. 8th 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: 7 - Rev. Burgess, Ms. Gross, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, and Mrs. Kail-Smith

No: 0

Abstain: 0

Out of Room: 1 - Mr. Gilman

Absent: 1 - Ms. Rudiak

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

[2016-0290](#) Report of the Committee on Land Use and Economic Development for April 13, 2016 with an Affirmative Recommendation.

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

[2016-0033](#) Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article I, Section 902.03 Zoning Map, by changing a certain property known as 5600 Penn Ave, block number 83-N, lot 125 in the Allegheny County Block and Lot System from RP, Residential Planned Unit Development, to AP, Mixed Use Planned Unit Development, and changing a certain property known as Enright Parklet, block number 84-A, lot 176 in the Allegheny County Block and Lot System from R3-M, Residential Three-unit, Moderate Density, to AP, Mixed Use Planned Unit Development. **Specific Conditions for approval of this zone change are attached to the Ordinance as Exhibit A.**

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

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

Aye: 7 - Rev. Burgess, Ms. Gross, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, and Mrs. Kail-Smith

No: 0

Abstain: 0

Out of Room: 1 - Mr. Gilman

Absent: 1 - Ms. Rudiak

[2016-0309](#) Report of the Committee on Land Use and Economic Development for April 13, 2016 with an Affirmative Recommendation.

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

[2016-0268](#) Resolution to authorize the Mayor and the Director of the Department of City Planning to enter into a ten-year Memorandum of Understanding with the Heinz History Center for the digitization and publication of select historic records.

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

Aye: 7 - Rev. Burgess, Ms. Gross, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, and Mrs. Kail-Smith

No: 0

Abstain: 0

Out of Room: 1 - Mr. Gilman

Absent: 1 - Ms. Rudiak

[2016-0271](#) Resolution amending Resolution No. 193, effective March 23, 2016, entitled: providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 2010 Community Development Block Grant Program; providing for the execution of grant contracts and for the filing of other data providing for required assurances; providing for execution of payment vouchers on letter of credit and for certification of authorized signature; the deposit of the funds in a bank account and providing for the payment of expenses within categories, so as to transfer funds within City Council from: "District 1 Equipment" (-\$5,000.00); and transfer these funds to "City of Asylum" (+\$5,000.00).

SPONSORS: MRS. HARRIS

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

Aye: 7 - Rev. Burgess, Ms. Gross, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, and Mrs. Kail-Smith

No: 0

Abstain: 0

Out of Room: 1 - Mr. Gilman

Absent: 1 - Ms. Rudiak

[2016-0272](#)

Resolution amending Resolution 194, effective March 23, 2016, entitled: Resolution providing for an Agreement or Agreements with various community organizations for operational/administrative expenses, maintenance, purchase of equipment; and/or rehabilitation of neighborhood facilities; and for administrative/operational costs, maintenance, purchase of equipment, and/or rehabilitation of neighborhood facilities of various departmental programs/projects for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$918,650.00; so as to transfer funds in City Council from: "District 1 Equipment" (-\$5,000.00); and transfer these funds to "City of Asylum" (+\$5,000.00).

SPONSORS: MRS. HARRIS

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

Aye: 7 - Rev. Burgess, Ms. Gross, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, and Mrs. Kail-Smith

No: 0

Abstain: 0

Out of Room: 1 - Mr. Gilman

Absent: 1 - Ms. Rudiak

[2016-0275](#) Resolution amending Resolution 202, effective March 23, 2016, Resolution providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 2014 Community Development Block Grant Program; providing for the execution of grant contracts and for the filing of other data providing for required assurances; providing for execution of payment vouchers on letter of credit and for certification of authorized signature; the deposit of the funds in a bank account and providing for the payment of expenses within categories, so as to reprogram funds within City Council from: "Northside Leadership Conference-Northside Senior Program" (-\$5,000.00); and transfer these funds to "Northside Leadership Conference-West Commons Tenant Council" (+\$5,000.00).

SPONSORS: MRS. HARRIS

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

Aye: 7 - Rev. Burgess, Ms. Gross, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, and Mrs. Kail-Smith

No: 0

Abstain: 0

Out of Room: 1 - Mr. Gilman

Absent: 1 - Ms. Rudiak

[2016-0276](#) Resolution amending Resolution No. 201, effective March 23, 2016, entitled: Resolution providing for an Agreement or Agreements with various community organizations for operational/administrative expenses, maintenance, purchase of equipment; and/or rehabilitation of neighborhood facilities; and for administrative/operational costs, maintenance, purchase of equipment, and/or rehabilitation of neighborhood facilities of various departmental programs/projects for the benefit of the residents of the City of Pittsburgh, at a cost not to exceed \$940,000.00; so as to reprogram funds within City Council from: "Northside Leadership Conference - Northside Senior Program" (-\$5,000.00); and transfer these funds to "Northside Leadership Conference - West Commons Tenant Council" (+\$5,000.00).

SPONSORS: MRS. HARRIS

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

Aye: 7 - Rev. Burgess, Ms. Gross, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, and Mrs. Kail-Smith

No: 0

Abstain: 0

Out of Room: 1 - Mr. Gilman

Absent: 1 - Ms. Rudiak

[2016-0277](#)

Resolution amending Resolution No. 195, effective March 23, 2016, entitled: providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 2011 Community Development Block Grant Program; providing for the execution of grant contracts and for the filing of other data providing for required assurances; providing for execution of payment vouchers on letter of credit and for certification of authorized signature; the deposit of the funds in a bank account and providing for the payment of expenses within categories, so as to reprogram funds within City Council from: "Isaiah Project" (-\$1,062.46); and transfer these funds to "Pittsburgh Community Reinvestment Group" (+\$1,062.46).

SPONSORS: MR. KRAUS

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

Aye: 7 - Rev. Burgess, Ms. Gross, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, and Mrs. Kail-Smith

No: 0

Abstain: 0

Out of Room: 1 - Mr. Gilman

Absent: 1 - Ms. Rudiak

[2016-0278](#) Resolution amending Resolution No. 196, effective March 23, 2016, entitled: Resolution providing for an Agreement or Agreements with various community organizations for operational/administrative expenses, maintenance, purchase of equipment; and/or rehabilitation of neighborhood facilities; and for administrative/operational costs, maintenance, purchase of equipment, and/or rehabilitation of neighborhood facilities of various departmental programs/projects for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$1,357,500.00; so as to reprogram funds in City Council from: "Isaiah Project" (-\$1,062.46); and transfer these funds to "Pittsburgh Community Reinvestment Group" (+\$1,062.46).

SPONSORS: MR. KRAUS

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

Aye: 7 - Rev. Burgess, Ms. Gross, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, and Mrs. Kail-Smith

No: 0

Abstain: 0

Out of Room: 1 - Mr. Gilman

Absent: 1 - Ms. Rudiak

I. MOTIONS AND RESOLUTIONS

K. EXCUSE ABSENT MEMBERS - MS. RUDIAK

L. APPROVAL OF MINUTES

M. ADJOURNMENT

P LEGISLATION PRESENTED BY SIGN LANGUAGE INTERPRETER