

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, November 23, 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, Mr. Motznik, Mr. Peduto, Mrs. Smith and Mr. Shields

Absent: 1 - Ms. Payne

Council Members Bruce Kraus and Darlene Harris were available for final vote by conference telephone.

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

Bill No. [2009-1989](#) THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does, hereby, commend and congratulate District Chief Norman Auvil for his dedication and service to the residents and visitors of the City of Pittsburgh.

NOW, THEREFORE BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh proclaims Monday, November 23, 2009 to be District Chief Norman Auvil Day in the City of Pittsburgh.

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

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

Bill No. [2009-1990](#) THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does, hereby, commend and congratulate Crew Chief Mark Pinchalk for his foresight and service to the residents and visitors of the City of Pittsburgh.

NOW, THEREFORE BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh proclaims Monday, November 23, 2009 to be Crew Chief Mark Pinchalk Day in the City of Pittsburgh.

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

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

Bill No. [2009-1991](#) Now, Therefore, be it resolved that the Council of the City of Pittsburgh does hereby recognize and commend Reverend Watt for his commitment to the ministry, and his relentless dedication to our communities; and

Be It Further Resolved, that the Council of the City of Pittsburgh does hereby proclaim Sunday, November 29, 2009, to be designated, "Reverend Aaron L. Watt Sr." 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.

PUBLIC COMMENTS

PRESENTATION OF PAPERS

**MRS. HARRIS, CHAIRPERSON OF THE COMMITTEE ON PUBLIC WORKS,
PRESENTS**

Bill No. Resolution providing for a Contract or Contracts, or the use of existing Contracts for the purchase of Two (2) 28 yard Recycling Packers, and all related accessories, for the Department of Public Works, Bureau of Environmental Services, and provide for the payment thereof and/or the transfer of all required funding to the Equipment Leasing Authority, at a cost not to exceed \$450,000.00.

[2009-1980](#)

Read and referred to Public Works Committee

Bill No. Resolution granting unto Dominion Peoples, 1201 Pitt Street Wilksburg, PA 15221, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, bollards on the sidewalk area of Meyran Avenue between Forbes Avenue and Fresco Way in the 4th Ward, 6th Council District of the City of Pittsburgh.

[2009-1981](#)

Read and referred to Public Works Committee

Bill No. Resolution granting unto Alexander's Restaurant, 5104 Liberty Avenue, Pittsburgh, PA 15224, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, an awning on the sidewalk area at 5104 Liberty Avenue in the 8th Ward, 8th Council District of the City of Pittsburgh.

[2009-1982](#)

Read and referred to Public Works Committee

Bill No. Resolution vacating of a 20 foot Unnamed Way, from Marion Street to its terminus in the 1st Ward, 6th Council District of the City of Pittsburgh.

[2009-1983](#)

Read and referred to Public Works Committee

Bill No. Resolution vacating of a portion of Lima Way at Gross Street in the 8th Ward, 8th Council District of the City of Pittsburgh.

[2009-1984](#)

Read and referred to Public Works Committee

**MR. DOWD FOR MR. KRAUS, CHAIRPERSON OF THE COMMITTEE ON PUBLIC
SAFETY SERVICES, PRESENTS**

Bill No. Resolution providing for a contract or contracts or the use of existing contract or contracts; or agreement or agreements for the purchase of City issued protective equipment and accessories for the Bureau of Police at a cost not to exceed One Hundred Thousand Dollars (\$100,000) and providing for the payment there

[2009-1979](#)

Read and referred to Public Safety Services Committee

**MR. PEDUTO, CHAIRPERSON OF THE COMMITTEE ON FINANCE AND LAW,
PRESENTS**

Bill No. Resolution authorizing the issuance of a Warrant in the sum of \$50,000.00 in favor of David Hackbart; c/o Thomas J. Farrell Esquire, Reich, Alexander, Reisinger & Farrell, LLC, Koppers Building, 436 7th Avenue, Suite 1000, Pittsburgh, PA 15219; in full

[2009-1977](#)

and final settlement of an action filed in the United States District Court for the Western District of Pennsylvania, at No. 07-cv-0157 for an incident on April 10, 2006.

Read and referred to Finance and Law Committee

Bill No.

[2009-1978](#)

Resolution providing for a professional services agreement or agreements with Maher Duessel for the performance of the City's Financial Statement, including Single Audit for the year ending December 31, 2009, at a total cost not to exceed Two Hundred Fifty Thousand Nine Hundred Ninety Eight Dollars (\$250,998.00),.

Read and referred to Finance and Law Committee

Bill No.

[2009-1986](#)

Ordinance supplementing the Pittsburgh Code, Title I--Administrative, Chapter 135, Department of City Planning, by adding Section 135.03--Existence, Membership, Terms and Qualifications of Planning Commission and Chapter 161--Contracts, by adding Section 161.38--Economic Development Accountability, to require that City Boards, Authorities and Commissions consider the social, environmental and economic impacts of major development projects prior to awarding City subsidies; to increase opportunities for community engagement in decisions regarding publicly funded and large-scale development projects in the City; and to create greater transparency and accountability for such development projects.

SPONSOR(S): WILLIAM PEDUTO

Read and referred to Finance and Law Committee

Bill No.

[2009-1987](#)

Ordinance amending and supplementing the Pittsburgh Code, Title I-Administrative, Chapter 161-Contracts, Title 9-Zoning, Chapter 922-Development Review Procedures, and Title X-Building, Section 1003.03 Permit Application, so as to add language to build and support sustainable development, to enhance the quality of life and provide a healthy environment for all City residents, and to help to set a community standard of sustainable development in the City of Pittsburgh.

SPONSOR(S): WILLIAM PEDUTO

Read and referred to Land Use and Economic Development Committee

Bill No.

[2009-1988](#)

Ordinance amending and supplementing the Pittsburgh Code, Title Nine, Zoning, Chapters 903, 904, 909, 922 and 926, by adding language regarding Economic Accountability for Zoning and Land Use Approval.

SPONSOR(S): WILLIAM PEDUTO

Read and referred to Land Use and Economic Development Committee

MR. SHIELDS, PRESIDENT OF COUNCIL AND CHAIRPERSON OF THE COMMITTEE ON HEARINGS, PRESENTS

Bill No.

[2009-1985](#)

Petition from the residents of the City of Pittsburgh requesting a public hearing before City Council relative to Bill No. 2009-1967, entitled, "An Ordinance amending and supplementing the Pittsburgh Code, Title I-Administrative, Article VII, Procedures, Chapter 161-Contracts, to require contractors who provide building service and food services to the City of Pittsburgh to pay prevailing wages to employees employed pursuant to such contracts, and to require that building service, food service, grocery, and hotel employees employed on projects receiving City subsidies be paid prevailing

wages." The Peition is valid in accordance with the Home Rule Charter.

Read and referred to Hearings Committee

UNFINISHED BUSINESS

REPORTS OF COMMITTEE - FINAL ACTION

MR. PEDUTO PRESENTS COMMITTEE ON FINANCE AND LAW

Bill No. Report of the Committee on Finance and Law for November 18, 2009 with an
[2009-1974](#) Affirmative Recommendation.

Read, Received and Filed

Bill No. Ordinance supplementing the Pittsburgh Code of Ordinances, Title One,
[2009-1964](#) Administrative, Article Three, Organization, Chapter 121 by adding new language.

SPONSOR(S): REVEREND RICKY V. BURGESS

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution authorizing the Mayor, the Director of Finance and the City Solicitor to
[2009-1965](#) enter into agreement or agreements with institutions of purely public charities for the purposes of collecting payments in lieu of taxes.

SPONSOR(S): REVEREND RICKY V. BURGESS

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution authorizing the Director of Finance and the City Solicitor to request that
[2009-1966](#) the County Board of Assessors begin the reassessment of property located in the City of Pittsburgh and additionally determine the true fair market value of property owned or held by tax-exempt institutions and organizations on or before January 4, 2010.

SPONSOR(S): REVEREND RICKY V. BURGESS

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: 8 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Motznik, Mr. Peduto, Mrs. Smith and Mr. Shields

Noes: 0

Abstentions: 0

Absent: 1 - Ms. Payne

MRS. SMITH PRESENTS COMMITTEE ON URBAN RECREATION

Bill No. Report of the Committee on Urban Recreation for November 18, 2009 with an
[2009-1975](#) Affirmatiave Recommendation.

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

Bill No.

[2009-1940](#)

Resolution creating the Carnegie Library Oversight Committee of Citizens (CLOCC) to provide a forum for key stakeholders to review all city expenditures made to the library, and to request and review financial and performance data affecting decisions involving the continued sustainability of neighborhood library branches.

SPONSOR(S): THERESA SMITH

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

Noes: 0

Abstentions: 0

Absent: 1 - Ms. Payne

MR. DOWD PRESENTS COMMITTEE ON INTERGOVERNMENTAL AFFAIRS

Bill No. Report of the Committee on Intergovernmental Affairs for November 18, 2009 with an
[2009-1976](#) Affirmative Recommendation.

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

Bill No. Resolution authorizing the execution of a cooperation agreement or agreements with
[2009-1893](#) the Urban Redevelopment Authority of Pittsburgh in which URA will transfer up to \$4,500,000 to the City for the East Liberty Infrastructure Project. (Council Districts 8 and 9)

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

Noes: 0

Abstentions: 0

Absent: 1 - Ms. Payne

MOTIONS AND RESOLUTIONS**EXCUSE ABSENT MEMBERS****APPROVAL OF MINUTES****ADJOURNMENT**