

Allegheny County Council

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Meeting Minutes - Approved

Tuesday, February 4, 2014

5:00 PM

Regular Meeting, Fourth Floor, Gold Room

County Council

John DeFazio, President; Nicholas Futules, Vice President; Tom Baker; Barbara Daly Danko; Jim Ellenbogen, Mike Finnerty; Amanda Green Hawkins; Heather Heidelbaugh; Ed Kress; Bob Macey; Chuck Martoni, Sue Means; John Palmiere; Jan Rea and William Russell Robinson - Members

Copies of all proposed legislation contained in this agenda can be viewed or obtained from the Council Clerk, Office of County Council, Room 119 Courthouse, 436 Grant Street, Pittsburgh, PA 15219 Phone: 412-350-6490, or on Council's web site: www.alleghenycounty.us/council.

I. Call To Order

The meeting was called to order at 5:01 PM.

II. Pledge of Allegiance

III. Silent Prayer or Reflection

IV. Roll Call

Council Members 15 - Baker, Daly Danko, DeFazio, Ellenbogen, Futules, Green Hawkins, Heidelbaugh, Kress, Finnerty, Macey, Martoni, Means, Palmiere, Rea and Russell Robinson
Present:

V. Proclamations/Certificates

[7993-14](#) Proclamation naming the month of February as “American Heart Association Month” in Allegheny County.

Sponsors: Council Member Russell Robinson, Council Member Baker, Council Member Daly Danko, Council Member DeFazio, Council Member Ellenbogen, Council Member Finnerty, Council Member Futules, Council Member Green Hawkins, Council Member Heidelbaugh, Council Member Kress, Council Member Macey, Council Member Martoni, Council Member Means, Council Member Palmiere and Council Member Rea
Presented

[7994-14](#) Certificates of Achievement awarded to the Avonworth High School boys’ cross-country team for winning the 2013 WPIAL Class A boys’ cross country championship.

Sponsors: Council Member Baker
Read

[7995-14](#) Certificates of Achievement awarded to the West Allegheny High School boys’ soccer team for winning the 2013 WPIAL Class AA boys’ soccer championship.

Sponsors: Council Member Baker and Council Member Finnerty
Read

[7996-14](#) Certificates of Achievement awarded to the Bishop Canevin High School girls’ volleyball team for winning the 2013 WPIAL Class A girls’ volleyball championship.

Sponsors: Council Member Ellenbogen
Read

[7997-14](#) Certificates of Achievement awarded to the South Fayette High School boys’ cross-country team for winning the 2013 WPIAL Class AA boys’ cross country championship.

Sponsors: Council Member Finnerty
Read

[7998-14](#) Certificates of Achievement awarded to the Shady Side Academy girls' field hockey team for winning the 2013 WPIAL Class AA girls' field hockey championship.

Sponsors: Council Member Kress
Read

[7999-14](#) Certificates of Achievement awarded to the Shady Side Academy girls' soccer team for winning the 2013 WPIAL Class A girls' soccer championship.

Sponsors: Council Member Kress
Read

[8000-14](#) Certificates of Achievement awarded to the Mt. Lebanon High School girls' cross country team for winning the 2013 WPIAL Class AAA girls' cross country team championship.

Sponsors: Council Member Means
Read

[8001-14](#) Certificates of Achievement awarded to the Upper St. Clair High School boys' golf team for winning the 2013 PIAA and WPIAL Class AAA boys' team golf championships.

Sponsors: Council Member Means
Read

[8002-14](#) Certificates of Achievement awarded to the Upper St. Clair High School boys' soccer team for winning the 2013 PIAA Class AAA boys' soccer championship.

Sponsors: Council Member Means
Read

[8003-14](#) Certificates of Achievement awarded to the North Allegheny High School girls' tennis team for winning the 2013 PIAA and WPIAL Class AAA girls' team tennis championships.

Sponsors: Council Member Rea
Read

[8004-14](#) Certificates of Achievement awarded to the North Allegheny High School girls' field hockey team for winning the 2013 WPIAL Class AAA girls' field hockey championship.

Sponsors: Council Member Rea
Read

[8005-14](#) Certificates of Achievement awarded to the North Allegheny High School girls' volleyball team for winning the 2013 WPIAL Class AAA girls'

volleyball championship.

Sponsors: Council Member Rea
Read

[8006-14](#) Certificates of Achievement awarded to the North Allegheny High School boys' cross country team for winning the 2013 WPIAL Class AAA boys' cross country championship.

Sponsors: Council Member Rea
Read

[8007-14](#) Certificates of Achievement awarded to the Sewickley Academy boys' soccer team for winning the 2013 PIAA and WPIAL Class A boys' soccer championships.

Sponsors: Council Member Rea
Read

[8008-14](#) Certificates of Achievement awarded to the Sewickley Academy boys' golf team for winning the 2013 WPIAL Class AA boys' team golf championship.

Sponsors: Council Member Rea
Read

[8009-14](#) Proclamation naming January 27, 2014 as Holocaust Remembrance Day in Allegheny County.

Sponsors: Council Member Baker
Read

[8010-14](#) Proclamation welcoming Shen Yun Performing Arts to Allegheny County on February 19-20, 2014.

Sponsors: Council Member DeFazio
Read

[8011-14](#) Proclamation congratulating the Bower Hill Volunteer Fire Department upon the occasion of its 90th anniversary.

Sponsors: Council Member Finnerty
Read

[8012-14](#) Certificate of Recognition honoring Ms. Neva Lampman upon the momentous occasion of her 100th birthday.

Sponsors: Council Member Finnerty
Read

[8013-14](#) Proclamation congratulating Pittsburgh Sunnyside School for earning a 2013-2014 Students and Teachers Achieving Results (STAR) award.

Sponsors: Council Member Green Hawkins

Read

[8014-14](#) Certificate of Achievement awarded to Ryan J. Breen of Boy Scout Troop 380 upon earning the rank of Eagle Scout.

Sponsors: Council Member Kress

Read

[8015-14](#) Certificate of Achievement awarded to Adam K. Webb of Boy Scout Troop 99 upon earning the rank of Eagle Scout.

Sponsors: Council Member Macey

Read

[8016-14](#) Proclamation commending the Fire Department of North Versailles (F.D.N.V.) for their dedicated service.

Sponsors: Council Member Macey

Read

[8017-14](#) Certificate of Recognition awarded to Mr. and Mrs. Herbert and Dorothy Howell upon the occasion of their 65th wedding anniversary.

Sponsors: Council Member Macey

Read

[8018-14](#) Certificate of Recognition awarded to Mr. and Mrs. Louis and Elva Boissin upon the occasion of their 55th wedding anniversary.

Sponsors: Council Member Macey

Read

[8019-14](#) Certificate of Recognition awarded to Mr. and Mrs. Richard and Grayce Howard upon the occasion of their 50th wedding anniversary.

Sponsors: Council Member Macey

Read

[8020-14](#) Certificate of Recognition thanking Ms. Carol Haines for her 24 years of service as the treasurer for South Versailles Township.

Sponsors: Council Member Macey

Read

[8021-14](#) Proclamation recognizing the Community College of Allegheny County (CCAC) Big Read project and declaring March 3, 2014 as "Big Read Day" in Allegheny County.

Sponsors: Council Member Martoni

Read

[8022-14](#) Proclamation honoring The Honorable Donald L. Dolde for his years of service as the Mayor of Bridgeville.

Sponsors: Council Member Means and Council Member Finnerty
Read

[8023-14](#) Proclamation thanking The Honorable Dick Rose for his years of service as a Bethel Park School District Board Member.

Sponsors: Council Member Means
Read

[8024-14](#) Proclamation congratulating the Clairton Volunteer Fire Department upon the occasion of its 26th anniversary.

Sponsors: Council Member Palmiere
Read

[8025-14](#) Proclamation naming the month of February "Black History Month" in Allegheny County.

Sponsors: Council Member Russell Robinson, Council Member Green Hawkins, Council Member Baker, Council Member Daly Danko, Council Member DeFazio, Council Member Ellenbogen, Council Member Finnerty, Council Member Futules, Council Member Heidelbaugh, Council Member Kress, Council Member Macey, Council Member Martoni, Council Member Means, Council Member Palmiere and Council Member Rea
Read

[8026-14](#) Proclamation congratulating the Bon-Ami Temple No. 49 of the Daughters of Elks 2014 award winners.

Sponsors: Council Member Russell Robinson
Read

[8027-14](#) Certificate of Recognition awarded to The Honorable Jean Fink for her 33 years of service to the Pittsburgh Board of Public Education.

Sponsors: Council Member Russell Robinson
Read

[8028-14](#) Proclamation thanking The Honorable Sophie Masloff for her many contributions to the City of Pittsburgh.

Sponsors: Council Member Russell Robinson
Read

[8029-14](#) Certificate of Recognition honoring Ms. Elaine Effort, Pittsburgh KQV radio news reporter, for her excellence in journalism.

Sponsors: Council Member Russell Robinson
Read

[8030-14](#) Proclamation honoring in memoriam Elizabeth "Bessie" Coleman, the first female pilot of African- American descent and the first person of African-American descent to hold an international pilot license.

Sponsors: Council Member Russell Robinson

Read

[8031-14](#) Proclamation honoring in memoriam Paul Leroy Robeson, an African-American singer, actor, social activist, lawyer and athlete.

Sponsors: Council Member Russell Robinson

Read

[8032-14](#) Proclamation honoring in memoriam Lott Cary, an African-American Baptist minister and lay physician, who was instrumental in the founding of the Colony of Liberia in the 1820s in Africa.

Sponsors: Council Member Russell Robinson

Read

[8033-14](#) Proclamation honoring in memoriam Martin Robison Delany, an African-American abolitionist, journalist, physician, and writer.

Sponsors: Council Member Russell Robinson

Read

[8034-14](#) Proclamation honoring in memoriam Mahalia Jackson, an influential gospel singer, also known as "The Queen of Gospel."

Sponsors: Council Member Russell Robinson

Read**VI. Public Comment On Agenda Items**

None

VII. Approval of Minutes

[8035-14](#) Motion to approve the minutes of the Regular Meeting of Allegheny County Council held on January 14th, 2014.

Passed

VIII. Presentation of Appointments

[7990-14](#) Approving the reappointment of Susan Davis to serve as a member of the Allegheny County Mental Health/Intellectual Disability Advisory Board, for a term to expire on December 31, 2015.

Sponsors: Chief Executive

Referred

[7991-14](#) Approving the reappointment of Michael Enright to serve as a member of the Allegheny County Mental Health/Intellectual Disability Advisory Board, for a term to expire on December 31, 2016.

Sponsors: Chief Executive

Referred

[7992-14](#) Approving the appointment of Denise Macarelli to serve as a member of the Allegheny County Mental Health/Intellectual Disability Advisory Board, for a term to expire on December 31, 2016.

Sponsors: Chief Executive
Referred

IX. Unfinished Business

Committee on Appointment Review - Second Reading

[7949-14](#) Approving the reappointment of Victor Diaz to serve as a member of the Allegheny County Industrial Development Authority, Allegheny County Hospital Development Authority, the Allegheny County Higher Education Building Authority and the Residential Finance Authority, administered collectively through the Finance and Development Commission, for a term to expire on December 31, 2018.

Sponsors: Chief Executive
Passed

Council Members Yes: 15 - Baker, Daly Danko, DeFazio, Ellenbogen, Futules, Green Hawkins, Heidelbaugh, Kress, Finnerty, Macey, Martoni, Means, Palmiere, Rea and Russell Robinson

[7950-14](#) Approving the reappointment of State Senator Wayne Fontana to serve as a member of the Sports and Exhibition Authority of Pittsburgh and Allegheny County, for a term to expire on December 31, 2018.

Sponsors: Chief Executive
Passed

Council Members Yes: 15 - Baker, Daly Danko, DeFazio, Ellenbogen, Futules, Green Hawkins, Heidelbaugh, Kress, Finnerty, Macey, Martoni, Means, Palmiere, Rea and Russell Robinson

[7951-14](#) Approving the reappointment of Dr. Ellen Stewart to serve as a member of the Allegheny County Board of Health, for a term to expire on January 12, 2017.

Sponsors: Chief Executive
Passed

Council Members Yes: 15 - Baker, Daly Danko, DeFazio, Ellenbogen, Futules, Green Hawkins, Heidelbaugh, Kress, Finnerty, Macey, Martoni, Means, Palmiere, Rea and Russell Robinson

[7952-14](#) Approving the reappointment of Mr. Anthony Ferraro to serve as a member of the Allegheny County Board of Health, for a term to expire on January 12, 2017.

Sponsors: Chief Executive
Passed

Council Members Yes: 15 - Baker, Daly Danko, DeFazio, Ellenbogen, Futules, Green Hawkins, Heidelbaugh, Kress, Finnerty, Macey, Martoni, Means, Palmiere, Rea and Russell Robinson

[7955-14](#) Approving the appointment of Dr. Elayne Arrington to serve as a member of the Community College of Allegheny County Board of Trustees, for a term to expire on December 31, 2016.

Sponsors: Chief Executive
Passed

Council Members Yes: 15 - Baker, Daly Danko, DeFazio, Ellenbogen, Futules, Green Hawkins, Heidelbaugh, Kress, Finnerty, Macey, Martoni, Means, Palmiere, Rea and Russell Robinson

[7956-14](#) Approving the reappointment of Jack Shea to serve as a member of the Allegheny County Sanitary Authority, for a term to expire on December 31, 2018.

Sponsors: Chief Executive
Passed

Council Members Yes: 12 - Daly Danko, DeFazio, Ellenbogen, Futules, Green Hawkins, Kress, Finnerty, Macey, Martoni, Palmiere, Rea and Russell Robinson

Council Members No: 2 - Heidelbaugh and Means

Council Members Abstain: 1 - Baker

[7957-14](#) Approving the reappointment of David Minnotte to serve as a member of the Allegheny County Airport Authority, for a term to expire on December 31, 2018.

Sponsors: Chief Executive
Passed

Council Members Yes: 15 - Baker, Daly Danko, DeFazio, Ellenbogen, Futules, Green Hawkins, Heidelbaugh, Kress, Finnerty, Macey, Martoni, Means, Palmiere, Rea and Russell Robinson

Committee on Budget and Finance - Second Reading

[7958-14](#) A resolution amending the New Home Construction/Improvement Program Resolution enacted May 23, 1996 by the Board of Commissioners of Allegheny County at Agenda No. 700-96, subsequently amended by Resolutions Nos. 22-00, 6-01, 61-02, 04-04-RE, 49-05-RE, 07-08-RE, and 25-09-RE by providing for the continuation of the Allegheny County New Home Construction/Improvement Exemption Program.

Sponsors: Council Member Martoni, Council Member Kress and Council Member Macey

A motion to amend the bill was made by Council Member Means to restore the New Home Construction exemption to its former %100. The amendment passed with the following votes: (Y) Baker, Danko, Green Hawkins, Heidelbaugh, Kress, Means, Rea, Robinson (8)

(N) Ellenbogen, Finnerty, Futules, Macey, Martoni, Palmiere, DeFazio (7)

Amended and Passed for Chief Executive Signature

Council Members Yes: 8 - Baker, Daly Danko, Green Hawkins, Heidelbaugh, Kress, Means, Rea and Russell Robinson

Council Members No: 7 - DeFazio, Ellenbogen, Futules, Finnerty, Macey, Martoni and Palmiere

[7959-14](#) A resolution amending the New Home Construction/Improvement Program Resolution enacted May 23, 1996 by the Board of Commissioners of Allegheny County at Agenda No. 700-96, subsequently amended by Resolutions Nos. 22-00, 6-01, 61-02, 04-04-RE, 49-05-RE, 07-08-RE, 25-09-RE and 30-11-RE.

Sponsors: Council Member Kress and Council Member Macey

Passed for Chief Executive Signature

Council Members Yes: 15 - Baker, Daly Danko, DeFazio, Ellenbogen, Futules, Green Hawkins, Heidelbaugh, Kress, Finnerty, Macey, Martoni, Means, Palmiere, Rea and Russell Robinson

[7961-14](#) A Resolution of the County of Allegheny amending the Grants and Special Accounts Budget for 2014 (Submission #1-14).

Sponsors: Chief Executive

Passed for Chief Executive Signature

Council Members Yes: 15 - Baker, Daly Danko, DeFazio, Ellenbogen, Futules, Green Hawkins, Heidelbaugh, Kress, Finnerty, Macey, Martoni, Means, Palmiere, Rea and Russell Robinson

Enactment No: 01-14-RE

Committee on Public Works - Second Reading

[7977-14](#) An Ordinance, amending Ordinance No. 41-09-OR enacted November 17, 2009 approving the sale of certain real property owned by the County of Allegheny, Pennsylvania known as 3333 Forbes Avenue and identified as Block and Lot 28-J-97 to an ownership/development group for the sale price of \$4,900,000.00, for the purpose of restating the composition of the ownership group and the scope of the proposed development on the property.

Passed for Chief Executive Signature

Council Members Yes: 14 - Baker, Daly Danko, DeFazio, Ellenbogen, Futules, Green Hawkins, Kress, Finnerty, Macey, Martoni, Means, Palmiere, Rea and Russell Robinson

Council Members No: 1 - Heidelbaugh

Enactment No: 01-14-OR

X. Liaison Reports

XI. New Business - Ordinances & Resolutions

[8036-14](#) An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending and supplementing the Administrative Code of Allegheny County, Article 307, encompassing the Operations of

Allegheny County Council, through the creation of a new §5-307.10, entitled "Board Membership on Authorities and Agencies," and providing for the requisite membership of Council Members on such boards.

Sponsors: Council Member Russell Robinson
Referred by Chair

[8037-14](#) A Resolution of the County of Allegheny amending the 2008 Capital Budget for Allegheny County.

Sponsors: Chief Executive
Referred by Chair

[8038-14](#) A Resolution of the County of Allegheny amending the 2011 Capital Budget for Allegheny County.

Sponsors: Chief Executive
Referred by Chair

[8039-14](#) A Resolution of the County of Allegheny amending the 2014 Capital Budget for Allegheny County.

Sponsors: Chief Executive
Referred by Chair

[8040-14](#) A Resolution of the County of Allegheny amending the Grants and Special Accounts Budget for 2014 (Submission #02-14).

Sponsors: Chief Executive
Referred by Chair

XII. New Business - Motions

[8041-14](#) Motion endorsing the efforts of the Pittsburgh-area non-tenure-track faculty, including those classified as "part time" and those classified as "full time," to form unions to promote and protect their economic and social interests, and enjoins all institutions of higher education in the Pittsburgh area to remove all impediments, legal and otherwise, to forming a productive collective bargaining relationship with any union selected by the majority of the non-tenure-track faculty in a bargaining unit and to bargain with the said union in good faith.

Sponsors: Council Member Green Hawkins
Referred by Chair

[8042-14](#) Motion to amend Article IV of the Rules of Council for Allegheny County Council through the creation of a new subsection (b.) of Section A.7, "Appointments", in order to restrict membership to more than two boards of the Authorities or Agencies as enumerated within the Code so as to prevent conflicts and ensure the adequate attention to the boards for which members are appointed.

Sponsors: Council Member Russell Robinson
Referred by Chair

[8043-14](#) Motion expressing the Sense of Council of Allegheny County calling for the General Assembly to support Senate Bill 528, or the “Regulate Marijuana Act” and to enact this proposed legislation or similar legislation which would provide for the personal use of marijuana, for lawful operation of marijuana-related facilities, and for the regulation of marijuana for employers, minors, and making related repeals.

Sponsors: Council Member Russell Robinson
Referred by Chair

[8044-14](#) Motion to reapprove the Rules of Council

Sponsors: Council Member Russell Robinson
Referred by Chair

XIII. Public Comment on General Items

Sixteen speakers presented to Council

XIV. Adjournment

The meeting was adjourned at 7:11 PM.