

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, February 3, 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

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, Ms. Payne, Mr. Peduto and Mr. Shields

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

Bill No. Be it further resolved, that the Council of the City of Pittsburgh hereby declares
[2009-1088](#) February 7, 2009 "Bernard and Anna Taylor Day" in the City of Pittsburgh.

SPONSOR(S): PATRICK DOWD AND ALL MEMBERS

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

Bill No. NOW, THEREFORE BE IT FURTHER RESOLVED, that the Council of the City of
[2009-1089](#) Pittsburgh urges all of its citizens to show their support for women and the fight against heart disease by commemorating Friday, February 6, 2009 by the wearing of the color red, to increase awareness and empower women to reduce their risk for cardiovascular disease and save thousands of lives each year.

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

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

Bill No. Whereas, on Sunday, February 1st, 2009, the Pittsburgh Steelers defeated the Arizona
[2009-1090](#) Cardinals to win Super Bowl XLIII by a score of 27 to 23; and

Whereas, Art Rooney Sr. founded the Steelers Organization as the Pirates in 1933, thus starting a tradition of hard-nosed, blue collar football which would shape what has become the winningest team in all of the National Football League, The Pittsburgh Steelers; and

Whereas, Dan Rooney took the helm as President of the Steelers in 1975 and is the most revered and respected NFL team owner, and, during his tenure, has implemented a philosophy and management style which emphasizes open, practical and efficient management; and

Whereas, the results have been obvious: since 1972, the Steelers have been AFC Central and North Division champions 19 times, AFC champions seven times and Super Bowl champions six times; and

Whereas, the Steelers have had only three coaching changes since 1969, and Mike Tomlin in his second year has become the youngest coach to win a Super Bowl; and

Whereas, NFL Commissioner, Roger Goodell, called Super Bowl XLIII "a game for the ages," because of plays such as James Harrison's record 100 yard interception runback for a touchdown, the first safety in a Super Bowl, or the 23 points scored in the last seven and a half minutes of the game and, of course, the acrobatic game

winning touchdown by Santonio Holmes with 35 seconds left in the game.

Now, Therefore, be it resolved that the Council of the City of Pittsburgh, does hereby commend the Rooney Family on bringing notoriety to the City of Pittsburgh and also achieving greatness once again for the Steeler Nation; and

Be it further resolved, that the Council of the City of Pittsburgh recognizes the players, coaches and staff of the Pittsburgh Steelers by officially designating the City of Pittsburgh in 2009 as the "City of Sixburgh" in honor of the Steelers' win in Super Bowl XLIII.

SPONSOR(S): BRUCE A. KRAUS, REVEREND RICKY V. BURGESS, PATRICK DOWD, DARLENE HARRIS, JIM MOTZNIK, TONYA D. PAYNE, WILLIAM PEDUTO AND DOUGLAS SHIELDS

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

PUBLIC COMMENTS

PRESENTATION OF PAPERS

REV. BURGESS, CHAIRPERSON OF THE COMMITTEE ON LAND USE AND ECONOMIC DEVELOPMENT, PRESENTS

Bill No. Ordinance amending the Pittsburgh Zoning Code, Title Nine, Article One, Chapter
[2009-1081](#) 902 Section 902.03, Zoning District Maps Nos. 5 and 6 by changing various zoning district classifications in the Perry North neighborhood in accord 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. Resolution authorizing the Mayor and the Director of City Planning to enter into an
[2009-1082](#) agreement or agreements with members of the Zoning Board of Adjustment, for payment of services for duties related to any and all activities of the Zoning Board of the City of Pittsburgh. Cost not to exceed \$39,000.

Read and referred to Land Use and Economic Development Committee

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

Bill No. Resolution approving execution of a Contract for Disposition by Sale of Land by and
[2009-1083](#) between the Urban Redevelopment Authority of Pittsburgh and Claressa H. Bratcher for the sale of Parcel 5B, in the 5th Ward of the City of Pittsburgh, in Redevelopment Area No. 32 - Block 10-L, Lots 65, 66, 67, 68 Mahon Street -- Council District No. 6 (residential construction).

Read and referred to Intergovernmental Affairs Committee

Bill No. Resolution approving execution of a Contract for Disposition by Sale of Land by and
[2009-1084](#) between the Urban Redevelopment Authority of Pittsburgh and Richard D. Bratcher
for the sale of Parcel 5A, in the 5th Ward of the City of Pittsburgh, in Redevelopment
Area No. 32 - Block 10-L, Lots 61, 64, 64A, Mahon Street -- Council District No. 6
(residential construction).

Read and referred to Intergovernmental Affairs Committee

Bill No. Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire
[2009-1085](#) all of the City's Right, Title and Interest, if any, in and to the Publicly-Owned
Properties in the 12th Ward of the City of Pittsburgh designated in the Deed Registry
Office of Allegheny County as Block 125-A, Lots 334-A, 336, 339, 342, 343, 344,
345, and 345-1 (Council District No. 9 - Site Assemblage - 208 Dix Way; 151, 155,
161, and 165, 167 Luna Street; and 6363 and 6369 East Liberty Boulevard).

Read and referred to Intergovernmental Affairs Committee

Bill No. Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire
[2009-1086](#) all of the City's Right, Title and Interest, if any, in and to the Publicly-Owned Property
in the 3rd Ward of the City of Pittsburgh designated in the Deed Registry Office of
Allegheny County as Block 11-A, Lot 153 (Centre Avenue Corridor -- Council
District No. 6 - Site Assemblage for Residential/Commercial Development - 18 Reed
Street).

Read and referred to Intergovernmental Affairs Committee

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

Bill No. Resolution providing for an agreement or agreements, contract or contracts, or for the
[2009-1080](#) use of existing agreements and/or contracts, for the purchase of computer hardware,
software and in-car video equipment, maintenance, installation, professional services,
licenses, warranties, accessories and training in conjunction with the installation of
enhancement or implementation of automated systems for the Department of Public
Safety, Bureau of Police, at a cost not to exceed one hundred fifty thousand dollars
(\$150,000) and providing for the cost thereof.

Read and referred to Public Safety Services Committee

MR. SHEILDS, CHAIRPERSON OF THE COMMITTEE ON HEARINGS, PRESENTS

Bill No. Communication from City Controller Michael Lamb, submitting a Performance Audit of the Department of Public Works Street Maintenance Program, dated January, 2009.
[2009-1087](#)

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

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 January 28, 2009 with an Affirmative Recommendation.
[2009-1074](#)

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

Bill No. Resolution authorizing the Mayor and the City Solicitor to enter into an agreement or agreements for professional consulting services in connection with real estate tax assessment matters, including, but not limited to, tax assessment appeals filed by property owners and/or the City or other taxing jurisdictions in regard to commercial, industrial and residential real property in the City of Pittsburgh at a cost not to exceed \$66,000 (Sixty-Six Thousand Dollars).
[2009-1040](#)

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, Ms. Payne, Mr. Peduto and Mr. Shields
Noes: 0
Abstentions: 0

MR. KRAUS PRESENTS COMMITTEE ON PUBLIC SAFETY SERVICES

Bill No. Report of the Committee on Public Safety Services for January 28, 2009 with an Affirmative Recommendation.
[2009-1075](#)

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

Bill No. Resolution providing for an agreement or agreements, contract or contracts, or for the use of existing agreements, and/or cooperation agreements, and/or contracts for the purchase of equipment, materials, and supplies, services and/or acquisition of land in conjunction with the 830 E. Warrington Avenue Zone 3 Police Station and facilities at a cost not to exceed One Million, Five Hundred Thousand (\$1,500,000) Dollars; and further providing for the payment of the costs thereof.
[2009-1027](#)

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, 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 for January 28, 2009 with an Affirmative Recommendation.
[2009-1076](#)

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

Bill No.

[2009-1041](#)

Resolution authorizing the City of Pittsburgh to dedicate a part of the City owned Parcel 114-E-1 in the 27th Ward, 1st Council District of the City of Pittsburgh for the widening of California Avenue and to accept from the County of Allegheny part of their Parcel 114-F-282 to also widen California Avenue and a corner of Windhurst Street for the Jacks Run Bridge No.1 Rehabilitation by the Allegheny County Department of Public Works.

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2009-1042](#)

Resolution granting unto the Pittsburgh Dance Alloy, 5530 Penn Avenue, Pittsburgh, PA 15206, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a steel and glass canopy over the right-of-way of Stratford Avenue in the 8th Ward, 9th Council District of the City of Pittsburgh.

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2009-1043](#)

Resolution granting unto Pizza Sola, 1417 East Carson Street, Pittsburgh, PA 15201, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a business identification sign over the sidewalk area at 1417 East Carson Street in the 17th Ward, 3rd Council District of the City of Pittsburgh.

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2009-1044](#)

Resolution vacating a portion of Tarpon Way at Biggs Avenue southwesterly a distance of 94.72 feet in the 25th Ward, 1st Council District of the City of Pittsburgh.

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2009-1046](#)

Resolution vacating Washburn Street between Bartold Street and Hodgkiss Street in the 27th and Ward, 1st Council District of the City of Pittsburgh.

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. Motznic, Ms. Payne, Mr. Peduto and Mr. Shields
Noes: 0
Abstentions: 0

MS. PAYNE PRESENTS COMMITTEE ON HUMAN RESOURCES

Bill No. Report of the Committee on Human Resources for January 28, 2009 with an
[2009-1078](#) Affirmative Recommendation.

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

Bill No. Resolution providing for the renewal of a contract with UPMC Benefits Management
[2009-1047](#) Services, Inc. for the purpose of ensuring that on-going medical care is provided to City of Pittsburgh employees who require treatment for service related injuries and/or illness pursuant to the Pennsylvania's Worker's Compensation Act and on-going professional nurse case management services in connection with the monitoring of certain workers' compensation claims and medical treatment toward a goal of returning employees to work as soon as they are medically able to return, providing for the payment of the cost thereof, cost not to exceed \$5,814,927.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution providing that the City of Pittsburgh enter into a professional service
[2009-1048](#) Contract or Contracts with O'Brien, Rulis and Bochicchio, for the purpose of providing professional legal services in connection with the defense of certain worker's compensation matters and claims brought against the City under the Workers' Compensation Act and providing for the payment of the cost thereof. Cost not to exceed \$1,200,000.

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. Motznic, Ms. Payne, Mr. Peduto and Mr. Shields
Noes: 0
Abstentions: 0

REV. BURGESS PRESENTS COMMITTEE ON LAND USE & ECONOMIC DEVELOPMENT

Bill No. Report of the Committee on Land Use and Economic Development for January 28,
[2009-1077](#) 2009 with an Affirmative Recommendation.

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

Bill No. Ordinance providing for the revision of Encroachment Ordinance Chapter 419.05
[2009-1049](#) Telephone Booths, Transit Shelters and Newsracks of the Pittsburgh City Code to include Bicycle Racks.

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, Ms. Payne, Mr. Peduto and Mr. Shields
Noes: 0
Abstentions: 0

MR. DOWD PRESENTS COMMITTEE ON INTERGOVERNMENTAL AFFAIRS

Bill No. Report of the Committee on Intergovernmental Affairs for January 28, 2009 with an
[2009-1079](#) Affirmative Recommendation.

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

Bill No. Resolution authorizing a Cooperation Agreement or Agreements with the Urban
[2009-1051](#) Redevelopment Authority of Pittsburgh in connection with URA's application for a Redevelopment Assistance Capital Program grant of up to \$500,000 for the Carnegie Music Hall project of the Carnegie Museums of Pittsburgh. (Council District 8)

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an
[2009-1052](#) Application to the Pennsylvania Office of the Budget for a Redevelopment Assistance Capital Program grant of up to \$500,000 for the Carnegie Music Hall project of the Carnegie Museums of Pittsburgh. (Council District 8)

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, Ms. Payne, Mr. Peduto and Mr. Shields
Noes: 0
Abstentions: 0

Bill No. Resolution authorizing the submission of an application to the Pennsylvania
[2009-1053](#) Department of Community and Economic Development for a Neighborhood
Stabilization Program grant of up to \$20,000,000. (Council Districts 1, 2, 3, 4, 6 and
9).

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

This Matter was Passed Finally, As Amended on the Consent Agenda.

Bill No. Resolution authorizing a cooperation agreement or agreements with the Urban
[2009-1054](#) Redevelopment Authority of Pittsburgh for administration and implementation of a
Neighborhood Stabilization Program grant of up to \$20,000,000 from the
Pennsylvania Department of Community and Economic Development. (Council
Districts 1, 2, 3, 4, 6 and 9).

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

This Matter was Passed Finally, As Amended 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: 7 - Rev. Burgess, Mrs. Harris, Mr. Kraus, Mr. Motznik, Ms. Payne, Mr. Peduto
and Mr. Shields
Noes: 1 - Mr. Dowd
Abstentions: 0

MOTIONS AND RESOLUTIONS

APPROVAL OF MINUTES

ADJOURNMENT