

# **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 10, 2013**

**10:00 AM**

**Council Chambers**

### **City Council**

**ONE-HUNDRED  
THIRTY-SEVENTH COUNCIL**

**Darlene M. Harris, President**

**Council Members: Rev. Ricky V. Burgess, Deborah L. Gross, 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: 9 - Rev. Burgess, Ms. Gross, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith

## PLEDGE OF ALLEGIANCE

## PROCLAMATIONS

Bill No.

[2013-2118](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby declare December 10, 2013 to be "Charles Allie Day" in the City of Pittsburgh.

**SPONSOR(S): R. DANIEL LAVELLE, DARLENE M. HARRIS AND ALL MEMBERS**

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

Bill No.

[2013-2119](#)

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby commend and congratulate Doris Carson Williams for her dedication to Community Service Leadership and Excellence in the City of Pittsburgh and throughout western Pennsylvania; and

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby declare December 10, 2013 to be "Doris Carson Williams 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.**

## PUBLIC COMMENTS

## PRESENTATION OF PAPERS

### COUNCILMAN REVEREND RICKY V. BURGESS PRESENTS:

Bill No.

[2013-2113](#)

Resolution authorizing the issuance of a warrant in the total sum of Forty Eight Thousand Five Hundred Dollars and No Cents (\$48,500.00) to Strassburger McKenna Gutnick & Gefsky for professional consulting and legal services in relation to reviews of the City's processes and procedures regarding tax collection matters.

**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.

[2013-2114](#)

Resolution realigning a total of \$4,485,000 between various accounts within the 2013 Operating Budget. This transfer is necessary for the 2013 close in order to meet expenditures for the remainder of the fiscal year.

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

**Read and referred to Committee on Finance and Law****COUNCILWOMAN THERESA KAIL-SMITH PRESENTS:**

Bill No. Resolution authorizing the issuance of a warrant in favor of Quinn's Quality Services  
[2013-2116](#) in the amount not to exceed Fifteen Thousand Nine Hundred Fifty Dollars (\$15,950.00), in payment for lawn cutting services rendered to senior residents of Council District No. 2 during the months of May through September, 2013.

**SPONSOR(S): THERESA SMITH**

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

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

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

Bill No. Resolution adopting Plan Revision to the City of Pittsburgh's Official Sewage  
[2013-2115](#) Facilities Plan for Eastside Limited Partnership III land development located on or about 6118 Penn Circle South, Pittsburgh, Pennsylvania 15206.

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

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

Bill No. Communication from City Controller Michael Lamb submitting a Performance Audit  
[2013-2117](#) for the Department of Public Works Equipment Inventory, dated December, 2013.

**A motion was made that this matter be Read, Received and Filed. 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 December 4, 2013 with an  
[2013-2107](#) Affirmative Recommendation.

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

Bill No. Ordinance amending and supplementing the City Code at Title Two: Fiscal, Article 1:  
[2013-1910](#) Administration so as to add a new chapter entitled "Chapter 204: Cash Management Policy" that mandates that the City and City Departments have a cash management policy.

**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, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith  
Noes: 0  
Abstentions: 1 - Ms. Gross

Bill No.

[2013-2073](#)

Ordinance amending the Pittsburgh Code, Title Two, Fiscal; Article IX, Property Taxes; Chapter 263, Real Property Tax and Exemption; Section 263.01, Levy and Rate on Lands and Buildings, by fixing the rate of taxation for 2014.

**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: 1 - Ms. Gross

Bill No.

[2013-2074](#)

Ordinance amending the Pittsburgh Code, Title Two, Fiscal; Article VII, Business Related Taxes; Chapter 245, Earned Income Tax; Section 245.03, Declaration and Payment of Tax; subsection (e), Interest for 2014, by fixing the rate of interest on delinquent Earned Income Tax for the year 2014.

**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: 1 - Ms. Gross

Bill No.

[2013-2075](#)

Ordinance amending the Pittsburgh Code, Title Two, Fiscal; Article VII, Business Related Taxes; Chapter 246, Home Rule Tax; Section 246.03, Declaration and Payment of Tax; subsection (e), Interest for 2014, by fixing the rate of interest on delinquent Home Rule Tax for the year 2014.

**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: 1 - Ms. Gross

Bill No.

[2013-2076](#)

Resolution providing for a professional services agreement or agreements with Maher Duessel for the performance of the City's Financial Statement including Single Audit for the years ending December 31, 2013, December 31, 2014 and December 31, 2015, at a total cost not to exceed Five Hundred and Three Thousand Eight Hundred Eighty Dollars (\$503,880.00) over three years, chargeable to and payable from the

Department of Finance Miscellaneous Services Account, Budget Years 2014, 2015 and 2016.

**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: 1 - Ms. Gross

Bill No.

[2013-2077](#)

Resolution providing for the conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984; having been placed for sale to adjoining property owners in conjunction with the City of Pittsburgh Side Yard Program.  
ITEMS A through D.

A: 134 Hazelwood, B: 402 Saline, C: 534 Griffin, D: 414 Fairywood

**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: 1 - Ms. Gross

Bill No.

[2013-2078](#)

Resolution providing for the filing of petitions for the sale of certain properties, acquired at tax sales, in accordance with Act No.171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984. ITEMS A through R. A: 2003 Forbes; B: 2015-17 Forbes; C: 2021 Forbes; D: 2025 Forbes; E: 2027 Forbes; F: 2028 Forbes; G: 2029 Forbes; H: 2031 Forbes; I: 2018 Watson, J: 121 Burrows, K: 121 Burrows, L: 3507 Wakefield, M: 179 34th, N: 5159 Stanton, O: 1407 Juniata, P: 4742 Sylvan, Q: 257 Alpine, R: 1423 Boyle.

**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: 1 - Ms. Gross

Bill No.

[2013-2079](#)

Resolution providing for the filing of petitions for the sale of certain properties, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.  
ITEMS A through F. A: 112 N. Mathilda, B: 4741 Irvine, C: 218 Helen,  
D: 312 Oregon, E: 1200 & 1202 High, {F: 1464 High - DELETED}

**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: 1 - Ms. Gross

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

Bill No. Report of the Committee on Public Safety Services for December 4, 2013 with an  
[2013-2108](#) 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 Six, Conduct, Article I, Regulated  
[2013-1614](#) Rights and Actions, by adding Chapter 625 entitled Red Light Enforcement Systems

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

**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: 7 - Rev. Burgess, Ms. Gross, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor and Mr. Peduto

Noes: 2 - Ms. Rudiak and Mrs. Smith

Abstentions: 0

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

Bill No. Report of the Committee on Public Works for December 4, 2013 with an Affirmative  
[2013-2109](#) 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 the Department of Public Works  
[2013-2080](#) to enter into an Easement and Maintenance Agreement with Ronald J. Kleppick to obtain an easement and right of way for the placement of City-owned fixtures on designated portions of the parcel located in the 10th Ward and identified in the Allegheny County Department of Real Estate as Lot and Block No. 120-J-164, commonly called 5700 Butler Street, City of Pittsburgh, Allegheny County, Pennsylvania, and for access for repair and maintenance for such fixtures.

**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: 1 - Ms. Gross

Bill No.

[2013-2081](#)

Resolution authorizing the Mayor and the Director of the Department of Public Works to enter into a Ownership and Maintenance Agreement with Bakery Square 2 Agent, LP, transferring certain ownership rights regarding pavement, furniture, lighting, bio retention area, piping, grates and plantings and other infrastructure, as well as certain rights pertaining to installation and maintenance in the Bakery Square 2 Development in the Seventh Ward (7th) Ward, Council District 8 of the City of Pittsburgh.

**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: 1 - Ms. Gross

Bill No.

[2013-2093](#)

Resolution authorizing the Mayor and the Director of the Department of Public 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 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: 1 - Ms. Gross

Bill No.

[2013-2094](#)

Resolution authorizing the Mayor and the Director of the Department of Public Works 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 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: 1 - Ms. Gross

**COUNCILMAN R. DANIEL LAVELLE PRESENTS COMMITTEE ON LAND USE & ECONOMIC DEVELOPMENT**

Bill No. Report of the Committee on Land Use and Economic for December 4, 2013 with an  
[2013-2110](#) Affirmative Recommendation.

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

Bill No. Resolution changing the names of various streets in the East Liberty neighborhood as  
[2013-2082](#) per recommendation by the City of Pittsburgh Addressing Committee (CPAC). The names of Penn Circle North, Penn Circle South, Penn Circle East, Penn Circle West, and a portion of Collins Street shall be renamed in accordance With the Pittsburgh Code, Title Four, Public Places and Property, Chapter 420 Uniform Street Naming and Addressing.

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

**Votes:** Ayes: 9 - Rev. Burgess, Ms. Gross, 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 December 4, 2013 with an  
[2013-2111](#) Affirmative Recommendation.

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

Bill No. Resolution adopting official sewage facilities plan for the Morrow Park City  
[2013-2083](#) Apartments at 5210 Liberty Avenue, Pittsburgh, PA 15224.

**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: 1 - Ms. Gross

Bill No. Resolution adopting Plan Revision to the City of Pittsburgh's Official Sewage  
[2013-2084](#) Facilities Plan for Embassy Suites at the Oliver Building, located at 535 Smithfield Street, Pittsburgh, Pennsylvania, 15222.

**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: 1 - Ms. Gross

Bill No.

[2013-2085](#)

Resolution approving Execution of a Contract for Disposition by Sale of Land by and between the Urban Redevelopment Authority of Pittsburgh and Artice Coleman for the Sale of Block 22-K, Lot 287, in the 21st Ward of the City of Pittsburgh - Council District No. 6 (1422 N. Franklin Street - Sideyard)

**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: 1 - Ms. Gross

## **MOTIONS AND RESOLUTIONS**

### **EXCUSE ABSENT MEMBER - NONE**

### **APPROVAL OF MINUTES**

### **ADJOURNMENT**

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