

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 4, 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. [2012-0999](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend Our Lady of the Sacred Heart School for preparing students well for their futures and congratulate the OLSH Boys Cross Country Team for their historic win; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Tuesday, December 4, 2012, to be "OLSH Boys Cross Country Team 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. [2012-1000](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend the hard work of First United Presbyterian Church of Crafton Heights, the Malawi Partnership Team from Pittsburgh Presbytery, and the Presbyterian Church of Central Africa and their commitment to the partnership as well as alleviating the gripping famine in Malawi; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Tuesday, December 4, 2012, to be "Pittsburgh Presbytery 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. [2012-1001](#) NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby congratulate Amen Corner for recognizing Auditor General Jack Wagner with the Amen Corner Excellence in Leadership Award for his outstanding career and inspirational achievement and does hereby declare Wednesday, December 5, 2012 to be "Jack Wagner - Amen Corner Excellence in Leadership Day" in the City of Pittsburgh.

SPONSOR(S): DARLENE HARRIS AND ALL MEMBERS

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

Bill No. [2012-1002](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize and commend Amnesty International USA Local Group 39 for its remarkable work to promote human rights and supports the Write-a-Thon and Candle Lighting on December 10, 2012.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby

declare December 10, 2011 to be "AMNESTY INTERNATIONAL WRITE-A-THON 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.

PUBLIC COMMENTS

PRESENTATION OF PAPERS

COUNCILMAN REVEREND RICKY V. BURGESS PRESENTS:

Bill No. Resolution making Appropriations to pay the expenses of conducting the Public
[2012-0991](#) Business of the City of Pittsburgh and for meeting the debt charges thereof for the
Fiscal Year, beginning January 1, 2013

Read and referred to Finance and Law Committee

Bill No. Resolution fixing the number of officers and employees of the City of Pittsburgh, and
[2012-0992](#) the rate of compensation thereof, and setting minimum levels for designated positions.

Read and referred to Finance and Law Committee

Bill No. Resolution adopting and approving the 2013 Capital Budget and the 2013 Community
[2012-0993](#) Development Block Grant Program; and approving the 2013 through 2018 Capital
Improvement Program.

Read and referred to Finance and Law Committee

Bill No. Resolution transferring the amount of \$18,000 from City Council 101100.56105,
[2012-0997](#) Budget Year 2012 to Finance 107000.56105, Budget Year 2012. This transfer is
necessary to pay for Council postage for 2012.

SPONSOR(S): REVEREND RICKY V. BURGESS

Read and referred to Finance and Law Committee

COUNCILMAN PATRICK DOWD PRESENTS:

Bill No. Resolution providing for the issuance of a warrant in favor of Gales Consulting
[2012-0995](#) Engineers & Land Surveyors in the amount of \$3,500.00 in payment for a Property,
Topographic, and Utilities Survey of Block 81-C, Lot 401 in the 10th Ward of the City
of Pittsburgh, Council District 7 payable from City Clerk Miscellaneous Services.

SPONSOR(S): PATRICK DOWD

Read and referred to Finance and Law Committee

COUNCILMAN BRUCE A. KRAUS PRESENTS:

Bill No. Resolution authorizing the execution of a cooperation agreement or agreements with
[2012-0987](#) the Urban Redevelopment Authority of Pittsburgh in which URA will make a grant
not to exceed \$100,000 to the City to pay for various survey services to be provided by
the City at the request of the URA.

Read and referred to Public Works Committee

Bill No. Resolution providing for the Lease Agreement with Peter N. & Maria DePasquale, owners; and/or other assignees or transferees for warehouse and office space together with the right to utilize right of way surrounding said property known as 88 Swinburne Road, Pittsburgh, PA 15213. Annual rental amount \$98,000.00, plus annual CPI increase, plus applicable Real Estate Taxes.

[2012-0988](#)

Read and referred to Public Works Committee

COUNCILMAN COREY O'CONNOR PRESENTS:

Bill No. Resolution authorizing the issuance of a warrant in favor of the Richard S. Caliguiri Amyloidosis Foundation in an amount not to exceed fifteen thousand, nine hundred, twenty one dollars (\$15,921.00), in connection with the 2012 Great Race in the Department of Parks and Recreation, without previous authority of law; and providing for the payment thereof.

[2012-0986](#)

Read and referred to Finance and Law Committee

Bill No. Resolution providing for the acceptance by the City of Pittsburgh from Diane M. Ranick Estate by her son Bruce Ranick Administrator of the Estate, certain property in the 29th Ward of the City of Pittsburgh being parcel 95-F-233 for public purposes as part of the Phillips Park at no cost to the City of Pittsburgh.

[2012-0989](#)

Read and referred to Urban Recreation Committee

Bill No. Resolution providing for the acceptance by the City of Pittsburgh from Rose J. Williams of certain property in the 2nd Ward of the City of Pittsburgh, being parcel 25-P-87 for public purposes as part of the Bigelow Greenway at no cost to the City of Pittsburgh.

[2012-0990](#)

Read and referred to Urban Recreation Committee

COUNCILMAN WILLIAM PEDUTO PRESENTS:

Bill No. Ordinance amending the Pittsburgh Code, Title Five - Traffic, Article VII - Parking, Chapter 543 - Parking Meters, Section 543.01 - Parking Meter Zones and Rates, Subsection (b), so as to conclude parking meter enforcement at 6:00pm Citywide.

[2012-0994](#)

SPONSOR(S): WILLIAM PEDUTO

Read and referred to Finance and Law Committee

COUNCIL PRESIDENT DARLENE M. HARRIS PRESENTS:

Bill No. Communication from the Department of City Planning submitting reports regarding the recertification of Area "T", Beechview, for the Residential Parking Permit Program (RPPP).

[2012-0996](#)

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

Bill No. Petition from the residents of the City of Pittsburgh requesting a public hearing before City Council relative to Council Bill 2012-0850, Resolution adopting a Re-apportionment Plan for Pittsburgh City Council, as amended by substitution on Wednesday, November 28, 2012, which amendment created a substantial change to

[2012-0998](#)

the legislation without a public hearing. (This petition is invalid)

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

UNFINISHED BUSINESS

REPORTS OF COMMITTEE - FINAL ACTION

COUNCILMAN REV. RICKY V. BURGESS PRESENTS COMMITTEE ON FINANCE AND LAW

Bill No. [2012-0982](#) Report of the Committee on Finance and Law for November 28, 2012 with an Affirmative Recommendation.

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

Bill No. [2012-0529](#) Ordinance supplementing the Pittsburgh Code of Ordinances, Title I, Administrative, Article III, Organization, by adding a new Chapter, "Chapter 147: Department of Equal Opportunity."

SPONSOR(S): REVEREND RICKY V. BURGESS AND R. DANIEL LAVELLE

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. [2012-0530](#) Ordinance amending the Pittsburgh Code of Ordinances, Title I - Administrative, Article IX - Boards, Commissions and Authorities, Chapter 177A - Equal Opportunity Review Commission by adding new language and amending current language.

SPONSOR(S): REVEREND RICKY V. BURGESS AND R. DANIEL LAVELLE

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. [2012-0533](#) Resolution authorizing the Mayor and the City Solicitor to enter into an agreement or agreements or contract or contracts for the purpose of updating the City's disparity study, at a cost not to exceed \$250,000.

SPONSOR(S): R. DANIEL LAVELLE AND REVEREND RICKY V. BURGESS

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.

[2012-0534](#)

Resolution amending Resolution No. 855, effective January 1, 2012 entitled "Adopting and approving the 2012 Capital Budget and the 2012 Community Development Block Grant Program; and approving the 2012 through 2017 Capital Improvement Program," by transferring \$250,000 of CDBG funds from the Public Works's Building Improvements Program to the Department of Law for the purpose of updating the Disparity Study.

SPONSOR(S): R. DANIEL LAVELLE AND REVEREND RICKY V. BURGESS

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.

[2012-0677](#)

Resolution amending Resolution 226 of 2010 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.

so as to transfer Item A: 6046 Jackson Street.

SPONSOR(S): PATRICK DOWD

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.

[2012-0951](#)

Resolution authorizing the issuance of a warrant in the total sum of \$16,210.00 to Thomas G. McConnell, Jr., 255 Silverbell Court, West Chester, PA 19380, as mandated for arbitration services in connection with the City of Pittsburgh and IAFF Local 1 Act 111 Health Care Reopener.

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. Resolution amending Resolution No. 557, approved September 28, 2009, so as to
[2012-0952](#) appoint Ruth A. Pompey, Assistant Treasurer, as primary voting delegate to the Tax Collection Committee of the Allegheny Central Tax Collection District.

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. Resolution authorizing the purchase of a building located at 1553 Broadway Avenue
[2012-0958](#) (lot/block # 0035-G-00026) in the Beechview neighborhood for use as community and a senior center at a cost not to exceed \$360,000.00.

SPONSOR(S): NATALIA RUDIAK

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. Resolution authorizing the Mayor and City Clerk to enter into a Contract or Contracts
[2012-0959](#) or Agreement or Agreements with Granicus, Inc., in the amount of \$24,525.00 in payment for the software and hardware upgrades and server hosting services of Legistar, the legislative tracking and video streaming technology used by the City Clerk's Office.

SPONSOR(S): DARLENE HARRIS

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

COUNCILMAN R. DANIEL LAVELLE PRESENTS COMMITTEE ON LAND USE & ECONOMIC DEVELOPMENT

Bill No. Report of the Committee on Land Use and Economic Development for November 28,
[2012-0983](#) 2012 with an Affirmative Recommendation.

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

Bill No.

[2012-0819](#)

Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Chapter 909.01, SP, Specially Planned District by creating a new district to be identified as “SP-9/Bakery Square” including rules and regulations, and by amending the City of Pittsburgh Zoning Map by changing from UI, Urban Industrial District and RM-M, Residential Multi-Unit Moderate Density District to SP-9/Bakery Square property consisting of the present Bakery Square; an adjacent acre of property located between Dahlem Place and the East Busway; and twelve acres of property located southwest of Penn Avenue including the former Reizenstein School; 7th and 12th Wards.

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 NATALIA RUDIAK PRESENTS COMMITTEE ON PERFORMANCE AND ASSET MANAGEMENT

Bill No.

[2012-0984](#)

Report of the Committee on Performance and Asset Management for November 28, 2012 with an Affirmatiave Recommendation.

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

Bill No.

[2012-0953](#)

Resolution authorizing the City of Pittsburgh to enter into a contract in a form approved by the City Solicitor, for the construction, maintenance and repair of an automated fuel dispensing system to provide fueling operations for the use by various City of Pittsburgh Departments, in an amount not to exceed Five-Hundred Thousand Dollars (\$500,000.00).

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

COUNCILMAN PATRICK DOWD PRESENTS COMMITTEE ON INTERGOVERNMENTAL AFFAIRS

Bill No.

[2012-0985](#)

Report of the Committee on Intergovernmental Affairs for November 28, 2012 with an Affirmatiave Recommendation.

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

Bill No. [2012-0851](#) Resolution requesting the approval of an inter-municipal transfer of restaurant liquor license, License No. R-6449, from Pintail Group, LLC, Monroeville Mall, Unit 300, Monroeville PA 15146 to Applicant TBM PA01, LLC, 204 Auila Road, West Palm Beach FL 33405; into the premises to be known as The Beer Market, 110 Federal St., 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: 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. [2012-0954](#) Resolution approving execution of a Contract for Disposition by Sale of Land by and between the Urban Redevelopment Authority of Pittsburgh and RH Factor, LLC for the sale of Block 23-F, Lot 135, in the 25th Ward of the City of Pittsburgh, Council District 6 (230 Carrington Street-Residential Construction).

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. [2012-0955](#) Resolution approving Execution of a Deed by and between the Urban Redevelopment Authority of Pittsburgh and the City of Pittsburgh for the Sale of Block 25-S, Lots 98 and 104, in the 6th Ward of the City of Pittsburgh - Council District No. 7 - Ridgeway and Judson Street (Greenway)

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. [2012-0957](#) Resolution adopting Plan Revision to the City of Pittsburgh's Official Sewage Facilities Plan for the Center for Sustainable Landscapes, Phipps Conservatory and Botanical Gardens, Inc. at 1 Schenley Park Drive, Pittsburgh, PA 15213.

SPONSOR(S): COREY O'CONNOR

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

MOTIONS AND RESOLUTIONS

APPROVAL OF MINUTES

ADJOURNMENT