

ALLEGHENY COUNTY COUNCIL

REGULAR MEETING

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BEFORE:

John P. DeFazio	-	President
Nicholas Futules	-	Vice President, District 7
Heather S. Heidelbaugh	-	Council-At-Large
Thomas Baker	-	District 1
Jan Rea	-	District 2
Edward Kress	-	District 3
Michael J. Finnerty	-	District 4
Sue Means	-	District 5
Dr. Charles J. Martoni	-	District 8
Robert J. Macey	-	District 9
William Russell Robinson	-	District 10
Barbara Daly Danko	-	District 11
James Ellenbogen	-	District 12
Amanda Green Hawkins	-	District 13

Allegheny County Courthouse
Fourth Floor, Gold Room
436 Grant Street
Pittsburgh, Pennsylvania 15219

Tuesday, September 9, 2014 - 5:01 p.m.

SARGENT'S COURT REPORTING SERVICE, INC.
429 Forbes Avenue, Suite 1300
Pittsburgh, PA 15219
(412) 232-3882 FAX (412) 471-8733

IN ATTENDANCE:

William McKain - County Manager
Joseph Catanese - Director of Constituent Services
Jared Barker - Director of Legislative Services
Walter Szymanski - Budget Director
Jack Cambest - Solicitor

PRESIDENT DEFAZIO: The meeting will come to order. Will you all rise for the Pledge of Allegiance to the Flag, and remain standing for silent prayer or reflection; after me ---.

(Pledge of Allegiance to the Flag.)

(Silent prayer or reflection.)

PRESIDENT DEFAZIO: Thank you. Roll call.

MR. CATANESE: Mr. Baker?

MR. BAKER: Here.

MR. CATANESE: Ms. Danko?

MS. DANKO: Here.

MR. CATANESE: Mr. Ellenbogen?

(No response.)

MR. CATANESE: Mr. Finnerty?

MR. FINNERTY: Here.

MR. CATANESE: Mr. Futules?

MR. FUTULES: Here.

MR. CATANESE: Ms. Green Hawkins?

MS. GREEN HAWKINS: Present.

MR. CATANESE: Ms. Heidelbaugh?

MS. HEIDELBAUGH: Here.

MR. CATANESE: Mr. Kress?

(No response.)

MR. CATANESE: Mr. Macey?

MR. MACEY: Here.

MR. CATANESE: Mr. Martoni?

MR. MARTONI: Here.

MR. CATANESE: Ms. Means?

MS. MEANS: Here.

MR. CATANESE: Mr. Palmiere?

(No response.)

MR. CATANESE: Ms. Rea?

(No response.)

MR. CATANESE: Mr. Robinson?

MR. ROBINSON: Present.

MR. CATANESE: Mr. DeFazio, President?

PRESIDENT DEFAZIO: Here.

MR. CATANESE: Eleven (11) members currently present.

PRESIDENT DEFAZIO: 8467-14, and the rest of them will be read into the record.

MR. CATANESE: Certificate of Achievement awarded to Mr. James Knepper, Jr. of Boy Scout Troop 905, upon earning the rank of Eagle Scout. Sponsored by Council member Baker.

8468-14. Proclamation congratulating the Neil Armstrong Middle School and George Washington Elementary School of the Bethel Park School District for earning the 2012-2013 Governor's Award for Excellence in Academics. Sponsored by Council member Means.

8469-14. Certificate of Achievement awarded to Mr. Noah Adams of Boy Scout Troop 150 upon earning the rank of Eagle Scout. Sponsored by Council member Rea.

8470-14. Proclamation congratulating Dr. Gail D. Edwards for earning the 2014 Pittsburgh Circle of Courage Award in Education. Sponsored by Councilman Robinson.

8471-14. Proclamation honoring the 2014 Faith in Action Awardees sponsored by the NAACP Pittsburgh Chapter. Sponsored by Council members Green Hawkins and Robinson.

PRESIDENT DEFAZIO: Public Comment on Agenda Items.

MR. CATANESE: We have 12.

PRESIDENT DEFAZIO: Twelve (12); okay. First we have Audrey Glickman.

MS. GLICKMAN: Audrey Glickman, 3548 Beechwood Boulevard, Greenfield. I serve on the board of a synagogue. I'm an elected Democratic Committee member. I serve on other boards and committees, too. On holidays, there's a big flag flying on my porch, and I was going to wear my red, white and blue today, like I do on Election Day. But it's not about me. It's not about you or me or my me; it's about us. It's about the plurality. E pluribus unum; out of many, one. Most council districts are home to a variety of religious and other organizations. You now have --- you will have a partial list. Some say that 8376 is historic and patriotic. For that, maybe we could paper the room with the Constitution, but that isn't what the bill is about.

This is not about being patriotic. It doesn't mention our country, our principles of freedom, liberty and independence, our plurality and self-determination, our unity and proud system of government that sometimes works well. And it's not about historic, because the history of the motto only dates back to the year I was born. It's based on baloney. It's based on a fear of perceived heathenism. Teddy Roosevelt wanted it removed from our coins, writing that it was, in effect, irreverence, which comes dangerously close to sacrilege.

But the public outcry from the religious zealots was fierce. Congress bent to the clergy, passing a law that the slogan had to remain on our money. Roosevelt was backed into a corner not to veto it.

I won't even mention the Red Scare in the '50s that brought it back to us again. So once again, zealots are pushing their religion into our government spaces. Bullying, prejudice and xenophobia; what if the Yazidi, now being murdered for their religion, want to come here for freedom? Congress wasted time with this in 2011 and did precious little else. Our state legislators wasted time this past year trying to mandate posting this in our schools. I remember the days of prayer in school. They were very divisive. Grab that King James Bible; have all the kids read from it. It was wrong, and this is wrong, too.

Praising God does not show patriotism. And as it says in Matthew 6:1, we shouldn't be broadcasting our piety, anyway. It's against my religion to take God's name in vain. Maybe it's against yours, too. This is not historic, unless you're talking about a history of bigotry and prejudice. It's not patriotic, not in the least. And it would cost money, and it would look darned ugly on the wall. Please vote no on 8376. It's the American thing to do. Thank you.

(Applause.)

PRESIDENT DEFAZIO: Thank you. Okay. We have Stuart Strickland. Stuart? Tom --- Tom Barchfeld?

MR. BARCHFELD: Tom Barchfeld, 1 Glen Elm Drive, Pittsburgh. Our Constitution gives us the right of freedom of religion, which is a constitutional right, not freedom from religion. The Constitution prevents us from establishing a state religion, as was the case in England, because the founding fathers knew it would lead to religious persecution, which is what happened in Europe, including the Pilgrims. Displaying the national motto, In God We Trust, is not establishing a state religion. Men and women are three-part beings. We all consist of body, soul and spirit.

Spiritual presences were present in our education systems for most of our nation's history. Many of our major colleges began as theological seminaries. This is historic fact. We do need a change of heart and a humble acknowledgment that this nation was founded on the principle of simple trust in God. A bill to reaffirm In

God We Trust as the national motto and the phrase, under God, and the Pledge of Allegiance, was passed with a 99 percent vote in the House and unanimously by the Senate in 1956. Religion is a moral code to live by. It is a part of life and teaches us values, including The Ten Commandments. Our calendar years start from when Jesus was born at the year numbered from zero. If you look for the Bible in the public library, you'll find it in the non-fiction section. And the phrase, separation of church and state are not in the United States Constitution. And are we allowing a minority of anti-God to dictate to the majority? Thank you.

PRESIDENT DEFAZIO: Okay. Marcia Bandes? Bandes (changes pronunciation)? Thomas O'Hare?

MR. O'HARE: Good evening. My name is Thomas O'Hare. I live at 220 Castle Drive, Bethel Park. I'm an honorably discharged Navy --- Vietnam-era Navy veteran. In 1776, our founding fathers minted our first coin --- excuse me, our first coin which bears the motto, Mind Your Own Business. I think Council should take that advice on this proposal. Council, by posting In God We Trust, in essence, will be lying, a sin, by bearing false witness against their neighbors, some of whom you do know and do not trust or believe in this unnamed God. So there it is. There is no we in God We Trust.

In God We Trust is exclusionary and divisive, as are all religions. What's next on Council's new religious duties list, teaching creationism in science classes? Tonight the elephant in the room is Jesus. The Bible tells us Jesus murdered the first-born child of all Egyptian people, even though he wasn't mad at the people, he was mad at the pharaoh. He also sent two she bears to kill 42 children for the crime --- actually, the most grievous crime, of making fun of the bold prophet, Elijah. I would have taken that action myself. And he committed genocide against all mankind with the great flood. I guess God isn't really pro-life, but he is pro-slavery.

Jesus is quoted in the Bible telling slaves that they should expect to be beaten if they know their master's biddings and they don't do it. But he does tell the masters that they really shouldn't beat their slaves if their slaves didn't know his bidding. There's a real moralist to put our trust in. God is quoted as saying, I create good and I create evil. I, the Lord, do these things. Is that my timer?

PRESIDENT DEFAZIO: You got 30 seconds.

MR. O'HARE: Thank you. Seven of the ten commandments carry the death penalty. This is the council --- this is the God that Council wants me to put my trust in. Sorry. I have higher standards and so should you. The confederate states of America, in their constitution, didn't vote for the favor and guidance of God Almighty. How did that work out for them? Fortunately, the most anti-Christian document the U.S.A. has is the U.S. Constitution. The U.S. Constitution rejects God's commands of these punishments and protects the citizens from savagery. The first treaty signed by the U.S.A. was the Treaty of Tripoli, passed by Congress in 1797. Article 11 of the treaty reads, and I quote, the United States of America is in no sense founded upon the Christian doctrine.

The first treaty signed by Adolf Hitler was with the entity which helped bring him to power, the Vatican, which is headed by Christ's own vicar on earth, the pope. Thank you.

PRESIDENT DEFAZIO: Thank you. Andy Dlinn?

MR. DLINN: Thank you. My name is Andy Dlinn, and I'm from the Squirrel Hill area of Pittsburgh, a retired Navy veteran. In God We Trust is our national motto. As an orthodox-observing Jewish person, I'll tell you that not only does this not offend me, but the American value of trusting in God has allowed the Jewish people the greatest freedom to worship as they please. It doesn't represent any specific religion, but the motto is truly an American value. The motto was on our money as early as 1856 and was voted the national motto in 1956.

As is commonly misunderstood, the U.S. Constitution makes no reference to any separation of church and state. It does prohibit the establishment of a state religion. As the Supreme Court confirmed, our national motto does not establish any religion. It's prominently displayed on buildings all over the United States because of its intrinsic American value. The reason the founders of this nation felt entitled to even to form the United States is contained in the first paragraph of the Declaration of Independence, which refers to Nature's God.

While Americans have differing views on almost everything, a recent Gallup poll found that 92 percent of Americans believe in trusting God, so that anyone says

that posting our national motto offends someone, it's truly non-discernable. Some examples of places that proudly post our national motto are public schools that the PA House voted to authorize in June, the Pierce County Council Building in Tacoma, Washington has posted it. More than 107 cities and counties in California have posted the motto. The Congress of the United States also recently affirmed the national motto once again, and on and on.

This is seriously not a controversial decision. The decision to post the national motto is a confirmation of a long-held American value, and I urge that the resolution pass. Thank you.

(Applause.)

PRESIDENT DEFAZIO: Okay. Cynthia Scott?

MS. SCOTT: Good evening. My name is Cynthia Scott, and I reside at 418 Maple Lane, in Sewickley, Pennsylvania. Thank you for giving me the opportunity to speak. I lost some there.

(Mic adjustment suggested.)

MS. SCOTT: Oh, there we go. Oh, thank you. I believe that we should retain the motto. I believe that not only has it been voted on by those in our nation, it's been a tradition to trust God by those who have led our nation since the founding of our nation. George Washington and those in the Revolutionary War cried out to God and trusted him and felt that it was his providence that led us to be a free country. Abraham Lincoln, one of our greatest presidents, trusted in God to lead us to free the slaves, and our nation came together after 9/11 just 13 years ago, seeking God and trusting him to protect us, protect the freedoms, the freedoms that we have all enjoyed.

Freedom is something that we all value, and I believe it's because of our trust in God that we can offer to all citizens of the United States the freedom to believe what they choose to believe, that freedom is precious and not enjoyed by very many around this world. So I believe that we would be keeping in the tradition of our nation to retain our motto, In God We Trust, and to continue to trust him for the future of this nation. Thank you.

(Applause.)

PRESIDENT DEFAZIO: Okay. Jim Means?

MR. MEANS: Hello. Jim Means, 3485 South Park Road. I found something that I thought was interesting. It says that the Supreme Court has held the First Amendment, however, it does not say that in every and all respects there should be a separation of church and state. It went on to say we found no constitutional requirement that makes it necessary for government to be hostile at religion. In a recent letter to Council, County Executive Rich Fitzgerald has threatened to veto Resolution 8376-14. His threat was based on two primary ascertations (sic). They are the passage of the motto, In God We Trust, would make Allegheny County appear unfriendly to non-Christians. Second, passage of the resolution would likely involve the county in a lawsuit. Both ascertations are wrong. In God We Trust was officially established as our national motto by an act of Congress in 1956.

It was later reaffirmed by a vote of 396 to 9, an overwhelming bipartisan effort. It should be noted that the motto has been used on coinage since 1864, and it's also been ruled in federal court the motto is not a violation of the First Amendment. It also should be ruled --- noted the motto refers to God and does not specify a particular religion. It is a phrase, in fact, that is so neutral it should be acceptable to all theistic religions. In his letter threatening a veto, County Executive Fitzgerald states support and passage of 8376-14 tells our residents and visitors if they are Jewish, Hindu, Buddhist, atheist, Muslim, Islamic or any other non-theistic group, they would not be welcome here.

The trouble with this statement is that Rich Fitzgerald fails to recognize the Jewish, Muslim and Hindu believers are decidedly theistic, and even Muslim --- Buddhist believers believe in supreme --- in supernatural beings. He also fails to recognize that Muslim and Islam are essentially the same thing. Islam is the religion and Muslim is the practitioners of Islam. Perhaps Rich Fitzgerald needs a refresher course in diversity. It should also be noted he misspelled atheist, and it should not be capitalized. The founders of our nation definitely believed in God. They believed that all men are created equal, they are endowed by their creator with unalienable rights, that among these are life, liberty and the pursuit of happiness.

This belief of freedom we enjoy today. Belief in God is not a prescription for bigotry. It is the basis

for acknowledging we all are brothers and sisters with equal standing before God. Never in history has our --- never in the history of our country has the motto, In God We Trust, deterred immigration. Rich Fitzgerald's assertion that posting the national motto in Council chambers would make Allegheny County inhospitable to anyone is ludicrous. How stupid does he think we are? Lastly, Rich's assertion that the resolution would likely involve a lawsuit is unwarranted. Even though it's been threatened, such a lawsuit would likely fail, and it is unlikely anybody would pursue it. In a press release, the Liberty Counsel has already pledged that they will defend the county pro bono if such a situation should arise. I urge you to pass the resolution. It's our history. Thank you.

PRESIDENT DEFAZIO: Debbie Levy-McKenney?

MR. CATANESE: Let the record show that Councilman Kress and Councilman Futules are present.

MS. LEVY-MCKENNEY: Good evening. My name is Debbie Levy McKenney, and I live at 6628 Dalzell Place in the City of Pittsburgh. I'm here today because of what happened to me in elementary school. We were required to recite the Lord's Prayer, which is derived from the Christian gospels, at the beginning of each school day and often had to listen to Bible verses, including some from the New Testament. I'm Jewish, and I felt like an outsider. This made me into a rabid believer in the separation of church and state.

I fully concur with a recent Post-Gazette editorial, Misplaced Motto, which states, quote, if Council wants to boost the cause of religion, then it is not following the job description of any government entity, end quote. It's hard for me to comprehend how posting this slogan helps our county's economic problems, the county budget, the environment, poverty, discrimination, et cetera. A 2010 Pew Research Center report states, the number of Americans who do not identify with any religion continues to grow at a rapid pace. One fifth of the U.S. public and a third of adults under 30 are religiously unaffiliated. The report adds that nearly 90 percent of those without a religion say they aren't looking for one, either.

Is it your job to try to change that? I'll bet that most religious leaders would tell you that it's their job, not yours. And aren't we supposed to be courting

young people to live in our county? For most of the last decade, I volunteered in the Pittsburgh public schools with students for whom English is a second language and have learned about their varied religious backgrounds. We have hundreds of Hindu students, actually, in the City of Pittsburgh, quite a few Muslim students, and others whose concept of the manifestation of a supreme being differs greatly from the western tradition. Is it moral that their parents pay taxes to support this plaque? We need to welcome, not repel, these fine people. Perhaps you're not aware that many Jews have the custom of substituting, quote, G-d, end quote, for the word God, based on the traditional practice of giving God's Hebrew name a high degree of respect and reverence. The plaque would not reflect that.

Also, what about mainstream Christians who believe that religious expression doesn't belong in the public square? In the end, though, I guess it seems to me that the words are intended mainly to be confrontational to atheists and agnostics. As I stated earlier, they comprise 20 percent of the American public. Only five years before, that number was 15 percent, which is a 33 percent increase in five years, a very short time. Many young people, practitioners of non-Western religions, observant Jews, atheists, agnostics and many mainstream Christians, that's a lot of belief systems to disregard.

(Applause.)

PRESIDENT DEFAZIO: We're going to go back to number two. Mr. Strickland is here. Stuart, are you here?

MR. STRICKLAND: Thank you for allowing me the opportunity to speak. My name is Stuart Strickland. I live at 8219 Eleanor Street, in McCandless. There is a difference between religious freedom and religious tyranny, and that difference is right here in what is being decided tonight. Being able to say what you want, being able to worship what you want as individuals, that's religious freedom. When a government puts its seal of support for one religion or one set of the available religions, that tips the table towards tyranny.

For those of us who either do not believe in a higher power or whose beliefs do not include a higher power by the name of God, this sort of requirement becomes tyrannical against us. A suitable alternative is our first national motto, E Pluribus Unum; out of many, one.

That's a much more inclusive and uplifting motto to live by and to run a government by and which graced our nation's coinage as far back as 1798, 66 years before In God We Trust appeared on a coin, which is the 1864 two-cent piece. With freedom of religion also goes freedom from religion. Say and think and worship any way you please as a citizen, but keep it to yourself. The government, any level of government, must not further the goals of any sort of religious belief. Placing In God We Trust signs in government spaces is doing just that and must not happen. Thank you.

(Applause.)

PRESIDENT DEFAZIO: Also, the number four speaker, Marcia or Marcia (changes pronunciation) Bandes --- Bandes (changes pronunciation), go ahead.

MS. BANDES: Thank you. Marcia Bandes, 1531 South Negley, Squirrel Hill. As will become obvious as I speak, I am an atheist and clearly do not want In God We Trust over the Bill of Rights. And I thank Council member Danko and County Executive Fitzgerald for taking a broader, more inclusive position on this bill by coming out against it. I came here today to comment on several of the weak or specious arguments that I understand Ms. Means made before Bill 8376 was voted out of committee. First, that In God We Trust is our national motto and therefore is fine to put over our Bill of Rights. The fact is that In God We Trust became our national motto during the Cold War and is just one more example of a poor response to what was perceived as a national threat.

And now we are stuck with it because no one has the nerve to go up against the religious right. That In God We Trust demonstrates our patriotism, I'm glad that Ms. Means' father returned safely from World War II, but I am baffled by and resent her conflating patriotism with a belief in God. Many did not return from the war. Are you saying that your father had more trust in God than others, that he was more patriotic than the others? And what do you say to the Navajos who fought? Do you think that they all believed in your God? No. Everyone fought so that future generations can have the rights and freedoms that our Constitution and Bill of Rights promise.

And if you want to remind children of these sacrifices, E Pluribus Unum, teach children what that means. Teach them about civic duty, giving back to the community and being an engaged citizen. And that we will

soon be able to get In God We Trust on our license plates. Really? I'm sure you all know that you can also get a license plate highlighting the Ancient Order of Hibernians, Delta Waterfowl or the NRA. There are currently over 340 specialty plates. Do you want all of those over the top of our Bill of Rights? It's going to get a bit crowded.

And as far as In God We Trust on our money, another place that makes no sense. What are we trusting in God, that we get the best deal every time we go shopping, that the stock market doesn't drop just when we are ready to retire? I have never voted for anyone based on whether they believed in God or not. And I most certainly do not want the decisions made in this room to depend upon, oh, well, we'll just have to trust this one to God. If you believe in God, that's a personal matter. And when it comes to the votes you take in this room, I expect you to represent your constituents who do not all believe in God. You and only you are responsible for your votes. And Ms. Means speaks about getting an offer from Jacquie Sullivan to defend pro bono any lawsuits.

It's clear, though Ms. Means has many good qualities, she is also a religious zealot, and that aspect of her character has no place in this room or on the walls of this room. If you, any of you, want to proselytize rather than serve the people who elected you, then take up a ministry, but don't use this room as your pulpit. In summary, I understand that many of you may put your God before country. But that is not why you were elected and it shouldn't happen in this room. I ask that you vote against Bill 8376 or step down. Thank you.

(Applause)

PRESIDENT DEFAZIO: Edward Chute.

MR. CATANESE: Let the record show that Councilwoman Rea is present.

MR. CHUTE: Ed Chute, 904 Valleyview Road, Mt. Lebanon. As usual, you may call me nobody. You may recall that all my previous comments at Council (sic) Means concerned a set of running themes, good government and appropriate governmental process. Once upon a time, a favorite saying of my grandfather was, In God We Trust, all others must pay cash. Whenever I hear the phrase In God We Trust, I never really think or say all others must pay cash. The origin of the phrase often is traced to the fourth verse in Francis Scott Key's defense of Fort

McHenry, War of 1812 poem. According to the U.S. Treasury, at least a part of the motivation for its first use on our currency was to indicate that God was on the Union side during the Civil War. Its initial use also is connected to an even earlier 1861 petition letter from M.R. Watkinson, a Christian minister of the Gospel from Ridleysville, Pennsylvania. It only became a motto in 1956, a particularly tense year during our Cold War with the atheistic state of the Soviet Union when the Russians rather brutishly put down dissent in Christian Poland and Hungary. In other words, its genesis as a motto is intrinsically, genetically, historically and undeniably connected to war, money, Christianity and controlling the cent or difference.

Once upon a time a month or so ago I first heard about the proposal before you tonight when I was here to comment on another matter. A Jewish resident of Squirrel Hill rather eloquently objected to the use of the phrase as insensitive to non-Christian residents of Allegheny County. Once upon a time the so-called forgotten father, founding father and early American patriot, George Mason, refused to sign off on the new Constitution because it lacked any protections for individual rights. Ultimately, Mason was vindicated and our Constitution retains his famous Bill of Rights.

I suggest you emulate Mason and not sign off on what clearly is a misuse and misplacement of a motto that in historic fact has little or nothing to do with the founding Bill of Rights except to diminish them. In God We Trust clearly has a Christian aura (phonetic) genesis, context and intent by its creators, as well as the potential to be mocked as such because of its original connection to our currency. Do not attempt to hide your patriotic pietism behind a listing of other slogans when everyone knows the origin and intent of the 1956 motto, In God We Trust. All others, please pay cash. If you must have a placard in the Gold Room, I suggest that the 18th Century Bill of Rights can do quite nicely as a standalone historic and patriotic marker, certainly not requiring any 21st Century enhancement.

(Applause).

PRESIDENT DEFAZIO: Ron Bandes?

AUDIENCE MEMBER: He wasn't available to come.

PRESIDENT DEFAZIO: Greg Smith? No Greg Smith?

Okay. Approval of Minutes, we have none?

MR. CATANESE: We have none.

PRESIDENT DEFAZIO: Okay. Presentation of Appointments, 8458-14.

MR. SZYMANSKI: Approving the reappointment of Tammy Firda to serve as a member of the Council of Friends organization, Round Hill Park, for a term to expire on September 9th, 2016. Sponsored by Councilman Macey.

PRESIDENT DEFAZIO: Mr. Macey?

MR. MACEY: I make a motion to approve Ms. Firda.

MR. MARTONI: Second.

PRESIDENT DEFAZIO: Under remarks? Seeing none, all those in favor signify by saying aye.

(Chorus of ayes).

PRESIDENT DEFAZIO: Opposed? The ayes have it. 8459-14.

MR. CATANESE: Approving the appointment of Tonya B. Johnson to serve as a member of the Accountability, Conduct and Ethics Commission for a term to expire on December 31st, 2015. Sponsored by Councilmember DeFazio.

PRESIDENT DEFAZIO: We will put that in committee.

MR. CATANESE: Appointment Review?

PRESIDENT DEFAZIO: Yeah. 8465-14.

MR. CATANESE: Approving the reappointment of Carrie Noll to serve as a member of the Council of Friends organization, White Oak Park, for a term to expire on September 9, 2016. Sponsored by Councilmember Macey.

PRESIDENT DEFAZIO: Mr. Macey?

MR. MACEY: Carrie Noll has done a fine job on Friends of the Park and I move to approve her.

MR. MARTONI: Second.

PRESIDENT DEFAZIO: Other remarks? Seeing none, all those in favor signify by saying aye.

(Chorus of ayes).

PRESIDENT DEFAZIO: Opposed? The ayes have it. Unfinished Business, Committee on Budget and Finance, Second Reading, 8428-14.

MR. CATANESE: A resolution of the County of Allegheny amending the Grants and Special Accounts Budget for 2014, Submission 10-14. sponsored by the Chief Executive.

PRESIDENT DEFAZIO: Mr. Finnerty?

MR. FINNERTY: Thank you, Mr. President. The committee met on the 27th of August and I'd like to move this. It was affirmatively recommended by the committee.

MR. MACEY: Second.

PRESIDENT DEFAZIO: Under remarks? Seeing none, we'll take the roll call.

MR. CATANESE: Mr. Baker?

MR. BAKER: Aye.

MR. CATANESE: Ms. Danko?

MS. DANKO: Aye.

MR. CATANESE: Mr. Ellenbogen?

MR. ELLENBOGEN: Aye.

MR. CATANESE: Mr. Finnerty?

MR. FINNERTY: Yes.

MR. CATANESE: Mr. Futules?

MR. FUTULES: Yes.

MR. CATANESE: Ms. Green Hawkins?

MS. GREEN HAWKINS: Aye.

MR. CATANESE: Ms. Heidelbaugh?

MS. HEIDELBAUGH: Yes.

MR. CATANESE: Mr. Kress?

MR. KRESS: Yes.

MR. CATANESE: Mr. Macey?

MR. MACEY: Yes.

MR. CATANESE: Mr. Martoni?

MR. MARTONI: Yes.

MR. CATANESE: Ms. Means?

MS. MEANS: Yes.

MR. CATANESE: Mr. Palmiere?

(No response.)

MR. CATANESE: Ms. Rea?

MS. REA: Yes.

MR. CATANESE: Mr. Robinson?

MR. ROBINSON: Aye.

MR. CATANESE: Mr. DeFazio, President?

PRESIDENT DEFAZIO: Yes.

MR. CATANESE: Ayes, 14, nos, 0. Bill passes.

PRESIDENT DEFAZIO: 8444-14.

MR. CATANESE: A resolution of the County of Allegheny amending the Grants and Special Accounts Budget for 2014, Submission 11-14. Sponsored by the Chief Executive.

PRESIDENT DEFAZIO: Mr. Finnerty?

MR. FINNERTY: Thank you, Mr. President. We met September the 3rd, the Committee on Budget and Finance,

and affirmatively recommended this bill, so I'd like to move it also.

MR. MACEY: Second.

PRESIDENT DEFAZIO: Other remarks? Seeing none, we'll take the roll call.

MR. CATANESE: Mr. Baker?

MR. BAKER: Aye.

MR. CATANESE: Ms. Danko?

MS. DANKO: Aye.

MR. CATANESE: Mr. Ellenbogen?

MR. ELLENBOGEN: Aye.

MR. CATANESE: Mr. Finnerty?

MR. FINNERTY: Yes.

MR. CATANESE: Mr. Futules?

MR. FUTULES: Yes.

MR. CATANESE: Ms. Green Hawkins?

MS. GREEN HAWKINS: Aye.

MR. CATANESE: Ms. Heidelbaugh?

MS. HEIDELBAUGH: Yes.

MR. CATANESE: Mr. Kress?

MR. KRESS: Yes.

MR. CATANESE: Mr. Macey?

MR. MACEY: Yes.

MR. CATANESE: Mr. Martoni?

MR. MARTONI: Yes.

MR. CATANESE: Ms. Means?

MS. MEANS: Yes.

MR. CATANESE: Mr. Palmiere?

(No response.)

MR. CATANESE: Ms. Rea?

MS. REA: Yes.

MR. CATANESE: Mr. Robinson?

MR. ROBINSON: Aye.

MR. CATANESE: Mr. DeFazio, President?

PRESIDENT DEFAZIO: Yes.

MR. CATANESE: Ayes, 14, nos, 0. Bill passes.

PRESIDENT DEFAZIO: Committee on Government Reform, Second Reading, 8376-14.

MR. CATANESE: A resolution of the County of Allegheny, Commonwealth of Pennsylvania, supporting the display of the national motto, In God We Trust, to be displayed above the replication of the Bill of Rights to be hung in a prominent location in the Gold Room of the Allegheny County Courthouse. Sponsored by Councilmembers Means, Martoni, Palmiere, Kress, Heidelbaugh and Baker.

MS. MEANS: Mr. President, may I speak?

PRESIDENT DEFAZIO: Okay. Go ahead. Wait a second. That was in my committee. Okay. There's a motion on the floor for 8376. No one second it?

MR. ROBINSON: Second.

PRESIDENT DEFAZIO: Under remarks?

MS. MEANS: I'd like to make some remarks.

PRESIDENT DEFAZIO: Go ahead.

MS. MEANS: Thank you. Today I'm excited about the prospect of honoring our national motto, In God We Trust along with the Bill of Rights. I am proud of my American heritage, our American heritage. The national motto was established in 1956 under the Eisenhower Administration and passed by unanimous resolution in both Houses. The motto is meant to be inclusive and was reaffirmed by the U.S. House in 2011 by a vote of 396 to 9. I am honored that County Council is considering joining Crawford, Butler and Venango Counties in Pennsylvania in a patriotic movement to display the national motto. If the County votes yes, we will join hundreds of counties and municipalities across the country who are celebrating the 150th anniversary of placing In God We Trust on our money. If it was good enough for Abraham Lincoln, it's good enough for me. If it was good enough for Eisenhower and John Kennedy, it was good enough for me. I would like to enter into the record the resolution and have everyone get a copy of the resolution that was passed by Congress in 2011. Could someone pass this out, please?

And I would like to read a few excerpts from that. One is reaffirming In God We Trust as the official motto of the United States and supporting and encouraging the public display of the national motto in all public buildings, public schools and other government institutions. The words --- and I ask you, are we more wise than in Harrisburg? Harrisburg has the words In God We Trust in the steps to the State Capitol. And in Washington, D.C. the words God We Trust appear over the entrance to the Senate Chambers and above the Speaker's restroom in the House Chambers.

Whereas, President Eisenhower said and President Ford later repeated, without God there would be no American form of government, nor American way of life.

Whereas, President John F. Kennedy said, the guiding principle and prayer of this nation has been, is now and ever shall be In God We Trust.

When we place the God We Trust up and we honor it on the walls, we honor all the men and women who over the countless ages have made the ultimate sacrifice and died so that we could be free. I know that some of our --- my Councilmen are concerned that using the motto is exclusionary and violates the establishment clause of the U.S. Constitution. Not one but two legal organizations have promised to defend us pro bono with confidence that the nation's motto is solidly constitutional. 107 municipalities and counties in California alone display the motto without being targeted by lawsuits.

So I would like to enter into the record both of these, the letter that we received from the Liberty Counsel --- and they go into great detail explaining legal cases and why the word God is not --- violates our Constitution or how --- if we post the motto. And we also have an offer from the Pacific Justice Institute to also defend our motto.

That brings me to the broad ascertations and flawed logic of the County Executive, which I would also like to enter the County Executive's letter into the record. First, we are not --- one of the ascertations that he made is we will be sued. I doubt that anyone will touch it. Like I mentioned, it's been our motto since 1956, and there has not ever been a challenge successful against it. And we have, as I spoke before, two legal organizations that have promised to represent us pro bono.

The second ascertation that he made is that it would make Allegheny County not welcoming to other faiths. That is ridiculous and absurd. It is our national motto. Our state just passed a law that we can have In God We Trust placed on license plates. Dormont put In God We Trust up in their room where they vote. Oakdale placed it in their rec center. I doubt that when a person comes to the United States of a different faith, that they were shocked when they saw the flag and didn't recognize it as our flag. And I doubt that they were shocked when they learned our national motto is In God We Trust. It is on our money.

I was in this room on January 2nd when several of my colleagues took their oath of office. And last night I reviewed it. It's on January 2nd. You can go

there and see my colleagues putting their hand on a Bible and taking their oath of office. When they take their oath of office, to say at the end So Help Me God is optional, and yet many did. They said --- they placed their hands on the Bible and promised to protect, preserve and defend the Constitution of the United States and the laws of the Commonwealth of Pennsylvania So Help Me God. So what my colleagues did was, you pledged to protect the Preamble of our State Constitution.

Let me read, We the people of the Commonwealth of Pennsylvania, grateful to almighty God for the blessings of civil and religious liberty and humbly invoking His guidance do ordain and establish this Constitution. The name of God is mentioned several times within Article One, the Declaration of Rights.

About 45 minutes ago we all said the Pledge of Allegiance and we said under God when we said the Pledge of Allegiance. Yes, some people are offended. But we keep saying it. Some people are offended of our flag. They tear it. They rip it. They burn it. And yet we keep flying it. Again, I don't understand what the big deal is. This is our national motto. I must admit to some surprise at the discussion opposing our national motto in County chambers today. Let me assure you that I take very seriously the message of the Declaration of Independence, that all men are created equal. I respect people of all creeds, faiths and nationalities. I want to work with them to protect their freedoms and rights. Law is not a human --- purely a human creation.

The idea of justice was placed in our hearts and consciousness by someone who preceded us. That someone has generally been referred to as a Creator or as God. When the writers of the Declaration of Independence declared that we were endowed by our Creator with unalienable rights, they meant that each of us has rights that inherently belong to us, even if our fellow humans try to take them away. Without the concept of a Creator who endowed us with these rights, such an idea of unalienable rights is impossible. In God We Trust is not simply a symbolic action. It is a reaffirmation of the basis for establishing justice, for distinguishing right from wrong and for treating all our fellow citizens with fairness. I hope that each of you will join me in the support of the resolution before us today. Thank you for giving me this ---?

PRESIDENT DEFAZIO: Any other comments? Can't see any. Okay. Oh, wait a minute. There's a comment. Amanda?

MS. GREEN HAWKINS: Thank you, Mr. President. First I'd like to say that although I don't feel that I can support this resolution, I do commend my colleague, Councilwoman Means, for putting it forward and for bringing this discussion to the forefront. I know personally from my relationship with Councilwoman Means that she is indeed a fine upstanding and certainly Christian person and I do appreciate the love and support that she has shown me and my family at a difficult time. So I do believe that this comes from her heart. However, I don't feel that I can support it.

We have plenty of cases from around the country, various circuit courts, federal district courts, upholding the constitutionality of In God We Trust as the national motto being on buildings and other public displays. And if I could just read into the record for the benefit of our observers of the public so that they know what we have before us. One of the cases that's cited by the Pacific Justice Institute is Lambeth vs. Board of Commissioners of Davidson County. The case held that the county board's decision to authorize inscription of In God We Trust on the façade of the county government center did not constitute a violation of the establishment clause.

Schmidt vs. Cline out of Kansas held constitutional the placement in a county building of posters bearing the motto. The court relied on a previous Tenth Circuit Decision finding that the motto has a secular purpose akin to Justice O'Connor's well-known references to ceremonial deism.

And another case that's cited is Myers vs. Loudoun County School Board out of the Eastern District of Virginia that upheld as constitutional the school's implementation of a state statute requiring schools to post the national motto in every public school building. And there are several other cases. And they all seem to rely on this idea that when we're saying In God We Trust, we're not advocating or promoting the establishment or endorsement of a religion, rather, what we are doing is very secular --- has become very secular in nature, so that it doesn't --- it's not a big deal if we say In God We Trust because people know what to expect. They know

that we're not going to be coming at them with Bibles and fire and brimstone and that kind of thing.

And my problem with that is that it seems to, in my opinion, diminish someone's religion because as a Christian I know that God is the alpha and the omega in the religion. And so to secularize God seems to take away much of the significance that we place in God. And I think that that's just as bad as trying to establish or endorse a religion, if that makes sense. And I think that although we don't want to endorse religion or establish religion, we also don't want to diminish anyone's beliefs in their God, whoever it may be. And for that reason, I just don't feel I can support this resolution. Thank you.

PRESIDENT DEFAZIO: Mr. Ellenbogen?

MR. ELLENBOGEN: I don't even know where to start. This has weighed on me for --- very heavily for the last few weeks. I'm a person of strong faith. I am someone who put my hand on that Bible to try to do the best I could. I pledge allegiance to God and when we do the remembrance, I actually say a prayer. My religion and my belief system belongs to me. I don't need anyone to drag me out and make me talk about it. It's a personal thing between myself, my family and what my beliefs are and to try to live by what I consider God's word. But at the same time, too, this building has been here since 1888. There's never been anything on this wall. All this kind of stuff does is start a bunch of crap for everybody. And that's what I honestly believe. I'm not going to disparage the people who have sponsored this, you know, and what their motive was.

But I will say this, of the hundreds of e-mails that I've got, there are many emails there that are directly about, you know, show that you're a good Christian, you need to put it on the wall because that makes you a better Christian. Don't do it because that --- you know, it disparages my religion. The message, whether it was the intent or not, is that this has become a religious issue, whether you want to turn your back to it or not. The people that are sending these e-mails, the people that are responding are of a church/religious mentality. That's what they believe. You know, if you poke somebody in the chest and you want to talk about their religion, you're going to get a fight. And if you can go back and think of the terrible things that have happened in the name of religion for a couple thousand

years, now I understand what Thomas Jefferson was talking about. Because government needs to be separate from church.

You know, if you're a God-fearing person and you conduct yourself as an elected official in that way, then you should conduct it and do your actions as that person, but it's not something that needs to be discussed. I am not a priest and I don't profess to be one.

MR. FINNERTY: That's for sure.

MR. ELLENBOGEN: Yeah, well, you know, --- but the point I'm trying to get across is, is this is upsetting a lot of people, a lot of Christians, a lot of Jewish people and a lot of people of other faiths. For what? If that was up there, and someone took it down, I probably would be the first one to want to defend it. It does not offend me. I have God, you know, representations in my home, around my neck, everything else. But that's my own personal belief. And putting it on that wall does nothing to make us a better Council. It does nothing. It does nothing but make divisive arguments and upset the religious community. And for that reason, I'm going to vote against this. Thank you.

PRESIDENT DEFAZIO: Mike?

MR. FINNERTY: Okay, John. Thank you. I couldn't have said that better, Mr. Ellenbogen. I want to compliment Councilwoman Means on a very good presentation. But I believe in separation of church and state. And I believe that our religion is a personal thing. I'm a very religious person. I try to practice my religion. I don't always succeed but I try. I think that's a personal thing. And I think it's very important that we always remember that we keep the church and the state separate. Whenever we start mixing them, there's going to be some problems. And as Councilman Ellenbogen stated, you can go back and go through a thousand years of history and more and see that the worst things that have been done to people, the most inhuman things that have been done, have usually been done in the name of religion.

For some reason, they're the worst wars that there ever were and some of them are still going on today. And so it's something that we should keep separate always. We're talking about also our Constitution and our Bill of Rights. Our Bill of Rights says in the first amendment Congress shall make no laws respecting an establishment of religion. And that's what it says. It means that we

shouldn't be doing anything of the religious, even a veiled religious attempt. I think that's important no matter what some court said. I mean, we have to look at things that are important in the establishment of the United States of America. And something that Councilwoman Green said about putting God up, it really does, if you think about it, diminish that deity, that Creator. And I think it's important that we remember that. And I am going to vote against this also. Thank you.

PRESIDENT DEFAZIO: Nick?

MR. FUTULES: Yeah. Sure. I'd like to take note that, for those of you who don't know, on Fifth Avenue, the Ten Commandments are hanging on the wall of this building. And I believe in the past somebody had challenged it. But it was probably a historic landmark at that point. But this is such a tough thing. For those of you who don't know, I am of Greek decent. For those of you that don't know that, 500 years before Christ was born the Greeks had the first election that was ever held in mankind. I visited Greece and I got to see that spot. They consider it very sacred. There's a monastery there. The Greeks over hundreds of years also developed the difference between government and religion. And they realized that they should not be connected. So in respect to my background as my faith, I wouldn't want to disrespect what my ancestors had done because --- I said the word to Susan last week. We talked about the word filotimo. It's a Greek word that all Greeks know. It talks about friendship and honor. And most Greeks have that, and most Americans and everybody else in this world do, too, of course. But without that, without honor, you don't have much in your life, so ---. And I have nothing against In God We Trust. I really don't. I just don't feel that maybe we should display it in here. It may be a cheap attempt to display God as our supreme being. But so for that reason, I'm going to vote against this because I just don't believe that it's the right place for it based on the Greek religion. Thank you.

PRESIDENT DEFAZIO: Ed?

MR. KRESS: I wanted to say something. Because I don't want to amend the ordinance. I'm just trying to be as inclusive as possible. People are saying, well, why the E pluribus unum which means out of many, one? So I said, hey, let's put that on the plaque. They said why not the Pennsylvania State Motto. Virtue, liberty and

independence, who could be against that? So I was trying to find a good compromise because I'm trying to be inclusive, include people of faith, include people who feel that maybe this shouldn't be included. But then we have this controversy here. But sometimes with a compromise, not everybody is going to be happy. It's my thought, let's just include everybody. Really, you are including everybody if you say --- put on the plaque, In God We Trust, E pluribus unum, virtue, liberty and independence. Plus it is our national motto. I don't see what the controversy is.

And a great president, Dwight D. Eisenhower, allied supreme commander, he thought it was a good idea. And he defeated Nazi Germany; okay? He thought it was a good idea and at that time we were up against an opponent, the Soviet Union. What did they do to their people, 20 million people killed. China, how many people died in China? How many people died in Cuba? How many people are dying right now in North Korea? I'm saying there's no reason to attack religion here. Religion has been uplifting; okay? But again, this isn't to be so much about religion, it's about what our national motto was. And it comes to me that all we're doing is just affirming our national motto, our state motto and also our old motto, E pluribus unum. Because again, I just want to bring everybody together. I know some people say that's not the purpose, but I just thought that this was a way to do it. And again, sometimes with compromises, you can't make everybody happy. And I know some people are objecting to this. They're saying, hey, because of adversity, In God We Trust is going to deter people from coming to Allegheny County. But again, it's been our national motto since 1956 and we've had a huge amount of people come to this country since then.

And again, I was going to go back to what Dwight D. Eisenhower said in 1954 about Under God and In God We Trust. And in this way we are reaffirming the transcendence of religious faith in America's heritage and future. In this way we shall constantly strengthen those spiritual weapons which forever will be our country's most powerful resource in peace and war. And I'll leave it at that. Thank you.

PRESIDENT DEFAZIO: Under other remarks? Bill?

MR. MACEY: Thank you, Mr. President and members of Council. I come from the Mon Valley, a place where I

asked the director of economic development where economic challenges are, household income being low. And he responded with the challenges are in the Mon Valley. We're going to spend money, spend time and effort on a motto where we need good government to help assist people where there's economic challenges? I'm a Christian. I believe in a higher power. I choose to call that higher power God. Some people choose to call it, G-O-D, good orderly direction. But that's your choice.

I believe that in my darkest hours and troubled times, and even day to day, I believe in my higher power, God. I pray. And as Councilman Finnerty said, I don't always do it well. I know praying to God is talking to God. Meditating is listening. Some people should listen more. We were elected not to move a religion or any particular secular divisive programs throughout our administration. I believe that being an elected official, my responsibility is to everybody, to everybody fairly and objectively. Therefore, I'll be voting against this. But I do pray to God that we work together for good government and to do the right thing, for the principles on which we swore on that Bible and not look at personalities. Thank you.

PRESIDENT DEFAZIO: Anybody else? Seeing none --- oh, wait a minute. Barb?

MS. DANKO: I believe up until tonight I was the only one on record as being opposed to this. I think part of that is because as some of you may know, I taught for many years at CCAC in the political science department and I was charged with teaching American Constitution to their paralegal students. So I had to really study the constitution and really work through the First Amendment. I think we spent a month just on First Amendment cases. I think based on court decisions, it's debatable whether under current Supreme Court and lower court decisions this is constitutional. But I would also point out I brought my trustee Justice Robert Jackson mug where it says on the back --- and he was one of the justices at the Nuremberg Trials --- we are not final because we are infallible, but we are infallible only because we are final.

And we know that because there are many Supreme Court cases that --- through history the Supreme Court has reversed themselves or there's been a Constitutional Amendment. I'm sure we could all point to Supreme Court decisions that we don't agree with. And if on some level

this was upheld, you know, my understanding is this particular fact case has not gone before the Supreme Court but they can choose to take cases or not take cases. So there are two questions, really, whether we think this is constitutional and whether we think if we thought it was constitutional, whether we should even do it. I would say I don't believe it's constitutional, but that's me. I'm not on the Supreme Court. But I also would say we shouldn't do this, we've got better things to do. Thank you.

PRESIDENT DEFAZIO: Seeing no other comments, we can take the roll.

MR. CATANESE: Mr. Baker?

MR. BAKER: Yes.

MR. CATANESE: Ms. Danko?

MS. DANKO: No.

MR. CATANESE: Mr. Ellenbogen?

MR. ELLENBOGEN: No.

MR. CATANESE: Mr. Finnerty?

MR. FINNERTY: No.

MR. CATANESE: Mr. Futules?

MR. FUTULES: No.

MR. CATANESE: Ms. Green Hawkins?

MS. GREEN HAWKINS: No.

MR. CATANESE: Ms. Heidelbaugh?

MS. HEIDELBAUGH: Yes.

MR. CATANESE: Mr. Kress?

MR. KRESS: Yes.

MR. CATANESE: Mr. Macey?

MR. MACEY: No.

MR. CATANESE: Mr. Martoni?

MR. MARTONI: No.

MR. CATANESE: Ms. Means?

MS. MEANS: Yes.

MR. CATANESE: Mr. Palmiere?

(No response.)

MR. CATANESE: Ms. Rea?

MS. REA: Yes.

MR. CATANESE: Mr. Robinson?

MR. ROBINSON: Aye.

MR. CATANESE: Mr. DeFazio, President?

PRESIDENT DEFAZIO: No.

MR. CATANESE: Nos, 8, yes, 6. It fails.

PRESIDENT DEFAZIO: Okay. Committee on Economic Development and Housing, Second Reading, 8426-14.

MR. CATANESE: A resolution of the Council of Allegheny, Pennsylvania, made pursuant to the Local Economic Revitalization Tax Assistance Act, LERTA, Pa. Stat. Ann. tit. 72, Section 4722 et seq, 1995, as amended providing for a program of temporary exemption from increase in Allegheny County Real Property Taxes for specified time periods resulting from improvements made by an owner of property located within a specific geographic area within the City of Pittsburgh, County of Allegheny, Commonwealth of Pennsylvania, previously determined to be deteriorated area, establishing a schedule for exempting increases in Allegheny County Property Taxes resulting from such improvements; and prescribing the requirements and procedures by which an owner of the property located within a deteriorated area can secure the temporary exemption resulting from such improvements. Sponsored by the Chief Executive.

PRESIDENT DEFAZIO: Amanda, did you handle this?

MS. GREEN HAWKINS: Yes.

PRESIDENT DEFAZIO: Okay. Amanda?

MS. GREEN HAWKINS: Thank you, Mr. President.

Move for approval.

MR. MARTONI: Second.

PRESIDENT DEFAZIO: Under remarks? Seeing none, we'll take the roll call.

MR. CATANESE: Mr. Baker?

MR. BAKER: Aye.

MR. CATANESE: Ms. Danko?

MS. DANKO: Aye.

MR. CATANESE: Mr. Ellenbogen?

MR. ELLENBOGEN: Aye.

MR. CATANESE: Mr. Finnerty?

MR. FINNERTY: Yes.

MR. CATANESE: Mr. Futules?

MR. FUTULES: Yes.

MR. CATANESE: Ms. Green Hawkins?

MS. GREEN HAWKINS: Aye.

MR. CATANESE: Ms. Heidelbaugh?

MS. HEIDELBAUGH: No.

MR. CATANESE: Mr. Kress?

MR. KRESS: Yes.

MR. CATANESE: Mr. Macey?

MR. MACEY: Yes.

MR. CATANESE: Mr. Martoni?

MR. MARTONI: Yes.

MR. CATANESE: Ms. Means?
MS. MEANS: Yes.
MR. CATANESE: Mr. Palmiere?
(No response.)
MR. CATANESE: Ms. Rea?
MS. REA: Yes.
MR. CATANESE: Mr. Robinson?
MR. ROBINSON: Aye.
MR. CATANESE: Mr. DeFazio, President?
PRESIDENT DEFAZIO: Yes.
MR. CATANESE: Ayes, 13, no, 1, bill passes.
PRESIDENT DEFAZIO: 8445-14.
MR. CATANESE: A resolution of the Council of

Allegheny County, Pennsylvania, made pursuant to the Local Economic Revitalization Tax Assistance Act, LERTA, Pa. Stat. Ann. tit. 72, Section 4722 et seq, 1995, as amended providing for a program of temporary exemption from increases in Allegheny County Real Property Taxes for specified time periods resulting from improvements made by an owner of property located within a specific geographic area within the Bloomfield Area of the City of Pittsburgh, County of Allegheny, Commonwealth of Pennsylvania, previously determined to be a deteriorated area; establishing a schedule for exempting increases in Allegheny County property taxes resulting from such improvement; and prescribing the requirements and procedures by which an owner of property located within the deteriorated area can secure the temporary exemption resulting from such improvements. Sponsored by the Chief Executive.

PRESIDENT DEFAZIO: Amanda, did you handle that?
MS. GREEN HAWKINS: Yes.
PRESIDENT DEFAZIO: Okay. Go ahead.
MS. GREEN HAWKINS: Thank you, Mr. President.

Move for approval.

MR. FINNERTY: Second.
MS. HEIDELBAUGH: Questions.
PRESIDENT DEFAZIO: Okay. Under remarks? Do you have remarks?

MS. HEIDELBAUGH: Yes, I have a question.
PRESIDENT DEFAZIO: Go ahead.

MS. HEIDELBAUGH: For Mr. Struhl. Maurice.
Sorry. This is a LERTA for the Morrow Park City Apartments; is that right?

MR. STRUHL: Yes.

MS. HEIDELBAUGH: Are there any other apartments within a ten-foot --- I mean, ten square mile area?

MR. STRUHL: I honestly do not know.

MS. HEIDELBAUGH: Are there any other multi-residential areas?

MR. STRUHL: Yes.

MS. HEIDELBAUGH: And are we allowing those other folks to not pay their taxes?

MR. STRUHL: No, there's no exemption for them unless they've made application.

MS. HEIDELBAUGH: So why are allowing Morrow Park City Apartments not to pay their taxes?

MR. STRUHL: They came to us with a request to assist them because they had come extraordinary costs associated with their project and we felt that we should try to support them.

MS. HEIDELBAUGH: Okay. And so how much taxes will we not be getting because of this?

MR. STRUHL: The exemption schedule, I think, is attached to the legislation. They're looking for reductions of 100 percent in the first two years and declining ---.

MS. HEIDELBAUGH: Say that again, please?

MR. STRUHL: Reductions of 100 percent in the first two years, and declining 10 percent for the next two years.

MS. HEIDELBAUGH: What is the net worth of the entity that owns these apartments?

MR. STRUHL: I don't know. There is a representative of the developer here if you'd like to speak to him.

MS. HEIDELBAUGH: When you presented this, did you discuss it in committee --- I was not able to make it --- the concern that Council had previously enunciated at our last budget process, that we were very concerned about granting these sorts of tax abatements, that we were going to look at these very carefully. Did anyone talk about that?

MR. STRUHL: I did not talk about that.

MS. HEIDELBAUGH: And can you tell me the social policy connected with allowing these folks not to pay taxes, but the elderly poor who are within ten square miles, that they have to pay taxes?

MR. STRUHL: No. I really can't.

MS. HEIDELBAUGH: Thank you.

PRESIDENT DEFAZIO: Any other questions or
remarks? Seeing none, we'll take a roll call.
MR. CATANESE: Mr. Baker?
MR. BAKER: Yes.
MR. CATANESE: Ms. Danko?
MS. DANKO: Aye.
MR. CATANESE: Mr. Ellenbogen?
MR. ELLENBOGEN:
(No response)
MR. CATANESE: Mr. Finnerty?
MR. FINNERTY: Yes.
MR. CATANESE: Mr. Futules?
MR. FUTULES: Yes.
MR. CATANESE: Ms. Green Hawkins?
MS. GREEN HAWKINS: Aye.
MR. CATANESE: Ms. Heidelbaugh?
MS. HEIDELBAUGH: No.
MR. CATANESE: Mr. Kress?
MR. KRESS: Yes.
MR. CATANESE: Mr. Macey?
MR. MACEY: Yes.
MR. CATANESE: Mr. Martoni?
MR. MARTONI: Yes.
MR. CATANESE: Ms. Means?
MS. MEANS: Yes.
MR. CATANESE: Mr. Palmiere?
(No response.)
MR. CATANESE: Ms. Rea?
MS. REA: Yes.
MR. CATANESE: Mr. Robinson?
MR. ROBINSON: Aye.
MR. CATANESE: Mr. DeFazio, President?
PRESIDENT DEFAZIO: Yes.
MR. CATANESE: Ayes, 12, nos, 1, bill passes.
PRESIDENT DEFAZIO: 8446-14.

MR. CATANESE: A resolution of the County of Allegheny approving amendments to the Riverplace City Center of Duquesne Tax Increment Financing Plan and Riverplace City Center of Duquesne Tax Increment Financing District and authorizing a new tax increment financing project within the Tax Increment Financing District and related actions. Sponsored by the Chief Executive.

PRESIDENT DEFAZIO: Amanda?

MS. GREEN HAWKINS: Thank you. Move for approval.

MR. MACEY: Second.
PRESIDENT DEFAZIO: Under remarks? Seeing none,
will you take the roll?
MR. CATANESE: Mr. Baker?
MR. BAKER: Yes.
MR. CATANESE: Ms. Danko?
MS. DANKO: Aye.
MR. CATANESE: Mr. Ellenbogen?
MR. ELLENBOGEN: Aye.
MR. CATANESE: Mr. Finnerty?
MR. FINNERTY: Yes.
MR. CATANESE: Mr. Futules?
MR. FUTULES: Yes.
MR. CATANESE: Ms. Green Hawkins?
MS. GREEN HAWKINS: Aye.
MR. CATANESE: Ms. Heidelbaugh?
MS. HEIDELBAUGH: No.
MR. CATANESE: Mr. Kress?
MR. KRESS: Yes.
MR. CATANESE: Mr. Macey?
MR. MACEY: Yes.
MR. CATANESE: Mr. Martoni?
MR. MARTONI: Yes.
MR. CATANESE: Ms. Means?
MS. MEANS: Yes.
MR. CATANESE: Mr. Palmiere?
(No response.)
MR. CATANESE: Ms. Rea?
MS. REA: Yes.
MR. CATANESE: Mr. Robinson?
MR. ROBINSON: Aye.
MR. CATANESE: Mr. DeFazio, President?
PRESIDENT DEFAZIO: Yes.
MR. CATANESE: Ayes, 13, nos, 1, bill passes.
PRESIDENT DEFAZIO: Liaison Reports. Anyone
have a liaison report? Mr. Martoni.
MR. MARTONI: No, Mike has one.
PRESIDENT DEFAZIO: Oh, you raised your hand.
MR. MARTONI: No, Mike.
PRESIDENT DEFAZIO: Oh, Mike?
MR. FINNERTY: I do have one.
PRESIDENT DEFAZIO: Go ahead.
MR. FINNERTY: Thank you.
PRESIDENT DEFAZIO: I can't believe you have
one.

MR. FINNERTY: It's amazing; isn't it? This morning we were doing a ribbon cutting for Children's Hospital which is a satellite of Children's Hospital which is located in South Fayette right off of 79, if you know where that interchange is out there. And it's a fantastic place. It sort of is the same motif as the Lawrenceville Main Hospital. And we're really happy in South Fayette and out that way in southern Allegheny County and Washington County, et cetera, to have a fine hospital like that. Thank you.

PRESIDENT DEFAZIO: Go ahead, Sue.

MS. MEANS: I have several. Thank you. First of all, this Friday is the Second Annual Rolf C. Whita (phonetic) Memorial Golf outing. A year ago, our district magistrate passed away suddenly and left two children that we have this fundraiser to raise money for his children. So it's this Friday. Tee off is at noon at the Lindenwood Golf Club in Canonsburg. And you can call Heather to find out more about it at 412-719-0196. And you can also come for just dinner if you don't play golf which --- that's what I'll be doing.

The other thing, I wanted to make an announcement that on September 20th will be the Bethel Park Community Day from 10:00 to 4:00 in Bethel Park at the high school. Come on down. And we also have a parade that starts at 9:00. And I also wanted to make one other announcement which is there's going to be like a cyber bullying presentation by, it's called the Darker Side of Technology by Judge Ron Arnoni and Judge Guy Reschenthaler on Wednesday, the 24th at the Bethel Park High School from 7:30 to 9:00. And they'll be talking about risky student behaviors, long-term consequences of sharing information online, stalking, cyber bullying, sexting and learn ways to mitigate the risks. So thank you.

PRESIDENT DEFAZIO: Seeing no other remarks, we'll go to New Business, Ordinances and Resolutions, 8472-14.

MR. CATANESE: An ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing the conveyance of the County of Allegheny's interest in four parcels known as Block 643-B as in boy, Lot Number 207; Block 643-B as in boy, Lot 209; Block 643-B as in boy, Lot 215; and Block 643-B as in boy, Lot 217, the properties located in the Borough of Wall, East Allegheny School District, County of Allegheny, Commonwealth of

Pennsylvania, to George Mrjenovich. Sponsored by the Chief Executive.

PRESIDENT DEFAZIO: That will go in Economic and Housing Committee. We have 8473-14.

MR. CATANESE: A resolution of the County of Allegheny amending the Grants and Special Accounts Budget for 2014, Submission 12-14. Sponsored by the Chief Executive.

PRESIDENT DEFAZIO: That will go in the Budget and Finance Committee. New Business, Motions, 8474-14.

MR. CATANESE: Pulling Bill Number 8125-14, an ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending and supplementing the Administrative Code of Allegheny County, Article 301, encompassing County Council generally, through the creation of a new Section 5-301.07 describing the oath of office taken by any person holding the office of member of Allegheny County Council with additional language to support the adherence to County law, from committee for an immediate and final vote. Sponsored by Councilwoman Heidelbaugh.

PRESIDENT DEFAZIO: Heather?

MS. HEIDELBAUGH: Thank you, Mr. President. So most of these following motions have been --- were introduced by me and were referred to committee. And the committee chairs never placed them on the agenda. And so what I would like to do is to actually have a debate, pull them out of committee so that we can have a vote. Because that's why we were all elected. And what is generally happening, and which I can talk about when we get to the 90-day bill, is that when you look at the statistics, it's quite clear that the County Executive produces a bill, it goes to committee, it gets heard. The members of the minority party submit a bill, it doesn't go to committee and so really what's happening is that full debate is being stymied, and it's not what the citizens of Allegheny County believe is happening and it's not what they deserve.

PRESIDENT DEFAZIO: Well, Heather, first of all, we go by the rules. You can make the motion here to pull it out, but we can't have a debate on it right now. So you have all the right in the world to try and pull it and see if the people agree with you on it.

MS. HEIDELBAUGH: Thank you, Mr. President. So I make a motion to pull Bill Number 8125-14, and I believe I have a couple seconds.

MR. ROBINSON: Second.

MR. KRESS: Second.

MS. MEANS: I'll second it.

PRESIDENT DEFAZIO: Under remarks?

MR. FINNERTY: I was just going to say that on pulling a bill, I think that it's not on the floor. So the bill actually isn't here. So we can't really debate it. The only reason for pulling it is timeliness. So if you want to speak about timeliness, that's fine.

MS. HEIDELBAUGH: It's over 90 days.

MR. FINNERTY: Well, exactly. If we vote to pull it and it is pulled, then there's debate on the subject.

MS. HEIDELBAUGH: I am aware of that, Mr. Finnerty, but thank you for clarifying.

PRESIDENT DEFAZIO: Does anybody else have a remark? Amanda?

MS. GREEN HAWKINS: Thank you, Mr. President. I think my remark is more appropriate after we vote on whether or not we pull it.

PRESIDENT DEFAZIO: Okay.

MS. GREEN HAWKINS: Thank you.

PRESIDENT DEFAZIO: Any other remarks? Seeing none, this here is a motion --- wait. Yeah, that's a motion to pull and so all those in favor signify by saying aye.

(Chorus of ayes)

PRESIDENT DEFAZIO: Opposed?

(Chorus of nos).

PRESIDENT DEFAZIO: Take a roll call.

MR. CATANESE: Mr. Baker?

MR. BAKER: Yes.

MR. CATANESE: Ms. Danko?

MS. DANKO: No.

MR. CATANESE: Mr. Ellenbogen?

MR. ELLENBOGEN: No.

MR. CATANESE: Mr. Finnerty?

MR. FINNERTY: No.

MR. CATANESE: Mr. Futules?

MR. FUTULES: No.

MR. CATANESE: Ms. Green Hawkins?

MS. GREEN HAWKINS: No.

MR. CATANESE: Ms. Heidelbaugh?
MS. HEIDELBAUGH: Yes.
MR. CATANESE: Mr. Kress?
MR. KRESS: No.
MR. CATANESE: Mr. Macey?
MR. MACEY: No.
MR. CATANESE: Mr. Martoni?
MR. MARTONI: No.
MR. CATANESE: Ms. Means?
MS. MEANS: Yes.
MR. CATANESE: Mr. Palmiere?
(No response.)
MR. CATANESE: Ms. Rea?
MS. REA: Yes.
MR. CATANESE: Mr. Robinson?
MR. ROBINSON: Aye.
MR. CATANESE: Mr. DeFazio, President?
PRESIDENT DEFAZIO: No.
MR. CATANESE: Nos, 9, yeses, 5, it fails.
PRESIDENT DEFAZIO: Okay. 8475-14.

MR. CATANESE: Pulling Bill Number 8183-14, an ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending the Administrative Code of Allegheny County, Article 311, entitled Official Actions of County Council, Section 5-311.04 entitled Consideration, in order to clarify the requirement that all ordinances and resolutions be acted upon in either the affirmative or negative within 90 days of submittal from committee for an immediate and final vote. Sponsored by Councilwoman Heidelbaugh.

MS. HEIDELBAUGH: Yes. I have a motion to pull the motion and it's been sitting there in excess of 90 days.

MR. ROBINSON: Second.

MS. MEANS: Second.

PRESIDENT DEFAZIO: Under remarks?

MS. HEIDELBAUGH: Can I remark?

PRESIDENT DEFAZIO: No, you did the same ---.

MS. HEIDELBAUGH: Why did you ask for remarks then?

PRESIDENT DEFAZIO: You made a motion. It's up to them to make the remarks.

MS. HEIDELBAUGH: Oh, I'm not allowed to make a remark?

MR. CAMBEST: Nobody should be making a remark until the bill is pulled.

PRESIDENT DEFAZIO: Yeah. It hasn't been pulled yet.

MS. HEIDELBAUGH: Well, then why did you ask for remarks?

PRESIDENT DEFAZIO: Okay. I didn't --- okay. Let's take a vote. We might as well take a roll call vote so there's no mix-up.

MR. CATANESE: Mr. Baker?

MR. BAKER: Yes.

MR. CATANESE: Ms. Danko?

MS. DANKO: Aye.

MR. CATANESE: Mr. Ellenbogen?

MR. ELLENBOGEN: No.

MR. CATANESE: Mr. Finnerty?

MR. FINNERTY: No.

MR. CATANESE: Mr. Futules?

MR. FUTULES: No.

MR. CATANESE: Ms. Green Hawkins?

MS. GREEN HAWKINS: Aye.

MR. CATANESE: Ms. Heidelbaugh?

MS. HEIDELBAUGH: Yes.

MR. CATANESE: Mr. Kress?

MR. KRESS: No.

MR. CATANESE: Mr. Macey?

MR. MACEY: No.

MR. CATANESE: Mr. Martoni?

MR. MARTONI: No.

MR. CATANESE: Ms. Means?

MS. MEANS: Yes.

MR. CATANESE: Mr. Palmiere?

(No response.)

MR. CATANESE: Ms. Rea?

MS. REA: Yes.

MR. CATANESE: Mr. Robinson?

MR. ROBINSON: Aye.

MR. CATANESE: Mr. DeFazio, President?

PRESIDENT DEFAZIO: No.

MR. CATANESE: Ayes, 7, nos, 7. It fails.

PRESIDENT DEFAZIO: I thought it was eight. It should have been seven?

MR. CATANESE: Yeah, seven and seven is 14. We have one member absent.

PRESIDENT DEFAZIO: Okay. 8476-14.

MS. HEIDELBAUGH: I ---.

MR. CATANESE: Wait. Let me read it.

MS. HEIDELBAUGH: I'm sorry.

MR. CATANESE: Pulling Bill Number 8223-14, an ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending the Administrative Code of Allegheny County, Article 203, entitled County Authorities, Section 5-203.02, entitled Appointments to County Authorities, in order to render the procedures to be followed when appointing individuals to serve on the governing boards of the enumerated County authorities consistent with applicable law from committee for an immediate and final vote. Sponsored by Councilmember Heidelbaugh.

MS. HEIDELBAUGH: I make a motion to pull this from committee.

MR. ROBINSON: Second.

MS. HEIDELBAUGH: Because if you're a Republican, you might as well just not do anything. You might as well just sit here and never introduce a piece of legislation.

MR. MACEY: That's a little uncalled for.

PRESIDENT DEFAZIO: Heater, everybody has a right to vote. We're not going to start a fight here, but everybody, you got to respect everybody's vote; okay?

MS. HEIDELBAUGH: Respect goes one way.

PRESIDENT DEFAZIO: All right. Go ahead, roll call.

MR. CATANESE: Mr. Baker?

MR. BAKER: Yes.

MR. CATANESE: Ms. Danko?

MS. DANKO: No.

MR. CATANESE: Mr. Ellenbogen?

MR. ELLENBOGEN: No.

MR. CATANESE: Mr. Finnerty?

MR. FINNERTY: No.

MR. CATANESE: Mr. Futules?

MR. FUTULES: No.

MR. CATANESE: Ms. Green Hawkins?

MS. GREEN HAWKINS: No.

MR. CATANESE: Ms. Heidelbaugh?

MS. HEIDELBAUGH: Yes.

MR. CATANESE: Mr. Kress?

MR. KRESS: No.

MR. CATANESE: Mr. Macey?

MR. MACEY: No.
MR. CATANESE: Mr. Martoni?
MR. MARTONI: No.
MR. CATANESE: Ms. Means?
MS. MEANS: Yes.
MR. CATANESE: Mr. Palmiere?
(No response.)
MR. CATANESE: Ms. Rea?
MS. REA: No.
MR. CATANESE: Mr. Robinson?
MR. ROBINSON: Aye.
MR. CATANESE: Mr. DeFazio, President?
PRESIDENT DEFAZIO: No.
MR. CATANESE: Ayes, 4, nos, 10, bill fails,

fails to pull.

PRESIDENT DEFAZIO: Okay. What are we at,
8477-14.

MR. CATANESE: Pulling Bill Number 8228-14, a resolution of the County of Allegheny, Commonwealth of Pennsylvania, urging the Pennsylvania General Assembly to enact with all deliberate speed an act authorizing the governing bodies of counties of the second class to provide by ordinance for the implementation of tax provisions to allow for property tax freeze for qualifying senior citizens from committee for immediate and final vote. Sponsored by Councilwoman Heidelbaugh.

MS. HEIDELBAUGH: Motion to pull.

MR. ROBINSON: Second.

MS. MEANS: Second.

PRESIDENT DEFAZIO: Okay. We might as well take a roll call vote.

MR. CATANESE: Mr. Baker?
MR. BAKER: Yes.
MR. CATANESE: Ms. Danko?
MS. DANKO: No.
MR. CATANESE: Mr. Ellenbogen?
MR. ELLENBOGEN: No.
MR. CATANESE: Mr. Finnerty?
MR. FINNERTY: No.
MR. CATANESE: Mr. Futules?
MR. FUTULES: No.
MR. CATANESE: Ms. Green Hawkins?
MS. GREEN HAWKINS: No.
MR. CATANESE: Ms. Heidelbaugh?
MS. HEIDELBAUGH: Yes.

MR. CATANESE: Mr. Kress?
MR. KRESS: No.
MR. CATANESE: Mr. Macey?
MR. MACEY: No.
MR. CATANESE: Mr. Martoni?
MR. MARTONI: No.
MR. CATANESE: Ms. Means?
MS. MEANS: Yes.
MR. CATANESE: Mr. Palmiere?
(No response.)
MR. CATANESE: Ms. Rea?
MS. REA: Yes.
MR. CATANESE: Mr. Robinson?
MR. ROBINSON: Nay.
MR. CATANESE: Mr. DeFazio, President?
PRESIDENT DEFAZIO: No.
MR. CATANESE: Nos, 10, yeses, 4, it fails.
PRESIDENT DEFAZIO: 8478-14.
MS. HEIDELBAUGH: Motion to pull.
MR. ROBINSON: Second.
MR. CATANESE: I've got to read it first.
MS. HEIDELBAUGH: I'm sorry.
MR. CATANESE: That's okay.
MS. HEIDELBAUGH: I'm so sorry.
MR. CATANESE: Pulling Bill Number 8189-14

amending Article II of the Rules of Council for Allegheny County Council through the creation of a new Section F-11 in order to provide a subsidized rule governing participation in all standing committee from committee for an immediate and final vote. Sponsored by Councilwoman Heidelbaugh.

MS. HEIDELBAUGH: Motion to pull.
PRESIDENT DEFAZIO: I'm not hearing a second.
MS. HEIDELBAUGH: Do I have a second, Sue?
MR. BAKER: Oh, second.
MS. MEANS: Yes, I second it. I'm sorry.
PRESIDENT DEFAZIO: Roll call vote.
MR. CATANESE: Mr. Baker?
MR. BAKER: Yes.
MR. CATANESE: Ms. Danko?
MS. DANKO: No.
MR. CATANESE: Mr. Ellenbogen?
MR. ELLENBOGEN: No.
MR. CATANESE: Mr. Finnerty?
MR. FINNERTY: No.

MR. CATANESE: Mr. Futules?
MR. FUTULES: No.
MR. CATANESE: Ms. Green Hawkins?
MS. GREEN HAWKINS: No.
MR. CATANESE: Ms. Heidelbaugh?
MS. HEIDELBAUGH: Yes.
MR. CATANESE: Mr. Kress?
MR. KRESS: No.
MR. CATANESE: Mr. Macey?
MR. MACEY: No.
MR. CATANESE: Mr. Martoni?
MR. MARTONI: No.
MR. CATANESE: Ms. Means?
MS. MEANS: Yes.
MR. CATANESE: Mr. Palmiere?
(No response.)
MR. CATANESE: Ms. Rea?
MS. REA: No.
MR. CATANESE: Mr. Robinson?
MR. ROBINSON: Nay.
MR. CATANESE: Mr. DeFazio, President?
PRESIDENT DEFAZIO: No.
MR. CATANESE: Nos, 11, yeses, 3, it fails.
PRESIDENT DEFAZIO: 8479-14.

MR. CATANESE: Pulling Bill Number 8230-14, amending Article II of the Rules of Council for Allegheny County Council through the creation of a new Section F.5 in order to encourage committee meetings participation by adjusting the rule governing quorums at committee meetings from committee for an immediate and final vote. Sponsored by Councilmember Heidelbaugh.

MS. HEIDELBAUGH: Motion to pull the bill.

MR. BAKER: Second.

PRESIDENT DEFAZIO: Would you --- might as well do the roll call again.

MR. CATANESE: Mr. Baker?
MR. BAKER: Yes.
MR. CATANESE: Ms. Danko?
MS. DANKO: No.
MR. CATANESE: Mr. Ellenbogen?
MR. ELLENBOGEN: No.
MR. CATANESE: Mr. Finnerty?
MR. FINNERTY: No.
MR. CATANESE: Mr. Futules?
MR. FUTULES: No.

MR. CATANESE: Ms. Green Hawkins?
MS. GREEN HAWKINS: No.
MR. CATANESE: Ms. Heidelbaugh?
MS. HEIDELBAUGH: Yes.
MR. CATANESE: Mr. Kress?
MR. KRESS: No.
MR. CATANESE: Mr. Macey?
MR. MACEY: No.
MR. CATANESE: Mr. Martoni?
MR. MARTONI: No.
MR. CATANESE: Ms. Means?
MS. MEANS: Yes.
MR. CATANESE: Mr. Palmiere?
(No response.)
MR. CATANESE: Ms. Rea?
MS. REA: No.
MR. CATANESE: Mr. Robinson?
MR. ROBINSON: Nay.
MR. CATANESE: Mr. DeFazio, President?
PRESIDENT DEFAZIO: No.
MR. CATANESE: Nos, 11, yeses, 3, it fails.
PRESIDENT DEFAZIO: 8480-14.

MR. CATANESE: Pulling Bill Number 8231-14, amending Article II of the Rules of Council for Allegheny County Council through the creation of a new Section F.11 in order to provide a standardized rule governing participation by telephone in all committee of Council from committee for an immediate and final vote. Sponsored by Councilwoman Heidelbaugh.

MS. HEIDELBAUGH: Motion to pull the bill.

MR. BAKER: Second.

MS. MEANS: I'll second it.

PRESIDENT DEFAZIO: Properly seconded. Would you have the roll call?

MR. CATANESE: Mr. Baker?

MR. BAKER: Yes.

MR. CATANESE: Ms. Danko?

MS. DANKO: No.

MR. CATANESE: Mr. Ellenbogen?

MR. ELLENBOGEN: No.

MR. CATANESE: Mr. Finnerty?

MR. FINNERTY: No.

MR. CATANESE: Mr. Futules?

MR. FUTULES: No.

MR. CATANESE: Ms. Green Hawkins?

MS. GREEN HAWKINS: No.
MR. CATANESE: Ms. Heidelbaugh?
MS. HEIDELBAUGH: Yes.
MR. CATANESE: Mr. Kress?
MR. KRESS: No.
MR. CATANESE: Mr. Macey?
MR. MACEY: No.
MR. CATANESE: Mr. Martoni?
MR. MARTONI: No.
MR. CATANESE: Ms. Means?
MS. MEANS: Yes.
MR. CATANESE: Mr. Palmiere?
(No response.)
MR. CATANESE: Ms. Rea?
MS. REA: Yes.
MR. CATANESE: Mr. Robinson?
MR. ROBINSON: Nay.
MR. CATANESE: Mr. DeFazio, President?
PRESIDENT DEFAZIO: No.
MR. CATANESE: Nos, 10, yeses, 4, it fails.
PRESIDENT DEFAZIO: 8480-14
PRESIDENT DEFAZIO: Public comment on general

items.

MR. CATANESE: We have two.

PRESIDENT DEFAZIO: Doctor Ronald Lynn Miller.

DR. MILLER: Doctor Ronald Lynn Miller, 40 Belzhoover Avenue, Pittsburgh, 421-381-3753. I commend this Council for its debate and its dealing with a very difficult issue on 8376. Thank you very much. I'm a Global Intelligence Society candidate for governor in 2014, Pittsburgh mayor in 2017 advancing Pennsylvania as a global state and Pittsburgh as a global city. To do so I introduced my program, Fortress Pennsylvania, during Pittsburgh City Council public comment 5 May 2014 to build a wall of defense around our state and major cities. I initiated the program Impress Pennsylvania during Pittsburgh Council public comment 16 July 2014 to establish public alternatives to the Pennsylvania pre-university and university educational systems.

I offered 29 July 2014 my program Express Pennsylvania to reinforce and refine opportunities for the exercise of speech in Pennsylvania via all media. Express Pennsylvania, increasing free speech and Express Pennsylvania, free information for public use as fast as possible are consistent with Amendment One of the 1789

U.S. Constitution but inconsistent with the 1947 U.S. National Security Act, a major consequence of the activities of Eisenhower. So are the Pennsylvania and Pittsburgh democratization initiative created by me in 2010 and the Pennsylvania Public Use Network 2014, also by me. 2009 to 2012 I presented 21 foundations for local and state laws to facilitate expressions along 21 lines of disciplinary information and intelligence.

Example, Express Pennsylvania and Pittsburgh on the biological genetic axis of inquiry using biological genetic disciplinary intelligence. All right, but not Pennsylvania Governor candidates Corbett and Wolfe have relentlessly --- I have relentlessly expressed concern about Pennsylvania and Pittsburgh research on difficult biological microbes and genetic mutations. I'm a member of the ASM and the GSA. 2009 and 2014, repeatedly urging City Council to protect us and also the research. I expressed an intense interest in knowing whether the level four bio safety lab in Oakland engages in research on H5-N1, a virus with a 50-percent lethality rate among humans whose genome has been artificially mutated to make alossalized (phonetic) intramanillion (phonetic) transmission easier which recently escaped CDC control, but Pittsburgh City Council, Mr. Peduto, and then Pitt Chancellor Nordenberg refused to acknowledge or deny, Pittsburgh City Council public comment, 15 February 2012. I expressed a warning about the dismal lack of biosecurity in the entry to the City Council --- City County Building. It remains 9 April 2013. My institutionalized expression of biological genetic responsibility to Pennsylvania and Pittsburgh is shown --- and the County is shown in my creation of the City of Pittsburgh Center, where global investigations of molecular and atomic biological activities, PC Mobba (phonetic). Public comment 17 December 2012.

PRESIDENT DEFAZIO: Thank you. We have one piece of business we overlooked, I guess. Jared, do you have that legislation?

MR. CATANESE: We have one more speaker, too.

PRESIDENT DEFAZIO: I'm sorry. Let's do the speaker. Joni Rabinowitz.

MS. RABINOWITZ: Joni Rabinowitz, 7721 Edgerton Avenue, Pittsburgh, 15221. I have two topics I want to address related to fracking. One of them is that I'm going to put forth to you that we will be coming to you

sometime in the next couple of months with a proposed ordinance to consider what many of you have said you wanted to do as far as waiting until we have results from Deer Lakes before you move on any other parks. So we will be bringing that before you and you'll be receiving some visits from some of our members before that. I just wanted to put that forth.

Here's an article I'm going to be passing out. It's from The Legal Intelligencer of September 9, 2014, Judge Uses Act 13 Ruling to Deny Drilling Project. Relying on the State Supreme Court's recent interpretation of Act 13, a Lycoming County judge has denied an energy company's bid to construct an oil and gas well pad in the county. Judge Marc Lovecchio ruled last month in Gorsline vs. Board of Supervisors of Fairfield Township that a zoning ordinance prohibited Inflection Energy's proposed project to build a well pad containing multiple wells. Lovecchio determined the township board which had approved the project failed to prove it would not be detrimental to the public health, safety and welfare of the neighborhood. He said the board had argued that the operation would be similar to public service facilities such as power plants, substations and sewage disposal plants.

However, he noted that the company did not conclusively indicate how many wells would be drilled, how much water would be needed for the construction, what type of energy would be used, how long construction would last or whether the company planned to continue drilling after it went through the Marcellus Shale. He also considered whether the proposed operation conflicted with the purpose of the zoning ordinance, particularly the protection of the health and safety of the residents. He noted that although the burden of raising the issues fell on the objections, sufficient concerns were raised during the public hearing. He also noted that the company did not indicate whether background checks would be mandatory for construction workers.

He went on to say that municipalities have a substantial and immediate interest in protecting the environment and the quality of life within its borders. This quality of life is a Constitutional charge that must be respected by all levels of government, he said. While the court understands the constraints that the board may have been operating under, our Supreme Court has now ruled with respect to such that citizens' rights cannot be

ignored and must be protected. CEO of Penn Future, Mr. George Jugovic said it's the real life application of the Robinson Township scenario. The judge took a measured approach to deciding the case which does justice for all parties. So this is the first case in our state under the Supreme Court Decision on Act 13 in which a company has been denied the right to have drilling in an area. So I think we need to look at that. And I have copies of the article to pass out.

PRESIDENT DEFAZIO: Give it to ---.

MS. RABINOWITZ: I will.

PRESIDENT DEFAZIO: Okay. Jared, do you have a --- what this is, it's a resolution right now sponsored by the County Executive and myself. Others can get on if you want. What I want to do is make a motion just so we can put it into committee. What it boils down to, you can read, is it's going to be a right to vote for anybody. It's not for Democrats, Republicans, Independents. Everybody should have the same rights. In the Constitution they leave it up to the states. What this is going to do if it's passed eventually, if it's passed, everybody will be the same like almost every other country in the world. So with that, I'd like to make a motion that we put it on the agenda.

MR. FINNERTY: Second.

PRESIDENT DEFAZIO: Under remarks? All those in favor ---.

MS. HEIDELBAUGH: I have a remark.

PRESIDENT DEFAZIO: Go ahead.

MS. HEIDELBAUGH: What is the urgency? Why are we suspending all the rules here in putting this on without any notice?

PRESIDENT DEFAZIO: Well, there's nothing wrong. We're just putting it on the agenda.

MS. HEIDELBAUGH: I understand. But why can't you wait until the next meeting?

PRESIDENT DEFAZIO: Because I'd like to get it in sooner rather than later.

MS. HEIDELBAUGH: Well, we can't even have bills heard in committee ---.

PRESIDENT DEFAZIO: Heather, all you have to do --- you're one person, I'm one person. If you don't like to do that, vote another way. Let everybody give their opinion; okay? You don't run the show, I don't run the show. The majority of the people run the show.

MS. HEIDELBAUGH: I know who runs the show here.

PRESIDENT DEFAZIO: Who?

MS. HEIDELBAUGH: He's not here right now.

PRESIDENT DEFAZIO: Oh, he's not here? Well, the majority of the people do whether you like it or not. So with that, are there any other remarks?

MS. MEANS: I just want to know what the rush is and why we can't go through the normal process?

PRESIDENT DEFAZIO: Well, it's going to go into committee. You can vote against it.

MR. FUTULES: It needs to get on the agenda so he can send it to committee.

PRESIDENT DEFAZIO: Yeah. I'm trying to put it on the agenda so we can put it into committee.

MS. MEANS: It's just not the way we normally do it. It's kind of on the fast track.

PRESIDENT DEFAZIO: Well, if there's something wrong with it, someone that knows, well, speak up, because there's nothing wrong with what I'm trying to do.

MS. MEANS: We just got it.

PRESIDENT DEFAZIO: Okay. Look at it. Take a look at it. If it goes into committee, you can study it for a long time.

MR. MACEY: Mr. President, point of order. If it's moved and passed to be put on the agenda, then it goes to committee where it will be vetted. What's the deal? That's a normal procedure.

MS. HEIDELBAUGH: This is not the normal procedure. There are special rules for special people.

MR. FINNERTY: We used to do it all the time.

PRESIDENT DEFAZIO: Hold it. Even though our parliamentarian isn't here, I'll ask Jared, and that's not official, but unofficially, is there anything wrong with this, Jared?

MR. BARKER: No. The motion to add a bill to the agenda has been in practice before, it's been used in the past. And that's subject to the will of the Council. It's a simple majority vote.

PRESIDENT DEFAZIO: With that, let's take the voice vote then --- I mean, roll call.

MR. CATANESE: Can I read the caption first? It's a resolution of the County of Allegheny supporting adding a right-to-vote amendment to the U.S. Constitution. Mr. Baker?

MR. BAKER: I'm sorry. Just to clarify, a yes vote here is just to keep talking about it and move it to committee?

MR. CATANESE: Yeah, put into committee. Put on the agenda and it goes to committee.

MR. BAKER: Sure. Yes.

MR. CATANESE: Ms. Danko?

MS. DANKO: Yes.

MR. CATANESE: Mr. Ellenbogen?

MR. ELLENBOGEN: Yes.

MR. CATANESE: Mr. Finnerty?

MR. FINNERTY: Yes.

MR. CATANESE: Mr. Futules?

MR. FUTULES: Yes.

MR. CATANESE: Ms. Green Hawkins?

MS. GREEN HAWKINS: Yes.

MR. CATANESE: Ms. Heidelbaugh?

MS. HEIDELBAUGH: No.

MR. CATANESE: Mr. Kress?

MR. KRESS: Yes.

MR. CATANESE: Mr. Macey?

MR. MACEY: Yes.

MR. CATANESE: Mr. Martoni?

MR. MARTONI: Yes.

MR. CATANESE: Ms. Means?

MS. MEANS: Yes.

MR. CATANESE: Mr. Palmiere?

(No response.)

MR. CATANESE: Ms. Rea?

MS. REA: Yes.

MR. CATANESE: Mr. Robinson?

MR. ROBINSON: Yes.

MR. CATANESE: Mr. DeFazio, President?

PRESIDENT DEFAZIO: Yes.

MR. CATANESE: Ayes, 12, nos, 1, the bill passes.

PRESIDENT DEFAZIO: Is there a motion to adjourn?

MR. FINNERTY: Make a motion.

PRESIDENT DEFAZIO: Second?

MR. ELLENBOGEN: Second.

PRESIDENT DEFAZIO: Under remarks?

MR. CATANESE: Whoa, whoa.

PRESIDENT DEFAZIO: What?

MR. CATANESE: What committee are you going to send it to? What committee?

MR. FINNERTY: Government Reform.

PRESIDENT DEFAZIO: I think we can put in Government Reform unless you want to put it in Parks.

MR. FINNERTY: Yes, put it in Parks.

MS. HEIDELBAUGH: No, no.

PRESIDENT DEFAZIO: Okay. There's a motion and a second. All those in favor, signify by saying aye.

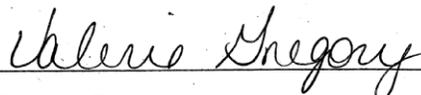
AYES RESPOND

PRESIDENT DEFAZIO: Opposed? The ayes have it.
Meeting adjourned.

MEETING CONCLUDED AT 6:42 P.M.

CERTIFICATE

I hereby certify, as the stenographic reporter, that the foregoing proceedings were taken stenographically by me, and thereafter reduced to typewriting by me or under my direction; and that this transcript is a true and accurate record to the best of my ability.


Court Reporter