

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, May 6, 2014

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

ROLL CALL

Present: 9 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak, Mrs. Kail-Smith and Mr. Kraus

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

Bill No. BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby
[2014-0398](#) declare May 16, 2014 as "Food Revolution Day" in the City of Pittsburgh.

SPONSOR(S): DAN GILMAN

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

Bill No. NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh
[2014-0400](#) does hereby proclaim May 10, 2014, as "Bach Day" in the City of Pittsburgh.

SPONSOR(S): DAN GILMAN

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

Bill No. BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby
[2014-0401](#) declare Tuesday, May 6, 2014, to be "Superintendent Moffatt Day" in the City of Pittsburgh.

SPONSOR(S): THERESA KAIL-SMITH

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

Bill No. NOW, THEREFORE, BE IT FURTHER RESOLVED that the Council of the City of
[2014-0402](#) Pittsburgh does hereby declare Tuesday, May 6th, 2014, to be Korean War Veterans Day in the City of Pittsburgh.

SPONSOR(S): BRUCE A. KRAUS

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

Bill No. NOW, THEREFORE, BE IT FURTHER RESOLVED that the Council of the City of
[2014-0403](#) Pittsburgh does hereby declare Tuesday, April 29, 2014 to be "Frank J. Lucchino Day" in the City of Pittsburgh.

SPONSOR(S): BRUCE A. KRAUS

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

Bill No. NOW, THEREFORE, BE IT FURTHER RESOLVED that the Council of the City of
[2014-0404](#) Pittsburgh does hereby declare, Saturday, May 3, 2014 to be "The Emmaus Community Day of Outstanding Service" in the City of Pittsburgh.

SPONSOR(S): BRUCE A. KRAUS

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

Bill No. BE IT FURTHER RESOLVED, , that the Council of the City of Pittsburgh does
[2014-0405](#) hereby declare Monday, May 12, 2014 , to be “GREENFIELD SCHOOL TEACHERS DAY” in the City of Pittsburgh.

SPONSOR(S): COREY O'CONNOR

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

Bill No. BE IT FURTHER RESOLVED, , that the Council of the City of Pittsburgh does
[2014-0406](#) hereby declare Thursday, May 15, 2014 to be “ JEWISH FAMILY AND CHILDREN'S SERVICES DAY” in the City of Pittsburgh.

SPONSOR(S): COREY O'CONNOR

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

PUBLIC COMMENTS

PRESENTATION OF PAPERS

COUNCILWOMAN DEBORAH L. GROSS PRESENTS:

Bill No. Resolution approving a Conditional Use under the Pittsburgh Code, Title Nine,
[2014-0397](#) Zoning, Article V, Chapter 911, Section 911.04.A.64 to Hill House Passport Academy Charter School, lessee and Hill House Association, property owner, for authorization to occupy a portion of a three-story building as a Secondary School, General for grades 9 through 12 and a maximum enrollment of 180 students, located at 1825 Centre Avenue on property zoned RM-M, Residential Multi -Unit, Moderate Density District, 3rd Ward.

Read and referred to Committee on Land Use and Economic Development

COUNCILWOMAN NATALIA RUDIAK PRESENTS:

Bill No. Resolution amending Resolution 352 of 2012 and Resolution 310 of 2013 to authorize
[2014-0393](#) and direct the City Controller to forward Twelve Thousand, Six Hundred Dollars and Fifty Cents (\$12,600.50) in unused Love Your Block grant monies provided to the City by The Home Depot Foundation to Rebuilding Together Pittsburgh, Inc. for use for the Sustainable Home Improvement Partnership initiative.

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

Read and referred to Committee on Finance and Law

Bill No. Resolution authorizing the Mayor and/or the Director of the Department of Finance to
[2014-0394](#) receive grant funds from Rebuilding Together Pittsburgh and authorizing the Mayor and the Director of Finance, through the City's Grants Officer, to enter into Amendment No. 2 to the Memorandum of Agreement with the Corporation for National and Community Service (“CNCS”) concerning the continuation of the City of Pittsburgh's AmeriCorps VISTA Program for 2014/2015, and to amend Resolution No. 310 of 2013 to allow monies originally encumbered for Amendment No. 1 to the Memorandum of Agreement with CNCS to be used for the Amendment No. 2 to the

Memorandum of Agreement with CNCS.

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

Read and referred to Committee on Finance and Law

Bill No.

[2014-0395](#)

Resolution authorizing the issuance of a warrant in favor of Pepper Hamilton, LLP, 500 Grant Street, Suite 5000 Pittsburgh, PA 15219, in an amount not to exceed One Hundred Ten Thousand Dollars, (\$110,000.00), said amount representing payment for professional services rendered in connection with currently pending litigation in the United States District Court for the Western District of Pennsylvania at Civil Action No. 12-1600.

Read and referred to Committee on Finance and Law

Bill No.

[2014-0396](#)

Resolution providing for the issuance of a warrant in the total sum of Two Thousand Five Hundred Dollars (\$2,500.00), in favor of VocResources, LLC, P.O. Box 12881, Pittsburgh, PA 15241, for payment of professional services rendered in Tara Clanagan vs. City of Pittsburgh, et al., Common Pleas Court of Allegheny County, No. GD 12-021607, for personal injuries and damages arising from a vehicular accident, on or about July 8, 2012, at the intersection of Lincoln Avenue and Shetland Avenue.

Read and referred to Committee on Finance and Law

Bill No.

[2014-0399](#)

Resolution authorizing the Mayor and City Solicitor to enter into an agreement or agreements for the hiring of outside legal counsel and consultants to represent the City of Pittsburgh in connection with currently pending litigation in the Court of Common Pleas of Allegheny County at GD 13-003256 regarding the Outdoor Advertising Tax ordinance at a cost not to exceed \$20,000.00 (Twenty Thousand Dollars).

Read and referred to Committee on Finance and Law

UNFINISHED BUSINESS

Bill No.

[2014-0351](#)

Resolution appointing Sheldon Williams as a member of the Citizens Police Review Board for a term to expire on October 31, 2015.

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

Bill No.

[2014-0352](#)

Resolution appointing Dina 'Free' Blackwell as a member of the Pittsburgh Planning Commission for a term to expire on January 2, 2020.

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

REPORTS OF COMMITTEE - FINAL ACTION

COUNCILWOMAN NATALIA RUDIAK PRESENTS COMMITTEE ON FINANCE AND LAW

Bill No.

[2014-0389](#)

Report of the Committee on Finance, Law and Law for April 30, 2014 with an Affirmative Recommendation.

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

Bill No.

[2014-0048](#)

Resolution providing for the issuance of a Three Thousand Three Hundred Seventy-Five dollar (\$3,375.00) warrant in favor of John F. Delaney, M.D., 1380 Old Freeport Rd, Pittsburgh, PA 15238, for payment of professional services rendered in Raymond Burke, et al. vs. City of Pittsburgh, Common Pleas Court of Allegheny County, No. GD11-008932, arising from an alleged incident that occurred on June 12, 2009.

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

Votes: Ayes: 9 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak, Mrs. Kail-Smith and Mr. Kraus

Noes: 0

Abstentions: 0

Bill No.

[2014-0280](#)

Resolution authorizing the issuance of warrants in the total sum of \$20,000.00, payable as follows: in the sum of \$19,687.29 in favor of Angela Williams, c/o Merle Kramer Mermelstein, Esquire, Silberblatt, Mermelstein, P.C., 2904 Gulf Tower; 707 Grant Street, Pittsburgh, PA 15219, and \$312.71 in favor of City Treasurer, releasing and discharging the City of Pittsburgh and Scott Donald from direct liability in any and all claims in the Court of Common Pleas of Allegheny County, Pennsylvania filed at GD 10-020652, and arising from an alleged incident on July 27, 2009 and described more fully in plaintiff's complaint in civil action.

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

Votes: Ayes: 9 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak, Mrs. Kail-Smith and Mr. Kraus

Noes: 0

Abstentions: 0

Bill No.

[2014-0281](#)

Resolution authorizing the issuance of a warrant in favor of Global Recovery Services, P.O. Box 105795, Atlanta, GA 30348-9864, in an amount not to exceed Two Thousand, Four Hundred, One Dollars and Thirty-Six Cents (\$2,401.36), said amount representing payment for deductible amounts due pursuant to policy of insurance covering the G-20 related claim No. 683-328469.

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

Votes: Ayes: 9 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak, Mrs. Kail-Smith and Mr. Kraus

Noes: 0

Abstentions: 0

Bill No.

[2014-0301](#)

Resolution providing for the issuance of warrants in the total sum of Fifty Two Thousand Five Hundred Dollars (\$52,500.00) payable as follows: Eleven Thousand Nine Hundred Forty Dollars and Fifty Cents (\$11,940.50) in favor of Trover Solutions, Inc., Trover Plaza, 9390 Bunsen Parkway, Louisville, KY 40220 and Forty Thousand Five Hundred Fifty-Nine Dollars and Fifty Cents (\$40,559.50) in favor of Raymond and Catherine Burke and their attorneys Friday & Cox, LLC, 1405 McFarland Road, Pittsburgh, PA 15216 in settlement of the action filed in the Court of Common Pleas of Allegheny County, Pennsylvania at GD 11-008932, for personal injuries and damages arising from a vehicular accident, on or about June 12, 2009, at the intersection of Crawford Street and Centre Avenue.

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

Votes: Ayes: 9 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak, Mrs. Kail-Smith and Mr. Kraus

Noes: 0

Abstentions: 0

Bill No.

[2014-0302](#)

Resolution providing for the issuance of a warrant in the total sum of Eight Thousand Sixty Dollars (\$8,060.00) in favor of Gleason & Associates, PC, One Gateway Center, Suite 525, 420 Fort Duquesne Boulevard, Pittsburgh, PA 15222-1402, for payment of professional services rendered in Raymond Burke, et al. vs. City of Pittsburgh, Common Pleas Court of Allegheny County No. GD11-008932, for personal injuries and damages arising from a vehicular accident, on or about June 12, 2009, at the intersection of Crawford Street and Centre Avenue.

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

Votes: Ayes: 9 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak, Mrs. Kail-Smith and Mr. Kraus

Noes: 0

Abstentions: 0

Bill No.

[2014-0303](#)

Resolution providing for the issuance of a warrant in the total sum of Five Thousand Three Hundred Seventy Dollars (\$5,370.00) in favor of Tucker Independent Medical Experts, Inc., 1082 Bower Hill Road, Suite 100, Pittsburgh, PA 15243, for payment of professional services rendered in Raymond Burke, et al. vs. City of Pittsburgh, Common Pleas Court of Allegheny County No. GD11-008932, for personal injuries and damages arising from a vehicular accident, on or about June 12, 2009, at the intersection of Crawford Street and Centre Avenue.

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

Votes: Ayes: 9 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak, Mrs. Kail-Smith and Mr. Kraus

Noes: 0

Abstentions: 0

Bill No. Resolution authorizing the Mayor and the Director of Finance to enter into an agreement 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.

[2014-0347](#)

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

Votes: Ayes: 9 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak, Mrs. Kail-Smith and Mr. Kraus
Noes: 0
Abstentions: 0

COUNCILMAN R. DANIEL LAVELLE PRESENTS COMMITTEE ON PUBLIC SAFETY SERVICES

Bill No. Report of the Committee on Public Safety Services for April 30, 2014 with an Affirmative Recommendation.

[2014-0390](#)

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

Bill No. Resolution authorizing and directing the Controller to return unobligated grant funds for the payment of police officers for Community Oriented Policing Services to the Department of Justice until such work is actually performed.

[2014-0340](#)

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

Votes: Ayes: 9 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak, Mrs. Kail-Smith and Mr. Kraus
Noes: 0
Abstentions: 0

Bill No. Resolution authorizing the Citizen Police Review Board to enter into an Agreement(s) or Contract(s) with Atty. Elizabeth F. Collura of Clark Hill Thorp Reed, LLC, for professional services to assist in the legal representation of the Citizen Police Review Board. Said Agreement(s) or Contract(s) shall not exceed Forty-Five Thousand Dollars (\$45,000).

[2014-0341](#)

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

Votes: Ayes: 9 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak, Mrs. Kail-Smith and Mr. Kraus
Noes: 0
Abstentions: 0

COUNCILWOMAN THERESA KAIL-SMITH PRESENTS COMMITTEE ON PUBLIC WORKS

Bill No. [2014-0391](#) Report of the Committee on Public Works for April 30, 2014 with an Affirmative Recommendation.

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

Bill No. [2014-0342](#) Resolution authorizing the Mayor and/or the Director of the Department of Finance to execute a Declaration of Covenants to document the City's responsibility to maintain improvements to the Westinghouse Memorial Monument in Schenley Park and authorizing the Mayor and the Directors of the Departments of Public Works and Parks and Recreation to enter into a Project and License Agreement with the Pittsburgh Parks Conservancy to perform the restoration work for the Westinghouse Memorial and to provide a maintenance fund for its subsequent repair and conservation needs.

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

Votes: Ayes: 8 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak, Mrs. Kail-Smith and Mr. Kraus
Noes: 1 - Mrs. Harris
Abstentions: 0

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

Bill No. [2014-0392](#) Report of the Committee on Land Use and Economic Development for April 30, 2014 with an Affirmative Recommendation.

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

Bill No. [2014-0343](#) Resolution amending Resolution 170, approved April 1, 2014, providing for the implementation of a Residential Parking Permit Program (RPPP) Area "A", in the Central Lawrenceville area (Council District #7) to shorten the district to remove streets pursuant to Pittsburgh Code Chapter 549.

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

Votes: Ayes: 9 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak, Mrs. Kail-Smith and Mr. Kraus
Noes: 0
Abstentions: 0

Bill No. [2014-0344](#) Resolution providing for the implementation of the Residential Parking Permit Program (RPPP) Area "GG" in the Central Lawrenceville community (Council Districts #7) pursuant to Pittsburgh Code Chapter 549.

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

Votes: Ayes: 9 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak, Mrs. Kail-Smith and Mr. Kraus

Noes: 0

Abstentions: 0

Bill No. Resolution providing for the implementation of the Residential Parking Permit Program (RPPP) Area “JJ” in the Bloomfield community (Council Districts #7) pursuant to Pittsburgh Code Chapter 549.

[2014-0345](#)

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

Votes: Ayes: 9 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak, Mrs. Kail-Smith and Mr. Kraus
Noes: 0
Abstentions: 0

Bill No. Resolution amending Resolution No. 665 approved October 15, 2013, providing for the implementation of the Residential Parking Permit Program (RPPP) area “R” in the Bloomfield community (Council Districts #7) to expand the district to include additional addresses pursuant to Pittsburgh Code Chapter 549.

[2014-0346](#)

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

Votes: Ayes: 9 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak, Mrs. Kail-Smith and Mr. Kraus
Noes: 0
Abstentions: 0

MOTIONS AND RESOLUTIONS

AT THE REQUEST OF COUNCILWOMAN DARLENE HARRIS AND COUNCILMAN DAN GILMAN

MOTION FOR A CABLECAST POST AGENDA ON TOWERS

APPROVAL OF MINUTES

ADJOURNMENT

LEGISLATION PRESENTED BY SIGN LANGUAGE INTERPRETER