

City of Pittsburgh

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



MEETING MINUTES

Proceedings of the Council of the City of Pittsburgh

Monday, December 28, 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: 8 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Ms. Payne, Mr. Peduto, Mrs. Smith and Mr. Shields

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

PUBLIC COMMENTS

PRESENTATION OF PAPERS

UNFINISHED BUSINESS

Bill No. Resolution informing City Council of the reappointment of Stanley J. Parker, 2581
[2009-2015](#) Beechwood Boulevard, Pittsburgh, PA 15217 , as a member of the Allegheny Regional Asset District with a term to expire December 31, 2013.

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

REPORTS OF COMMITTEE - FINAL ACTION

MR. PEDUTO PRESENTS COMMITTEE ON FINANCE AND LAW

Bill No. Report of the Committee on Finance and Law for December 21, 2009 with an
[2009-2099](#) Affirmative Recommendation.

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

Bill No. Resolution authorizing the issuance of Warrants in the sum of \$39,692.12 in favor of
[2009-2073](#) John Moon; c/o Paul G. Kay, Esq., Merchant & Kay, LLC, 603 Washington Road, Suite 500, Pittsburgh, PA 15228; in full and final settlement of an action filed in the Court of Common Pleas of Allegheny County, Pennsylvania, Civil Division, at No. GD 07-14725 for an employment related claim, and in the sum of \$307.88 to the Treasurer of the City of Pittsburgh for indebtedness to the City.

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

Votes: Ayes: 7 - Rev. Burgess, Mr. Dowd, Mr. Kraus, Ms. Payne, Mr. Peduto, Mrs. Smith and Mr. Shields
Noes: 1 - Mrs. Harris
Abstentions: 0

Bill No. Resolution providing for the issuance of a Nine Thousand Seven Hundred Thirteen
[2009-2074](#) Dollar and Sixty Cent (\$9,713.60) warrant in favor of Mercedes C. Taylor c/o Jon Pushinsky, Esquire, 429 Fourth Avenue, Suite 1808, Pittsburgh, PA 15219, in settlement of an action filed in the Court of Common Pleas of Allegheny County,

Pennsylvania at AR 07-010544 and AR 07-010567 for pension, longevity, and/or salary/employment benefits.

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

Votes: Ayes: 8 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Ms. Payne, Mr. Peduto, Mrs. Smith and Mr. Shields

Noes: 0

Abstentions: 0

Bill No.

[2009-2082](#)

Resolution authorizing the City Clerk to enter into a professional services contract(s), or use of existing professional services contract(s) with a consultant or consultants to provide professional services to Pittsburgh City Council for the purpose of including, but not limited to financial advisory, legal, writing, research, stenography, Legistar or other services, in an amount not to exceed Seventeen Thousand Dollars (\$17,000).

SPONSOR(S): WILLIAM PEDUTO

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

Votes: Ayes: 8 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Ms. Payne, Mr. Peduto, Mrs. Smith and Mr. Shields

Noes: 0

Abstentions: 0

Bill No.

[2009-2083](#)

Ordinance ratifying the Pittsburgh Fire Fighters Local No. 1 Collective Bargaining Agreement and amending the Act 47 Plan in conformance therewith.

SPONSOR(S): DOUGLAS SHIELDS

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

Votes: Ayes: 8 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Ms. Payne, Mr. Peduto, Mrs. Smith and Mr. Shields

Noes: 0

Abstentions: 0

Bill No.

[2009-2092](#)

Resolution Authorizing the issuance of Warrants in the total sum of \$3,775,000.00, payable as follows: in the sum of \$963,333.33 in favor of Thomas Doswell and Neufeld Scheck & Brustin, LLP, Attention: Peter J. Neufeld, Esquire, 99 Hudson Street, New York, NY 10013; and \$295,000.00 to Liberty Life Assurance Company of Boston, c/o of the same address, for the year 2010, the first year of three years of payments. The three years of payments are in full and final settlement of an action filed in the United States District Court for the Western District of Pennsylvania, at No. 07-cv-0761 for an incident in March 1986. Authorizing Warrants in the sum of \$503,333.33 to Neufeld Scheck & Brustin, LLP; and \$755,000.00 to Liberty Life Assurance Company of Boston, for year 2011, the second year of three years. Authorizing Warrants in the sum of \$503,333.33 to Neufeld Scheck & Brustin, LLP; and \$755,000.00 to Liberty Life Assurance Company of Boston, for year 2012, the

final year of three years.

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

Votes: Ayes: 8 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Ms. Payne, Mr. Peduto, Mrs. Smith and Mr. Shields

Noes: 0

Abstentions: 0

Bill No.

[2009-2093](#)

Resolution providing for an issuance of a warrant in favor of Pittsburgh Demolition Inc. in the amount of \$3,300.00 for the investigation of the explosion at 845 Lovette Way.

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

REV. BURGESS PRESENTS COMMITTEE ON LAND USE & ECONOMIC DEVELOPMENT

Bill No. [2009-2100](#) Report of the Committee on Land Use and Economic Development for December 21, 2009 with an Affirmative Recommendation.

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

Bill No. [2009-2094](#) Resolution amending Resolution No. 613, effective October 28, 2009 entitled “Resolution providing for an Agreement or Agreements with various community organizations for operational/administrative expenses, maintenance, purchase of equipment and/or rehabilitation of neighborhood facilities and the benefit of residents of the City of Pittsburgh; and further, authorizing various City Departments to enter into contact or contracts or use existing contract or contracts for street paving, the purchase of equipment and/or furniture and other related costs at a costs not to exceed 800,000.00”, so as to reprogram funds in City Council from the “Salvation Army” (-\$2,000), and from the “Three Rivers Employment Services, Inc.” (-\$1,500); and transfer these funds to the “Bethlehem Haven” (+\$3,500).

SPONSOR(S): TONYA D. PAYNE

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

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

Votes: Ayes: 8 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Ms. Payne, Mr. Peduto, Mrs. Smith and Mr. Shields
Noes: 0
Abstentions: 0

Bill No. [2009-2095](#) Resolution amending Resolution No. 623, effective November 21, 2008 entitled: by providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 2007 Community Development Block Grant Program; providing for the execution of grant contracts and for the filing of other data providing for required assurances; providing for execution of payment vouchers on letter of credit and for certification of authorized signature; the deposit of the funds in a bank account and providing for the payment of expenses within categories; so as to reprogram funds in City Council from the “Breachmenders Ministries” (-\$5,000), and from “Mercy Hospital of Pgh.-Children's Medical Center” (-\$4,500), and from “Hill District Dodgers Baseball Team” (-\$1,000), and from “New Hill District Business Association” (-\$2,500), and from “Small Seeds Development” (-\$2,500); and transfer these funds to “Community Human Services” (+\$10,500), and to “Reading is Fundamental” (+\$5,000).

SPONSOR(S): TONYA D. PAYNE

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

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

Votes: Ayes: 8 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Ms. Payne, Mr. Peduto, Mrs. Smith and Mr. Shields
Noes: 0
Abstentions: 0

Bill No.

[2009-2096](#)

Resolution amending Resolution # 614, effective October 28, 2009, entitled "providing for an Agreement or Agreements with various community organizations for operational/administrative expenses, maintenance, purchase of equipment: and/or rehabilitation of neighborhood facilities; and for administrative/operational costs, maintenance, purchase of equipment, and/or rehabilitation of neighborhood facilities of various departmental programs/projects for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$800,000, so as to reallocate funds in City Council from "Catholic Charities, diocese of Pittsburgh-St. Joe's House" (-\$2,000); and from the "Diversity Business Resource Center" (-\$1,000); and transfer these funds to the "Bethlehem Haven" (+\$1,000); and to "Strong Women, Strong Girls" (+\$2,000).

SPONSOR(S): TONYA D. PAYNE

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

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

Votes: Ayes: 8 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Ms. Payne, Mr. Peduto, Mrs. Smith and Mr. Shields
Noes: 0
Abstentions: 0

Bill No.

[2009-2097](#)

Resolution amending Resolution No. 619, effective October 28, 2009, entitled: providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 2009 Community Development Block Grant Program; providing for the execution of grant contracts and for the filing of other data providing for required assurances; providing for execution of payment vouchers on letter of credit and for certification of authorized signature; the deposit of the funds in a bank account and providing for the payment of expenses within categories, so as to reallocate funds in City Council from "Catholic Charities, Diocese of Pgh.--St. Joes" (-\$2,000); and from "Diversity Business Resource Center" (-\$1,000); and transfer these funds to "Strong Women, Strong Girls" (+\$2,000); and to the Bethlehem Haven" (+\$1,000).

SPONSOR(S): TONYA D. PAYNE

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

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

Votes: Ayes: 8 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, 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.