

City of Pittsburgh

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



Meeting Minutes - Final

Tuesday, September 15, 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**

[2015-2002](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize and commend Evan Wolfson for launching the global movement for the freedom to marry, and for dedicating his entire career to the idea that everyone deserves the same basic fundamental rights and protections under the law, and should be able to celebrate their love as equal members in all aspects of society.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare September 15, 2015 to be “Evan Wolfson Day” in the City of Pittsburgh.

Sponsors: MR. GILMAN AND ALL MEMBERS

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

[2015-2003](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize the efforts of the Associated General Contractors of America and the Construction Leadership Council Leadership Development Conference to assemble young, influential leaders in the construction industry from across the country and to advance their leadership skills and abilities; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Thursday, September 17, 2015, “CLC Leadership Development Conference Day” in the City of Pittsburgh.

Sponsors: MR. GILMAN AND ALL MEMBERS

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

[2015-2004](#)

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby recognize and commend **Allen Place** for providing important health and wellness programs to residents of the Pittsburgh region; and,

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby declare **Sunday, September 27, 2015** to be "**Stroke Awareness Day**" in the City of Pittsburgh.

Sponsors: MRS. HARRIS AND ALL MEMBERS

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

[2015-2005](#)

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby recognize and honor **Henry Buhl Jr. and Alice Weinbrenner**, and commends all of the 2015 sponsors and participants in the annual **German Heritage Recognition Luncheon**; and,

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby declare Saturday, September 12, 2015, to be "**German Day**" in the City of Pittsburgh. **Glück Auf!**

Sponsors: MRS. HARRIS AND ALL MEMBERS

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

[2015-2006](#)

NOW THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby commend and celebrate **IRETA** and their many partners for all of their efforts to educate and assist policy makers, physical and behavioral healthcare providers, educators, consumers and their families; and,

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby declare the month of **September 2015** to be "**National Alcohol and Drug Addiction Recovery Month**" in the City of Pittsburgh, and encourages all citizens to recognize treatment and recovery support programs throughout the rest of the year and beyond.

Sponsors: MR. KRAUS AND ALL MEMBERS

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

[2015-2007](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend the Parkinson Foundation Western PA for its contributions to people with Parkinson disease and congratulates them on their 20th Anniversary; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Saturday, September 26, 2015, to be ***“PFWPA Step Forward”*** 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.

[2015-2008](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend Regina McDonald for over 40 years of service with the City of Pittsburgh; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Tuesday, September 15, 2015, to be ***“Regina McDonald 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.

[2015-2009](#)

NOW, THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does hereby commend Sol Gross on his commitment to the **POW/MIA** effort and is proud to be a part of the national effort to remember our **POWs and MIAs**; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Friday, September 18, 2015, to be ***“NATIONAL POW/MIA RECOGNITION 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:

[2015-2001](#) Ordinance amending and supplementing the Pittsburgh Code of Ordinances, Title XI, Historic Preservation, by adding and deleting language.

Sponsors: REV. BURGESS

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

COUNCILMAN DAN GILMAN PRESENTS:

[2015-1997](#) Resolution adopting Plan Revision to the City of Pittsburgh's Official Sewage Facilities Plan for Heinz Lofts Service Building, 950 Progress Street, Pittsburgh (23rd Ward), Allegheny County, Pennsylvania 15212.

Read and referred to the Committee on Intergovernmental Affairs

[2015-1998](#) Resolution adopting Plan Revision to the City of Pittsburgh's Official Sewage Facilities Plan for the Pittsburgh Ballet Theater Annex, 2900 Liberty Avenue, Pittsburgh (6th Ward), Allegheny County, Pennsylvania 15201.

Read and referred to the Committee on Intergovernmental Affairs

COUNCILWOMAN DEBORAH L. GROSS PRESENTS:

[2015-1999](#) Resolution authorizing the Mayor, on behalf of the City of Pittsburgh, to execute a grant agreement with Neighborhood Allies for receipt of grant funds in the amount of Two Thousand Dollars (\$2,000.00.) to be used for the purpose of hiring a consultant to facilitate a community engagement process related to My Brother's Keeper, and further authorizing all legitimate expenditures and/ or agreements required under the terms of the grant agreement.

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

[2015-2000](#) Ordinance accepting new street names in the Ninth Ward of the City of Pittsburgh as per recommendation by the City of Pittsburgh Addressing Committee (CPAC). The streets known as Honeycrisp Lane, Fuji Court, and Winesap Drive were approved by CPAC in March 2014. 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

F. UNFINISHED BUSINESS**G. REPORTS OF COMMITTEE - FINAL ACTION****COUNCILWOMAN NATALIA RUDIAK PRESENTS COMMITTEE ON FINANCE AND LAW**

[2015-1990](#) Report of the Committee on Finance and Law for September 9, 2015 with an Affirmative Recommendation.

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

[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.

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

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

No: 0

Abstain: 0

Absent: 1 - Ms. Rudiak

[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.

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

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

No: 0

Abstain: 0

Absent: 1 - Ms. Rudiak

[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.

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

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

No: 0

Abstain: 0

Absent: 1 - Ms. Rudiak

[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.

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

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

No: 0

Abstain: 0

Absent: 1 - Ms. Rudiak

COUNCILMAN R. DANIEL LAVELLE PRESENTS COMMITTEE ON PUBLIC SAFETY SERVICES

[2015-1991](#) Report of the Committee on Public Safety Services for September 9, 2015 with an Affirmative Recommendation.

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

[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

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

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

No: 0

Abstain: 0

Absent: 1 - Ms. Rudiak

[2015-1957](#) Ordinance amending the Pittsburgh City Code at 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 and harm of any wild birds."

Sponsors: MRS. HARRIS

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

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

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

No: 0

Abstain: 0

Absent: 1 - Ms. Rudiak

COUNCILWOMAN THERESA KAIL-SMITH PRESENTS COMMITTEE ON PUBLIC WORKS

[2015-1992](#) Report of the Committee on Public Works for September 9, 2015 with an Affirmative Recommendation.

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

[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.

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

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

No: 0

Abstain: 0

Absent: 1 - Ms. Rudiak

[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.

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

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

No: 0

Abstain: 0

Absent: 1 - Ms. Rudiak

[2015-1954](#) Resolution granting unto 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.

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

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

No: 0

Abstain: 0

Absent: 1 - Ms. Rudiak

COUNCILMAN REV. RICKY BURGESS PRESENTS COMMITTEE ON HUMAN RESOURCES

[2015-1993](#) Report of the Committee on Human Resources for September 9, 2015 with an Affirmative Recommendation.

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

[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.

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

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

No: 0

Abstain: 0

Absent: 1 - Ms. Rudiak

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

[2015-1994](#) Report of the Committee on Land Use and Economic Development for September 9, 2015 with an Affirmative Recommendation.

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

[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.

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

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

No: 0

Abstain: 0

Absent: 1 - Ms. Rudiak

[2015-1676](#) Resolution providing for the designation as a Historic Structure under Title 11 of the Code of Ordinances that certain structure known as the Turney House, located at 160 43rd Street, block and lot number 49-B-791, in the 9th Ward, City of Pittsburgh.

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

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

No: 1 - Rev. Burgess

Abstain: 0

Absent: 1 - Ms. Rudiak

[2015-1677](#) Providing for the designation as a Historic Structure under Title 11 of the Code of Ordinances that certain structure known as the Walton House, located at 4412-4414 Plummer Street, block and lot number 80-P-68, in the 9th Ward, City of Pittsburgh.

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

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

No: 1 - Rev. Burgess

Abstain: 0

Absent: 1 - Ms. Rudiak

COUNCILWOMAN DARLENE M. HARRIS PRESENTS COMMITTEE ON PERFORMANCE AND ASSET MANAGEMENT

[2015-1995](#) Report of the Committee on Performance and Asset Management for September 9, 2015 with an Affirmative Recommendation.

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

[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.

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

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

No: 0

Abstain: 0

Absent: 1 - Ms. Rudiak

COUNCILMAN DAN GILMAN PRESENTS COMMITTEE ON INTERGOVERNMENTAL AFFAIRS

[2015-1996](#) Report of the Committee on Intergovernmental Affairs for September 9, 2015 with an Affirmative Recommendation.

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

[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.

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

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

No: 0

Abstain: 0

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**