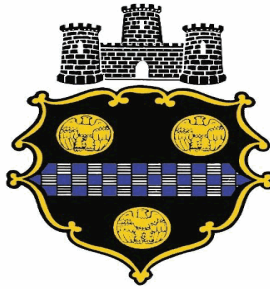


City of Pittsburgh

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



Meeting Minutes - Final

Tuesday, July 7, 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 - 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**

[2015-1826](#) NOW, THEREFORE BE IT RESOLVED, that the council of the City of Pittsburgh does hereby commend and celebrate Marnie Quick for her impressive achievements on the national stage; and,

NOW, THEREFORE BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Tuesday, July 7, 2015 to be "Marnie Quick Day" in the City of Pittsburgh.

Sponsors: MR. GILMAN AND ALL MEMBERS

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

[2015-1827](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize Ms. Adriana Ramírez for her outstanding writing and poetry that seeks to advance freedom of expression and human rights; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare July 4, 2015 to be "Ms. Adriana Ramírez Day " in the City of Pittsburgh.

Sponsors: MR. GILMAN AND ALL MEMBERS

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

[2015-1828](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate Conroy Funeral Home for their 75th Anniversary and commend them for providing family-centered services to assist in celebrating the memory of loved ones while caring for each family member with the same respect and dignity they would have afforded their own family in time of need; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Tuesday, July 7, 2015, to be “Conroy Funeral Home 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.

[2015-1829](#) *NOW, THEREFORE BE IT RESOLVED*, that the Council of the City of Pittsburgh does hereby commend Rev. Canady on five years of service to his congregation and the community ; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Saturday, August 28, 2015, to be “*Rev. Dr. Darryl T. Canady Day*” in the City of Pittsburgh.

Sponsors: REV. BURGESS AND ALL MEMBERS

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

[2015-1830](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize the commitment of the Associated General Contractors of America and the 2015 Safety and Health Committee Conference to the safety and health practices vital for the success of the construction industry; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Wednesday, July 8, 2015, “ACG Safety and Health Committee Conference Day.”

Sponsors: MR. GILMAN AND ALL MEMBERS

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

PUBLIC COMMENTS

PRESENTATION OF PAPERS

COUNCILWOMAN DEBORAH L. GROSS PRESENTS:

[2015-1811](#) 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 the residents of the City of Pittsburgh, at a cost not to exceed \$513,000.

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

[2015-1812](#) 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 the residents of the City of Pittsburgh, at a cost not to exceed \$895,000.00.

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

[2015-1813](#) Resolution providing for an Agreement or Agreement(s) and to provide administrative/operating expenses, including but not limited to, rehabilitation, maintenance, operation, insurance, utilities, furnishings, homeless prevention and essential services and other miscellaneous expenses associated the Emergency Shelter Grant funds, at a cost not to exceed \$1,159,290.00

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

[2015-1814](#) Resolution providing for an Agreement or Agreements with the Jewish Healthcare Foundation to provide administration and operating expenses, housing and housing related supportive services to persons with HIV/AIDS and their families, at a total cost not to exceed \$721,418.00.

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

[2015-1815](#) Resolution providing for Agreement(s) and Contract(s), or use of existing Agreement(s) and Contract(s) with Consultant(s) for the purpose of preparing the 5 Year Consolidated Plan, Annual Action Plan, Performance Report, Analysis of Impediment to Fair Housing Study, all required under the Community Development Block Grant program, and also Technical Assistance and Maintenance of the Rbase internal accounting system; and provide for the payment at a cost thereof, not to exceed 70,000.00.

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

[2015-1816](#) Resolution providing for an Agreement, or Agreements with the Urban League of Pittsburgh, for the implementation/administration of the Housing Counseling Program, and related costs, in the amount not to exceed \$100,000.00.

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

[2015-1817](#) Resolution providing for an Agreement(s) and Contract(s) with consultant(s) and Vendor(s) to assist the City in improving its Citizen Participation Process and provide for payment at a cost thereof, at a cost not to exceed \$190,000.00

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

[2015-1818](#) Resolution amending Resolution No. 718, effective November 28, 2012, 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 \$800,000.00, so as to transfer funds in the Mayor's Office from: "Downtown Neighborhood Association" (-\$5,000.00); and transfer these funds to "Rosedale Block Cluster" (+\$5,000.00).

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

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

[2015-1819](#) Resolution amending Resolution No. 195, effective April 9, 2015, 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 behalf of residents of the City of Pittsburgh, at a cost not to exceed \$800,000.00; so as to reprogram funds in the Mayor's Office from: "Downtown Neighborhood Association" (-\$5,000.00), and transfer these funds to "Rosedale Block Cluster" (+\$5,000.00).

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

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

COUNCILMAN COREY O'CONNOR PRESENTS:

[2015-1825](#) Ordinance supplementing the Pittsburgh Code, Title VI, Article 1, to add a new Section 626, "Paid Sick Days Act," to improve the public health by granting Paid Sick Time to employees in the city of Pittsburgh.

Sponsors: MR. O'CONNOR

Read and referred to the Committee on Finance and Law

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

COUNCILWOMAN NATALIA RUDIAK PRESENTS:

[2015-1820](#) Resolution providing for the issuance of a warrant in the total sum of Two Thousand Four Hundred Forty-Three Dollars and Forty-Four Cents (\$2,443.44) in favor of Donald S. McPherson, Labor Arbitrator, PO Box 638, Indiana, PA, 15701-0638 for arbitration services.

Read and referred to the Committee on Finance and Law

[2015-1821](#) Resolution authorizing issuance of a warrant in the amount of \$4,320.00, in favor of Basil J. Zitelli, in settlement of a claim for reimbursement for sidewalk damage from city tree roots at 1200 N. Highland Avenue, Pittsburgh, PA 15206.

Read and referred to the Committee on Finance and Law

[2015-1822](#) Resolution authorizing issuance of a warrant in the amount of \$3,207.00, in favor of Thomas J. Connors, 1612 Ridenour Avenue, Pittsburgh, PA 15205 in settlement of a claim for out-of-pocket medical expenses associated with injuries sustained from a fall through the City steps that run between Ridenour Avenue and Earlham Street on October 6, 2014.

Read and referred to the Committee on Finance and Law

[2015-1823](#) Resolution providing for a professional services agreement or agreements or existing agreements for consulting services, but not limited to auditing, accounting, and technical services for the City Controller's Office at a cost not to exceed \$70,000.00

Read and referred to the Committee on Finance and Law

COUNCILWOMAN THERESA KAIL-SMITH PRESENTS:

[2015-1824](#) Resolution authorizing the Director of Public Works to enter into an agreement(s) with certain veteran organizations to waive or reduce certain fees per Section 416.02 of the Pittsburgh Code to hang banners approved by the Director of Public Works at specific approved locations in City of Pittsburgh.

Sponsors: MRS. KAIL-SMITH

Read and referred to the Committee on Public Works

UNFINISHED BUSINESS

REPORTS OF COMMITTEE - FINAL ACTION

**COUNCILWOMAN NATALIA RUDIAK PRESENTS COMMITTEE ON
FINANCE AND LAW**

[2015-1807](#) Report of the Committee on Finance and Law for June 29, 2015 with an Affirmative Recommendation.

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

[2015-1756](#) Resolution authorizing and directing the City Controller to create a special trust fund, to be designated as the "Facilities Trust Fund," for the purpose of depositing and segregating funds for the exclusive use of maintenance, capital investment, acquisition, and disposition of City-owned facilities.

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

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

No: 0

Abstain: 0

Absent: 1 - Mr. Lavelle

[2015-1757](#) Resolution authorizing the issuance of a warrant in favor of Acrobatique in an amount not to exceed five thousand dollars (\$5000.00), for the Earth Day Celebration; and providing for the payment thereof.

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

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

No: 0

Abstain: 0

Absent: 1 - Mr. Lavelle

[2015-1759](#) Resolution authorizing the Mayor and the Director of the Department of Finance to accept a donation of five thousand dollars from BNY Mellon for an Earth Day Celebration which was held on April 2, 2015.

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

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

No: 0

Abstain: 0

Absent: 1 - Mr. Lavelle

[2015-1760](#) 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 M. ~~A: 1703 Cliff, B: 1707 Cliff, C: 1711 Cliff, D: 1717 Cliff, E: 1719 Cliff, F: 327-Hancock~~, G: 6484 Frankstown, 6486 Frankstown, H: 7229 Race, I: 7231 Race, J: 409 W. Elizabeth, K: 815 Spring Garden, L: 2441 Perrysville, M: 2240 Wilson

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

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

No: 0

Abstain: 0

Absent: 1 - Mr. Lavelle

[2015-1761](#) Resolution providing for 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. ITEMS A through B. A: 6818 Baker, B: 1035 Yetta

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

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

No: 0

Abstain: 0

Absent: 1 - Mr. Lavelle

[2015-1762](#) 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 H. A: ~~3203 Brereton~~, B: 6435 Winslow, C: Chalfont, D: 302 Allen, E: 807 Southern, F: 212 Wilbert G: 1938 Sedgwick, H: 901 Davis

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

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

No: 0

Abstain: 0

Absent: 1 - Mr. Lavelle

[2015-1763](#) Resolution repealing items in Resolutions approved on various dates, authorizing the sale of properties in various wards of the City of Pittsburgh, in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Items A through B: A: 1821 Cliff, B: 5231, 5233 Kincaid, 313, & 315 N. Atlantic

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

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

No: 0

Abstain: 0

Absent: 1 - Mr. Lavelle

COUNCILWOMAN THERESA KAIL-SMITH PRESENTS COMMITTEE ON PUBLIC WORKS

[2015-1808](#) Report of the Committee on Public Works for June 29, 2015 with an Affirmative Recommendation.

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

[2015-1764](#) Resolution granting unto Joseph & Ruth Ann Martinelli, 1801 Greenleaf Street, Pittsburgh, PA 15211, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, a private sewer lateral on the right-of-way of Cielo Lane, in the 19th Ward, 2 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 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. O'Connor, Ms. Rudiak, Mrs. Kail-Smith, and Mr. Kraus

No: 0

Abstain: 0

Absent: 1 - Mr. Lavelle

[2015-1765](#) Resolution amending resolution number 127 of 2015, entitled “authorizing the Department of Public Works to enter into a contract or contracts, agreement or agreements, lease or leases, professional service agreements or the use of existing contracts, leases or agreements, and other services, along with other approved expenditures and for the payment of supplies, equipment, materials, rentals, and other services for the Squirrel Hill Business District streetlighting project” by increasing the amount by \$10,373.24.

Sponsors: MR. O'CONNOR

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

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

No: 0

Abstain: 0

Absent: 1 - Mr. Lavelle

[2015-1766](#) Resolution amending Resolution number 891, effective January 1, 2003, as amended, entitled "Adopting and approving the 2003 Capital Budget and the 2003 Community Development Block Grant Program; and approving the 2003 through 2008 Capital Improvement Program" so as to transfer the remaining funds in the Lincoln Place Park Renovation project to the Squirrel Hill Business District streetlighting project

Sponsors: MR. O'CONNOR

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

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

No: 0

Abstain: 0

Absent: 1 - Mr. Lavelle

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

[2015-1809](#) Report of the Committee on Land Use and Economic Development for June 29, 2015 with an Affirmative Recommendation.

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

[2015-1562](#) Ordinance amending and supplementing the Pittsburgh Code, Title Nine, Zoning Code, Article V, Use Table, Section 911.02, and Use Regulations, Section 911.04.A.2 to expand the allowable zoning districts for all Agricultural Use Zoning Classification categories, and to amend and add additional standards and procedures; amending and supplementing Chapter 912, Accessory Uses and Structures, by amending the subsection for Urban Agriculture; and supplementing Chapter 926, Definitions, to supplement standards for Urban Agriculture accessory uses.

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

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

No: 0

Abstain: 0

Absent: 1 - Mr. Lavelle

[2015-1768](#) A Resolution calling on the Department of City Planning to create an inventory and map of properties zoned for use as “Community Homes” in the City of Pittsburgh.

Sponsors: **MS. RUDIAK**

RECOMMITTED to the Committee on Land Use and Economic Development

Aye: 7 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. O'Connor, Ms. Rudiak, and Mr. Kraus

No: 1 - Mrs. Kail-Smith

Abstain: 0

Absent: 1 - Mr. Lavelle

[2015-1787](#) Resolution amending Resolution No. 184, 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 2010 Community Development Block Grant Program; so as to transfer funds in Public Works from: “Bridge Repairs” (-\$31,380.76), and transfer these funds to “Building Improvements” (+\$31,380.76) **and City Council from: District 1 Equipment (-10,000) and transfer these funds to “Building Improvements” (+\$31,380.76) and (+10,000) to Steel City Boxing, respectively.**

A motion was made that this matter be Passed Finally. The motion carried

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

No: 0

Abstain: 0

Absent: 1 - Mr. Lavelle

[2015-1804](#) Resolution amending Resolution No. 185, 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 \$918,650.00; so as to transfer funds in City Council from: "District 1 Equipment" (-\$10,000.00); and transfer these funds to "Steel City Boxing" (+\$10,000.00).

Sponsors: MRS. HARRIS

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

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

No: 0

Abstain: 0

Absent: 1 - Mr. Lavelle

COUNCILMAN DAN GILMAN PRESENTS COMMITTEE ON INTERGOVERNMENTAL AFFAIRS

[2015-1810](#) Report of the Committee on Intergovernmental Affairs for June 29, 2015 with an Affirmative Recommendation.

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

[2015-1754](#) Resolution adopting Plan Revision to the City of Pittsburgh's Official Sewage Facilities Plan for Point Park University Pittsburgh Playhouse, 300 Block of Forbes Avenue and Fourth Avenue, Pittsburgh (1st Ward), Allegheny County, Pennsylvania.

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

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

No: 0

Abstain: 0

Absent: 1 - Mr. Lavelle

[2015-1755](#) Resolution adopting Plan Revision to the City of Pittsburgh's Official Sewage Facilities Plan for Penn Highland Mixed Use, 111 South Highland Avenue, Pittsburgh (8th Ward), Allegheny County, Pennsylvania.

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

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

No: 0

Abstain: 0

Absent: 1 - Mr. Lavelle

MOTIONS AND RESOLUTIONS

EXCUSE ABSENT MEMBERS - MR. LAVELLE

APPROVAL OF MINUTES

ADJOURNMENT

LEGISLATION PRESENTED BY SIGN LANGUAGE INTERPRETER