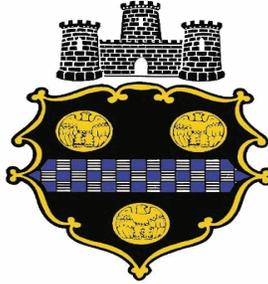


City of Pittsburgh

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



Meeting Minutes - Final

Monday, November 2, 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, Ms. Rudiak, Mrs. Kail-Smith, and Mr. Kraus
Absent 1 - Mr. O'Connor

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

[2015-2191](#) **NOW, THEREFORE BE IT RESOLVED**, that the Council of the City of Pittsburgh does hereby declare November 2, 2015 to be "*The Foundation of Hope Day*" in the City of Pittsburgh.

Sponsors: MR. LAVELLE AND ALL MEMBERS

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

[2015-2192](#) **NOW, THEREFORE, BE IT RESOLVED** that the Council of the City of Pittsburgh does hereby recognize and commend **Metropolitan Baptist Church** for serving the North Side's black community for 165 years; and,

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby declare **Sunday, November 8th, 2015** to be "**Metropolitan Baptist Church Day**" in the City of Pittsburgh.

Sponsors: MRS. HARRIS, MR. LAVELLE AND ALL MEMBERS

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

[2015-2193](#) **NOW THEREFORE BE IT RESOLVED**, that the Council of the City of Pittsburgh, in celebration of the 43rd Annual Thomas Merton Award Dinner, thanks the Thomas Merton Center for their decades-long commitment toward a more peaceful and just society, and;

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Monday, November 9th the "Thomas Merton Center Day" in the City of Pittsburgh.

Sponsors: MS. RUDIAK AND ALL MEMBERS

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

[2015-2194](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend Donald Scholz, Sr, Donald Scholz, Jr and Donald Scholz for their service to the United States and the entire Scholz Family for their commitment to their faith, U.S. Military, Veterans, family and overall community; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Monday, November 2, 2015, to be “***Scholz Family 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.

[2015-2195](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend Margaret Smith Washington for her many contributions to the medical field; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Saturday, October 31, 2015, to be “***Margaret Smith Washington Day***” in the City of Pittsburgh.

Sponsors: REV. BURGESS AND ALL MEMBERS

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

D. PUBLIC COMMENTS

E. PRESENTATION OF PAPERS

COUNCILMAN DAN GILMAN PRESENTS:

[2015-2185](#)

Ordinance amending the Pittsburgh Code, Title Seven: Business Licensing, Article III: Sales Businesses, Chapter 719 Vendors and Peddlers, by removing specific subsections and/or adding to specific subsections:

Sponsors: MR. GILMAN AND MR. O'CONNOR

Read and referred to the Committee on Public Safety Services

COUNCILWOMAN DEBORAH L. GROSS PRESENTS:

[2015-2176](#) Resolution approving an update to an Institutional Master Plan under the Pittsburgh Code, Title Nine, Zoning, Article II, Chapter 905, Section 905.03.D and Article VII, Chapter 922, Section 922.12.G for Carnegie Mellon University “Project Area Master Plan” dated July 2, 2015 on property zoned EMI, Educational/Medical Institution District, 4th, 7th, and 14th Wards, Council District No. 8.

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

[2015-2177](#) Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article I, Section 902.03 Zoning Map, by changing certain parcels from R1A-H to EMI, from RM-H, to EMI, and changing from RM-VH, to EMI all in the Allegheny County Block and Lot System, 14th Ward.

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

[2015-2186](#) Ordinance amending and supplementing the Pittsburgh Code, Title Nine, Zoning Code, Article V, Use Table, Section 911.02 to update the definition of Bed and Breakfast and Hotel/Motel uses, and to allow for Bed and Breakfast (Limited) and (General) uses in GI, PO, and H zoning districts.

Sponsors: MS. GROSS

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

COUNCILWOMAN DARLENE M. HARRIS PRESENTS:

[2015-2178](#) Resolution authorizing the Mayor and Chief & Director of Innovation & Performance to enter into a Fellowship Participation Agreement with the SCA of Pittsburgh not to exceed \$13,000 per year.

Read and referred to the Committee on Performance and Asset Management

[2015-2179](#) Resolution authorizing the City of Pittsburgh and the Department of Innovation and Performance to enter into an agreement with immigration attorney(s) to provide specialized legal services regarding immigration issues in the continued employment of designated personnel, including but not limited to preparing and filing nonimmigrant visa petitions/applications and advising regarding e-Verify requirements, at a cost not to exceed three thousand seven hundred fifty dollar and zero cents (\$3,750.00).

Withdrawn by the Chair of the Performance and Asset Management Committee, Councilwoman Darlene Harris.

COUNCILMAN COREY O'CONNOR PRESENTS:

[2015-2187](#) Resolution amending Resolution number 768 of 2009, 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” so as to transfer \$25,000 from Hazelwood Imitative to Hazelwood Master Plan

Sponsors: MR. O'CONNOR

Read and referred to the Committee on Finance and Law

[2015-2188](#) Resolution authorizing the Department of City Planning to enter into a contract 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 Hazelwood Master Plan project using 2010 and 2012 Capital funds in an amount not to exceed \$90,000

Sponsors: MR. O'CONNOR

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

[2015-2189](#) Resolution amending Resolution number 855 of 2011, effective January 1, 2010, as amended, entitled “Resolution adopting and approving the 2012 Capital Budget and the 2012 Community Development Block Grant Program; and approving the 2012 through 2017 Capital Improvement Program” so as to transfer \$65,000 to the Hazelwood Master Plan and \$15,000 to the Forbes and Murray Improvement Plan

Sponsors: MR. O'CONNOR

Read and referred to the Committee on Finance and Law

[2015-2190](#) Resolution authorizing the Department of City Planning to enter into a contract or contracts, agreement or agreements, or the use and expansion of existing contracts or agreements, along with other approved expenditures for the Forbes & Murray Improvement Plan using 2012 Capital funds in an amount not to exceed \$15,000

Sponsors: MR. O'CONNOR

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

COUNCILWOMAN NATALIA RUDIAK PRESENTS:

[2015-2180](#) 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 B. A: 2506 Hallett, B: 1325 Sheffield

Read and referred to the Committee on Finance and Law

[2015-2181](#) 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 B. A: 46 Mount Oliver, B: 841 Gearing

Read and referred to the Committee on Finance and Law

[2015-2182](#) 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: 301 Montooth

Read and referred to the Committee on Finance and Law

[2015-2183](#) 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: Musgrave

Read and referred to the Committee on Finance and Law

[2015-2184](#) Resolution further amending Resolution No. 858, effective, January 1, 2015, as amended, entitled “Adopting and approving the 2015 Capital Budget and the 2015 Community Development Block Grant Program; and approving the 2015 through 2020 Capital Improvement Program,” by creating “2015 Beechview Community and Senior Center” to be funded by a \$500,000 transfer from Office of Management and Budget’s Operating Budget.

Read and referred to the Committee on Finance and Law

F. UNFINISHED BUSINESS

[2015-2139](#) Resolution appointing Richard Butler, 140 Elmont Street, Pittsburgh, PA 15205, as a member of the Board of Directors of the Housing Authority of the City of Pittsburgh for a term to expire on April 30, 2018. Mr. Butler will fill the seat vacated by Frederick Frank.

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

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

[2015-2171](#) Report of the Committee on Finance and Law for October 28, 2015 with an Affirmative Recommendation.

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

[2015-2129](#) Ordinance amending the Pittsburgh Code of Ordinances, Title Two: Fiscal; Article VII: Business Related Taxes; Chapter 258: Payroll Tax, by revising Sections 258.06 (Returns) to align the return schedule with the calendar year.

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

Aye: 7 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Ms. Rudiak, Mrs. Kail-Smith, and Mr. Kraus

No: 0

Abstain: 0

Out of Room: 1 - Mr. Lavelle

Absent: 1 - Mr. O'Connor

[2015-2130](#) Resolution providing for the issuance of a warrant in the total sum of Three Thousand Dollars (\$3,000.00) in favor of Harry Scherer c/o Joshua M. Bloom, P.C., 3204 Grant Building, 310 Grant Street, Pittsburgh, PA 15219, as final settlement related to the action filed in the United States District Court for the Western District of Pennsylvania at No. 2:12-cv-01149-AJS.

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

Aye: 7 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Ms. Rudiak, Mrs. Kail-Smith, and Mr. Kraus

No: 0

Abstain: 0

Out of Room: 1 - Mr. Lavelle

Absent: 1 - Mr. O'Connor

[2015-2131](#) Resolution providing for the issuance of a warrant in the total sum of Three Thousand Dollars (\$3,000.00) in favor of Edmund Farley c/o Joshua M. Bloom, P.C., 3204 Grant Building, 310 Grant Street, Pittsburgh, PA 15219, as final settlement related to the action filed in the United States District Court for the Western District of Pennsylvania at No. 2:12-cv-01149-AJS.

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

Aye: 7 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Ms. Rudiak, Mrs. Kail-Smith, and Mr. Kraus

No: 0

Abstain: 0

Out of Room: 1 - Mr. Lavelle

Absent: 1 - Mr. O'Connor

[2015-2132](#) Resolution providing for the issuance of a warrant in the total sum of Three Thousand Dollars (\$3,000.00) in favor of Robert Cox c/o Joshua M. Bloom, P.C., 3204 Grant Building, 310 Grant Street, Pittsburgh, PA 15219, as final settlement related to the action filed in the United States District Court for the Western District of Pennsylvania at No. 2:12-cv-01149-AJS.

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

Aye: 7 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Ms. Rudiak, Mrs. Kail-Smith, and Mr. Kraus

No: 0

Abstain: 0

Out of Room: 1 - Mr. Lavelle

Absent: 1 - Mr. O'Connor

[2015-2133](#) Resolution providing for the issuance of a warrant in the total sum of Thirty Seven Thousand Five Hundred Fifteen Dollars and Fifty Cents (\$37,515.50) in favor of Joshua M. Bloom, P.C., 3204 Grant Building, 310 Grant Street, Pittsburgh, PA 15219, for attorneys' fees and costs related to the action filed in the United States District Court for the Western District of Pennsylvania at No. 2:12-cv-01149-AJS.

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

Aye: 7 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Ms. Rudiak, Mrs. Kail-Smith, and Mr. Kraus

No: 0

Abstain: 0

Out of Room: 1 - Mr. Lavelle

Absent: 1 - Mr. O'Connor

[2015-2134](#) Resolution providing for a Professional Services Agreement to Burns White, LLC for professional legal services and expert advice regarding construction litigation. The total cost of the professional service agreement or agreements entered into between the City of Pittsburgh and Burns White, LLC shall not exceed Twenty Four Thousand Six Hundred Eighty-Five Dollars and No Cents (\$24,685.00).

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

Aye: 7 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Ms. Rudiak, Mrs. Kail-Smith, and Mr. Kraus

No: 0

Abstain: 0

Out of Room: 1 - Mr. Lavelle

Absent: 1 - Mr. O'Connor

COUNCILMAN R. DANIEL LAVELLE PRESENTS COMMITTEE ON PUBLIC SAFETY SERVICES

[2015-2172](#) Report of the Committee on Public Safety Services for October 28, 2015 with an Affirmative Recommendation.

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

[2015-2128](#) Resolution authorizing the Mayor and the Director of the Department of Public Safety to enter into an amended Professional Services Agreement or Agreements with Cover Your Assets, LLC, at an overall cost not to exceed ~~\$498,325.52~~ **\$175,000.00**.

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

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

Aye: 6 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Ms. Rudiak, and Mr. Kraus

No: 1 - Mrs. Kail-Smith

Abstain: 0

Out of Room: 1 - Mr. Lavelle

Absent: 1 - Mr. O'Connor

COUNCILWOMAN THERESA KAIL-SMITH PRESENTS COMMITTEE ON PUBLIC WORKS

[2015-2173](#) Report of the Committee on Public Works for October 28, 2015 with an Affirmative Recommendation.

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

[2015-2135](#) Resolution providing for a Contract or Contracts or for the use of existing Contracts, providing for an Agreement or Agreements or for the use of existing Agreements, providing for repairs, maintenance, improvements, emergencies and/or the purchase of materials, equipment and supplies in connection with the renovations and maintenance of various public buildings, and further providing for the payment of the costs thereof, not to exceed \$50,000.00.

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

Aye: 7 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Ms. Rudiak, Mrs. Kail-Smith, and Mr. Kraus

No: 0

Abstain: 0

Out of Room: 1 - Mr. Lavelle

Absent: 1 - Mr. O'Connor

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

[2015-2174](#) Report of the Committee on Land Use and Economic Development for October 28, 2015 with an Affirmative Recommendation.

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

[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.

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

Aye: 7 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Ms. Rudiak, Mrs. Kail-Smith, and Mr. Kraus

No: 0

Abstain: 0

Out of Room: 1 - Mr. Lavelle

Absent: 1 - Mr. O'Connor

COUNCILMAN DAN GILMAN PRESENTS COMMITTEE ON INTERGOVERNMENTAL AFFAIRS

[2015-2175](#) Report of the Committee on Intergovernmental Affairs for October 28, 2015 with an Affirmative Recommendation.

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

[2015-2121](#) Resolution amending Resolution #499 of 2015 which authorized the URA to acquire publicly owned property in the 28th ward, 1235 Clairhaven Street for site assemblage for Commercial Development, by substituting School District of Pittsburgh for Urban Redevelopment Authority of Pittsburgh. All other provisions remain unchanged.

A motion was made that this matter be RECOMMENDED to the Committee on Intergovernmental Affairs. The motion carried

Aye: 7 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Ms. Rudiak, Mrs. Kail-Smith, and Mr. Kraus

No: 0

Abstain: 0

Out of Room: 1 - Mr. Lavelle

Absent: 1 - Mr. O'Connor

[2015-2127](#) Resolution adopting Plan Revision to the City of Pittsburgh’s Official Sewage Facilities Plan for Riverfront Landing Residences at 2001 Waterfront Place, Pittsburgh, Pennsylvania 15222.

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

Aye: 7 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Ms. Rudiak, Mrs. Kail-Smith, and Mr. Kraus

No: 0

Abstain: 0

Out of Room: 1 - Mr. Lavelle

Absent: 1 - Mr. O'Connor

I. MOTIONS AND RESOLUTIONS

K. EXCUSE ABSENT MEMBERS - MR. O'CONNOR

L. APPROVAL OF MINUTES

M. ADJOURNMENT

P LEGISLATION PRESENTED BY SIGN LANGUAGE INTERPRETER