### **City of Pittsburgh**

510 City-County Building 414 Grant Street Pittsburgh, PA 15219



### **Meeting Minutes - Final**

Tuesday, May 26, 2015 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 - Kimberly Clark, Deputy City Clerk

### A. ROLL CALL

**Present** 8 - Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak, Mrs. Kail-Smith, and Mr. Kraus

Absent 1 - Rev. Burgess

### **B. PLEDGE OF ALLEGIANCE**

### C. PROCLAMATIONS

2015-1665 NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate Cellone's Bakery for its success and continued

growth in the City of Pittsburgh; and,

**BE IT FURTHER RESOLVED,** that the Council of the City of Pittsburgh does hereby declare Thursday, May 28, 2015, to be "Cellone's Bakery Day" in the City of Pittsburgh.

Sponsors: Mrs. Kail-Smith and All Members

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

2015-1666

**NOW, THEREFORE BE IT RESOLVED**, that the Council of the City of Pittsburgh does hereby thank Mr. John Eberlein for his years of commitment and service to the residents of the City of Pittsburgh and congratulate him on his retirement; and,

**BE IT FURTHER RESOLVED,** that the Council of the City of Pittsburgh does hereby declare <u>Tuesday, May 26, 2015</u>, to be "**John Eberlein Day**" in the City of Pittsburgh.

Sponsors: Mrs. Kail-Smith and All Members

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

<u>2015-1667</u>

NOW, THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does hereby recognize and value the efforts of all who work to temper the isolating effects of communication disorders in the one in five families affected by them; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby proclaim May 26, 2015, as "Cheers for Ears Day" in the City of Pittsburgh.

Sponsors: Mr. Gilman and All Members

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

<u>2015-1668</u>

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend Mr. Tripodi on his exceptional work in integrating arts and humanities into his curriculum at Blackhawk High School; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Tuesday, May 26, 2015, to be "Jeff Tripodi Day" in the City of Pittsburgh.

Sponsors: Rev. Burgess and All Members

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

2015-1669

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby honor Pastor Glaze for 25 years of service to Bethany Baptist Church, the community of Homewood and the City of Pittsburgh; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Saturday, June 26, 2015, to be "Reverend Dr. William R. Glaze Day" in the City of Pittsburgh.

Sponsors: Rev. Burgess and All Members

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

<u>2015-1684</u>

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize Dr. Caroline Acker for her years of providing the highest quality care to those in need in the Pittsburgh community; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare July 4, 2015 to be "Dr. Caroline Acker Day" in the City of Pittsburgh.

Sponsors: Mr. Gilman and All Members

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

<u>2015-1685</u>

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize, on behalf of Alpha Phi Alpha, African-American veterans who served in the military and in active duty from the Civil War to today; and,

BE IT FURTHER RESOLVED, that the Council of the City of does hereby declare May 22, 2015, to be "First in Valor Day" in the City of Pittsburgh.

Sponsors: Mr. Lavelle and All Members

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

<u>2015-1686</u>

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate Altar of God Ministry on their one-year anniversary and commends them for their commitment to the spiritual needs of the residents of the City of Pittsburgh; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Sunday, May 24, 2015, to be "Altar of God Ministry Day" in the City of Pittsburgh.

Sponsors: Mrs. Kail-Smith and All Members

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

### D. PUBLIC COMMENTS

### E. PRESENTATION OF PAPERS

### **COUNCILMAN DAN GILMAN PRESENTS:**

2015-1674 Resolution adopting Plan Revision to the City of Pittsburgh's Official Sewage Facilities Plan for Bailey Park Phase II, Science Street/Zuzu Circle, Pittsburgh (18th Ward), Allegheny County, Pennsylvania.

### Read and referred to the Committee on Intergovernmental Affairs

2015-1675 Resolution adopting Plan Revision to the City of Pittsburgh's Official Sewage Facilities Plan for 3601 Butler Street, Pittsburgh, PA 15206.

### Read and referred to the Committee on Intergovernmental Affairs

### **COUNCILWOMAN DEBORAH L. GROSS PRESENTS:**

Resolution providing for the designation as a Historic Structure under Title 11 of the Code of Ordinances that certain structure known as the Turney House, located at 160 43rd Street, block and lot number 49-B-791, in the 9th Ward, City of Pittsburgh.

### Read and referred to the Committee on Land Use and Economic Development

2015-1677 Providing for the designation as a Historic Structure under Title 11 of the Code of Ordinances that certain structure known as the Walton House, located at 4412-4414 Plummer Street, block and lot number 80-P-68, in the 9th Ward, City of Pittsburgh.

### Read and referred to the Committee on Land Use and Economic Development

Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article I, Section 902.03 Zoning Map, by changing from R3-M, Residential Three-Unit, Moderate Density, to P, Parks District, a certain property identified as Block Number 51-H, lot number 118 in the Allegheny County Block and Lot System.

### Read and referred to the Committee on Land Use and Economic Development

### **COUNCILMAN R. DANIEL LAVELLE PRESENTS:**

Resolution authorizing the Mayor and the Director of the Department of Public Safety, on behalf of the City of Pittsburgh, to enter into a cooperative agreement or agreements with various entities and/or individuals regarding a Safer Together Pittsburgh program initiative entitled "Promised Beginnings" that facilitates parent mentoring. Said agreement(s) shall be at no cost to the City.

### Read and referred to the Committee on Public Safety Services

2015-1681

Resolution authorizing the Director of Public Safety and the Mayor, on behalf of the City of Pittsburgh, to enter into a Cooperative Police Services Agreement or Agreement(s) with the University of Pittsburgh at no cost to the City.

### Read and referred to the Committee on Public Safety Services

### **COUNCILWOMAN NATALIA RUDIAK PRESENTS:**

Resolution providing for the issuance of a warrant in the total sum of Two Thousand Ninety-Six Dollars and Thirty-Five Cents (\$2,096.35) in favor of Powers, Garrison & Hughes, 436 Boulevard of the Allies, Pittsburgh, PA 15219 for transcription services, charging same to 11101.53513.108000.2015.

### Read and referred to the Committee on Finance and Law

2015-1683

Resolution providing for the issuance of a warrant in the total sum of Two Thousand One Hundred Ninety-Three Dollars and Sixty Cents (\$2,193.60) in favor of Powers, Garrison & Hughes, 436 Boulevard of the Allies, Pittsburgh, PA 15219 for transcription services, charging same to 11101.53153.108000.2015.

### Read and referred to the Committee on Finance and Law

### **COUNCILMAN BRUCE A. KRAUS PRESENTS:**

2015-1679 Communication from Tom Short, Finance Director for the Urban Redevelopment Authority, submitting an Independent Auditor's Report for the calendar year, dated December 31, 2014.

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

### F. UNFINISHED BUSINESS

### G. REPORTS OF COMMITTEE - FINAL ACTION

# COUNCILWOMAN NATALIA RUDIAK PRESENTS COMMITTEE ON FINANCE AND LAW

2015-1670 Report of the Committee on Finance and Law for May 20, 2015 with an Affirmative Recommendation.

### Read, Received and Filed

2015-1615 Resolution providing for the filing of petitions for the sale of certain properties, acquired at tax sales in accordance with Act No. 17l of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984. ITEM A: 573
Brushton

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

Aye: 8 - Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak, Mrs. Kail-Smith, and Mr. Kraus

**No**: 0

Abstain: 0

Absent: 1 - Rev. Burgess

### 2015-1616

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 J: A: 7721-23 Susquehanna, 7725 & 7727 Susquehanna, B: 7604 & 7610 Susquehanna, C: 7622 Susquehanna, D: 7628, 7630, & 7632 Susquehanna, E:517, 515, & 511 Brushton, F: 7618 Finance, G: 510 Brushton, H: 7710 Susquehanna, I: 7714, 7716, 7718 Susquehanna, J: 7724 Susquehanna.

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

Aye: 8 - Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak, Mrs. Kail-Smith, and Mr. Kraus

**No:** 0

Abstain: 0

Absent: 1 - Rev. Burgess

2015-1617

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 B. A: 1218 Rush, B: 956 Lysle

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

Aye: 8 - Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak, Mrs. Kail-Smith. and Mr. Kraus

**No:** 0

Abstain: 0

Absent: 1 - Rev. Burgess

2015-1620

Resolution amending and supplementing Resolution number 479 of 2013, as amended entitled "Resolution 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 in Council District 7; and providing for the payment of the costs thereof" so as to transfer \$20,000 from District 7 Neighborhood Needs to Lawrenceville Corporation

Sponsors: Ms. Gross

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

Aye: 8 - Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak, Mrs. Kail-Smith, and Mr. Kraus

**No:** 0

Abstain: 0

Resolution further amending and supplementing Resolution 855 of 2011 entitled "Resolution adopting and approving the 2012 Capital Budget and the 2012 Community Development Block Grant Program" so as to transfer \$20,000 from District 7 Neighborhood Needs to Lawrenceville Corporation

Sponsors: Ms. Gross

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

**Aye:** 8 - Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak, Mrs. Kail-Smith, and Mr. Kraus

Kali-Smith, and Mr

**No:** 0

Abstain: 0

Absent: 1 - Rev. Burgess

# COUNCILWOMAN THERESA KAIL-SMITH PRESENTS COMMITTEE ON PUBLIC WORKS

2015-1671 Report of the Committee on Public Works for May 20, 2015 with an Affirmative Recommendation.

### Read, Received and Filed

2015-1618 Resolution vacating Tenner Way between N Dallas Avenue and Hamilton Avenue in the 12th and 13th Wards, 9th Council District of the City of Pittsburgh.

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

Aye: 8 - Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak, Mrs. Kail-Smith, and Mr. Kraus

**No:** 0

Abstain: 0

Resolution vacating a portion of Sassafras Way/Alley between 29th and 30th Streets in the 6th 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:

Aye: 8 - Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak, Mrs.

Kail-Smith, and Mr. Kraus

**No**: 0

Abstain: 0

Absent: 1 - Rev. Burgess

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

2015-1672 Report of the Committee on Land Use and Economic Development for May 20, 2015 with an Affirmative Recommendation.

#### Read, Received and Filed

2015-1458

Ordinance amending the Pittsburgh Code, Title Nine, Zoning Code, Article III, Overlay Zoning Districts, Chapter 907, Development Overlay Districts, Section 907.02, IPOD, Interim Planning Overlay District, by adding a new section 907.02.I to establish a new Interim Planning Overlay District for Uptown.

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

Aye: 8 - Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak, Mrs. Kail-Smith, and Mr. Kraus

**No:** 0

Abstain: 0

Resolution amending Resolution No. 186, effective April 15, 2015, entitled: Resolution providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 2008 Community Development Block Grant Program; providing for the execution of grant contracts and for the filing of other data providing for required assurances; providing for execution of payment vouchers on letter of credit and for certification of authorized signature; the deposit of the funds in a bank account and providing for the payment of expenses within categories, so as to reprogram funds in City Council from: "Monumental Baptist Church" (-\$1,121.09), and transfer these funds to "Northside Old Timers" (+\$1,121.09).

Sponsors: Mr. Lavelle

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

Aye: 8 - Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak, Mrs. Kail-Smith, and Mr. Kraus

**No**: 0

Abstain: 0

Absent: 1 - Rev. Burgess

2015-1623

Resolution amending Resolution No. 187, effective April 15, 2015, entitled "Resolution providing for an Agreement or Agreements with various community organizations for operational/administrative expenses, maintenance, purchase of equipment and/or rehabilitation of neighborhood facilities and the benefit of residents of the City of Pittsburgh; and further, authorizing various City Departments to enter into contact or contracts or use existing contract or contracts for street paving, the purchase of equipment and/or furniture and other related costs at a costs not to exceed 800,000.00", so as to reprogram funds in City Council from: "Monumental Baptist Church" (-\$1,121.09), and transfer these funds to "Northside Old Timers" (+\$1,121.09).

Sponsors: Mr. Lavelle

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

Aye: 8 - Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak, Mrs. Kail-Smith, and Mr. Kraus

**No:** 0

Abstain: 0

Absent: 1 - Rev. Burgess

2015-1624

Resolution amending Resolution No. 135, effective April 2, 2014, entitled: providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 2009 Community Development Block Grant Program; providing for the execution of grant contracts and for the filing of other data providing for required assurances; providing for execution of payment vouchers on letter of credit and for certification of authorized signature; the deposit of the funds in a bank account and providing for the payment of expenses within categories, so as to transfer funds from within City Council from "Monumental Baptist Church" (-\$1,000.00); and transfer these funds to "Northside Old Timers" (+\$1,000.00)

Sponsors: Mr. Lavelle

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

Aye: 8 - Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak, Mrs. Kail-Smith, and Mr. Kraus

**No**: 0

Abstain: 0

Absent: 1 - Rev. Burgess

2015-1625

Resolution amending Resolution No. 134, effective April 2, 2014, entitled "providing for an Agreement or Agreements with various community organizations for operational/administrative expenses, maintenance, purchase of equipment: and/or rehabilitation of neighborhood facilities; and for administrative/operational costs, maintenance, purchase of equipment, and/or rehabilitation of neighborhood facilities of various departmental programs/projects for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$800,000, so as to reprogram funds in City Council from "Monumental Baptist Church" (-\$1,000.00), and transfer these funds to "Northside Old Timers" (+\$1,000.00).

Sponsors: Mr. Lavelle

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

Aye: 8 - Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak, Mrs. Kail-Smith, and Mr. Kraus

**No**: 0

Abstain: 0

Absent: 1 - Rev. Burgess

2015-1626

Resolution amending Resolution No. 193, effective April 15, 2015 entitled: providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 2011 Community Development Block Grant Program; providing for the execution of grant contracts and for the filing of other data providing for required assurances; providing for execution of payment vouchers on letter of credit and for certification of authorized signature; the deposit of the funds in a bank account and providing for the payment of expenses within categories, so as to reprogram funds within City Council from: "Bedford Dwellings" (-\$1,500.00) and "North Shore Stars" (-\$1,500.00), and transfer these funds to "Northside Old Timers" (+3,000.00).

Sponsors: Mr. Lavelle

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

Aye: 8 - Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak, Mrs. Kail-Smith, and Mr. Kraus

**No:** 0

Abstain: 0

Absent: 1 - Rev. Burgess

2015-1627

Resolution amending Resolution No. 194, effective April 15, 2015, entitled: Resolution providing for an Agreement or Agreements with various community organizations for operational/administrative expenses, maintenance, purchase of equipment; and/or rehabilitation of neighborhood facilities; and for administrative/operational costs, maintenance, purchase of equipment, and/or rehabilitation of neighborhood facilities of various departmental programs/projects for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$1,357,500.00; so as to reprogram funds in City Council from: "Bedford Dwellings" (-\$1,500.00) and North Shore Stars" (-\$1,500.00); and transfer these funds to "Northside Old Timers" (+\$3,000.00).

Sponsors: Mr. Lavelle

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

Aye: 8 - Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak, Mrs. Kail-Smith, and Mr. Kraus

No: 0

Abstain: 0

Absent: 1 - Rev. Burgess

2015-1628

Resolution amending Resolution No. 191, effective April 15, 2015, entitled: Amending the Capital Budget and providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 2012 Community Development Block Grant Program; providing for the execution of grant contracts and for the filing of other data providing for required assurances; providing for execution of payment vouchers on letter of credit and for certification of authorized signature; the deposit of the funds in a bank account and providing for the payment of expenses within categories, so as to reprogram funds within City Council from: "African American Chamber of Commerce of Western PA" (-\$3,000.00) and "Fair Housing Partnership of Greater Pgh." (-\$1,878.91); and transfer these funds to "Northside Old Timers" (+\$4,878.91).

Sponsors: Mr. Lavelle

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

Aye: 8 - Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak, Mrs. Kail-Smith, and Mr. Kraus

No: 0
Abstain: 0

Absent: 1 - Rev. Burgess

2015-1629

Resolution amending Resolution No. 190, effective April 15, 2015, entitled, "Providing for an Agreement or Agreements with various community organizations for operational/administrative expenses, maintenance, purchase of equipment; and/or rehabilitation of neighborhood facilities; and for administrative/operational costs, maintenance, purchase of equipment, and/or rehabilitation of neighborhood facilities of various departmental programs/projects for the benefit of residents of the City of Pittsburgh, so as to reprogram funds within City Council: from "African American Chamber of Commerce of Western PA" (-\$3,000.00), and "Fair Housing Partnership of Greater Pgh." (-\$1,878.91); and transfer these funds to "Northside Old Timers" (+\$4,878.91).

Sponsors: Mr. Lavelle

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

Aye: 8 - Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak, Mrs. Kail-Smith, and Mr. Kraus

**No:** 0

Abstain: 0

Absent: 1 - Rev. Burgess

# COUNCILMAN COREY O'CONNOR PRESENTS COMMITTEE ON URBAN RECREATION

2015-1673

Report of the Committee on Urban Recreation for May 20, 2015 with an Affirmatiave Recommendation.

### Read, Received and Filed

2015-1614

Resolution authorizing the Mayor and the Director of Parks and Recreation to execute relevant agreements to receive grant funding to support the Out-of-School Time Programs Grant from the National Recreation and Park Association (NRPA) in partnership with the Walmart Foundation to provide for a healthy meal food service program in our City's recreation centers and further providing for an agreement and expenditures not to exceed thirty thousand (\$30,000) dollars for this stated purpose.

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

Aye: 8 - Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak, Mrs. Kail-Smith. and Mr. Kraus

rtan Omitin, a

**No:** 0

Abstain: 0

- I. MOTIONS AND RESOLUTIONS
- K. EXCUSE ABSENT MEMBERS/ REV. BURGESS
- L. APPROVAL OF MINUTES
- M. ADJOURNMENT
- P LEGISLATION PRESENTED BY SIGN LANGUAGE INTERPRETER