

# **City of Pittsburgh**

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



## **MEETING MINUTES**

*Proceedings of the Council of the City of Pittsburgh*

**Tuesday, October 5, 2010**

**10:00 AM**

**Council Chambers**

### **City Council**

**ONE-HUNDRED  
THIRTY-SIXTH COUNCIL**

**Darlene Harris, President**

**Council Members: Reverend Ricky V. Burgess, Patrick Dowd, Bruce A. Kraus, R. Daniel  
Lavelle, William Peduto, Natalia Rudiak, Douglas Shields, Theresa Smith**

**Linda M. Johnson-Wasler, City Clerk  
Mary Beth Doheny, Deputy City Clerk**

## ROLL CALL

Present: 9 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. Peduto, Ms. Rudiak, Mr. Shields and Mrs. Smith

## PLEDGE OF ALLEGIANCE

## PROCLAMATIONS

Bill No.

[2010-0996](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend, recognize and congratulate Riverlife for its visionary leadership and tireless commitment to preserving Pittsburgh's greatest asset, its rivers and shorelines ; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Friday, October 8, 2010, to be "RIVERLIFE DAY" in the City of Pittsburgh.

**SPONSOR(S): DOUGLAS SHIELDS AND ALL MEMBERS**

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

Bill No.

[2010-0997](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend Dress for Success Pittsburgh and all of its volunteers and staff or the work they do in improving the lives of women; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Tuesday, October 5, 2010, to be "Dress for Success Day" in the City of Pittsburgh.

**SPONSOR(S): THERESA SMITH AND ALL MEMBERS**

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

Bill No.

[2010-0998](#)

Now, Therefore, be it resolved that the Council of the City of Pittsburgh does hereby recognize the rich history and achievements of the students that have matriculated through Fifth Avenue High School; and

Be It Further Resolved, that the Council of the City of Pittsburgh does hereby proclaim Friday, October 8th through the 10th, 2010 to be designated "Fifth Avenue High School Class of 1965" day in the City of Pittsburgh.

**SPONSOR(S): REVEREND RICKY V. BURGESS AND ALL MEMBERS**

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

Bill No.

[2010-0999](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize the Columbus Day Parade for its celebration of Italian culture and heritage and thanks the Columbus Day Parade Committee for its efforts to organize the event; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare October 9, 2010 to be "Columbus Parade Day" in the City of Pittsburgh.

**SPONSOR(S): WILLIAM PEDUTO, REVEREND RICKY V. BURGESS,  
PATRICK DOWD, DARLENE HARRIS, BRUCE A. KRAUS,  
NATALIA RUDIAK, DOUGLAS SHIELDS AND THERESA  
SMITH**

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

Bill No.

[2010-1000](#)

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh once again thanks all of the German immigrants for their industry, skills and good citizenship, and the current German companies that contribute daily to the economy of this region for they have added to the richness of our area; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby honor Heino Cölle and also the memory of Archabbot Wimmer, and all the organizations and individuals involved in the annual celebration and does hereby declare Wednesday, October 6, 2010, as German Heritage Day, in the City of Pittsburgh. Glück auf!

**SPONSOR(S): DARLENE HARRIS AND ALL MEMBERS**

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

Bill No.

[2010-1001](#)

THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does, hereby, fully support the Cause of the Servant of God, Father Theodore Foley, C.P. for Beatification.

**SPONSOR(S): BRUCE A. KRAUS AND ALL MEMBERS**

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

Bill No.

[2010-1002](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby declare October 2, 2010 to be "Thelma Lovette Day" in the City of Pittsburgh and commends Mrs. Lovette for a life's work of service to the City of Pittsburgh.

**SPONSOR(S): R. DANIEL LAVELLE AND ALL MEMBERS**

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

Bill No.

[2010-1003](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby declare October 9, 2010 as Alpha Kappa Sorority, Inc. Day in the City of Pittsburgh.

**SPONSOR(S): R. DANIEL LAVELLE AND ALL MEMBERS**

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

Bill No.

[2010-1004](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh hereby recognizes, commends and thanks physician assistants for the medical care they provide throughout the year; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh hereby declares October 6-12, 2010, "Physician Assistant Week" in the City of Pittsburgh.

**SPONSOR(S): WILLIAM PEDUTO AND ALL MEMBERS**

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

Bill No.

[2010-1005](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize and honor Donna Milcarek for her dedicated service to the children of Pittsburgh Beechwood Elementary School and the Residents of the Neighborhood of Beechview and celebrates her well-deserved retirement.

**SPONSOR(S): NATALIA RUDIAK AND ALL MEMBERS**

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

## **PUBLIC COMMENTS**

## **PRESENTATION OF PAPERS**

### **COUNCILMAN PATRICK DOWD PRESENTS:**

Bill No.

[2010-0988](#)

Resolution authorizing the execution of an agreement or agreements with the Urban Redevelopment Authority of Pittsburgh in which URA will make a \$50,000.00 grant to the City to pay for the Grandview Avenue Street Lighting Project. (Council District 2)

**Read and referred to Intergovernmental Affairs Committee**

Bill No.

[2010-0989](#)

Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an Application to the Pennsylvania Office of the Budget for a Redevelopment Assistance Capital Program grant of up to \$500,000 for the Children's Hospital project. (Council District 7)

**Read and referred to Intergovernmental Affairs Committee**

Bill No.

[2010-0990](#)

Resolution authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh in connection with URA's application for a Redevelopment Assistance Capital Program grant of up to \$500,000 for the Children's Hospital project. (Council District 7)

**Read and referred to Intergovernmental Affairs Committee**

Bill No.

[2010-0991](#)

Resolution authorizing the filing of an application for federal assistance with the U.S. Department of Transportation, Federal Railroad Administration for a \$5,000,000 Rail Line Relocation and Improvement Project Capital Grant for the planning, engineering and construction of rail improvements to the Allegheny Valley Railroad rail line to support passenger rail service and the establishment of the Allegheny Riverfront Green Boulevard. (Council Districts 6 and 7)

**Read and referred to Intergovernmental Affairs Committee**

Bill No.

[2010-0992](#)

Resolution authorizing a Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh designating URA as the City's agent for administration of a Rail Line Relocation and Improvement Project Capital Grant in the amount of \$5,000,000 from the U.S. Department of Transportation and/or the Federal Railroad Administration. (Council Districts 6 and 7)

**Read and referred to Intergovernmental Affairs Committee**

**COUNCILMAN BRUCE A. KRAUS PRESENTS:**

Bill No. Resolution providing for an Agreement or Agreements, or use of existing Agreements, with a Consultant or Consultants, for design services in connection with the rehabilitation or replacement of the South Highland Avenue Bridge; providing for a Reimbursement Agreement with the Commonwealth of Pennsylvania, Department of Transportation; and further providing for the payment of the costs thereof. Cost not to exceed \$451,000.00.

[2010-0983](#)

**Read and referred to Public Works Committee**

Bill No. Resolution authorizing the Mayor and the Directors of the Department of Parks and Recreation and the Department of Public Works to enter into a Project and License Agreement with the Northside Leadership Conference to provide improvements to the Northeast Commons (Segment 1) of Allegheny Commons Park.

[2010-0984](#)

**Read and referred to Public Works Committee**

**COUNCILMAN WILLIAM PEDUTO PRESENTS:**

Bill No. Resolution providing for the conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984; having been placed for sale to adjoining property owners in conjunction with the City of Pittsburgh/City Source Associates Sideyard Program. ITEMS A through I. A: 109 Frustrum; B: 6816 Simonton; C: 117, 119, 121 & 123 Montview; D: 520 Euclid; E: 1456 Firth; F: 1612 Orchlee; G: 3112 Sacramento; H: 3453 Ligonier; I: 5459 Broad; J: 2504 Mission.

[2010-0980](#)

**Read and referred to Finance and Law Committee**

Bill No. Resolution providing for the filing of petitions for the sale of certain properties, acquired at tax sales, in accordance with Act No.171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

[2010-0981](#)

ITEMS A through M.

A: 527 N. Fairmount; B: 4936 Brown; C: 4923 Kincaid; D: 5112 Kincaid; E: 5015 Kincaid; F: 5025 Kincaid; G: 4926 Kincaid; H: 5020, 5022 & 5024 Broad; I: 553 N. St. Clair; J: 601 N. St. Clair; K: 5814 Hays; L: 1600 Lowrie; M: 1320 Woodland

**Read and referred to Finance and Law Committee**

Bill No. Resolution providing for the filing of petitions for the sale of certain properties, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

[2010-0982](#)

ITEMS A through G.

A: 1812 Rhine (DELETED); B: 4743 Monongahela; C: 19 Lafferty; D: 1354 Pocono; E: 6953 Lemington; F: 635 Wittman; G: 4614 Carlton.

**Read and referred to Finance and Law Committee**

**COUNCILMAN DOUGLAS SHIELDS PRESENTS:**

Bill No. [2010-0985](#) Ordinance amending and supplementing the Pittsburgh Code, Title Nine, Zoning Code, Article V, Use Table, Section 911.02, and Use Regulations, Section 911.04.A.2 to expand the Agricultural Use Zoning Classification into two categories, and to add additional standards and procedures; and supplementing Chapter 912, Accessory Uses and Structures, by adding a new subsection to permit Urban Agriculture as an accessory use.

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

Bill No. [2010-0986](#) Ordinance amending the Pittsburgh Zoning Code, Title Nine, Article One, Chapter 902 Section 902.03, Zoning District Maps No. 33, No. 34, No. 60, and No. 61 by changing various zoning district classifications in the Bon Air neighborhood in accordance with Map Pittsburgh: Zoning for your Neighborhood, the city's zoning re-mapping project relative to the city's new Urban Zoning Code.

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

Bill No. [2010-0987](#) Resolution amending Resolution No. 363, effective May 26, 2003, entitled "Resolution providing for funding for matching grants with the Department of Conservation and Natural Resources to enter into Agreement or Agreements, or contract, or use existing Agreement(s) or contract(s) with consultant, vendors and/or contractors for the purpose of analyzing and managing the natural systems of the City's Parks and open spaces of the City of Pittsburgh, at a cost not to exceed \$300,000.00.," by reprogramming a portion of funds for multimodal transportation system planning relative to the City's Parks and open spaces.

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

Bill No. [2010-0993](#) Resolution Further amending and supplementing Resolution No. 229 effective April 19, 2000, entitled "Providing for an Agreement or Agreements, or use of existing Agreements and/or a Contract or Contracts, or use of existing Contracts, and for the purchase of materials, supplies, equipment, and/or services for various projects in connection with the Neighborhood Needs Program; and providing for the payment of the costs thereof," by adding "14th Ward Baseball Association" \$18,325 and by reducing "Contingency" by \$6,858 and deleting the "Squirrel Hill Sewer Line" project by \$11,467 in Council District 5. Total cost of all projects is not to exceed \$1,000,000.

**SPONSOR(S): DOUGLAS SHIELDS****Read and referred to Finance and Law Committee**

Bill No. [2010-0994](#) Resolution amending and supplementing Resolution No. 861, effective January 1, 2000, as amended, entitled: "Adopting and approving the 2000 Capital Budget and the 2000 Community Development Block Grant Program; and approving the 2000 through 2005 Capital Improvement Program, by adjusting various line items in conformance with City Council's 2000 Capital Budget amendments," by adding "14th Ward Baseball Association" \$18,325 and by reducing "Contingency" by \$6,858 and deleting the "Squirrel Hill Sewer Line" project by \$11,467 in Council District 5.

**SPONSOR(S): DOUGLAS SHIELDS**

**Read and referred to Land Use and Economic Development Committee****COUNCIL PRESIDENT DARLENE M. HARRIS PRESENTS:**

Bill No.                      Communication from City Controller Michael Lamb, submitting the Performance  
[2010-0995](#)                      Audit of Redd Up Division, Department of Public Works, dated September 2010.

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

**UNFINISHED BUSINESS****REPORTS OF COMMITTEE - FINAL ACTION****COUNCILMAN PEDUTO PRESENTS COMMITTEE ON FINANCE AND LAW**

Bill No.                      Report of the Committee on Finance and Law for September 29, 2010 with an  
[2010-0976](#)                      Affirmative Recommendation.

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

Bill No.                      Resolution further amending and supplementing Resolution No. 258, effective April  
[2010-0941](#)                      26, 2000, as amended, entitled "Providing for an Agreement or Agreements, or use of existing Agreements and/or a Contract or Contracts, or use of existing Contracts, and for the purchase of materials, supplies, equipment, and/or services for various projects in connection with the Neighborhood Needs Program; and providing for the payment of the costs thereof by adding \$1,682 to Troy Hill Citizens Inc., in Council District 1. The total amount of all projects is not to exceed \$1,000,000.

**SPONSOR(S):     DARLENE HARRIS**

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

**Votes:** Ayes: 9 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. Peduto, Ms. Rudiak, Mr. Shields and Mrs. Smith  
Noes: 0  
Abstentions: 0

**COUNCILMAN KRAUS PRESENTS COMMITTEE ON PUBLIC WORKS**

Bill No.                      Report of the Committee on Public Works for September 29, 2010 with an  
[2010-0977](#)                      Affirmative Recommendation.

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

Bill No.                      Resolution granting unto YMCA of Greater Pittsburgh, 420 Fort Duquesne Blvd.,  
[2010-0939](#)                      Suite 625, Pittsburgh, PA 15222, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, subsurface

tieback anchors on Hemans Street for a retaining wall for the Thelma Lovette YMCA in the 5th Ward, 6th Council District of the City of Pittsburgh.

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

**Votes:** Ayes: 9 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. Peduto, Ms. Rudiak, Mr. Shields and Mrs. Smith  
Noes: 0  
Abstentions: 0

Bill No.

[2010-0940](#)

Resolution granting unto, United States General Services Administration, Mid-Atlantic Region, 20 North 8th Street, Philadelphia, PA 19107, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, bollards on the sidewalk areas on Grant Street and Seventh Avenue for security purposes for the U.S. Post Office and the Federal Courthouse in the 2nd Ward, 6th Council District of the City of Pittsburgh.

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

**Votes:** Ayes: 9 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. Peduto, Ms. Rudiak, Mr. Shields and Mrs. Smith  
Noes: 0  
Abstentions: 0

## **COUNCILMAN SHIELDS PRESENTS COMMITTEE ON LAND USE & ECONOMIC DEVELOPMENT**

Bill No.

[2010-0978](#)

Report of the Committee on Land Use and Economic Development for September 29, 2010 with an Affirmative Recommendation.

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

Bill No.

[2010-0942](#)

Resolution amending and supplementing Resolution No. 861, effective January 1, 2000, as amended, entitled: "Adopting and approving the 2000 Capital; and approving the 2000 through 2005 Capital Improvement Program in conformance with City Council's 2000 Capital Budget amendments," by adding \$1,682 to Troy Hill Citizens Inc., and by adjusting various other projects in Council District 1 Neighborhood Needs.

**SPONSOR(S): DARLENE HARRIS**

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

**Votes:** Ayes: 9 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. Peduto, Ms. Rudiak, Mr. Shields and Mrs. Smith  
Noes: 0  
Abstentions: 0



## **COUNCILWOMAN RUDIAK PRESENTS COMMITTEE ON PERFORMANCE AND ASSET MANAGEMENT**

Bill No. [2010-0979](#) Report of the Committee on Performance and Asset Management for September 29, 2010 with an Affirmative Recommendation.

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

Bill No. [2010-0928](#) Resolution authorizing the Mayor to enter into a Grant Agreement with the Pennsylvania Energy Development Authority ("PEDA") of the Commonwealth of Pennsylvania to accept funding from PEDA for the City's Energy Efficient Streetlight Conversion Project (Phase 1).

**SPONSOR(S): DARLENE HARRIS**

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

**Votes:** Ayes: 9 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. Peduto, Ms. Rudiak, Mr. Shields and Mrs. Smith

Noes: 0

Abstentions: 0

## **MOTIONS AND RESOLUTIONS**

## **APPROVAL OF MINUTES**

## **ADJOURNMENT**

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