

# **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, November 12, 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

## MAYOR RAVENSTAHL'S 2014 BUDGET ADDRESS

## PROCLAMATIONS

Bill No. [2013-2041](#) NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby recognize and honor Allegheny Health Network hospitals, the network's World Diabetes Day Planning Committee, American Diabetes Association , Pennsylvania Diabetes Action Partnership and the Juvenile Diabetes Research Foundation for their commitment towards creating awareness of diabetes; and

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby declare Thursday, November 14, 2013, to be "World Diabetes 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. [2013-2042](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend the role that the Epilepsy Foundation Western/Central Pennsylvania is playing in raising awareness about Epilepsy in the City of Pittsburgh; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare the Month of November, 2013 "Epilepsy Awareness Month" in the City of Pittsburgh.

**SPONSOR(S): THERESA SMITH AND ALL MEMBERS**

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

## PUBLIC COMMENTS

## PRESENTATION OF PAPERS

### COUNCILMAN REV. RICKY V. BURGESS PRESENTS:

Bill No. [2013-2037](#) Resolution further amending Resolution No. 74, effective February 29, 2012 entitled "Providing for an Agreement or Agreements, or use of existing Agreements and/or a Contract or Contracts, or use of existing Contracts, and for the purchase of materials, supplies, equipment, and/or services for various projects in connection with the City Council Neighborhood Needs Program; and providing for the payment of the costs thereof", by transferring \$100,000 to East Liberty Development Inc for the purpose of

hiring a consultant and doing minor capital projects, and further transferring the remaining unspent funds into a District 9 Neighborhood Needs holding fund. Total of all projects is not to exceed \$264,758.42.

**SPONSOR(S): REVEREND RICKY V. BURGESS**

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

Bill No.

[2013-2038](#)

Resolution further amending and supplementing Resolution No. 855 of 2011, entitled "adopting and approving the 2012 capital budget and the 2012-2017 Capital Improvement Program" by transferring \$100,000 to East Liberty Development Inc for the purpose of hiring a consultant and doing minor capital projects, and further transferring the remaining unspent funds into a District 9 Neighborhood Needs holding fund.

**SPONSOR(S): REVEREND RICKY V. BURGESS**

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

**COUNCILMAN WILLIAM PEDUTO PRESENTS:**

Bill No.

[2013-2040](#)

Ordinance supplementing the Pittsburgh Code, Title One, Administrative, Article XI, Personnel, Chapter 192, Pensions, Section 192.26 "Pension Allowance."

**SPONSOR(S): WILLIAM PEDUTO**

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

**COUNCIL PRESIDENT DARLENE M. HARRIS PRESENTS:**

Bill No.

[2013-2033](#)

Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application for financial assistance for the Wood Street Commons project in the amount of \$500,000 to the Commonwealth of Pennsylvania Department of Community and Economic Development for the operation and administration of the project in FY 2013-2014. (Council District 6).

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

Bill No.

[2013-2034](#)

Resolution authorizing a 2013-2014 Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh providing for the designation of the local matching share for a grant applied for in an application filed with the Pennsylvania Department of Community and Economic Development under the Keystone Communities Program for the Wood Street Commons project. (Council District 6).

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

Bill No.

[2013-2035](#)

Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application for financial assistance for the Miller/Reed For-Sale Homes project in the amount of \$500,000 to the Commonwealth of Pennsylvania Department of Community and Economic Development for the operation and administration of the project in FY 2013-2014. (Council District 6).

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

Bill No. Resolution authorizing a 2013-2014 Cooperation Agreement or Agreements with the  
[2013-2036](#) Urban Redevelopment Authority of Pittsburgh providing for the designation of the local matching share for a grant applied for in an application filed with the Pennsylvania Department of Community and Economic Development under the Keystone Communities Program for the Miller/Reed For-Sale Homes project. (Council District 6).

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

Bill No. Petition from the residents of the City of Pittsburgh requesting a Public Hearing before  
[2013-2039](#) City Council relative to discussing the need to make dirt bikes, quads and other off-road vehicles be registered, licensed and insured as regular vehicles in the City of Pittsburgh

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

## 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 7, 2013 with an  
[2013-2029](#) Affirmative Recommendation.

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

Bill No. Resolution authorizing the issuance of a warrant in the total sum of \$3,789.57 to  
[2013-1949](#) Babst, Calland, Clements & Zomnir, PC, Two Gateway Center, 603 Stanwix Street, 7th Floor, Pittsburgh, PA 15222 for professional consulting services in connection with zoning and planning matters.

**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 652 of 2010 to increase the amount of funds  
[2013-1974](#) available for unanticipated repairs of City of Pittsburgh fleet vehicles by First Vehicle Services during the Third Operational Year (2013) of the current contract between the City and First Vehicle Services.

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

**Votes:** Ayes: 6 - Rev. Burgess, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak and Mrs. Smith  
Noes: 1 - Mrs. Harris  
Abstentions: 0  
Absent: 1 - Mr. Peduto

Bill No.

[2013-1994](#)

Resolution authorizing the issuance of a warrant in the total sum of Nine Thousand Five Hundred Twenty Dollars and Fifty Cents (\$9,520.50) 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 & Firemen Collective Bargaining Act (Act 111), the City is required to pay the expenses incurred in connection with the arbitration proceeding.

**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.

[2013-1995](#)

Resolution authorizing the issuance of a warrant in the total sum of Eleven Thousand Nine Hundred Seventy-One Dollars and Thirty-Seven Cents (\$11,971.37) to Buchanan Ingersoll & Rooney, P.C., One Oxford Centre, 301 Grant St., 20th Floor, Pittsburgh, PA 15219, for expert legal consulting services in connection with Employment Litigation, Labor Negotiations and Labor Relations.

**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.

[2013-1996](#)

Resolution authorizing the issuance of a warrant in the total sum of \$2,300.50 to Leech Tishman Fuscaldo & Lampl, 525 William Penn Place, 30th Floor, Pittsburgh, PA 15219, for professional services in connection with benefits and payroll policy review.

**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. [2013-1997](#) Resolution authorizing the issuance of a warrant in the total sum of Five Thousand Nine Hundred Forty-Three Dollars (\$5,943.00) to Burns White, 4 North Shore Center, 106 Isabella Street, Pittsburgh, PA 15212 for professional consulting services in connection with expert consulting services related to Beech Construction Inc. vs. City of Pittsburgh, et al. at GD No. 13-007626.

**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. [2013-1998](#) Resolution authorizing the Mayor and the City Solicitor to enter it an Agreement with Leatta M. Hough, PhD, President of the Dunnette Group, Ltd., for expert consulting services associated with the case Foster and Sharp vs. City of Pittsburgh Bureau of Police (2:12-cv-1207) at a cost not to exceed Twenty-Five Thousand Dollars (\$25,000.00).

**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. [2013-1999](#) Resolution authorizing the Mayor and the City Solicitor to enter into an agreement for the hiring of Cycom Data Systems, Inc., to continue maintaining and upgrading CityLaw, the Department of Law's legal case management and administrative support software system at a cost not to exceed \$11,124.00 (Eleven Thousand, One Hundred Twenty-Four Dollars).

**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

## **COUNCILWOMAN THERESA KAIL-SMITH PRESENTS COMMITTEE ON PUBLIC SAFETY SERVICES**

Bill No. [2013-2030](#) Report of the Committee on Public Safety Services for November 7, 2013 with an Affirmative Recommendation.

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

Bill No.

[2013-1773](#)

Ordinance Amending the Pittsburgh City Code, Title Six: Conduct, Article I: Regulated Rights and Actions; Chapter 601: Public Order, by adding Section 601.19, Social Hosts and Disorderly Gatherings and supplementing Title Six: Conduct, Article 7: Disruptive Properties: Chapter 670: Disruptive Property Abatement, by amending Section 670.02, Disruptive Property Defined, by adding the following to the list of Sections in 670.02(a)(1): 601.19 (Social Host and Underage Drinking)

**SPONSOR(S): BRUCE A. KRAUS**

**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

#### **COUNCILMAN BRUCE A. KRAUS PRESENTS COMMITTEE ON PUBLIC WORKS**

Bill No.

[2013-2031](#)

Report of the Committee on Public Works for November 7, 2013 with an Affirmative Recommendation.

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

Bill No.

[2013-2000](#)

Resolution granting unto Bucket Trail, LP 188 43rd Street #2, Pittsburgh, PA 15201, their successor and assign, the privilege and license to construct, maintain and use at their own cost and expense, a Marquee and identification signs at 4115 Butler Street in the 9th Ward, 7th Council District of the City of Pittsburgh.

**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.

[2013-2001](#)

Resolution granting unto Nicholas Penn Avenue LLC, 23 Market Place, Pittsburgh, PA 15222, their successor and assign, the privilege and license to construct, maintain and use at their own cost and expense, HVAC Units 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:**

**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 vacating a portion of Jewel Street between-Flavian Street and Ruthven Street in the 6th, Ward, 7th Council District of the City of Pittsburgh.  
[2013-2002](#)

**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. Report of the Committee on Intergovernmental Affairs for November 7, 2013 with an Affirmatiave Recommendation.  
[2013-2032](#)

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

Bill No. Resolution adopting Plan Revision to the City of Pittsburgh's Official Sewage Facilities Plan for Sienna Mercato, 942 Penn Avenue, Pittsburgh, PA 15222.  
[2013-2021](#)

**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 MEMBERS - MR. PEDUTO**

### **APPROVAL OF MINUTES**

### **ADJOURNMENT**

### **LEGISLATION PRESENTED BY SIGN LANGUAGE INTERPRETER**