

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, September 8, 2009

10:00 AM

Council Chambers

City Council

**ONE-HUNDRED
THIRTY-FIFTH COUNCIL**

Douglas Shields, President

Council Members: Reverend Ricky V. Burgess, Patrick Dowd, Darlene M. Harris, Bruce A. Kraus, Jim Motznik, Tonya D. Payne, William Peduto, 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. Motznik, Ms. Payne, Mr. Peduto, Mrs. Smith and Mr. Shields

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

Bill No.

[2009-1748](#)

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby join with the Pittsburgh Darfur Emergency Coalition, the Sudanese Community in Pittsburgh, the national Save Darfur Coalition, and the Darfur Alert Coalition of Philadelphia, in encouraging President Barack Obama to use his influence and that of the United States as head of the U.N. Security Council to work to finally achieve a solution to the problems of both Darfur and South Sudan; and it is

RESOLVED FURTHER that the Council of the City of Pittsburgh urges the officials of the G-20 nations and especially President Obama to encourage, enable, and enjoin those G-20 nations which are responsible for a majority of Sudan's foreign trade, and hold a majority of Sudan's foreign debt, to adopt a common platform that uses the strength of those economic relationships to compel significant and demonstrable progress by the Sudanese regime related to peace in Darfur and implementation of the Comprehensive Peace Agreement with South Sudan; and it is

RESOLVED FURTHER that the Council of the City of Pittsburgh calls on the state of Pennsylvania to follow the lead of Pittsburgh and Philadelphia and 27 states around the country to adopt targeted divestment from companies doing business in Sudan and whose operations support and enable violence against civilian populations; and it is

RESOLVED FURTHER that the Council of the City of Pittsburgh does commend and agree with the local student, church, synagogue, and other groups which have collected more than 15,000 postcards addressed to President Obama toward these ends, and does call upon Pittsburghers to take part with Americans, Darfuri and Sudanese, elected officials, religious leaders, students and others, in the September 14th press conference and rally, so that the compassion of the people of Pittsburgh can be shown in full light.

SPONSOR(S): DARLENE HARRIS AND WILLIAM PEDUTO

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

Bill No.

[2009-1749](#)

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh thanks all of the German immigrants for their industry, skills and good citizenship, for they have added to the richness of our area; and designate East Ohio Street to be known for the day of September 12, 2009, as "Roebing Strasse," in honor of this years honoree John August Roebing; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare September 12, 2009 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.

[2009-1750](#)

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh, does hereby commend the Pittsburgh Darfur Emergency Coalition, the Sudanese Community in Pittsburgh, and Catholic Charities, and the refugees whom we are glad to have here in Pittsburgh, and does declare September 14, 2009, to be "Ismail Omar Ismail, Mohammed Ismail, Mohammed Mohammed Yahya, Abdallah Suleiman, Tayb Hamdan, Siddig Nour Ahmed, Ali Abbo, Abdul Mohammed, Mesetwet Gebra Gzabhar, James Lomilo Day" in the City of Pittsburgh.

SPONSOR(S): DARLENE HARRIS, WILLIAM PEDUTO AND ALL MEMBERS

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

Bill No.

[2009-1751](#)

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh, does hereby commend and congratulate Peter on his service to the City of Pittsburgh and does hereby declare September 8, 2009, to be "Peter Soergel Day" in the City of Pittsburgh.

SPONSOR(S): DARLENE HARRIS AND ALL MEMBERS

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

Bill No.

[2009-1752](#)

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh, does hereby commend and congratulate Charles S. Reljac on his 92nd birthday and does hereby declare September 23, 2009, to be "Chuck Reljac Day" in the City of Pittsburgh.

SPONSOR(S): DARLENE HARRIS AND ALL MEMBERS

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

Bill No.

[2009-1753](#)

NOW THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh recognizes the importance of every branch of the Carnegie Library, including the Beechview Branch and also recognizes that the lose of any branch would have significant consequences for the communities of Pittsburgh.

NOW THEREFORE, BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby declare that Tuesday, September 8, 2009 to be "Beechview Library Day" in the City of Pittsburgh, in recognition of all that the Beechview Library has given to the community.

SPONSOR(S): JIM MOTZNIK AND ALL MEMBERS

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

Bill No.

[2009-1754](#)

NOW THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does hereby wish to commend Your Sister's Project Inc. for their efforts in educating the community on the importance and value of Grandparents and declares September 13, 2009 to be in the City of Pittsburgh Grandparents Day in the City of Pittsburgh.

SPONSOR(S): TONYA D. PAYNE AND ALL MEMBERS

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

Bill No.

[2009-1755](#)

NOW, THEREFORE, BE IT RESOLVED that, the Council of the City of Pittsburgh thanks the Oyster Theater Company and Theater Panoptikum for creating an opportunity for cross-cultural exchange and celebration of Pittsburgh's German heritage through Yinzerspielen; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh hereby declares the week of September 7, 2009, "Yinzerspielen 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.

[2009-1756](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate Joe Klemp for his length of years and vitality of spirit and sends birthday wishes on the occasion of his 93rd birthday; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Thursday, September 10, 2009, to be "JOE KLEMP 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.

[2009-1757](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend the Peoples' Summit, all associated institutions and organizations, and the citizen volunteers who worked tirelessly to make it a success. Their outstanding efforts are certain to create a greater understanding about the challenges we face, the solutions we should explore and the social dialogue that is necessary for the realization of a better world. Further more, the citizens of our region are encouraged to seize the opportunity to participate in this significant and historic event.

SPONSOR(S): DOUGLAS SHIELDS AND ALL MEMBERS

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

Bill No.

[2009-1758](#)

THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby declare Tuesday, September 8, 2009 to be "Hubei Province Senior Executive Leadership Program" in the City of Pittsburgh.

SPONSOR(S): DOUGLAS SHIELDS AND ALL MEMBERS

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

PRESENTATION OF PAPERS

NOTE: At the request of Councilman Dowd, Council Bill 1742 under The Committee on Land Use and Economic Development, and Council Bills 1740 and 1741 under Finance and Law, were withdrawn from introduction. They will be introduced at a later date.

MR. DOWD, CHAIRPERSON OF THE COMMITTEE ON INTERGOVERNMENTAL AFFAIRS, PRESENTS

Bill No. [2009-1743](#) Resolution amending Resolution No. 334, effective June 19, 2008, entitled "Providing for the execution of a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for the performance of certain work in connection with the 2008-2009 Community Development Block Grant Program, and providing for the payment of the cost thereof, not to exceed \$5,900,000" by increasing the Neighborhood Business and Economic Development line item by \$1,000,000 and the total cost to \$6,900,000. (Council Districts: All).

Read and referred to Intergovernmental Affairs Committee

Bill No. [2009-1744](#) Resolution authorizing the execution of an agreement or agreements with the Urban Redevelopment Authority of Pittsburgh in which URA will make a \$74,250.00 grant to the City to pay for the repair of a retaining wall on Termon Avenue. (Council District 1)

Read and referred to Intergovernmental Affairs Committee

Bill No. [2009-1745](#) Resolution authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh providing for the transfer to URA of \$400,000 for the rehabilitation of the Anderson and Sandusky Streets underpasses. (Council District 1)

Read and referred to Intergovernmental Affairs Committee

MR. KRAUS, CHAIRPERSON OF THE COMMITTEE ON PUBLIC SAFETY, PRESENTS:

Bill No. [2009-1746](#) Resolution further amending Resolution No. 654, effective October 25, 2001, entitled, "Resolution 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 City Council's 2001 Neighborhood Needs Supplement Program; and providing for the payment of the costs thereof," by adding \$2,250.00 to Animal Friends and by reducing the Citiparks line item by the same amount.

SPONSOR(S): BRUCE A. KRAUS

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

Read and referred to Finance and Law Committee

Bill No. [2009-1747](#) Resolution further Amending Resolution No. 424 of 2001, effective June 19, 2001, entitled "Further amending Resolution No. 976 effective January 1, 1996, as amended, Adopting and Approving the 1996 Capital Budget and the 1996 Community Development Block Grant by creating a new line item, City Clerk Office Modernization Project Grant # 2271000 for the purpose of augmenting neighborhood needs programs and/or the District Improvement Fund, and transferring \$1,128,892.00 from Grant/Liberty to City Clerk's Office Modernization" by adding \$2,250.00 to

Animal Friends and by reducing the Citiparks line item by the same amount.

SPONSOR(S): BRUCE A. KRAUS

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

Read and referred to Land Use and Economic Development Committee

UNFINISHED BUSINESS

REPORTS OF COMMITTEE - FINAL ACTION

MR. PEDUTO PRESENTS COMMITTEE ON FINANCE AND LAW

Bill No. [2009-1736](#) Report of the Committee on Finance and Law for September 2, 2009 with an Affirmative Recommendation.

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

Bill No. [2008-0984](#) Resolution providing for the issuance of an \$11,470.00 warrant in favor of Geraldine Black, 10 Rodney Street, Pittsburgh, PA 15212, in settlement of a claim for property damage from water run-off due to improper street resurfacing.

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. Motznik, Ms. Payne, Mr. Peduto, Mrs. Smith and Mr. Shields

Noes: 0

Abstentions: 0

MRS. HARRIS PRESENTS COMMITTEE ON PUBLIC WORKS

Bill No. [2009-1737](#) Report of the Committee on Public Works for September 2, 2009 with an Affirmative Recommendation.

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

Bill No. [2009-1723](#) Resolution further amending Resolution No.675, effective December 30, 2008, as amended, entitled "Adopting and approving the 2009 Capital Budget and the 2009 Community Development Block Grant Program; and approving the 2009 through 2013 Capital Improvement Program," by transferring \$364,000.00 (\$72,800 CITY/\$291,200 FHWA) from the "CBD (Central Business District) Signal Upgrades, and transferring \$250,000.00 (\$50,000.00 CITY/\$200,000 FHWA) from the "Project Management Services" line item and creating the "Reconstruction of Forbes Avenue" line item in the amount of \$614,000.00 (\$122,800.00 CITY/\$491,200.00 FHWA).

This Matter was Passed Finally on the Consent Agenda.

Bill No. [2009-1724](#) Resolution providing for an Agreement or Agreements, or for the use of existing Agreements, providing for a Contract or Contracts, or use of existing Contracts, and providing for the purchase of materials and supplies in connection with the Reconstruction of Forbes Avenue/Market Square; including Construction Management Services, 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 \$614,000.00.

This Matter was Passed Finally on the Consent Agenda.

Bill No. [2009-1725](#) Resolution further amending Resolution No. 891, effective January 1, 2003, as amended, entitled "Adopting and approving the 2003 Capital Budget and the 2003 Community Development Block Grant Program; and approving the 2003 through 2008 Capital Improvement Program," by transferring the balance of the "CBD Crosswalks" line item in the amount of \$55,618.95 to and creating the "Reconstruction of Forbes Avenue" line item in the amount of \$278,094.75 (\$55,618.95 CITY/222,475.80 FHWA).

This Matter was Passed Finally on the Consent Agenda.

Bill No. [2009-1726](#) Resolution providing for an Agreement or Agreements, or for the use of existing Agreements, providing for a Contract or Contracts, or use of existing Contracts, and providing for the purchase of materials and supplies in connection with the Reconstruction of Forbes Avenue/Market Square; including Construction Management Services, 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 \$278,094.75.

This Matter was Passed Finally on the Consent Agenda.

Passed The Consent Agenda

A motion was made, including all the preceding items marked as having been adopted on the Consent Agenda. The motion carried by the following vote:

Votes: Ayes: 9 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Motznik, Ms. Payne, Mr. Peduto, Mrs. Smith and Mr. Shields

Noes: 0

Abstentions: 0

MR. MOTZNIK PRESENTS COMMITTEE ON GENERAL & GOVERNMENT SERVICES

Bill No. [2009-1738](#) Report of the Committee on General and Government Services for September 2, 2009 with an Affirmative Recommendation.

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

Bill No. Resolution authorizing the Mayor and the Director of the Department of Finance to
[2009-1679](#) enter into a Contract/s and/or Agreement/s with Grimes Interiors, 522 Chartiers Avenue, McKees Rocks, PA 15136, for cleaning and historical restoration of the City Council Chambers, at a cost not to exceed \$28,715.

SPONSOR(S): JIM MOTZNIK

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. Motznik, Ms. Payne, Mr. Peduto, Mrs. Smith and Mr. Shields

Noes: 0

Abstentions: 0

MR. DOWD PRESENTS COMMITTEE ON INTERGOVERNMENTAL AFFAIRS

Bill No. Report of the Committee on Intergovernmental Affairs for September 2, 2009 with an
[2009-1739](#) Affirmative Recommendation.

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

Bill No. Resolution authorizing a grant agreement with the Pennsylvania Department of
[2009-1713](#) Community and Economic Development Alternative and Clean Energy Program for grant monies in the amount of \$297,218 that will be used by the Pittsburgh Pirates to be used for the dry cooler heating system and lighting retrofit projects at PNC Park.

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. Motznik, Ms. Payne, Mr. Peduto, Mrs. Smith and Mr. Shields

Noes: 0

Abstentions: 0

MOTIONS AND RESOLUTIONS

APPROVAL OF MINUTES

A motion was made to approve the minutes. The motion carried.

ADJOURNMENT

A motion was made to adjourn the meeting. The motion carried.