

# City of Pittsburgh

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



## Meeting Minutes - Final

**Tuesday, September 1, 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, Deputy City Clerk***

**A. ROLL CALL**

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

**Absent** 1 - Ms. Rudiak

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

[2015-1958](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend the efforts of Donna Westbrook Martin, Michael Bobak, and Taylor Topelas for establishing the Special Olympics Unified Sports program in Pittsburgh Public Schools, and does hereby recognize the achievement of Brashear High School in winning the first ever PIAA Interscholastic Unified Track and Field Invitational; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare July 28, 2015 to be "Pittsburgh Public Schools Unified Sports Day" in the City of Pittsburgh.

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

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

[2015-1959](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize and celebrate the life-long dedication of William "Bill" Isler to advocacy for children and for education; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare September 1, 2015 to be "Bill Isler Day" in the City of Pittsburgh.

**Sponsors: MR. GILMAN, MR. O'CONNOR AND ALL MEMBERS**

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

[2015-1960](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize Pittsburgh Center for the Arts for fostering artistic expression in Pittsburgh and promoting a vibrant contemporary art scene; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare August 30, 2015 to be “Pittsburgh Center for the Arts 70th 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.**

[2015-1961](#)

***NOW, THEREFORE, BE IT RESOLVED*** that the Council of the City of Pittsburgh does hereby join the South Side Market House in their centennial celebration, and commends the hard work of those citizens and city employees who have worked to support and maintain this remarkable building and community; and,

***NOW, THEREFORE, BE IT FURTHER RESOLVED*** that the Council of the City of Pittsburgh does hereby declare **Saturday, August 29th, 2015** to be “**South Side Market House Day**” in the City of Pittsburgh.

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

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

[2015-1962](#)

***NOW, THEREFORE BE IT RESOLVED*** that the Council of the City of Pittsburgh does hereby commend **Riverview Towers** for 50 years of outstanding service to the community by providing senior housing with exemplary visioning, mission and values and congratulates **Riverview Towers** on its 50th Anniversary ; and,

***BE IT FURTHER RESOLVED***, that the Council of the City of Pittsburgh does hereby declare Sunday, August 16, 2015, to be “**RIVERVIEW TOWERS 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**

## **D. PUBLIC COMMENTS**

## **E. PRESENTATION OF PAPERS**

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

[2015-1934](#) Resolution amending Resolutions No. 24 of 2014, as further amended by Resolution 781, effective December 1, 2014 providing that the City of Pittsburgh enter into a Professional Service Agreement(s) and/or Contract(s) with UPMC Mercy for professional services in connection with the administration and evaluation of medical examinations and related tests and procedures for current and prospective employees and promotion by increasing the total cost from \$780,000.00 to \$960,000.00.

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

**COUNCILMAN DAN GILMAN PRESENTS:**

[2015-1935](#) Resolution Authorizing the Mayor and the Directors of the Departments of Finance and Public Works to enter into a Lease Agreement with the Pittsburgh Water and Sewer Authority and the Borough of Aspinwall for a portion of Lot/Block 171-B-1-0-2 for use by the Borough as a free public parking lot, road, and path for the public to access adjacent Aspinwall Riverfront Park. Rent shall be one dollar (\$1.00) per year and shall include Borough maintenance responsibilities for the Premises.

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

**COUNCILWOMAN DEBORAH L. GROSS PRESENTS:**

[2015-1936](#) Ordinance accepting a new street names in the City of Pittsburgh as per recommendation by the City of Pittsburgh Addressing Committee (CPAC). The following streets were approved by CPAC in June 2015: LOGAN STREET and FULLERTON STREET, between Centre Avenue and Bedford Avenue, in the 3rd Ward. The names listed in this ordinance shall be made official in accordance with the Pittsburgh Code, Title Four, Public Places and Property, Chapter 420 Uniform Street Naming and Addressing.

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

[2015-1937](#) Resolution approving a Conditional Use Application under the Pittsburgh Code, Title Nine, Zoning, Article V Chapter 911 Section 911.04.A.7 to Karen and Randall Woods, property owners, for authorization to operate a Bed and Breakfast (General) use at 1156 Portland Street, zoned "R2-M" Residential Two-Unit, Moderate Density District, 11th Ward, Council District No. 7

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

**COUNCILWOMAN DARLENE M. HARRIS PRESENTS:**

[2015-1938](#) Resolution authorizing the Director of Finance and the Director of the Department of Innovation and Performance to enter into a contract or agreement, or use of existing contract or agreement with a vendor for the purpose of continuing to operate an Open Government Financial System for years 2015 and 2016 and ending July 31, 2017. This contract may be extended for one additional year upon mutual agreement of the parties. Total cost for 2015 and 2016 \$40,000.

**Read and referred to the Committee on Performance and Asset Management**

[2015-1956](#) Ordinance amending the Pittsburgh City Code at Title 6: Conduct, Article III: - Dogs, Cats and Other Animals, Chapter 633 Dogs and Cats, by adding a new section at 633.24, granting authority for public safety officials to enter a vehicle to protect the health and safety of an animal contained within.

**Sponsors: MRS. HARRIS**

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

[2015-1957](#) Ordinance amending the Pittsburgh City Code, Title 6: Conduct, Article III: Dogs, Cats and Other Animals, Chapter 636 Wild Animals, by adding a new section at 636.06, "Prohibiting the capture of wild birds."

**Sponsors: MRS. HARRIS**

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

**COUNCILWOMAN NATALIA RUDIAK PRESENTS:**

[2015-1939](#)

Resolution authorizing the Mayor to sign Consent Agreement and Final Order with the United States Environmental Protection Agency (in the matter of EPA Docket Nos.: CERC-03-2015-0238 and EPCRA-03-2015-0238) and further authorizing the Controller to countersign a warrant in the total sum of \$22,298 associated with said Consent Agreement and Final Order. In order to be valid, the Consent Agreement and Final Order must be authorized by City Council no later than September 9, 2015.

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

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

[2015-1940](#)

Resolution providing for the issuance of a warrant in the total sum of SEVENTY-FIVE THOUSAND DOLLARS (\$75,000.00) in favor of Nicholas Saflin, Personal Representative of the Estate of Mary Saflin, Deceased, and their attorneys, Swensen & Perer, releasing and discharging the City of Pittsburgh from all claims arising from an August 19, 2011, incident.

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

[2015-1941](#)

Resolution providing for the issuance of a warrant in the total sum of ONE HUNDRED THOUSAND DOLLARS (\$100,000.00) in favor of W. Christopher Griffith, Personal Representative of the Estate of Kimberly A. Griffith, Deceased, and their attorneys, Swensen & Perer, releasing and discharging the City of Pittsburgh from all claims arising from an August 19, 2011, incident.

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

[2015-1942](#)

Resolution providing for the issuance of a warrant in the total sum of ONE HUNDRED THOUSAND DOLLARS (\$100,000.00) in favor of W. Christopher Griffith, Personal Representative of the Estate of Brenna C. Griffith, Deceased, and their attorneys, Swensen & Perer, releasing and discharging the City of Pittsburgh from all claims arising from an August 19, 2011, incident.

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

[2015-1943](#) Resolution providing for the issuance of a warrant in the total sum of ONE HUNDRED THOUSAND DOLLARS (\$100,000.00) in favor of W. Christopher Griffith, Personal Representative of the Estate of Mikaela E. Griffith, Deceased, and their attorneys, Swensen & Perer, releasing and discharging the City of Pittsburgh from all claims arising from an August 19, 2011, incident.

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

[2015-1944](#) Resolution providing for the issuance of a warrant in favor of the Technical Advisory Service for Attorneys for expert trial preparation in the amount of \$24,546.08.

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

[2015-1945](#) Resolution authorizing issuance of a warrant in the amount of \$3,325.00, in favor of Anthony Alessio, 507 Morrow Avenue, Carnegie, PA 15106, for property damage to his parked vehicle from a City EMS Medic Unit on March 27, 2015 on E. Carson Street.

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

[2015-1946](#) Resolution authorizing issuance of two (2) warrants as follows: one warrant in the amount of \$3,819.81, in favor of Derrick Coleman, 2305 Holyoke Street, Pittsburgh, PA 15214, in settlement of his claim for property damage to his parked vehicle from a City ES refuse vehicle on May 30, 2015 on Rodenbaugh Avenue and one warrant in the amount of \$1,763.00 in favor of Treasurer, City of Pittsburgh, in satisfaction of the outstanding wage tax lien of Derrick Coleman for tax year 2012.

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

[2015-1947](#) Resolution authorizing issuance of a warrant in the amount of \$2,936.00, in favor of Richard & Margot Feldstein, in settlement of a claim for reimbursement for sidewalk damage from city tree roots at 5816 Wayne Road, Pittsburgh, PA 15206.

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

[2015-1948](#) Resolution authorizing issuance of a warrant in the amount of \$3,492.00, in favor of Perry L. & Lora S. Sigismund, c/o Stephen F. Capone, Esquire; Capone & Associates, 210 Grant Street, Suite 300, Pittsburgh, PA 15219, in settlement of a claim for reimbursement for sidewalk damage and labor costs related to installation of a new curb water box from city tree roots at 2835 Smallman Street, Pittsburgh, PA 15222.

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

[2015-1949](#) Resolution authorizing issuance of a warrant in the amount of \$3,816.00, in favor of Edward & Sandra Sisenwain, in settlement of a claim for reimbursement for sidewalk damage from city tree roots at 6330 Stanton Avenue, Pittsburgh, PA 15206.

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

[2015-1950](#) Resolution authorizing issuance of a warrant in the amount of \$5,400.00, in favor of M. Ellen Tarpey & John Battaglia, 374 Roup Avenue, Pittsburgh, PA 15232, in settlement of a claim for reimbursement for sidewalk damage from city tree roots at 374 Roup Avenue, Pittsburgh, PA 15232.

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

[2015-1951](#) Resolution authorizing the Mayor and the Director of Finance to enter, on behalf of the City of Pittsburgh, into a lease agreement or agreements with YouthPlaces (a 501(c)(3) non-profit corporation) in order that it may utilize the City of Pittsburgh's Ream Recreation Center, located at 321 Merrimac St., Pittsburgh, PA 15211, for after-school youth recreational, social, and educational programming. Said agreement(s) shall be for a term of 10 years, commencing retroactively to September 2013 and lasting until September 2023. Utility costs of Gas \$75/month & Electric \$100/month.

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

**COUNCILWOMAN THERESA KAIL-SMITH PRESENTS:**

[2015-1952](#) Resolution authorizing the Mayor and the Director of the Department of Public Works to enter into an Agreement with Dero Manufacture Company to donate a Fixit Bike Repair Station to the City of Pittsburgh.

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



[2015-1953](#) Resolution granting unto PNC Bank National Association, 620 Liberty Avenue, 19th Floor, Pittsburgh, PA 15222, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, security bollards and planters for The Tower at PNC Plaza on the right-of-ways at 300 Fifth Avenue and Wood Street in the 2nd Ward, 6th Council District of the City of Pittsburgh.

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

[2015-1954](#) Resolution granting unto Tony LaRusso, TMNL, LLC., 119 Briarwood Lane, Cranberry, PA 16066, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, a concrete pad with rail on the right-of-way of 1225 Grandview Avenue and Oneida Street in the 19th Ward, Council District 2 of the City of Pittsburgh.

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

**COUNCILMAN BRUCE A. KRAUS PRESENTS:**

[2015-1955](#) Resolution re-appointing Eric Horwith, 194 Oneida Street, Pittsburgh, PA 15211, as a Commissioner of the Commission on Human Relations of the City of Pittsburgh for a term to expire on October 27, 2018.

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

**F. UNFINISHED BUSINESS**

**G. REPORTS OF COMMITTEE - FINAL ACTION**

**I. MOTIONS AND RESOLUTIONS**

[2015-1963](#) **NOW THEREFORE BE IT RESOLVED**, that the Council of the City of Pittsburgh does hereby direct all City of Pittsburgh Authorities to pass policies that prohibit discrimination based on sexual orientation, gender identity and gender expression.

**Sponsors: MR. GILMAN, MR. KRAUS AND ALL MEMBERS**

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

**K. EXCUSE ABSENT MEMBERS - MS. RUDIAK**

**L. APPROVAL OF MINUTES**

**M. ADJOURNMENT**

**P LEGISLATION PRESENTED BY SIGN LANGUAGE INTERPRETER**