

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, October 29, 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: 8 - Rev. Burgess, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

Bill No.

[2013-2004](#)

THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh, commends the PITTSBURGH CULTURAL TRUST for all they do to develop and promote Pittsburgh's renowned Cultural District, thereby making Pittsburgh a better place to live, work, and play; and,

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby declare Tuesday, October 29th, 2013 to be Pittsburgh Cultural Trust Day in the City of Pittsburgh and encourages all citizens to support and attend the Cultural District's diverse events and programs.

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

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

Bill No.

[2013-2005](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend Scott Evans for his tremendous work ethic on and off the field and congratulates him on his acceptance into Harvard; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Tuesday, October 29, 2013, to be "Scott Evans Day" in the City of Pittsburgh.

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SPONSOR(S): THERESA SMITH AND ALL MEMBERS

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

Bill No.

[2013-2006](#)

NOW, THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does hereby recognize and commend Pittsburgh Allderdice High School for its consistent and unwavering emphasis on academics , rigor and diversity in education and congratulates the students who have achieved National Merit Scholar designations; and,

BE IT FURTHER RESOLVED, , that the Council of the City of Pittsburgh does hereby declare Tuesday, October 29, 2013, to be "ALLDERDICE NATIONAL MERIT SCHOLAR 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.

Bill No.

[2013-2007](#)

THEREFORE BE IT RESOLVED that City of Pittsburgh does hereby commend “Ninety: The Campaign for the Mayor of Pittsburgh” creators Adam Shuck and Alex Pazuchanics for their efforts in drawing attention to the rich history of our City and its political process; and

THEREFORE BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby declare Tuesday, October 29th, 2013 to be “Ninety 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.

[2013-2008](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize the Thomas Merton Center's lasting commitment to peace, prosperity, and justice for Pittsburgh and the world, and Bill McKibben's commitment to a healthy environment for the entire planet; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare November 4, 2013 “Bill McKibben Day” in the City of Pittsburgh.

SPONSOR(S): WILLIAM PEDUTO AND ALL MEMBERS

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

Bill No.

[2013-2009](#)

NOW, THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does hereby recognize and commend the Loyal Order of Moose, Hays 1436 for its good work and congratulates the Hays Lodge for 100 years of continuous community service ; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Sunday, October 27, 2013, to be “ LOYAL ORDER OF MOOSE, HAYS LODGE 1436 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.

Bill No.

[2013-2010](#)

NOW THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does hereby recognize the critical role that the Greenfield Baseball Association has played in the community, commends those GBA volunteers who have given unselfishly of their time and congratulates the honorees at the Annual Awards Dinner for their contributions to the Greenfield community; and,

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby declare Saturday, November 2, 2013, to be “GREENFIELD 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.

Bill No.

[2013-2011](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize The Children's Home's continuous excellence in establishing and strengthening families for 120 years, and Rick Sebak's incredible contribution to Pittsburgh through his many cherished documentaries; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare November 1, 2013 to be "The Children's Hometown Hero Day" in the City of Pittsburgh.

SPONSOR(S): WILLIAM PEDUTO AND ALL MEMBERS

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

Bill No.

[2013-2012](#)

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize Alyce Johnston's strength of character, selfless devotion and service to others, and thanks her for her warmth of spirit and demonstrable compassion, and, further, does hereby wish Alyce a very happy 93rd birthday; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Saturday, November 2nd, 2013 "Alyce Johnston 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.

[2013-2013](#)

The City of Pittsburgh, Pennsylvania, USA and Saitama City, Saitama Prefecture, Japan, hereby jointly reaffirm on the 15th year anniversary that the two cities enter into the sister city relationship in order to achieve the following common objectives:

- Promote friendship between the citizens of their respective cities,
- Foster mutual understanding and trust through cultural, social, educational, economic and sports activities,
- Follow the guidelines of Sister Cities International,
- Cooperate together in an ever-lasting effort to deepen friendship and goodwill, and
- Encourage the mutual growth and spirit of the continued Renaissance for both cities through the exchange of information and the promotion of trade and business development in the future.

SPONSOR(S): DARLENE HARRIS AND WILLIAM PEDUTO

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.
[2013-1994](#) 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.

Read and referred to Finance and Law Committee

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.

Read and referred to Finance and Law Committee

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.

Read and referred to Finance and Law Committee

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.

Read and referred to Finance and Law Committee

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).

Read and referred to Finance and Law Committee

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).

Read and referred to Finance and Law Committee

COUNCILMAN BRUCE A. KRAUS PRESENTS:

Bill No. 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.

[2013-2000](#)

Read and referred to Public Works Committee

Bill No. 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.

[2013-2001](#)

Read and referred to Public Works Committee

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](#)

Read and referred to Public Works Committee

COUNCILMAN R. DANIEL LAVELLE PRESENTS:

Bill No. Resolution providing for the designation as a Historic Structure under Title 11 of the Code of Ordinances that certain structure known as the Pennsylvania Fruit Auction and Sales Building, located at 2100 Smallman Street, block and lot number 9-D-200, in the 2nd Ward, City of Pittsburgh.

[2013-2003](#)

Read and referred to Land Use and Economic Development Committee

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 October 23, 2013 with an Affirmative Recommendation.

[2013-1990](#)

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

Bill No. Resolution authorizing issuance of warrants in the total sum of \$3,500.00, payable as follows: in the sum of \$3,454.27 in favor of Carla Glover, 1113 Sutherland Street, Pittsburgh, PA 15204, and \$45.73 in favor of City Treasurer. This is in settlement of a claim for a property damages due to forced entry of residence in error by City SWAT Team on March 29, 2013.

[2013-1950](#)

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

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

Bill No. Resolution authorizing the Mayor and Director of Finance to enter into a Professional Services Agreement with Kolano Design to provide a design template document for the City of Pittsburgh's Market Based Revenue Opportunities (MBRO) program, at a cost not to exceed twenty thousand (\$20,000) dollars.

[2013-1951](#)

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

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

COUNCILWOMAN THERESA KAIL-SMITH PRESENTS COMMITTEE ON PUBLIC SAFETY SERVICES

Bill No. Report of the Committee on Public Safety for October 23, 2013 with an Affirmative Recommendation.

[2013-1991](#)

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

Bill No. Resolution authorizing the Chief of the Bureau of Police to adopt a minimum staffing policy, and further mandating an automatic promotional timeline.

[2013-1259](#)

SPONSOR(S): THERESA SMITH AND DARLENE HARRIS

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

COUNCILMAN BRUCE A. KRAUS PRESENTS COMMITTEE ON PUBLIC WORKS

Bill No. Report of the Committee on Public Works for October 23, 2013 with an Affirmative Recommendation.

[2013-1992](#)

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

Bill No. Resolution granting unto Allegheny County Sanitary Authority-ALCOSAN, 3300 Preble Avenue, Pittsburgh, PA 15233, their successor and assign, the privilege and license to construct, maintain and use at their own cost and expense, a flagpole with CSO alert flag in the Southside Riverfront Park in the 16th Ward, 3rd Council District of the City of Pittsburgh.

[2013-1953](#)

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

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

Bill No. Resolution vacating a portion of Roxbury Way between Bigelow Boulevard and Paulowna Street in the 6th, Ward, 7th Council District of the City of Pittsburgh.
[2013-1954](#)

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

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

COUNCIL PRESIDENT DARLENE M. HARRIS PRESENTS COMMITTEE ON INTERGOVERNMENTAL AFFAIRS

Bill No. Report of the Committee on Intergovernmental Affairs for October 23, 2013 with an Affirmative Recommendation.
[2013-1993](#)

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

Bill No. Resolution calling upon the Mayor of the City of Pittsburgh to create a Public Schools Task Force and further calling upon the Pittsburgh Board of Public Education to place a moratorium on the closing of Pittsburgh Public Schools for the 2014-2015 school year to allow such Task Force to evaluate and make recommendations regarding the public schools system.
[2013-1875](#)

SPONSOR(S): THERESA SMITH

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

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

MOTIONS AND RESOLUTIONS AT THE REQUEST OF COUNCILMAN KRAUS AND COUNCILWOMAN SMITH:

*MOTION FOR A CABLECAST POST AGENDA:
Discussion on the Coalition Against Violence*

ANNOUNCEMENT

TRICK OR TREAT TIME: 5:30 P.M. - 7:30 P.M.

EXCUSE ABSENT MEMBERS - NONE

APPROVAL OF MINUTES

ADJOURNMENT

LEGISLATION PRESENTED BY SIGN LANGUAGE INTERPRETER