

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, September 16, 2014

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

Bill No. [2014-0792](#) BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Tuesday, September 16, 2014, to be "NATIONAL POW/MIA RECOGNITION DAY" in the City of Pittsburgh.
SPONSOR(S): COREY O'CONNOR

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

Bill No. [2014-0793](#) BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby proclaim September 29, 2014, as "Coaches vs. Cancer Day" in the City of Pittsburgh.
SPONSOR(S): DAN GILMAN

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

Bill No. [2014-0794](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby declare September 16, 2014 to be "MacLachlan, Cornelius & Filoni Day" in the City of Pittsburgh.
SPONSOR(S): R. DANIEL LAVELLE

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

Bill No. [2014-0795](#) BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Tuesday, September 16, 2014, to be "Women In Bio Day" in the City of Pittsburgh.
SPONSOR(S): REVEREND RICKY V. BURGESS

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

Bill No. [2014-0796](#) BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Tuesday, September 16, 2014, to be "Aaron Lickel Day" in the City of Pittsburgh.
SPONSOR(S): THERESA KAIL-SMITH

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

Bill No. [2014-0797](#) BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Tuesday, September 16, 2014, to be "H.O.P.E. For Tomorrow Day" in the City of Pittsburgh.
SPONSOR(S): THERESA KAIL-SMITH

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

Bill No. BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby
[2014-0798](#) declare Tuesday, September 16, 2014, to be "PROPEL HAZELWOOD DAY" in the
City of Pittsburgh.

SPONSOR(S): COREY O'CONNOR

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

Bill No. BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby
[2014-0799](#) declare Friday, September 19, 2014, to be "Bob Ford Day" in the City of Pittsburgh.

SPONSOR(S): COREY O'CONNOR

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. Resolution providing for a Supplemental Contract for consulting services in
[2014-0786](#) connection with Civil Service and MPOETC required assessment and evaluation of
Public Safety candidates, and providing for payment of the cost thereof not to exceed
\$18,900.00.

Read and referred to Committee on Human Resources

Bill No. Resolution amending Resolution 25 of 2014 providing that the City of Pittsburgh enter
[2014-0787](#) into a Professional Services Agreement(s) and/or Contract(s) with UPMC Benefits
Management Services, Inc. D/B/A Work Partners for the purpose of ensuring that
on-going medical care and case management is provided to City of Pittsburgh
employees who require treatment for service related injuries and/or illness pursuant to
the Pennsylvania Workers' Compensation Act toward a goal of returning employees to
work as soon as they are medically able to return and providing for the payment of the
cost thereof not to exceed \$4,572,036.00.

Read and referred to Committee on Human Resources

COUNCILMAN R. DANIEL LAVELLE PRESENTS:

Bill No. Resolution authorizing the Mayor to enter into a grant agreement with the
[2014-0781](#) Pennsylvania Emergency Management Agency (PEMA), to receive a FY 2013 Fire
Company and Volunteer Ambulance Grant in the amount of \$13,619.31 and further
providing for an agreement or agreements for computer training equipment for the
Bureau of Fire.

Read and referred to Committee on Public Safety Services

Bill No. Resolution authorizing the Mayor to enter into a grant agreement with the Federal
[2014-0782](#) Emergency Management Agency (FEMA), Department of Homeland Security, to
receive a FY 2013 Assistance to Firefighters Grant and further providing for an
agreement or agreements for Fire Officer II training for Bureau personnel, total cost

not to exceed \$571,000.

Read and referred to Committee on Public Safety Services

COUNCILMAN COREY O'CONNOR PRESENTS:

Bill No. Resolution authorizing the Department of Parks and Recreation to enter into a contract
[2014-0788](#) or contracts, agreement or agreements, or the use of existing contracts or agreements and other approved expenditures for the maintenance of City swimming pools in in the Department of Parks and Recreation in an amount not to exceed One Thousand Dollars (\$100,000.00).

Read and referred to Committee on Urban Recreation

Bill No. Resolution authorizing the Department of Parks and Recreation to enter into a contract
[2014-0789](#) or contracts, agreement or agreements, or the use of existing contracts or agreements and other approved expenditures for the construction of Splash Zones, aquatic playground facilities in an amount not to exceed One Hundred Thousand Dollars (\$100,000.00).

Read and referred to Committee on Urban Recreation

Bill No. Resolution authorizing the Department of Parks and Recreation to enter into a contract
[2014-0790](#) 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 refinishing of gymnasium floors in an amount not to exceed One Hundred Thousand Dollars (\$100,000.00).

Read and referred to Committee on Urban Recreation

Bill No. Resolution authorizing the Department of Parks and Recreation to enter into a contract
[2014-0791](#) or contracts, agreement or agreements, or the use of existing contracts or agreements and other approved expenditures for the maintenance and enhancement of City recreation and senior centers in an amount not to exceed Three Hundred Thousand Dollars (\$300,000.00).

Read and referred to Committee on Urban Recreation

COUNCILWOMAN NATALIA RUDIAK PRESENTS:

Bill No. Resolution authorizing the Mayor to enter into a Memorandum of Understanding with
[2014-0773](#) the National League of Cities to accept grant funding in the amount of \$200,000 and to enter into a Project Implementation Agreement or Agreements with Allies for Children and the Consumer Health Coalition for the purpose of implementing the Healthy Together initiative.

Read and referred to Committee on Finance and Law

Bill No. Resolution providing for the filing of petitions for the sale of certain properties,
[2014-0774](#) 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 W: A: 2010 Forbes, B: 2038 Watson, C: 3379 Monroe, D: 3018 Bigelow, E: 1208 W. North, F: 4786 Aloe, G: 5227 Rosetta, H: 5224 Rosetta, I: 1320 Oakdene, J: 6546

Frankstown, K: 6637 Lyric, 6639 Lyric, & 6641 Lyric L: 7111 Jonathan, M: 34 Hackstown, & 135 St. Joseph N: 1409 Virginia, 1411 Virginia, 1413 Virginia O: 420 Belonda, P: 214 Kramer, Q: 1401 Island Ave (PART) R: 908 Vista, 906 Vista, 880 Vista, S: 846 Phineas, T: 10 Heckleman, U: 1927 N. Charles, 1929 N. Charles, 1931 N. Charles, V: 113 Lafayette, 115 Lafayette, 117 Lafayette, 119 Lafayette, W: 2204 Perrysville, 2202 Perrysville, 2200 Perrysville, 111 Lafayette.

Read and referred to Committee on Finance and Law

Bill No.

[2014-0775](#)

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 J. A: 2034 Forbes, B: 831 Inwood, 829 Inwood, C: 1606 Alverado, D: 711 Rossmore, E: 3046 Glenmawr, F: 841 Concord, G: 622 Suismon, H: 2108 Straubs, I: 1517 Boyle, J: 2045 Lucina Avenue (PART) and 2044 Park Blvd. (PART)

Read and referred to Committee on Finance and Law

Bill No.

[2014-0776](#)

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 through F: A: 38th Street, B: 4760 Aloe (PART) C: 4760 Aloe (PART), D: 4760 Aloe (PART), E: 1021 Elkton, F: 1035 Yetta

Read and referred to Committee on Finance and Law

Bill No.

[2014-0777](#)

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: 6522 Llewellyn Pl.

Read and referred to Committee on Finance and Law

Bill No.

[2014-0778](#)

Resolution authorizing the Mayor and the Director of the Department of Finance to enter into a Fellowship Participation Agreement with Code for America Labs, Inc.

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

Read and referred to Committee on Finance and Law

Bill No.

[2014-0779](#)

Resolution authorizing the issuance of a warrant in the total sum of \$5,439.68 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.

Read and referred to Committee on Finance and Law

Bill No.

[2014-0780](#)

Resolution authorizing the issuance of a warrant in the total sum of One Hundred Ten Thousand Dollars and 00/100 (\$110,000.00), in favor of Richard and Sandra Conlon, c/o Joseph Froestschel, Esquire, Gismondi & Associates, 310 Grant Street, Suite 700, Pittsburgh, PA 15219, releasing and discharging the City of Pittsburgh from direct

liability in any and all claims in the Court of Common Pleas of Allegheny County, Pennsylvania filed at GD 12-013808, and arising from a vehicular accident that occurred on Noblestown Road at Weaver Street on December 19, 2010 , and described more fully in plaintiff's complaint in civil action.

Read and referred to Committee on Finance and Law

COUNCILWOMAN THERESA KAIL-SMITH PRESENTS:

Bill No. [2014-0783](#) Resolution granting unto Marco and Anthony Pompeo, dba Cassique Properties, L.P., 2201 Main Street, Pittsburgh PA 15215, their successor and assign, the privilege and license to construct, maintain and use at their own cost and expense, a canopy over the right-of-way of Lovitt Way, for 930 Madison Avenue in the 23rd Ward, 1st Council District of the City of Pittsburgh.

Withdrawn from the agenda by Public Works Chairperson Theresa Kail-Smith

Withdrawn

Bill No. [2014-0784](#) Resolution granting unto Primanti Brothers, 79 S. 23rd Street, Pittsburgh, PA 15203, their successor and assign, the privilege and license to construct, maintain and use at their own cost and expense, a canopy over the sidewalk at 2 Market Place in the 1st Ward, 6 Council District of the City of Pittsburgh.

Read and referred to Committee on Public Works

Bill No. [2014-0785](#) Resolution granting unto The University of Pittsburgh 3400 Forbes Avenue, Pittsburgh, PA 15260, their successor and assign, the privilege and license to construct, maintain and use at their own cost and expense, an extension of insulated chilled water lines to serve Bellefield Hall in the 4th Ward, 8 Council District of the City of Pittsburgh.

Read and referred to Committee on Public Works

UNFINISHED BUSINESS

APPOINTMENT REQUIRING VOTE:

Bill No. [2014-0695](#) Resolution submitting the names of Harold Weisenfeld, Bethany Blackburn and Amesh A Adalja as members of the HIV/AIDS Commission.

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

REPORTS OF COMMITTEE - FINAL ACTION

COUNCILWOMAN NATALIA RUDIAK PRESENTS COMMITTEE ON FINANCE AND LAW

Bill No. [2014-0770](#) Report of the Committee on Finance and Law for September 10, 2014 with an Affirmative Recommendation.

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

Bill No. [2014-0720](#) Resolution further amending Resolution No. 932, effective January 1, 2000, as amended, entitled "Adopting and approving the 2000 Capital Budget and the 2000 Community Development Block Grant Program; and approving the 2000 through 2005 Capital Improvement Program," by reducing 2nd Ave Bridge over 9 Mile Run by \$7,000 to close the project.

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

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

Bill No. [2014-0721](#) Resolution further amending Resolution No. 833, effective January 1, 2002, as amended, entitled "Adopting and approving the 2002 Capital Budget and the 2002 Community Development Block Grant Program; and approving the 2002 through 2007 Capital Improvement Program," by reducing East Liberty -Penn Circle by \$171,105.47 and Lower Saw Mill Run by \$150,000 to close the projects.

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

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

Bill No. [2014-0722](#) Resolution further amending Resolution No. 948, effective January 1, 2004, as amended, entitled "Adopting and approving the 2004 Capital Budget and the 2004 Community Development Block Grant Program; and approving the 2004 through 2009 Capital Improvement Program," by reducing East Liberty -Penn Circle by \$1,440,000.00 to close the project.

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

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

Bill No. [2014-0724](#) Resolution further amending Resolution No. 759, effective January 1, 2007, as amended, entitled "Adopting and approving the 2007 Capital Budget and the 2007 Community Development Block Grant Program; and approving the 2007 through 2012 Capital Improvement Program," by reducing Browns Hill Road by \$22,531.20, Guaranteed Energy Savings Prog by \$328,455.85, and Mcardle Viaduct #1

Construction by \$90.00 to close the projects.

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

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

Bill No.

[2014-0725](#)

Resolution further amending Resolution No. 704, effective January 1, 2008, as amended, entitled "Adopting and approving the 2008 Capital Budget and the 2008 Community Development Block Grant Program; and approving the 2008 through 2013 Capital Improvement Program," by reducing East Liberty -Penn Circle by \$666,696.00 close the project.

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

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

Bill No.

[2014-0726](#)

Resolution further amending Resolution No. 675, effective January 1, 2009, as amended, entitled "Adopting and approving the 2009 Capital Budget and the 2009 Community Development Block Grant Program; and approving the 2009 through 2014 Capital Improvement Program," by reducing Mcardle Viaduct #1 Construction by \$2,669.40 and Zone 3 Police Station Relocation by \$0.73 close the projects.

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

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

Bill No.

[2014-0727](#)

Resolution further amending Resolution No. 768, 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," by reducing Bates Street/Second Avenue Intersection by \$412,952.87, Beechwood BLVD by \$5,828.03, Bates Street/Second Avenue Intersection by \$36,607.77, Bates Street/Second Ave by \$120,712, South Side Dog Park by \$1,366.66, and Schenley Park Golf Course by \$159,975.80 to close the projects.

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

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

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

Bill No. Report of the Committee on Land Use and Economic Development for September 10, 2014 with an Affirmative Recommendation.
[2014-0771](#)

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

Bill No. Ordinance amending the Pittsburgh Code, Title Nine, Zoning Code, Article III, Section 906.02 to provide an updated Flood Plain Overlay consistent with Federal and State regulations.
[2014-0689](#)

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

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

COUNCILMAN DAN GILMAN PRESENTS COMMITTEE ON INTERGOVERNMENTAL AFFAIRS

Bill No. Report of the Committee on Intergovernmental Affairs for September 10, 2014 with an Affirmative Recommendation.
[2014-0772](#)

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

Bill No. Resolution adopting Plan Revision to the City of Pittsburgh's Official Sewage Facilities Plan for the Liberty Avenue Carwash, 4052 Liberty Avenue, Pittsburgh, Pennsylvania 15224.
[2014-0510](#)

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

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

Bill No.

[2014-0739](#)

Resolution adopting Plan Revision to the City of Pittsburgh's Official Sewage Facilities Plan for Heinz Field South Plaza project, Heinz Field, 100 Art Rooney Avenue, Pittsburgh, PA 15212.

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

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

MOTIONS AND RESOLUTIONS

Bill No.

[2014-0800](#)

NOW THEREFOR BE IT RESOLVED, that the City of Pittsburgh respectfully requests that the Pennsylvania Department of Environmental Protection work with U.S. Environmental Protection Agency officials to develop a plan that reduces carbon pollution from Pennsylvania's power plans in order to exceed the Clean Power Plan target, and maximize the potential for renewable energy and energy efficiency.

SPONSOR(S): DAN GILMAN

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

EXCUSE ABSENT MEMBERS - NONE

APPROVAL OF MINUTES

ADJOURNMENT

LEGISLATION PRESENTED BY SIGN LANGUAGE INTERPRETER