

# City of Pittsburgh

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



## Meeting Minutes - Final

**Tuesday, November 1, 2016**

**10:00 AM**

**Council Chambers**

### **City Council**

***ONE-HUNDRED***

***THIRTY-NINTH 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***

**ROLL CALL**

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

**Absent** 1 - Ms. Gross

**PLEDGE OF ALLEGIANCE****PROCLAMATIONS**

[2016-0921](#)

***NOW THEREFORE, BE IT RESOLVED*** that the Council of the City of Pittsburgh does hereby recognize and commend The Federation of War Veterans' Societies of Allegheny County, Pennsylvania - City of Pittsburgh for organizing this important event and encourages all residents of our City to join in this commendation by attending the 2015 Pittsburgh Veterans' Day Parade; and,

***BE IT FURTHER RESOLVED*** that the Council of the City of Pittsburgh does hereby declare Friday, November 11, 2016 to be "**Veterans' Parade Day**" in the City of Pittsburgh.

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

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

[2016-0922](#)

***NOW, THEREFORE BE IT RESOLVED***, the Council of the City of Pittsburgh does recognize the thirty year anniversary of WTAE Project Bundle Up and wishes continued success in their endeavors in the years to come; and,

***BE IT FURTHER RESOLVED***, that the Council of the City of Pittsburgh does hereby declare Tuesday, November 1, 2016, to be "**Project Bundle-Up Day**" in the City of Pittsburgh.

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

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

[2016-0923](#)

**NOW, THEREFORE, BE IT RESOLVED**, that the Council of the City of Pittsburgh joins with the Public Safety Department in celebrating the dedicated public service of Liz Style, and thanks her for her loyal service to the people of the City of Pittsburgh and Commonwealth of Pennsylvania, and does hereby declare **Tuesday, November 1, 2016** to be “**Liz Style Day**” in the City of Pittsburgh.

**SPONSORS: MR. KRAUS, MRS. KAIL-SMITH AND ALL MEMBERS**

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

[2016-0924](#)

**NOW, THEREFORE BE IT RESOLVED**, that the Council of the City of Pittsburgh does hereby declare October 28, 2016 to be “**Officer Richard McClain Day**” in the City of Pittsburgh.

**SPONSORS: MR. LAVELLE AND ALL MEMBERS**

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

[2016-0925](#)

**NOW, THEREFORE BE IT RESOLVED**, that the Council of the City of Pittsburgh does hereby recognize the charitable contributions of the Greater Pittsburgh Cluster of Unitarian Universalist Churches and commend the group for developing a progressive mission for Pittsburgh at its 2016 Assembly; and,

**BE IT FURTHER RESOLVED**, that the Council of the City of Pittsburgh does hereby declare November 5th, 2016 to be “Unitarian Universalists of Greater Pittsburgh Assembly Day” in the City of Pittsburgh.

**SPONSORS: MR. GILMAN AND ALL MEMBERS**

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

[2016-0926](#)

**NOW, THEREFORE BE IT RESOLVED**, that the Council of the City of Pittsburgh does hereby commend the Hustlebot Comedy Troupe for a decade of success and celebrates the contributions the group has made for Pittsburgh’s vibrant arts community; and,

**BE IT FURTHER RESOLVED**, that the Council of the City of Pittsburgh does hereby declare Tuesday, November 1st to be “Hustlebot Tenth Anniversary Day” in the City of Pittsburgh.

**SPONSORS: MR. GILMAN AND ALL MEMBERS**

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

[2016-0927](#)

**NOW, THEREFORE BE IT RESOLVED**, that the Council of the City of Pittsburgh does hereby recognize Scott Lammie for his years of volunteer work on behalf of Pittsburgh and commends him for receiving the 2016 Tree of Life Award from the Jewish National Fund; and,

**BE IT FURTHER RESOLVED**, that the Council of the City of Pittsburgh does hereby declare November 15, 2016 to be “Scott Lammie Day” in the City of Pittsburgh.

**SPONSORS: MR. GILMAN AND ALL MEMBERS**

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

[2016-0928](#)

**NOW THEREFORE BE IT RESOLVED**, that the Council of the City of Pittsburgh wishes to recognize and thank **Prime Stage Theatre on its 20th anniversary**, for all of the wonderful work they do for our community; and,

**BE IT FURTHER RESOLVED**, that the Council of the City of Pittsburgh does hereby declare **Saturday, November 5th, 2016** to be “**Prime Stage Theatre Day**” in the City of Pittsburgh. Happy Anniversary Prime Stage Theatre!

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

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

[2016-0929](#)

**THEREFOR BE IT RESOLVED**, that the Council of the City of Pittsburgh urges the President of the United States and the Centers for Medicare and Medicaid Services to halt implementation of the new 15-day limit on Medicaid coverage for addiction treatment in residential addiction treatment programs with more than 16 beds; and,

**BE IT FURTHER RESOLVED**, that a copy of this resolution be transmitted to the Governor of Pennsylvania and to each member of Congress from Pennsylvania to assist in efforts urging the President to halt implementation of the new Centers for Medicare and Medicaid Services rule and urging the President to remove the drug and alcohol addiction treatment from the Institutions for Mental Diseases Exclusion by executive order.

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

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

**PUBLIC COMMENTS****PRESENTATION OF PAPERS****COUNCILMAN DAN GILMAN PRESENTS:**

[2016-0918](#) Resolution authorizing a Cooperation Agreement between the City of Pittsburgh (the “City”) and the Urban Redevelopment Authority of Pittsburgh (the “Authority”) to divert 75% of the incremental parking taxes from the Garage (as defined below), up to \$5,708,405.00, to fund a portion of public space improvements and historic preservation efforts for the Union Trust Building. (Council District 6)

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

[2016-0920](#) Resolution providing for an Agreement between the City of Pittsburgh and Crafton Borough in connection with the paving of Chartiers Avenue between Bell Road and Fountain Street and providing for the payment of the costs thereof, by the Borough to the City, the costs associated with the paving of the Borough’s portion of Chartiers Avenue. The estimated cost of preparation and completion of work is Fifty Thousand Forty Eight Dollars (\$50,048.00).

**Read and referred to the Committee on Intergovernmental Affairs****COUNCILWOMAN NATALIA RUDIAK PRESENTS:**

[2016-0919](#) Resolution providing for the issuance of a warrant in the total sum of Two Thousand Dollars Five Hundred Eighty-Six Dollars and Forty-Eight Cents (\$2,586.48) in favor of James M. Mancini Attorney at Law, Jefferson Centre, Suite 306, 5001 Mayfield Road, Lyndhurst, OH, 44124 for arbitration services.  
(EXECUTIVE SESSION REQUESTED)

**Read and referred to the Committee on Finance and Law****UNFINISHED BUSINESS****REPORTS OF COMMITTEE - FINAL ACTION****COUNCILWOMAN NATALIA RUDIAK PRESENTS COMMITTEE ON FINANCE AND LAW**

[2016-0913](#) Report of the Committee on Finance and Law for October 26, 2016 with an Affirmative Recommendation.

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

[2016-0593](#) Ordinance amending the Pittsburgh Code of Ordinances, Title Two: Fiscal; Article X: Business Related Fees; Chapter 271 Nonresidents Sports Facility Usage Fee, to clarify defined terms in order to more effectively ensure disclosure by Nonresident Contracting Parties, Qualified Managing Entities, and Promoters of information regarding performances so that the city can enforce the existing fee, and institute a fine or penalty to the venue Nonresident Contracting Party for non-compliance.

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

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

**No:** 0

**Abstain:** 0

**Absent:** 1 - Ms. Gross

[2016-0850](#) Resolution providing for the issuance of a warrant in the total sum of Thirty-Five Thousand Dollars (\$35,000.00) in favor of Environmental Air, Inc., 1100 McCartney Street, Pittsburgh, PA 15220, releasing and discharging the City of Pittsburgh from all claims arising from alleged damage to property.  
(EXECUTIVE SESSION HELD)

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

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

**No:** 0

**Abstain:** 0

**Absent:** 1 - Ms. Gross

[2016-0870](#) Resolution authorizing the issuance of a warrant in the sum of Ten Thousand Dollars and 00/100 (\$10,000.00), in favor of Robyn M. Kitt, c/o George R. Farneth, Farneth Tomosovich, LLC, 437 Grant Street, Suite 1000, Pittsburgh, PA 15219, in Full and Final Settlement of an action filed in the United States District Court for the Western District of Pennsylvania filed at 2:15-cv-00225.  
(EXECUTIVE SESSION HELD)

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

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

**No:** 0

**Abstain:** 1 - Mrs. Harris

**Absent:** 1 - Ms. Gross

[2016-0872](#) Resolution authorizing the issuance of a warrant in favor of William J. Miller, Jr. Esquire, 106 Rampart Lane, Ligonier, PA 15658, in an amount not to exceed Sixty-One Thousand Seven Hundred Seventy Dollars and Twelve Cents (\$61,770.12) for arbitration services rendered in connection with the City of Pittsburgh and FOP Act 111 Interest Arbitration Award.  
(EXECUTIVE SESSION HELD)

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

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

**No:** 0

**Abstain:** 1 - Mrs. Harris

**Absent:** 1 - Ms. Gross

[2016-0873](#) Resolution amending Resolutions 172 of 2015 and 266 of 2016 authorizing the Mayor and the City Solicitor to enter into a Professional Services Agreement with Pepper Hamilton, LLP, for professional consulting and legal services in relation to False Claims Act litigation by increasing the total cost from Eight Hundred Ninety Thousand Dollars and No Cents (\$890,000.00) to Nine Hundred Ninety Thousand Dollars and No Cents (\$990,000.00).  
(EXECUTIVE SESSION HELD)

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

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

**No:** 1 - Mrs. Kail-Smith

**Abstain:** 1 - Mrs. Harris

**Absent:** 1 - Ms. Gross

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

[2016-0914](#) Report of the Committee on Public Safety Services for October 26, 2016 with an Affirmative Recommendation.

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

[2016-0869](#) Resolution adopting the Allegheny County Hazard Mitigation plan as the official hazard mitigation plan 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, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak, and Mrs. Kail-Smith

**No:** 0

**Abstain:** 0

**Absent:** 1 - Ms. Gross

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

[2016-0915](#) Report of the Committee on Public Works for October 26, 2016 with an Affirmative Recommendation.

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

[2016-0874](#) Resolution authorizing the City of Pittsburgh's Department of Public Works to assume responsibility for the year round maintenance, repair, and future alterations constructed by the Pennsylvania Department of Transportation as part of the SR 0065 (Ohio River Boulevard), SR 0019 (Ohio River Boulevard), SR 4084 (Western Avenue), SR 9101 (Western Avenue), and SR 3919 (Chateau Street) Improvement Project.

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



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

**No:** 0

**Abstain:** 0

**Absent:** 1 - Ms. Gross

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

[2016-0916](#) Report of the Committee on Land Use and Economic Development for October 26, 2016 with an Affirmative Recommendation.

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

[2016-0867](#) Resolution amending resolution No. 673 of 2014 for the Residential Parking Permit Program area "X" in the Shadyside community (Council District 8) by adding addresses pursuant to Pittsburgh Code Chapter 549.

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

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

**No:** 0

**Abstain:** 0

**Absent:** 1 - Ms. Gross

[2016-0868](#) Resolution amending resolution No. 189 of 2011 for the Residential Parking Permit Program area "H" in the Bloomfield community (Council District 7) by adding addresses pursuant to Pittsburgh Code Chapter 549.

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

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

**No:** 0

**Abstain:** 0

**Absent:** 1 - Ms. Gross

[2016-0901](#) Resolution amending resolution No. 547 of 2015 for the Residential Parking Permit Program area “DD” in the South Side Flats community (Council District 3) by adding addresses pursuant to Pittsburgh Code Chapter 549.

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

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

**No:** 0

**Abstain:** 0

**Absent:** 1 - Ms. Gross

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

[2016-0917](#) Report of the Committee on Intergovernmental Affairs for October 26, 2016 with an Affirmative Recommendation.

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

[2016-0866](#) Resolution amending Resolution 404/2015, entitled, “Resolution authorizing the approval of an inter-municipal transfer of restaurant liquor license, License No. R-12467, LID-60311 from Damon’s International, Inc., 4070-4072 William Penn Hwy., Monroeville, PA 15146-2685 to the Applicant, Mixtape, LLC. 4907 Penn Avenue, Pittsburgh, PA 15224 for the premises located at 4907 Penn Avenue, Pittsburgh, PA 15224, restaurant known as “Mixtape” pursuant to amended Pennsylvania Liquor Code, §4-461,” so as to amend Section 5. Memorandum of Understanding between Mixtape LLC and the Bloomfield Garfield Corporation to extend the hours of operation.

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

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

**No:** 0

**Abstain:** 0

**Absent:** 1 - Ms. Gross

[2016-0878](#) Resolution calling upon the Pittsburgh Water and Sewer Authority and its board to investigate the implementation of an early detection system.

**SPONSORS: MR. GILMAN**

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

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

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

**No:** 0

**Abstain:** 0

**Absent:** 1 - Ms. Gross

## **MOTIONS AND RESOLUTIONS**

### **EXCUSE ABSENT MEMBERS - MS. GROSS**

### **APPROVAL OF MINUTES**

### **ADJOURNMENT**

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