

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, April 29, 2008

10:00 AM

Council Chambers

City Council

**ONE-HUNDRED
THIRTY-FIFTH COUNCIL**

Douglas Shields, President

**Council Members: Reverend Ricky V. Burgess, Dan Deasy, Patrick Dowd, Darlene M. Harris,
Bruce A. Kraus, Jim Motznik, Tonya D. Payne, William Peduto**

Linda M. Johnson-Wasler, City Clerk

Mary Beth Doheny, Deputy City Clerk

ROLL CALL

Present: 9 - Mr. Deasy, Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Motznik, Ms. Payne, Mr. Peduto and Mr. Shields

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

Bill No. [2008-0354](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize Dave Crawley for two decades of contributions to the city of Pittsburgh; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh proclaims that Tuesday, April 29, 2008, during the week of his 20th anniversary celebration with KDKA-TV, be hereby declared "Dave Crawley Day" in the City of Pittsburgh.

SPONSOR(S): PATRICK DOWD

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

Bill No. [2008-0355](#) NOW, THEREFORE BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare April 2008 to be "CHILD ABUSE PREVENTION MONTH" 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. [2008-0356](#) NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh welcomes its visitors from Italy and commends the students for their work to honor this tragic event. Fairmont Coal Company

SPONSOR(S): WILLIAM PEDUTO AND ALL MEMBERS

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

PUBLIC COMMENTS

PRESENTATION OF PAPERS

MR. DOWD, CHAIRPERSON OF THE COMMITTEE ON URBAN RECREATION, PRESENTS

Bill No. [2008-0353](#) Resolution amending Resolution No. 210 of 1989, effective April 3, 1989, which authorized a lease with the Pittsburgh Center for the Arts of Buildings known as the Marshall Residence, the Scaife Residence and the Marshall Garage, located on the corner of Fifth and Shady Avenues, and pursuant to Resolution No. 810 of 2005, effective December 31, 2005, which authorized the assignment of the City's Lease with the Pittsburgh Center for the Arts, dated August 1, 1989, to Pittsburgh Filmmakers, Inc., the entity created by the merger of the Pittsburgh Center for the Arts and Pittsburgh Filmmakers, to now authorize the Mayor and the Director of the Department of Parks and Recreation and/or the Director of the Department of Finance

to enter into an Agreement with Pittsburgh Filmmakers, Inc., amending the Lease dated August 1, 1989, with the Pittsburgh Center for the Arts, as amended by the Agreement for Assignment of and Amendment to Lease, effective as of January 1, 2006.

Read and referred to Urban Recreation Committee

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

Bill No. Resolution providing for the issuance of a \$3,150.60 warrant in favor of George & Sofia Bouzos, 862 Western Avenue, Pittsburgh, PA 15233, in settlement of a claim for sidewalk damage due to City tree roots on November 9, 2007.

[2008-0350](#)

Read and referred to Finance and Law Committee

Bill No. Resolution realigning a total of \$161,000 between various accounts within the 2008 Operating Budget. This transfer is necessary to make a technical correction to fix omissions in the 2008 Operating Budgets for the Bureau of Animal Control, City Information Systems, and the Department of Law.

[2008-0351](#)

Read and referred to Finance and Law Committee

Bill No. Resolution providing for the acceptance by the City of Pittsburgh from the Allegheny Land Trust of certain property residing in the Nineteenth Ward of the City of Pittsburgh being Block 6-J, Lot 5 and Block 6-J, Lot 6, addressed as Greenleaf Street to become an addition to and extension of the Grand View Scenic Byway Park.

[2008-0352](#)

Read and referred to Finance and Law Committee

UNFINISHED BUSINESS

Bill No. Resolution authorizing the appointment of Bea Hogan, 533 Mt. Pleasant Road, Pittsburgh, PA 15214, as a member to the Housing Authority Board with a term to expire April 30, 2011. Ms. Hogan will replace the seat vacated by Patrick Bigley.

[2008-0327](#)

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

Bill No. Resolution authorizing the appointment of Kirk Burkley, 206 W. North Avenue, Pittsburgh, PA 15212 as a member of the Planning Commission with a term to expire on April 30, 2014.

[2008-0328](#)

A motion was made that this matter be Approved. 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 Committee for April 24, 2008 with an Affirmative Recommendation.

[2008-0345](#)

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

Bill No. Resolution authorizing the issuance of a warrant in the sum of \$29,500.00 to Leonard
[2008-0265](#) G. Brown, Esquire, c/o Leonard G. Brown, Esquire, of CLYMER MUSSER, PC, 408
West Chestnut Street, P.O. Box 1766, Lancaster, PA 17608, in full and final
settlement of an action filed in the United States District Court for the Western District
of Pennsylvania to No. 07-0455 CA.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution authorizing the Citizen Police Review Board to enter into an Agreement(s)
[2008-0266](#) or contract(s) with Ward and McGough, LLC for professional services to assist in the
legal representation of the Citizen Police Review Board providing for payment there
of at a cost not to exceed \$45,000 (Forty-Five Thousand Dollars).

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution providing for the conveyance by the City of Pittsburgh of certain property,
[2008-0293](#) 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.

A: 110 Aztec; B: 980 E. Warrington; C: 981 Manton; D: 1616 Harpster; E: 3209
Mary; F: 5111 Broad; G: 14 Ayers (Part); H: 1904 Watson; I: 414 W. Prospect; J:
246 Rolfe; K: 2416 Berg; L: 3354 Webster; M: 4830 Coleridge; N: 613 Jacksonia;
O: 5035 Volt; P: 31 Hackstown; Q: 2619 McCord; R: 532 N. Atlantic.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution providing for the filing of petitions for the sale of certain properties,
[2008-0294](#) acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City
Treasurer Sale and Collection Act", effective December 11, 1984.

ITEMS A through T.

A: 2711 Sumner; B: 7054 Monticello & 1027 Lang; C: 4932 Gross; D: 3333
California; E: 1137 Brownsville; F: 2608 & 2614 McCord;
G: 645 Singer; H: 535 Paulson; I: 2782 Bergman; J: 810 Norland; K: 1618 Myler;
L: 7211 Butler; M: 437 Michigan; N: 2205 Forbes; O: 226 Sagamore; P: 414
Lorenz; Q: 1615 Clairtonica; R: 2601 Perrysville; S: 5538 Second; T: 7229
Lemington.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution providing for the filing of petitions for the sale of certain properties,
[2008-0295](#) acquired at tax sales, in accordance with Act No. 171 of 1984, "Second Class City
Treasurer Sale and Collection Act", effective December 11, 1984.

ITEMS A and B:

A: 2538 Wadsworth; B: 15 Lanark.

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. Deasy, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Motznik, Ms. Payne, Mr. Peduto and Mr. Shields

Noes: 0

Abstentions: 0

MRS. HARRIS PRESENTS COMMITTEE ON PUBLIC WORKS

Bill No. Report of the Committee on Public Works Committee for April 24, 2008 with an
[2008-0346](#) Affirmative Recommendation.

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

Bill No. Resolution providing for a Contract or Contracts, or the use of existing Contracts for
[2008-0296](#) the purchase of One (1) 28 yard Recycling Packer, 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 \$210,000.00.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution providing for a Contract or Contracts or the use of existing Contracts;
[2008-0297](#) providing for an Agreement or Agreements or for the use of existing Agreements; providing for repairs, maintenance, improvements, emergencies and/or the purchase of materials, equipment and supplies in connection with the design and construction of handicap ramps and sidewalks at various city-owned locations throughout the City of Pittsburgh; and further providing for the payment of the costs thereof, cost not to exceed \$100,000.00.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution providing for a Contract or Contracts or for the use of existing Contracts,
[2008-0298](#) providing for an Agreement or Agreements or for the use of existing Agreements, and providing for the purchase of materials and supplies in connection with the Bridge Repairs program; and further providing for the payment of the cost thereof, not to exceed \$200,000.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution providing for a Contract or Contracts or for the use of existing Contracts,
[2008-0299](#) providing for an Agreement or Agreements or for the use of existing Agreements, and providing for the purchase of materials and supplies in connection with the Neighborhood Street Improvements; and further providing for the payment of the costs thereof, cost not to exceed \$1,100,000.00.

This Matter was Passed Finally on the Consent Agenda.

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 License and Cooperation Agreement with Pirates Charities, a Pennsylvania non-profit corporation, to renovate Josh Gibson Field, at a cost not to exceed \$112,462.66.

[2008-0300](#)

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. Deasy, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Motznik, Ms. Payne, Mr. Peduto and Mr. Shields

Noes: 0

Abstentions: 0

MR. MOTZNIK PRESENTS COMMITTEE ON GENERAL AND GOVERNMENT SERVICES COMMITTEE

Bill No. Report of the Committee on General and Government Services Committee for April 24, 2008 with an Affirmative Recommendation.

[2008-0348](#)

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

Bill No. Requesting that the Board of Directors of the Equipment Leasing Authority (ELA) establish a formal policy governing the purchase of City vehicles to ensure better fuel efficiency and a reduction of greenhouse gases.

[2008-0307](#)

SPONSOR(S): DAN DEASY AND 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. Deasy, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Motznik, Ms. Payne, Mr. Peduto and Mr. Shields

Noes: 0

Abstentions: 0

REV. BURGESS PRESENTS COMMITTEE ON LAND USE AND ECONOMIC DEVELOPMENT

Bill No. Report of the Committee on Land Use and Economic Development Committee for April 24, 2008 with an Affirmative Recommendation.

[2008-0347](#)

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

Bill No. Resolution further amending and supplementing Resolution No. 256, effective April 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

[2008-0303](#)

for the purchase of materials, supplies, equipment, and/or services for various projects in connection with the Neighborhood Needs Program in Council District 9; and providing for the payment of the costs thereof," by adding \$104,791.94 to the Poise Foundation-Hope Fund and by making various other adjustments in Council District 9. Total of all projects is not to exceed \$932,000.

SPONSOR(S): REVEREND RICKY V. BURGESS

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2008-0304](#)

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 \$104,791.94 to the Poise Foundation-Hope Fund, and by making various other adjustments in Council District 9.

SPONSOR(S): REVEREND RICKY V. BURGESS

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2008-0305](#)

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 \$31,500 to the Poise Foundation- Hope Fund in Council District 9.

SPONSOR(S): REVEREND RICKY V. BURGESS

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2008-0306](#)

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 \$31,500 to the Poise Foundation-Hope Fund and by adjusting various projects in Council District 9.

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: 9 - Rev. Burgess, Mr. Deasy, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Motznik, Ms. Payne, Mr. Peduto and Mr. Shields
Noes: 0
Abstentions: 0

MR. DEASY PRESENTS COMMITTEE ON INTERGOVERNMENTAL AFFAIRS

Bill No. Report of the Committee on Intergovernmental Affairs Committee for April 24, 2008
[2008-0349](#) with an Affirmative Recommendation.

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

Bill No. Resolution adopting an Amendment to the Articles of Incorporation of the Pittsburgh
[2008-0301](#) Water and Sewer Authority to extend its term of existence to May 21, 2045.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution approving Execution of a Contract for Disposition by Sale of Land by and
[2008-0302](#) between the Urban Redevelopment Authority of Pittsburgh and John R. Wilson and Elaine A. Miller Wilson, for the Sale of Block 22-L, Lots 149A and 154, in the 21st Ward of the City of Pittsburgh - Council District No. 6 (1119 N. Franklin Street and 1518 Sedgwick Street - Sideyard)

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. Deasy, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Motznik, Ms. Payne, Mr. Peduto and Mr. Shields
Noes: 0
Abstentions: 0

MOTIONS AND RESOLUTIONS

APPROVAL OF MINUTES

ADJOURNMENT