

# City of Pittsburgh

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



## Meeting Minutes - Final

**Tuesday, December 15, 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-Baskin, Deputy City Clerk***

**A. ROLL CALL**

**Present** 9 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak, Mrs. Kail-Smith, and Mr. Kraus

**B. PLEDGE OF ALLEGIANCE****C. PROCLAMATIONS**

[2015-2356](#) **NOW THEREFORE BE IT RESOLVED**, the Council of the City of Pittsburgh does thank The Pennsylvania Health Access Network and the thousands of seniors for its dedicated work in ensuring that UPMC honor its commitment to the City's seniors in providing affordable and easily accessed health, and;

**BE IT FURTHER RESOLVED**, the Council of the City of Pittsburgh does hereby declare December 15th 2015 to be "Health Access For All" Day in the City of Pittsburgh.

**Sponsors: MS. RUDIAK AND ALL MEMBERS**

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

[2015-2357](#) **NOW, THEREFORE, BE IT RESOLVED** that the Council of the City of Pittsburgh does hereby join with a host of colleagues and friends of **Bob Means** to commend, recognize, and congratulate him for 31 years of service to the Cable Bureau and the City; and,

**BE IT FURTHER RESOLVED** that the Council of the City of Pittsburgh does hereby declare December 14th-18th, 2015 to be "**Bob Means Week**" in the City of Pittsburgh.

**Sponsors: MRS. HARRIS AND ALL MEMBERS**

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

[2015-2358](#) **Now, therefore, be it resolved**, that the Council of the City of Pittsburgh hereby approves the location for Prevention Point Pittsburgh to operate a mobile Needle Exchange Program.

**Sponsors: MR. LAVELLE, REV. BURGESS, MR. GILMAN, MS. GROSS, MRS. KAIL-SMITH, MR. KRAUS, MR. O'CONNOR AND MS. RUDIAK**

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

**D. PUBLIC COMMENTS**

**E. PRESENTATION OF PAPERS**

**COUNCILWOMAN DEBORAH L. GROSS PRESENTS:**

[2015-2352](#) Resolution authorizing the Department of City Planning to spend \$36,058.24 in operating funds for repair of the Soldiers Monument (Civil War) and the Thomas Armstrong sculpture, both located within Allegheny Commons Park.

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

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

**COUNCILWOMAN DARLENE M. HARRIS PRESENTS:**

[2015-2352](#) Resolution authorizing the Mayor and the Director of the Department of Innovation & Performance to enter into a Supplemental Agreement, Agreements or Amendments with Daston Corporation for the continued provision of information systems, information infrastructure and City email services for a sum not to exceed \$99,155 and for the payment of the costs thereof.

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

**Read and referred to the Committee on Performance and Asset Management**

**COUNCILMAN R. DANIEL LAVELLE PRESENTS:**

[2015-2353](#) Ordinance amending and supplementing the City of Pittsburgh Code, Title Five (“Traffic”), Article III (“Towing”) by amending Chapters 521, 523 525 as well as Title VII, Article VII (“Service Businesses”), Chapter 764, with respect to tow businesses operating within the City and the towing fee schedule applicable thereto.

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

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

**COUNCILWOMAN THERESA KAIL-SMITH PRESENTS:**

[2015-2333](#) Ordinance amending the Pittsburgh City Code, Title 1: Administrative, Article III: Organization, Chapter 120 - Powers and Duties of Director of Innovation & Performance; by amending language to Sections 120.02 and 120.03.

**Sponsors: MRS. KAIL-SMITH**

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

**Read and referred to the Committee on Public Works**

[2015-2334](#) Ordinance amending the Pittsburgh City Code, Title 4: Public Place and Property, Article I: Public Rights-Of-Way, Chapter 411 - Jurisdiction; by amending language to Section 411.02.

**Sponsors: MRS. KAIL-SMITH**

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

**Read and referred to the Committee on Public Works**

[2015-2335](#) Ordinance amending the Pittsburgh City Code, Title 4: Public Place and Property, Article I: Public Rights-Of-Way, Chapter 412 - Users of the Public Rights-Of-Way; by amending language to Sections 412.01, 412.02, 412.03 and 412.08.

**Sponsors: MRS. KAIL-SMITH**

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

**Read and referred to the Committee on Public Works**

[2015-2336](#) Ordinance amending the Pittsburgh City Code, Title 4: Public Place and Property, Article I: Public Rights-Of-Way, Chapter 415 - Openings and Excavations ; by amending language to Section 415.17.

**Sponsors: MRS. KAIL-SMITH**

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

**Read and referred to the Committee on Public Works**

[2015-2337](#) Ordinance amending the Pittsburgh City Code, Title 4: Public Place and Property, Article II: Telecommunications, Chapter 425- Cable Communications; by amending language to Sections 425.02, 425.03, 425.07, 425.08, 425.13 and 425.20.

**Sponsors: MRS. KAIL-SMITH**

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

**Read and referred to the Committee on Public Works**

[2015-2338](#) Ordinance amending the Pittsburgh City Code, Title 4: Public Place and Property, Article II: Telecommunications, Chapter 427 - Telecommunications in the Public Rights-Of-Way; by amending language to Sections 427.01 through 427.18.

**Sponsors: MRS. KAIL-SMITH**

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

**Read and referred to the Committee on Public Works**

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

[2015-2354](#) Communication from City Controller Michael Lamb submitting a Performance Audit of the Department of Public Works Bureau of Operations Parks Maintenance Division, dated November 2015.

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

[2015-2355](#) Petition from the residents of the City of Pittsburgh requesting a Public Hearing before City Council relative to the Shop and Save on Centre Avenue, and its employees' treatment of patrons. (Valid Petition)

**Read and referred to the Committee on Hearings**

## **F. UNFINISHED BUSINESS**

## **G. REPORTS OF COMMITTEE - FINAL ACTION**

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

[2015-2346](#) Report of the Committee on Finance and Law for December 9, 2015 with an Affirmative Recommendation.

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

[2014-0138](#) Ordinance supplementing the Pittsburgh Code, Title One, Administrative, Article IX, Boards, Commissions and Authorities, by adding Chapter 177B, Neighborhood Empowerment Commission.

**Sponsors: REV. BURGESS**

**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. Lavelle, Mr. O'Connor, Mrs. Kail-Smith, and Mr. Kraus

**No:** 1 - Ms. Rudiak

**Abstain:** 0

[2015-2236](#) Resolution making Appropriations to pay the expenses of conducting the Public Business of the City of Pittsburgh and for meeting the debt charges thereof for the Fiscal Year, beginning January 1, 2016

**Sponsors: MS. RUDIAK**

**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:**

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

**No:** 0

**Abstain:** 1 - Mrs. Harris

[2015-2237](#) Resolution fixing the number of officers and employees of the City of Pittsburgh, and the rate of compensation thereof, and setting maximum levels for designated positions.

**Sponsors: MS. RUDIAK**

**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:**

**Aye:** 9 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak, Mrs. Kail-Smith, and Mr. Kraus

**No:** 0

**Abstain:** 0

[2015-2238](#) Resolution adopting and approving the 2016 Capital Budget and the 2016 Community Development Block Grant Program; and approving the 2016 through 2021 Capital Improvement Program.

**Sponsors: MS. RUDIAK**

**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:**

**Aye:** 9 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak, Mrs. Kail-Smith, and Mr. Kraus

**No:** 0

**Abstain:** 0

[2015-2261](#) Resolution providing for the issuance of a warrant in the total sum of Eight Hundred Thousand Dollars (\$800,000.00) in favor of Foster v. City of Pittsburgh Class Members and attorneys Feinstein Doyle Payne & Kravec and ACLU of Pennsylvania, in compliance with the Court-approved Settlement Agreement, as partial payment in settlement related to the civil class action filed in the United States District Court for the Western District of Pennsylvania at No. 2:12-cv-01207.

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

**Aye:** 9 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak, Mrs. Kail-Smith, and Mr. Kraus

**No:** 0

**Abstain:** 0

**COUNCILMAN R. DANIEL LAVELLE PRESENTS COMMITTEE ON  
PUBLIC SAFETY SERVICES**

[2015-2347](#) Report of the Committee on Public Safety Services for December 9, 2015 with an Affirmative Recommendation.

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

[2014-1020](#) Ordinance amending the Pittsburgh City Code, Title VII Business Licensing, Article X Rental of Residential Housing, Chapter 781 Residential Housing Rental Permit Program by repealing the current Chapter and replacing with a new Chapter 781 Residential Housing Rental Permit Program.

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

**Aye:** 7 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mr. Lavelle, Ms. Rudiak, Mrs. Kail-Smith, and Mr. Kraus

**No:** 2 - Mrs. Harris, and Mr. O'Connor

**Abstain:** 0

[2015-1275](#) Resolution establishing the Safer Together Pittsburgh Committee to create a stronger, more productive relationship between the City of Pittsburgh Department of Public Safety and the Community.

**Sponsors: REV. BURGESS, MR. KRAUS, MR. LAVELLE AND MRS. KAIL-SMITH**

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

**Aye:** 9 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak, Mrs. Kail-Smith, and Mr. Kraus

**No:** 0

**Abstain:** 0

[2015-2185](#) Ordinance amending the Pittsburgh Code, Title Seven: Business Licensing, Article III: Sales Businesses, Chapter 719 Vendors and Peddlers, by removing specific subsections and/or adding to specific subsections relative to Mobile Food Trucks.

**Sponsors: MR. GILMAN AND MR. O'CONNOR**

**A motion was made that this matter be AMENDED. The motion failed by the following vote:**



**Aye:** 4 - Ms. Gross, Mrs. Harris, Mr. Lavelle, and Mrs. Kail-Smith

**No:** 5 - Rev. Burgess, Mr. Gilman, Mr. O'Connor, Ms. Rudiak, and Mr. Kraus

**Abstain:** 0

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

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

**No:** 2 - Mrs. Harris, and Mr. Lavelle

**Abstain:** 0

[2015-2296](#) Resolution authorizing the Mayor, the Director of Public Safety and/or the Chief of the Bureau of Emergency Medical Services (“EMS”) to enter into a Professional Services Agreement or Agreements with McKesson for the provision of ambulance billing services to the City of Pittsburgh. The costs associated with performance shall be based on a flat rate of 4.9%.

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

**Aye:** 9 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak, Mrs. Kail-Smith, and Mr. Kraus

**No:** 0

**Abstain:** 0

[2015-2297](#) Resolution authorizing the City to enter into a Professional Services Agreement or Agreements with the University of Pittsburgh Medical Center for the purchase of pharmaceutical supplies, medications and services necessary for the daily operations of the Bureau of Emergency Medical Services for a period of four years commencing on or about January 1, 2016. Cost not to exceed \$48,000.00 annually.

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

**Aye:** 9 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak, Mrs. Kail-Smith, and Mr. Kraus

**No:** 0

**Abstain:** 0

**COUNCILWOMAN THERESA KAIL-SMITH PRESENTS COMMITTEE ON PUBLIC WORKS**

[2015-2348](#) Report of the Committee on Public Works for December 9, 2015 with an Affirmative Recommendation.

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

[2015-2298](#) Resolution accepting the dedication of certain streets in the Summerset at Frick Park for public highway and utility purposes, accepting the grading, paving, curbing, sidewalks, light pole foundations, street lighting system, retaining walls, medians, street trees within the public right of way, and fixing the width and position of the roadway and sidewalk thereof in the 14th and 15th Wards of the City of Pittsburgh, Council District 5.

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

**Aye:** 9 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak, Mrs. Kail-Smith, and Mr. Kraus

**No:** 0

**Abstain:** 0

**COUNCILMAN REV. RICKY BURGESS PRESENTS COMMITTEE ON HUMAN RESOURCES**

[2015-2349](#) Report of the Committee on Human Resources for December 9, 2015 with an Affirmative Recommendation.

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

[2015-2062](#) Ordinance supplementing the Pittsburgh Code of Ordinances, Title Six: Conduct, Article Five: Discrimination, Chapter 659: Unlawful Practices, Section 659.03: Unlawful Housing Practices by adding a new protected class, "Source of Income."

**Sponsors: REV. BURGESS AND MR. LAVELLE**

**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, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak, Mrs. Kail-Smith, and Mr. Kraus

**No:** 1 - Mrs. Harris

**Abstain:** 0

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

[2015-2350](#) Report of the Committee on Land Use and Economic Development for December 9, 2015 with an Affirmative Recommendation.

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

[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.

**Sponsors: REV. BURGESS**

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

**Aye:** 9 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak, Mrs. Kail-Smith, and Mr. Kraus

**No:** 0

**Abstain:** 0

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

**Aye:** 6 - Rev. Burgess, Mr. Gilman, Mrs. Harris, Mr. Lavelle, Mr. O'Connor, and Mr. Kraus

**No:** 3 - Ms. Gross, Ms. Rudiak, and Mrs. Kail-Smith

**Abstain:** 0

**COUNCILMAN DAN GILMAN PRESENTS COMMITTEE ON INTERGOVERNMENTAL AFFAIRS**

[2015-2351](#) Report of the Committee on Intergovernmental Affairs for December 9, 2015 with an Affirmative Recommendation.

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

[2015-2299](#) Ordinance amending the Pittsburgh Code, Title Three Water, Article I Administration, Chapter 303 Water Exoneration Hearing Board, by amending Section 303.01 Composition

**Sponsors: MR. GILMAN AND MRS. KAIL-SMITH**

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

**Aye:** 9 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak, Mrs. Kail-Smith, and Mr. Kraus

**No:** 0

**Abstain:** 0

**I. MOTIONS AND RESOLUTIONS**

**K. EXCUSE ABSENT MEMBERS**

**L. APPROVAL OF MINUTES**

**M. ADJOURNMENT**

**P LEGISLATION PRESENTED BY SIGN LANGUAGE INTERPRETER**