

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, October 20, 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. [2009-1876](#) Now, Therefore, be it resolved that the Council of the City of Pittsburgh hereby recognizes Gertrude L. Pinno for her many accomplishments, leading by example, and for her unrelenting commitment to educating communities throughout the City; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby proclaim Sunday, October 17, 2009, to be designated, "Gertrude L. Pinno" 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.

Bill No. [2009-1877](#) NOW THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby laud The American Liver Foundation for its essential efforts and does hereby declare the Month of October, 2009, to be "LIVER AWARENESS MONTH" 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. [2009-1878](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize the Greater Pittsburgh Area Support/ Community Group for their efforts to promote awareness of psoriasis and psoriatic arthritis in the Western PA area and for their work in the area of education, research and advocacy with the National Psoriasis Foundation and the International Federation of Psoriasis Associations ; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Thursday, October 29, 2009, to be " WORLD PSORIASIS 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. [2009-1879](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize The Howard Levin Clubhouse for their extraordinary work in the mental health community and commends them for honoring employers who demonstrate their support through employment of Levin Clubhouse members and further congratulates all the employers who are to be honored at the Recognition Reception to be held on November 9, 2009, at the Howard Levin Clubhouse; and,

SPONSOR(S): DOUGLAS SHIELDS AND ALL MEMBERS

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

Bill No.

[2009-1880](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby pay tribute, along with Point Park University, to Frank Mason, artist and teacher, who enabled the opening of the Lawrence Hall Gallery and gave his gracious permission to exhibit of a number of his classical-style paintings spanning 50 years before his passing in June.

SPONSOR(S): DOUGLAS SHIELDS AND ALL MEMBERS

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

Bill No.

[2009-1881](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize the extraordinary, remarkable and nationally renowned achievements of Dr. Cyril Wecht and congratulates him on a lifetime of professional and personal successes.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Tuesday, October 20, 2009, to be "DR. CYRIL H. WECHT 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.

[2009-1882](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend current President Val Pawlos and members of PNA for their commitment to the betterment of the polish community; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate the West End Lodge 1052 for 100 years and declares Tuesday, October 6 , 2009, to be "Polish Day " in the City of Pittsburgh.

SPONSOR(S): THERESA SMITH 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.

[2009-1862](#)

Resolution granting unto The Carnegie Library of Pittsburgh, 4400 Forbes Avenue, Pittsburgh, PA 15213, their successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense, overhead architectural features, a ramp and book returns for the East Liberty Branch of The Carnegie Library at 130 South Whitfield Street, Baum Boulevard and Tamello Way in the 8th Ward, 9th Council District of the City of Pittsburgh.

Read and referred to Public Works Committee

Bill No. Resolution vacating a portion of Marilyn Street in the 31st Ward, 5th Council District
[2009-1863](#) of the City of Pittsburgh.

Read and referred to Public Works Committee

Bill No. Resolution vacating a portion of Gosser Street between Conniston Avenue and Vernita
[2009-1864](#) Street in the 18th Ward, 4th Council District of the City of Pittsburgh.

Read and referred to Public Works Committee

Bill No. Resolution amending Resolution No. 561, approved October 14, 2008, entitled
[2009-1865](#) "Granting unto, United States General Services Administration, Mid-Atlantic Region, 100 Penn Square East, Philadelphia, PA 19107, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, planters and bollards on the sidewalk area of William Penn Place and 1000 Liberty Avenue in the 2nd Ward, 6th Council District of the City of Pittsburgh."

Read and referred to Public Works Committee

Bill No. Resolution granting unto Juniper Holdings, 1000 Main Street, Sharpsburg, PA 15215,
[2009-1866](#) their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a set of concrete steps on the right-of-way at 6808 Greenwood Street in the 10th Ward, 7th Council District of the City of Pittsburgh.

Read and referred to Public Works Committee

Bill No. Resolution granting unto Joseph Clark, 955 Freeport Road, Natrona Heights PA
[2009-1867](#) 15065, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense, a business identification sign over the sidewalk area 1233 East Carson Street in the 17th Ward, 3rd Council District of the City of Pittsburgh.

Read and referred to Public Works Committee

Bill No. Resolution granting unto Mark Knobil, 3559 Bethoven Street, Pittsburgh, PA 15213,
[2009-1868](#) his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense, a concrete stoop with railing on the sidewalk area at 3138 Dobson Street and a concrete patio with rail on Hancock Street 6th Ward, 7th Council District of the City of Pittsburgh.

Read and referred to Public Works Committee

Bill No. Resolution granting unto University of Pittsburgh, 124 Cathedral of Learning,
[2009-1869](#) Pittsburgh, PA 15260, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, private underground utilities at the right-of-ways of Robinson, Carrillo and Brackenridge Streets in the 4th and 5th Wards, 6th Council District of the City of Pittsburgh.

Read and referred to Public Works Committee

Bill No. Resolution Further amending Resolution No. 121 of 2003, effective March 14, 2003
[2009-1870](#) 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 2003 Community Needs Program; and providing for the payment of the costs thereof," by adding \$2,750 to Perry Hilltop Citizens Council and another \$2,750 to Fineview Citizens Council for surveillance cameras and by reducing District 1 Neighborhood Needs by \$5,500.00.

SPONSOR(S): DARLENE HARRIS

Read and referred to Finance and Law Committee

Bill No.

[2009-1871](#)

Resolution amending and supplementing 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 adjusting various line items in conformance with City Council's 2003 Capital Budget amendments" by adding \$2,750 to Perry Hilltop Citizens Council and another \$2,750 to Fineview Citizens Council for surveillance cameras and by reducing District 1 Neighborhood Needs by \$5,500.00

SPONSOR(S): DARLENE HARRIS

Read and referred to Land Use and Economic Development Committee

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

Bill No.

[2009-1872](#)

Ordinance amending the Pittsburgh Code of Ordinances, Title Nine, Zoning, Article V, Chapter 911, Primary Uses, Section 911.04, Use Standards, by amending the use standards for restaurants with liquor licenses.

SPONSOR(S): BRUCE A. KRAUS

Read and referred to Land Use and Economic Development Committee

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

Bill No.

[2009-1861](#)

Resolution providing for the issuance of warrants in the total amount of One Hundred and Five Thousand Dollars (\$105,000.000 in favor of James Childs and the Estate of William Yarbrough, specifically the payment of Ninety Three Thousand Dollars (\$93,000.00) to James Childs and Twelve Thousand Dollars (\$12,000.00) to the Estate of William Yarbrough, in settlement of claims for bodily injuries and damages arising out of a motor vehicle collision that occurred at approximately 12:20 a.m. on Saturday, December 29, 2001, at the intersection of Hamilton and Brushton Avenues.

Read and referred to Finance and Law Committee

Bill No.

[2009-1873](#)

Ordinance amending and supplementing the Pittsburgh Code, Title Six: Conduct, by adding a new Article IX, entitled Privacy Policy for City Email and Data Systems.

SPONSOR(S): WILLIAM PEDUTO

Read and referred to Finance and Law Committee

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

Bill No. Resolution providing for the issuance of a warrant in favor of the Municipal Code Corporation, in the amount of \$3,918.32, in payment for professional services related to updating the Pittsburgh City Code.

[2009-1874](#)

SPONSOR(S): DOUGLAS SHIELDS

Read and referred to Finance and Law Committee

Bill No. Communication from Michael Lamb, City Controller, submitting a Performance Audit of THE Citiparks Tennis Program dated October 2009.

[2009-1875](#)

SPONSOR(S): DOUGLAS SHIELDS

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 October 14, 2009 with an Affirmative Recommendation.

[2009-1857](#)

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

Bill No. Ordinance approving and adopting a schedule of attorney fees in connection with the collection of filed and unfiled taxes, tax claims, tax liens, municipal claims and municipal liens, pursuant to Act 1 of 1996 and Act 20 of 2003 and approving and adopting a schedule of charges, expenses and fees pursuant to the Act of May 16, 1923, as amended, 53 P.S. §7101, §7103, and §7106, and Act 83 of 2004.

[2009-1740](#)

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution authorizing the Mayor and the Director of the Department of Finance to enter into an agreement or agreements with the School District of Pittsburgh, Jordan Tax Service, Inc. and Goehring, Rutter & Boehm, P.C., for the collection of delinquent taxes and municipal claims.

[2009-1741](#)

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution authorizing the issuance of a warrant in favor of Penn Valuation Group, Inc. in an amount not to exceed Four Thousand Seven Hundred Dollars (\$4,700.00) for appraisal services.

[2009-1809](#)

This Matter was Passed Finally on the Consent Agenda.

Bill No. [2009-1810](#) Resolution authorizing the Mayor to enter into a Grant Agreement with America's Promise Alliance and accept on behalf of the City of Pittsburgh, a grant from said organization in the amount of \$10,000 to cover costs associated with hosting a summit that will allow community leaders to convene key stakeholders to develop and/or advance action plans for improving the high school graduation rate.

This Matter was Passed Finally on the Consent Agenda.

Bill No. [2009-1811](#) Resolution authorizing the Mayor and the City Solicitor to enter into an agreement or agreements for the hiring of Cycom Data Systems, Inc. to maintain and upgrade the CityLaw Computer program on the City of Pittsburgh Department of Law's computer system at a cost not to exceed \$10,400.00 (Ten Thousand Four Hundred Dollars).

This Matter was Passed Finally on the Consent Agenda.

Bill No. [2009-1829](#) 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 \$500.00 to Shadyside Chamber of Commerce and by reducing the District 8 Various Projects line item by the same amount.

SPONSOR(S): WILLIAM PEDUTO

This Matter was Passed Finally on the Consent Agenda.

Bill No. [2009-1846](#) Resolution authorizing the transfer of Two Hundred Thousand (\$200,000) Dollars from the supplies account (fuel) in Non-Departmental City-wide to the Miscellaneous Services account within Public Safety Administration for the payment of the David Kennedy Pittsburgh Initiative to Reduce Crime (PIRC) contract.

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

Noes: 0

Abstentions: 0

MR. KRAUS PRESENTS COMMITTEE ON PUBLIC SAFETY SERVICES

Bill No. [2009-1858](#) Report of the Committee on Public Safety Services for October 14, 2009 with an Affirmative Recommendation.

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

Bill No. [2009-1826](#) Resolution amending Resolution No. 14 of 2009, effective 1-29-09, entitled, "Resolution authorizing the Mayor and the Directors of Public Safety and City Planning to enter into an agreement or agreements or contract or contracts with the University of Pittsburgh and Professor David Kennedy and the City University of New York for the purpose of designing and implementing the Pittsburgh Initiative to Reduce Crime, at a cost not to exceed \$200,000" by changing the funding source.

SPONSOR(S): REVEREND RICKY V. BURGESS

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

Noes: 0

Abstentions: 0

REV. BURGESS PRESENTS COMMITTEE ON LAND USE & ECONOMIC DEVELOPMENT

Bill No. [2009-1859](#) Report of the Committee on Land Use and Economic Development for October 14, 2009 with an Affirmative Recommendation.

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

Bill No. [2009-1830](#) 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 \$500.00 to Shadyside Chamber of Commerce and by reducing the District 8 Various Projects line item by the same amount.

SPONSOR(S): WILLIAM PEDUTO

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

Noes: 0

Abstentions: 0

MR. DOWD PRESENTS COMMITTEE ON INTERGOVERNMENTAL AFFAIRS

Bill No. [2009-1860](#) Report of the Committee on Intergovernmental Affairs for October 14, 2009 with an Affirmative Recommendation.

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

Bill No.

[2009-1742](#)

Resolution authorizing the Mayor and the Director of the Department of Finance, on behalf of the City of Pittsburgh (“City”), to enter into a cooperation agreement or agreements with the County of Allegheny (“County”), the School District of Pittsburgh (“School District”) and the Pittsburgh Water and Sewer Authority (“PWSA”) (hereinafter referred to collectively as the “Municipalities”) pursuant to the Pennsylvania Intergovernmental Cooperation Act for the purpose of jointly cooperating in the collection of delinquent taxes and municipal claims.

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.