

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, February 18, 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**

**Linda M. Johnson-Wasler, City Clerk
Mary Beth Doheny, Deputy City Clerk**

ROLL CALL

Present: 8 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. O'Connor, Ms. Rudiak, Mrs. Kail-Smith and Mr. Kraus
Absent: 1 - Mr. Lavelle

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

Bill No. [2014-0117](#) NOW, THEREFORE BE IT RESOLVED, that the City of Pittsburgh recognizes the life and death of Marcus L. White Jr., whose untimely passing shall serve to remind us all of our duty to protect families and children from the cancer of gun violence with the hopes of preventing any further loss of innocent lives as a result of these senseless acts of inhumanity; and,

NOW, THEREFORE BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Tuesday, February 18, 2014 to be "Marcus Lamont White Jr. Day" in the City of Pittsburgh.

SPONSOR(S): BRUCE A. KRAUS AND ALL MEMBERS

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

Bill No. [2014-0118](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize Joshua Yoskosky and Joe Fogiato for their selfless and heroic efforts to save their neighbors from imminent harm caused by a devastating house fire; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare February 18, 2014 to be "Joshua Yoskosky and Joe Fogiato Day" in the City of Pittsburgh.

SPONSOR(S): DAN GILMAN AND ALL MEMBERS

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

Bill No. [2014-0119](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby pay tribute to the Carnegie Mellon University School of Drama's first 100 years of success, celebrate the next 100 years of innovation and talent in the arts and entertainment professions, directly affecting how people experience our world at large.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare February 18, 2014, "Carnegie Mellon University School of Drama Day" in the City of Pittsburgh.

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

Bill No. [2014-0120](#) NOW, THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does hereby commend and congratulate Russ Babines for a story that is uniquely Pittsburgh and recognizes Mark Clayton Southers for his vision, leadership and determination to make the Pittsburgh Playwrights Company an asset for the City of

Pittsburgh.

BE IT FURTHER RESOLVED, , that the Council of the City of Pittsburgh does hereby declare Friday, February 21, 2014, to be “ PITTSBURGH PLAYWRIGHTS THEATER COMPANY DAY ” in the City of Pittsburgh.

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

Bill No.

[2014-0121](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby honor and congratulate Nathaniel Gray on his mere fortitude to not only survive, but, to prosper and become an accomplished member of the community

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Tuesday, February 18, 2014, to be " Nathaniel Gray Day" in the City of Pittsburgh.

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

PUBLIC COMMENTS

PRESENTATION OF PAPERS

COUNCILMAN REV. RICKY V. BURGESS PRESENTS COMMITTEE ON FINANCE AND LAW

Bill No.

[2014-0115](#)

Ordinance supplementing the Pittsburgh Code of Ordinances, Title One - Administrative, Article III, Organization, Chapter 135 - Department of City Planning by adding a new subsection, 135.03 - Priority Communities.

SPONSOR(S): REVEREND RICKY V. BURGESS

Read and referred to Committee on Land Use and Economic Development

Bill No.

[2014-0116](#)

Resolution amending Resolution No. 796, effective January 1, 2014, entitled "Adopting and approving the 2014 Capital Budget and the 2014 Community Development Block Grant Program; and approving the 2014 through 2019 Capital Improvement Program," by reducing the 2014 Street Resurfacing line item by \$200,000.00 and by creating the Pittsburgh Priority Communities Initiative in the amount of \$200,000.00

SPONSOR(S): REVEREND RICKY V. BURGESS

Read and referred to Committee on Finance and Law

COUNCILMAN DAN GILMAN PRESENTS:

Bill No.

[2014-0107](#)

Resolution adopting Plan Revision to the City of Pittsburgh's Official Sewage Facilities Plan for Bailey Park at 7, 15 and 21 Bailey Way, Ward 18, Pittsburgh, PA 15211.

Read and referred to Committee on Intergovernmental Affairs

COUNCILMAN COREY O'CONNOR PRESENTS:

Bill No. [2014-0111](#) Resolution further amending Resolution No. 149 of 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 reclassifying the funds for Squirrel Hill Urban Coalition from 'S.H. Post Office Parklet' to 'S.H. Welcome Sign.' Total cost of all projects is not to exceed \$198,980.27.

SPONSOR(S): COREY O'CONNOR

Read and referred to Committee on Finance and Law

Bill No. [2014-0112](#) 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 reclassifying the funds for Squirrel Hill Urban Coalition from 'S.H. Post Office Parklet' to 'S.H. Welcome Sign.'

SPONSOR(S): COREY O'CONNOR

Read and referred to Committee on Land Use and Economic Development

COUNCILWOMAN NATALIA RUDIAK PRESENTS:

Bill No. [2014-0106](#) Resolution authorizing the issuance of a warrant in the total sum of Nine Thousand Dollars (\$9,000.00), in favor of Judith A. Contos, 1936 Pioneer Avenue, Pittsburgh, PA 15226, releasing and discharging the City of Pittsburgh from direct liability in any and all claims in the Court of Common Pleas of Allegheny County, Pennsylvania filed at AR 13-003171, and arising from the overgrowth of roots from a City-owned tree and described more fully in plaintiff's complaint in civil action.

Read and referred to Committee on Finance and Law

Bill No. [2014-0108](#) Resolution authorizing City Council to approve intra-departmental transfers throughout the 2014 Fiscal Year

SPONSOR(S): NATALIA RUDIAK

Read and referred to Committee on Finance and Law

COUNCILWOMAN THERESA KAIL-SMITH PRESENTS:

Bill No. [2014-0109](#) Resolution amending Resolution No. 596 of 2013, entitled "Resolution providing for an Agreement(s) and Contract(s) or for use of existing Agreement(s) and Contract(s) with the Community Design Center to conduct a study to re-purpose three closed public schools in Council District 2 at a cost no to exceed \$150,000.00," by authorizing an agreement with the Urban Redevelopment Authority.

SPONSOR(S): THERESA KAIL-SMITH

Read and referred to Committee on Land Use and Economic Development

Bill No. [2014-0110](#) Resolution amending Resolution No. 480 of 2013, entitled "Resolution further amending Resolution No. 772, effective January 1, 2013, as amended, entitled "Adopting and approving the 2013 Capital Budget and the 2013 Community

Development Block Grant Program; and approving the 2013 through 2018 Capital Improvement Program,” by adding \$150,000 to the Community Design Center to conduct a study to re-purpose three closed public schools in Council District 2,” by reallocating the funds to the Urban Redevelopment Authority.

SPONSOR(S): THERESA KAIL-SMITH

Read and referred to Committee on Finance and Law

COUNCILMAN BRUCE A. KRAUS PRESENTS:

Bill No. [2014-0113](#) Communication from City Controller Michael E. Lamb, submitting a Fiscal Audit of the Department of Public Works, Bureau of Environmental Services-Recycling Division, Solid Waste Trust Fund (SWTF) dated January 2014.

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

Bill No. [2014-0114](#) Communication from City Controller Michael E. Lamb, submitting a Fiscal Audit of the Department of Public Works, Forestry Division, Shade Tree Trust Fund (STTF), dated January 2014.

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

UNFINISHED BUSINESS

REPORTS OF COMMITTEE - FINAL ACTION

COUNCILWOMAN NATALIA RUDIAK PRESENTS COMMITTEE ON FINANCE AND LAW

Bill No. [2014-0102](#) Report of the Committee on Finance and Law for February 12, 2014 with an Affirmative Recommendation.

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

Bill No. [2014-0070](#) Resolution authorizing issuance of a warrant in the sum of \$16,133.40, in favor of Allegheny Union Pittsburgh Project, LLC, c/o Armstrong Development Properties, 1370 Washington Pike, Suite 305, Bridgeville, PA 15017, in settlement of a claim for sidewalk damage from City tree roots at 1860 Centre Avenue, Pittsburgh, PA 15219.

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

Votes: Ayes: 6 - Ms. Gross, Mrs. Harris, Mr. O'Connor, Ms. Rudiak, Mrs. Kail-Smith and Mr. Kraus
Noes: 0
Abstentions: 1 - Rev. Burgess
Out of Room: 1 - Mr. Gilman
Absent: 1 - Mr. Lavelle

Bill No. Resolution amending Resolution 539 of 2013 and Resolution No. 761 of 2012 to
[2014-0097](#) increase the allocated funds for the purchase and closing and other associated auxiliary costs pertaining to the City's acquisition of property located at 1553 Broadway Avenue and to revise object account references for all funding sources.

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

Votes: Ayes: 7 - Rev. Burgess, Ms. Gross, Mrs. Harris, Mr. O'Connor, Ms. Rudiak, Mrs. Kail-Smith and Mr. Kraus
Noes: 0
Abstentions: 0
Out of Room: 1 - Mr. Gilman
Absent: 1 - Mr. Lavelle

COUNCILWOMAN THERESA KAIL-SMITH PRESENTS COMMITTEE ON PUBLIC WORKS

Bill No. Report of the Committee on Public Works for February 12, 2014 with an Affirmative
[2014-0103](#) Recommendation.

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

Bill No. Resolution further amending Resolution No.772, effective, January 1, 2013, as
[2014-0071](#) amended, entitled "Adopting and approving the 2013 Capital Budget and the 2013 Community Development Block Grant Program; and approving the 2013 through 2017 Capital Improvement Program," by increasing the "Park Reconstruction" line item by \$64,810 from \$820,000.00 to \$884,810.00.

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

Votes: Ayes: 7 - Rev. Burgess, Ms. Gross, Mrs. Harris, Mr. O'Connor, Ms. Rudiak, Mrs. Kail-Smith and Mr. Kraus
Noes: 0
Abstentions: 0
Out of Room: 1 - Mr. Gilman
Absent: 1 - Mr. Lavelle

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

Bill No. Report of the Committee on Land Use and Economic Development for February 12,
[2014-0104](#) 2014 with an Affirmative Recommendation.

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

Bill No. Resolution authorizing the Mayor and the Director of City Planning to enter into an agreement or agreements with members of the Zoning Board of Adjustment, for payment of services for duties related to any and all activities of the Zoning Board of the City of Pittsburgh. Cost not to exceed \$39,000.

[2014-0072](#)

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

Votes: Ayes: 7 - Rev. Burgess, Ms. Gross, Mrs. Harris, Mr. O'Connor, Ms. Rudiak, Mrs. Kail-Smith and Mr. Kraus
Noes: 0
Abstentions: 0
Out of Room: 1 - Mr. Gilman
Absent: 1 - Mr. Lavelle

Bill No. Ordinance amending the Pittsburgh Code, Title V, Traffic, Article VII - Parking, Chapter 549, Residential Parking Permit Program, Section 549.07, Issuance of Parking Permits; subsection (a), by adding language as it relates to residents and business owners for the number of parking permits for each affected permit parking district for their vehicles.

[2014-0073](#)

SPONSOR(S): DARLENE M. HARRIS

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:

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

COUNCILMAN COREY O'CONNOR PRESENTS COMMITTEE ON URBAN RECREATION

Bill No. Report of the Committee on Urban Recreation for February 12, 2014 with an Affirmative Recommendation.

[2014-0105](#)

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

Bill No. Resolution authorizing the Mayor and the Director of the Department of Public Works and/or the Department of Parks and Recreation to enter into a Project License Agreement with The Pittsburgh Parks Conservancy in connection with park and recreational improvements to Cliffside Park.

[2014-0076](#)

SPONSOR(S): COREY O'CONNOR

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

Votes: Ayes: 5 - Rev. Burgess, Ms. Gross, Mr. O'Connor, Ms. Rudiak and Mr. Kraus
Noes: 2 - Mrs. Harris and Mrs. Kail-Smith
Abstentions: 0
Out of Room: 1 - Mr. Gilman
Absent: 1 - Mr. Lavelle

MOTIONS AND RESOLUTIONS

EXCUSE ABSENT MEMBER - MR. LAVELLE

APPROVAL OF MINUTES

ADJOURNMENT

LEGISLATION PRESENTED BY SIGN LANGUAGE INTERPRETER