

# **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, December 11, 2012**

**10:00 AM**

**Council Chambers**

**City Council**

**ONE-HUNDRED  
THIRTY-SEVENTH COUNCIL**

**Darlene M. Harris, President**

**Council Members: Rev. Ricky V. Burgess, Patrick Dowd, Bruce A. Kraus, R. Daniel Lavelle,  
Corey O'Connor, William Peduto, Natalia Rudiak, Theresa Kail-Smith**

**Linda M. Johnson-Wasler, City Clerk  
Mary Beth Doheny, Deputy City Clerk**

## ROLL CALL

Present: 9 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith

## PLEDGE OF ALLEGIANCE

## PROCLAMATIONS

Bill No.

[2012-1017](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend Christopher's Guests for helping to meet the financial, personal and emotional needs of families with sick loved ones while staying in a city that they are not familiar with; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Tuesday, December 11, 2012, to be "Christopher's Guests Day" in the City of Pittsburgh.

**SPONSOR(S): THERESA SMITH AND ALL MEMBERS**

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

Bill No.

[2012-1018](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize Cameron Jibril Thomaz aka Wiz Khalifa for his artistic contributions and for being an ambassador for Pittsburgh around the world; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare December 12, 2012 to be "Wiz Khalifa Day" in the City of Pittsburgh.

**SPONSOR(S): WILLIAM PEDUTO AND ALL MEMBERS**

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

Bill No.

[2012-1019](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize J'Burgh's essential work in the Pittsburgh Community through its support and encouragement of our City's youth; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare December 4, 2012 to be "J'Burgh Day" in the City of Pittsburgh.

**SPONSOR(S): WILLIAM PEDUTO AND ALL MEMBERS**

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

Bill No.

[2012-1020](#)

NOW, THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does hereby recognize and congratulate the OHIO CLASSICS Baseball Team for winning the 65's National Championship and for bringing honor to our area, adding to the rich athletic history of Western Pennsylvania and Eastern Ohio and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Tuesday, December 11, 2012, to be "OHIO CLASSICS DAY" in the City of Pittsburgh.

**SPONSOR(S): COREY O'CONNOR AND ALL MEMBERS**

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

Bill No.

[2012-1021](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend all of those who gave their time and expertise to the residents of the City of Pittsburgh and to the residents for being willing to learn about the valuable work that the Pittsburgh Bureau of Police provide to this city; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Tuesday, December 11, 2012, to be "Citizen's Police Academy Class 12-02 Day" in the City of Pittsburgh.

**SPONSOR(S): THERESA SMITH AND ALL MEMBERS**

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

## **PUBLIC COMMENTS**

## **PRESENTATION OF PAPERS**

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

Bill No.

[2012-1014](#)

Resolution authorizing the issuance of a warrant in favor of Global Recovery Services, P.O. Box 105795, Atlanta, GA 30348-9864, in an amount not to exceed Forty-Seven Thousand, Five Hundred Ninety-Eight Dollars and Sixty-Four cents (\$47,598.64), said amount representing payment for deductible amounts due pursuant to policy of insurance covering the G-20 related claims presented; claims No. 683- 328469 and No. 683-327698.

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

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

Bill No.

[2012-1015](#)

Ordinance supplementing the Pittsburgh Code of Ordinances, Title One: Administrative, Article VII: Procedures, Chapter 161: Contracts, by adding a new subsection at §161.16.

**SPONSOR(S): REVEREND RICKY V. BURGESS AND BRUCE A. KRAUS**

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

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

### **COUNCILMAN BRUCE A. KRAUS PRESENTS:**

Bill No.

[2012-1007](#)

Resolution providing for the issuance of a warrant in favor of Highway Equipment Co., in the amount of \$25,000.00, for the emergency rental of a Track Hoe for the removal of loose hazardous dirt and debris on Noblestown Road, and providing for the payment thereof.

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

Bill No. Resolution providing for the issuance of a warrant in favor of Graciano Corporation, in the amount of \$400,000.00, for emergency work for the protection of pedestrians and vehicles at the perimeter of the City County Building and providing for temporary repairs to the parapet and cornice, and providing for the payment thereof.

[2012-1008](#)

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

**COUNCILMAN R. DANIEL LAVELLE PRESENTS:**

Bill No. Resolution amending Resolution No. 801 approved November 21, 2011, providing for the implementation of a Residential Parking Permit Program (RPPP) Area "BB", in the Bloomfield/Friendship area (Council District #8 and #9) to expand the district to include additional streets pursuant to Pittsburgh Code Chapter 549.

[2012-1013](#)

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

**COUNCILMAN WILLIAM PEDUTO PRESENTS:**

Bill No. Resolution providing that the City of Pittsburgh enter into a Professional Services Agreement(s) and/or Contracts with O'Brien, Rulis and Bochicchio, for the purpose of providing professional legal services in connection with the defense of certain workers' compensation matters and claims brought against the City under the Workers' Compensation Act; and providing for payment of the cost thereof not to exceed \$1,200,000.00.

[2012-1009](#)

**Read and referred to Human Resources Committee**

Bill No. Resolution providing that the City of Pittsburgh enter into a Professional Services Agreement(s) and/or Contracts with consultants and/or service providers for professional services in 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 \$50,490.00.

[2012-1010](#)

**Read and referred to Human Resources Committee**

Bill No. Resolution providing for Professional Services Agreement(s) and/or Contract(s) with CERIDIAN Corporation for the purpose of on-going payroll processing services, payroll tax filing services, application outsourcing services and related support services. Cost not to exceed Three Hundred Fifty Thousand Dollars (\$350,000.00).

[2012-1011](#)

**Read and referred to Human Resources Committee**

Bill No. Resolution providing that the City of Pittsburgh enter 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 \$1,859,650.00.

[2012-1012](#)

**Read and referred to Human Resources Committee**

**PRESIDENT DARLENE HARRIS PRESENTS:**

Bill No. Resolution submitting the names of Maurice T. Dickey and Karen McLellan for consideration by the Mayor for an appointment to fill the City Council law enforcement professional vacancy on the Citizens Police Review Board, in accordance with the Pittsburgh City Code, Title Six, Conduct, Article VI, Citizen Police Review Board.

[2012-1016](#)

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

**UNFINISHED BUSINESS**

Bill No. Resolution authorizing the appointment of Howard (Joe) Brown, 1129 Woodland Avenue, Pittsburgh, PA 15212, as a Member of the Citizens Police Review Board (CPRB) for a term to expire October 31, 2013.  
(Mr. Brown is replacing Thomas Kolano.)

[2012-0936](#)

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

**REPORTS OF COMMITTEE - FINAL ACTION****COUNCILMAN REV. RICKY V. BURGESS PRESENTS COMMITTEE ON FINANCE AND LAW**

Bill No. Report of the Committee on Finance and Law for December 5, 2012 with an Affirmative Recommendation.

[2012-1003](#)

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

Bill No. Resolution adopting a Reapportionment Plan for Pittsburgh City Council.

[2012-0850](#)

**SPONSOR(S): DARLENE HARRIS**

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

**Votes:** Ayes: 8 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith  
Noes: 1 - Mr. Lavelle  
Abstentions: 0

Bill No. Resolution authorizing the issuance of a Warrant in the sum of \$7,500.00 in favor of Samuel J. Cordes and Associates, 245 Fort Pitt Blvd., 2nd Floor, Pittsburgh, PA 15222; in full and final settlement of a Complaint filed at USDC 2:12-cv-930, and arising from an alleged Federal Civil Rights violation.

[2012-0950](#)

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

**Votes:** Ayes: 9 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith

Noes: 0

Abstentions: 0

Bill No.

[2012-0972](#)

Resolution authorizing issuance of a warrant in the amount of \$11,088.20, in favor of Duquesne Light Company, c/o Carolyn K. Cingel, Claims Specialist, 411 Seventh Avenue, Mail Drop 16-1, Pittsburgh, PA 15219 in settlement of a claim for a damaged wooden light pole and transformer by a City of Pittsburgh, Environmental Services, Recycling truck on May 23, 2012 near the intersection of Leonard Street and Morewood Avenue.

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

**Votes:** Ayes: 9 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith

Noes: 0

Abstentions: 0

Bill No.

[2012-0973](#)

Resolution authorizing the issuance of a warrant in favor of Global Recovery Services: P.O. BOX 105795, Atlanta, GA 30348-9864, in an amount not to exceed Fifty Thousand Dollars (\$50,000.00), for insurance deductible payments in connection with the cases of Frank Beal (Claim No. 683- 327714) and Ryan Kingston and Nathan Poloni (Claim No. 683-371055) arising from events during the G-20 Summit in 2009.

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

**Votes:** Ayes: 9 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith

Noes: 0

Abstentions: 0

Bill No.

[2012-0975](#)

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 J.

A: 334 Mountain, B: 2745 Oakley, C: 211 Estella (DELETED), D: 828 Climax (DELETED), E: 19 Lafferty (DELETED), F: 308 Reifert, G: 514 Climax, H: Stiles (aka 339 Saturn), I: 254 E Jefferson, J: 3208 & 3206 McClure.

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

**Votes:** Ayes: 9 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith

Noes: 0

Abstentions: 0

Bill No. [2012-0976](#) 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: 2 Virgila, B: 3819 Mintwood, C: 1842 Calistoga, D: 182 Locarna, E: 770 Hazelwood, F: 5017 Blair, G: 826 Gearing, H: 17 Craighead, I: 1215 Welser, J: 2157 Moredale.

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

**Votes:** Ayes: 9 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith  
Noes: 0  
Abstentions: 0

### **COUNCILWOMAN THERESA KAIL-SMITH PRESENTS COMMITTEE ON PUBLIC SAFETY SERVICES**

Bill No. [2012-1004](#) Report of the Committee on Public Safety Services for December 5, 2012 with an Affirmative Recommendation.

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

Bill No. [2012-0939](#) Ordinance supplementing the Pittsburgh Code, Title Ten - Building, Chapter 1001 - Scope, Intent, and Application by adding a new Section, 1001.11 Special Abatement Actions, outlining additional actions that the Chief of the Bureau of Building Inspection may take to alert the public to Property Maintenance Code violations at properties in the City of Pittsburgh.

**SPONSOR(S): WILLIAM PEDUTO AND NATALIA RUDIAK**

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

**Votes:** Ayes: 7 - Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith  
Noes: 1 - Rev. Burgess  
Abstentions: 0  
Out of Room: 1 - Mr. Dowd

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

**Votes:** Ayes: 7 - Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith  
Noes: 1 - Rev. Burgess  
Abstentions: 0  
Out of Room: 1 - Mr. Dowd

**COUNCILMAN BRUCE A. KRAUS PRESENTS COMMITTEE ON PUBLIC WORKS**

Bill No. Report of the Committee on Public Works for December 5, 2012 with an Affirmative  
[2012-1005](#) Recommendation.

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

Bill No. Resolution authorizing the Mayor and the Directors of the Department of Parks and  
[2012-0977](#) Recreation and the Department of Public Works to enter into a Cooperation and License Agreement with Pittsburgh Penguins Foundation, a Pennsylvania non-profit corporation, to assist with the installation of up to four (4) Dek Hockey rinks in City parks.

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

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

**COUNCILMAN PATRICK DOWD PRESENTS COMMITTEE ON INTERGOVERNMENTAL AFFAIRS**

Bill No. Report of the Committee on Intergovernmental Affairs for December 5, 2012 with an  
[2012-1006](#) Affirmatiave Recommendation.

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

Bill No. Resolution adopting official sewage facilities plan for the Tower at PNC Plaza at 310  
[2012-0276](#) Fifth Avenue, Pittsburgh, PA 15222.

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

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

Bill No. Resolution requesting the approval of an inter-municipal transfer of restaurant liquor  
[2012-0937](#) license, License No. R-9960, from Chick's Grill, LLC, 3711 Walnut Street, McKeesport, PA 15132 to Applicant Nicky's Thai Kitchen III, Inc., 1631 Allegheny Avenue, Pittsburgh PA 15233; into the premises to be known as Nicky's Thai Kitchen III, Inc., 903 Penn Avenue, Pittsburgh, PA 15222, pursuant to amended Pennsylvania Liquor Code, §4-461.



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

**Votes:** Ayes: 8 - Rev. Burgess, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith

Noes: 0

Abstentions: 0

Out of Room: 1 - Mr. Dowd

## **MOTIONS AND RESOLUTIONS**

## **APPROVAL OF MINUTES**

## **ADJOURNMENT**

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