

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 3, 2013

10:00 AM

Council Chambers

City Council

**ONE-HUNDRED
THIRTY-SEVENTH COUNCIL**

Darlene M. Harris, President

**Council Members: Rev. Ricky V. Burgess, 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: 7 - Rev. Burgess, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak and Mrs. Smith
Absent: 1 - Mr. Peduto

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

Bill No. [2013-2101](#) NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby commend and congratulate the Pittsburgh Banjo Club on 25 years of happy music and service to the Pittsburgh region; and

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby declare Sunday, December 15, 2013 to be "Pittsburgh Banjo Club Day" in the City of Pittsburgh.

SPONSOR(S): DARLENE M. HARRIS AND ALL MEMBERS

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

Bill No. [2013-2102](#) NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby commend Duane Ashley for his thirty-seven years of service to the City, and wish him many happy years of retirement; and

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby declare the week of December 1-7, 2013 to be "Duane Ashley Week" in the City of Pittsburgh.

SPONSOR(S): DARLENE M. HARRIS AND ALL MEMBERS

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

Bill No. [2013-2103](#) NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby commend and congratulate the late Omar Islam for his love and dedication to family, friends and the entire City of Pittsburgh; and

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby declare Saturday, December 7, 2013 to be "Omar Islam Day" in the City of Pittsburgh, in commemoration of a young man whose promising future was taken away, but whose dedication and optimism will never be forgotten.

SPONSOR(S): DARLENE M. HARRIS AND ALL MEMBERS

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

Bill No. [2013-2104](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate the D2 Hockey organization for a successful year and commend all of the volunteers that have made it a success; and,

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

declare Tuesday, December 3, 2013, to be "D2 Hockey 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.

[2013-2105](#)

THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does hereby commend Handmade Arcade, Pittsburgh's first and largest independent craft fair, and all of the creative Pittsburghers who have helped to shape and bolster the City's independent craft scene over the past 10 years; and

THEREFORE BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby declare Saturday, December 7, 2013 to be Handmade Arcade Day in the City of Pittsburgh.

SPONSOR(S): NATALIA RUDIAK AND ALL MEMBERS

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

Bill No.

[2013-2106](#)

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare December 9, 2013, to be "AMNESTY INTERNATIONAL PITTSBURGH HUMAN RIGHTS FESTIVAL AND 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.

[2013-2089](#)

Resolution authorizing the issuance of a warrant in the total sum of Three Thousand Seven Hundred Fifty Dollars and No Cents (\$3,750.00) to Thomas G. McConnell Jr., 255 Silverbell Court, West Chester, PA 19380 for arbitration services in connection with City of Pittsburgh and IAFF Local 1 Act 111 Health Care Reopener Arbitration. Pursuant to Section 8 of the Policemen and Firemen Collective Bargaining Act (Act 111), the City is required to pay the expenses incurred in connection with the arbitration proceeding.

Read and referred to Committee on Finance and Law

Bill No.

[2013-2090](#)

Resolution authorizing the issuance of a warrant in the total sum of Nine Thousand Six Hundred Seventy Dollars and No Cents (\$9,670.00) to John M. Skonier, Esq., 2417 Oakland Drive, Norristown, PA 19403 for arbitration services in connection with City of Pittsburgh and IAFF Local 1 Act 111 Health Care Reopener Arbitration. Pursuant to Section 8 of the Policemen and Firemen Collective Bargaining Act (Act 111), the City is required to pay the expenses incurred in connection with the arbitration proceeding.

Read and referred to Committee on Finance and Law

Bill No. Resolution authorizing the issuance of a warrant in the total sum of Three Thousand
[2013-2091](#) Two Hundred Sixty-Seven Dollars and No Cents (\$3,267.00) to Buchanan Ingersoll & Rooney, P.C., One Oxford Centre, 301 Grant Street, 20th Floor, Pittsburgh, PA 15219, for arbitration services in connection with an Act 111 Interest Arbitration. Pursuant to Section 8 of the Policemen and Firemen Collective Bargaining Act (Act 111), the City is required to pay the expenses incurred in connection with the arbitration proceeding.

Read and referred to Committee on Finance and Law

COUNCILMAN BRUCE A. KRAUS PRESENTS:

Bill No. Resolution authorizing the Mayor and the Director of the Department of Public
[2013-2093](#) Works, on behalf of the City of Pittsburgh, to enter into an Easement Agreement granting to the City of Pittsburgh a permanent easement and right-of-way for a sidewalk/streetscape and to Concord Sierra D.A. Shadyside.

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

A motion was made that this matter be Read and referred to the Committee on Public Works. The motion carried.

Bill No. Resolution authorizing the Mayor and the Director of the Department of Public Works
[2013-2094](#) and the Director of the Department of Finance, on behalf of the City of Pittsburgh, to grant to The Peoples Natural Gas Company, LLC, a Pennsylvania Corporation located at 375 North Shore Drive, Suite 600, Pittsburgh, Pennsylvania 15212, an easement for a gas pipeline, which must be relocated from its present position due to the Heth's Run Bridge relocation project.

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

Read and referred to Committee on Public Works

COUNCILMAN COREY O'CONNOR PRESENTS:

Bill No. Resolution authorizing the issuance of a warrant in favor of the Richard S. Caliguiri
[2013-2095](#) Amyloidosis Foundation in an amount not to exceed sixteen thousand, four hundred, eleven dollars (\$16,411.00), in connection with the 2013 Great Race in the Department of Parks and Recreation, without previous authority of law; and providing for the payment thereof.

Read and referred to Committee on Finance and Law

Bill No. Resolution providing for the acceptance by the City of Pittsburgh from the Estate of
[2013-2096](#) Elizabeth Ann Yallum of certain property in the 12th ward of the City of Pittsburgh for public purpose to become part of the space plan of Larimer Area Redevelopment adjacent to Highland Park on the Negley Run Area.

Read and referred to Committee on Urban Recreation

Bill No. Resolution providing for the acceptance by the City of Pittsburgh from Dan P. Lipsky
[2013-2097](#) of certain property in the 10th ward of the City of Pittsburgh for public purpose and
addition to the Allegheny River Greenway at the cost of the City of Pittsburgh.

Read and referred to Committee on Urban Recreation

Bill No. Resolution providing for the acceptance by the City of Pittsburgh from Ari I. and
[2013-2098](#) Karen H. Lightman of certain property in the 14th Ward of the City of Pittsburgh for
public purpose to become part of the Nine Mile Greenway.

Read and referred to Committee on Urban Recreation

COUNCILWOMAN NATALIA RUDIAK PRESENTS:

Bill No. Resolution authorizing the Mayor and the Director of CIS to enter into an agreement
[2013-2099](#) with Richland Towers to extend the current radio tower contract located at Montana
Street, Pittsburgh, PA 15214. The contract will run for a term of 20 years with the city
able to implement a 10 year extension. An annual payment of \$25,000 with a 3%
yearly escalator beginning in year 2 will be deposited in the recently created MBRO.

Read and referred to Committee on Performance and Asset Management

COUNCILWOMAN THERESA KAIL-SMITH PRESENTS:

Bill No. Resolution authorizing the Director of Public Safety, and the Acting Chief of Police to
[2013-2092](#) enter into a grant agreement with the United States Department of Justice, Office of
Justice Programs, Bureau of Justice Assistance (DOJ) to receive monies from the 2013
Justice Assistance Grant Program, and further authorizing legitimate expenditures by
the Department of Public Safety, Bureau of Police, for purchases authorized by the
Grant Agreement and for the execution of agreements(s), or contract(s) for any
equipment or services required in connection with the execution of said Grant
Agreement. Said agreement(s) or contract(s) shall not exceed \$157,943.00.

Read and referred to Committee on Public Safety Services

COUNCIL PRESIDENT DARLENE M. HARRIS PRESENTS:

Bill No. Resolution providing for the issuance of a warrant in favor of Granicus, Inc. in the
[2013-2100](#) amount of \$19,686.88 in payment for the annual maintenance agreement and other
services related to the legislative tracking software used by the City Clerk's Office.

SPONSOR(S): DARLENE M. HARRIS

Read and referred to Committee on Finance and Law

UNFINISHED BUSINESS

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 November 25, 2013 with an
[2013-2086](#) Affirmative Recommendation.

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

Bill No. Ordinance supplementing the Pittsburgh Code, Title One, Administrative, Article XI, Personnel, Chapter 192, Pensions, Section 192.26 "Pension Allowance."
[2013-2040](#)

SPONSOR(S): WILLIAM PEDUTO

A motion was made that this matter be RECOMMENDED to the Standing Committee. The motion carried.

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 25, 2013 with an Affirmative Recommendation.
[2013-2087](#)

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

Bill No. Resolution amending Resolution No. 435, approved June 25, 2013, providing for the implementation of a Residential Parking Permit Program (RPPP) Area "CC" in the Southside Flats community (Council District #3) to expand the area to include additional addresses pursuant to the Pittsburgh Code Chapter 549.
[2013-2046](#)

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

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

Bill No. Resolution amending Resolution No. 810 approved December 4, 2001 providing for the implementation of the Residential Parking Permit Program (RPPP) Area "W" in the Crawford-Roberts community (Council Districts #6) to expand the district to include additional addresses pursuant to Pittsburgh Code Chapter 549.
[2013-2047](#)

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

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

Bill No. Resolution amending Resolution No. 339, effective May 17, 2013, entitled: "providing for an Agreement or Agreements with various community organizations for operational/administrative expenses, maintenance, purchase of equipment and/or
[2013-2054](#)

rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh; and further, authorizing various City departments to enter into a contract or contracts or use existing contracts for street paving, the purchase of equipment and/or furniture and other related costs, at a cost not to exceed \$800,000.00, so as to reprogram funds in City Council from: "DPW-Flowers for Riverview Park Entrance" (-\$2,000.00) and transfer these funds to "Sarah Heinz House" (+\$2,000.00).

SPONSOR(S): DARLENE M. HARRIS

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

Votes: Ayes: 7 - Rev. Burgess, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak and Mrs. Smith

Noes: 0

Abstentions: 0

Absent: 1 - Mr. Peduto

Bill No.

[2013-2055](#)

Resolution amending Resolution No. 340, effective May 17, 2013, entitled: by providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 2007 Community Development Block Grant Program; providing for the execution of grant contracts and for the filing of other data providing for required assurances; providing for execution of payment vouchers on letter of credit and for certification of authorized signature; the deposit of the funds in a bank account and providing for the payment of expenses within categories; so as to reprogram funds in City Council from: "DPW-Flowers for Riverview Park Entrance" (-\$2,000.00) and transfer these funds to "Sarah Heinz House" (+\$2,000.00).

SPONSOR(S): DARLENE M. HARRIS

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

Votes: Ayes: 7 - Rev. Burgess, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak and Mrs. Smith

Noes: 0

Abstentions: 0

Absent: 1 - Mr. Peduto

Bill No.

[2013-2056](#)

Resolution amending Resolution No. 424, effective June 20, 2013, entitled "Resolution providing for an Agreement or Agreements with various community organizations for operational/administrative expenses, maintenance, purchase of equipment and/or rehabilitation of neighborhood facilities and the benefit of residents of the City of Pittsburgh; and further, authorizing various City Departments to enter into contact or contracts or use existing contract or contracts for street paving, the purchase of equipment and/or furniture and other related costs at a costs not to exceed 800,000.00, so as to reprogram funds in City Council from: "District 1 Equipment" (-\$13,000.00) and transfer these funds to "Sarah Heinz House" (+ \$8,000.00), and "The Wheel Mill" (+\$5,000.00).

SPONSOR(S): DARLENE M. HARRIS

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

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

Bill No.

[2013-2057](#)

Resolution amending Resolution No. 425, effective June 20, 2013, entitled: Resolution providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 2008 Community Development Block Grant Program; providing for the execution of grant contracts and for the filing of other data providing for required assurances; providing for execution of payment vouchers on letter of credit and for certification of authorized signature; the deposit of the funds in a bank account and providing for the payment of expenses within categories, so as to reprogram funds in City Council from: "District 1 Equipment" (-\$13,000.00) and transfer these funds to "Sarah Heinz House" (+ \$8,000.00), and "The Wheel Mill" (+\$5,000.00).

SPONSOR(S): DARLENE M. HARRIS

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

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

COUNCIL PRESIDENT DARLENE M. HARRIS PRESENTS COMMITTEE ON INTERGOVERNMENTAL AFFAIRS

Bill No.

[2013-2088](#)

Report of the Committee on Intergovernmental Affairs for November 25, 2013 with an Affirmative Recommendation.

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

Bill No.

[2013-1955](#)

Resolution requesting the approval of an inter-municipal transfer of restaurant liquor license, License No. R-10917 from GAELIC 17, INC., 1025 Whitney Court Drive, Townhouse #61 Latrobe, PA. 15640, to the Applicant GAELIC 17, INC., who already owns the Liquor License which is being sought for the premises located at 5832 Forward Avenue, Pittsburgh, PA 15217, restaurant known as the Squirrel Hill Sports Bar, 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: 7 - Rev. Burgess, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak and Mrs. Smith
Noes: 0
Abstentions: 0
Absent: 1 - Mr. Peduto

Bill No.

[2013-2049](#)

Resolution approving execution of a Contract for Disposition by Sale of Land by and between the Urban Redevelopment Authority of Pittsburgh and Smithfield Oliver Partners, LP for the sale of Block 2-A, Lots 124 & 127 and Block 2-E, Lot 4, situated in the 2nd Ward of the City of Pittsburgh in the 2nd Ward of the City of Pittsburgh, Council District No.6 (Commercial Development).

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

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

Bill No.

[2013-2050](#)

Resolution authorizing a Cooperation Agreement between the City of Pittsburgh and the Urban Redevelopment Authority of Pittsburgh to divert 75% of the incremental parking taxes, up to \$7,000,000, in order to fund a portion of the redevelopment of the former Saks Building into the 350 Oliver Project. (Council District 6)

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

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

MOTIONS AND RESOLUTIONS

EXCUSE ABSENT MEMBER - MR. PEDUTO

APPROVAL OF MINUTES

ADJOURNMENT

LEGISLATION PRESENTED BY SIGN LANGUAGE INTERPRETER