

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, December 2, 2008

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: 7 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Ms. Payne, Mr. Peduto and Mr. Shields

Absent: 1 - Mr. Motznik

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

Bill No. [2008-0942](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize the Sister City Agreement between the City of Danang, Vietnam, and the City of Pittsburgh, Pennsylvania in the United States.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Tuesday, December 2, 2008, to be "DANANG, VIETNAM SISTER CITY DAY" in the City of Pittsburgh.

SPONSOR(S): DOUGLAS SHIELDS AND ALL MEMBERS

An official Sister City Agreement was signed by Pittsburgh Mayor Luke Ravenstahl, President of Council Douglas Shields, and Danang, Vietnam Ambassadors, Nguyen Tien Minh, Minister, Deputy Chief of Mission to the Vietnam Embassy, and Dr. Thach Hong Nguyen, Counsellor on Economics, Embassy of the Socialist Republic of Vietnam to the U.S.

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

Bill No. [2008-0943](#) NOW, THEREFORE BE IT RESOLVED, that December 2, 2008 will be known as John R. Gallo 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. [2008-0944](#) NOW THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does hereby wish to honor Mrs. Roberts for her innumerable contributions to the City by declaring Wednesday, December 3, 2008 "Josephine Roberts Day" in the City of Pittsburgh, and further commemorate her service by presenting her family with a key to the city.

SPONSOR(S): TONYA D. PAYNE AND ALL MEMBERS

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

Bill No. [2008-0945](#) NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends the Pennsylvania Theta Chapter of Sigma Phi Epsilon for their commitment and service to Carnegie Mellon University and the Pittsburgh region; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh hereby declares Friday, December 5, 2008, "Sigma Phi Epsilon Pennsylvania Theta Day" in the City of Pittsburgh.

SPONSOR(S): WILLIAM PEDUTO AND ALL MEMBERS

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

Bill No.

[2008-0946](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate Gerry Kobell for 25 years as Regional Director of Region Six and a total of 40 years of dedicated service to the National Labor Relations Board and wishes him good health and happiness in the years to come ; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Monday, December 8, 2008, to be GERALD "GERRY" KOBELL 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.

[2008-0947](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize and commend Robert L. Travis for his exemplary work ethic and congratulates Robert on earning the Eagle Scout Award through his determination, perseverance and commitment to the community ; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Saturday, December 27, 2008 to be "ROBERT L. TRAVIS 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.

[2008-0948](#)

Now, therefore be it resolved, that the Council of the City of Pittsburgh is pleased to host this distinguished international visitor as he travels through our City;

And be it further resolved, that the Council of the City of Pittsburgh does hereby recognize and welcome His Excellency Vasil Sikharulidze to our region and is grateful to Honorary Consul Mahnaz Harrison, the Pittsburgh Regional Alliance, the Pittsburgh Council for International Visitors, and the World Affairs Council of Pittsburgh for arranging his visit.

SPONSOR(S): PATRICK DOWD AND ALL MEMBERS

The proclamation was officially presented to his His Excellency, Vasil Sikharulidze, Ambassador of Georgia to the United States, Canada, and Mexico, at the Standing Committees Meeting of Council held December 3, 2008.

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

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

Bill No.

[2008-0933](#)

Resolution granting unto McCormick and Schmicks, 301 Fifth Avenue, Pittsburgh, PA 15222, 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 of Wood Street in the 2nd Ward, 6th Council District of the City of Pittsburgh.

Read and referred to Public Works Committee

Bill No.

[2008-0934](#)

Resolution granting unto Bakery Square Holdings, L.P., 5550 Walnut Street, Suite 300, Pittsburgh, PA 15232, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, private sewer lines with manholes on the right-of-way of Dahlem Place for the Bakery Square Project in the 12th Ward, 9th Council District of the City of Pittsburgh.

A motion was made that this matter be Waived under Rule 8. The motion carried.

Read and referred to Public Works Committee

Bill No.

[2008-0935](#)

Resolution vacating a portion of Magee and Colwell Streets in the 3rd, Ward, 6th Council District of the City of Pittsburgh.

Read and referred to Public Works Committee

Bill No.

[2008-0936](#)

Resolution vacating Robinson Court from Carrillo Street to Robinson Street in the 4th and 5th Wards, 6th Council District of the City of Pittsburgh.

Read and referred to Public Works Committee

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

Bill No.

[2008-0932](#)

Resolution authorizing the Department of Finance to enter into a professional services agreement or agreements for credit card acceptance services for the collection of Rental Permit Registration Fees owed to the City of Pittsburgh on an annual basis at a cost not to exceed Five Thousand Dollars (\$5,000.00) per year, and providing for the cost thereof.

Read and referred to Finance and Law Committee

Bill No.

[2008-0938](#)

Resolution making Appropriations to pay the expenses of conducting the Public Business of the City of Pittsburgh and for meeting the debt charges thereof for the Fiscal Year, beginning January 1, 2009.

Read and referred to Finance and Law Committee

Bill No.

[2008-0939](#)

Resolution fixing the number of officers and employees of the City of Pittsburgh, and the rate of compensation thereof, and setting minimum levels for designated positions.

Read and referred to Finance and Law Committee

Bill No.

[2008-0940](#)

Resolution adopting and approving the 2009 Capital Budget and the 2009 Community Development Block Grant Program; and approving the 2009 through 2013 Capital Improvement Program," by adjusting various line items in conformance with City Council's 2009 Capital Budget amendments.

Read and referred to Finance and Law Committee

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

Bill No. Resolution authorizing the appointment of Elizabeth Lewis Scripps, 100 7th Street, Pittsburgh, PA 15222, as a member of the Propel Pittsburgh Commission for a term to expire on August 1, 2010. Ms. Scripps is replacing Yu-Ling Cheng.

[2008-0937](#)

Held, Pending Interview to Hearings Committee

Bill No. Communication from City Clerk Linda J. Johnson-Wasler submitting the official resignation of Councilman Daniel Deasy as the District 2 Member, effective December 1, 2008.

[2008-0941](#)

Read, Received and Filed

UNFINISHED BUSINESS

Bill No. Resolution authorizing the appointment of Patrick Dowd, as a member of the Board of the Pittsburgh Water and Sewer Authority for a term to expire on December 31, 2009. Mr. Dowd is replacing Len Bodack.

[2008-0818](#)

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 for November 24, 2008 with an Affirmative Recommendation.

[2008-0929](#)

Read, Received and Filed

Bill No. Resolution amending Resolution No. 409, Item V, effective August 1, 2008, which authorized the sale of five (5) vacant lots, known as 7801, 7803 & 7805 Tioga Street and 506 & 508 Cora Street, 13th Ward, Block 175 C, Lots 183, 182, 182A, 184 & 185, to Clarence & Mary McCallister for the sum of \$6,000.00.

[2008-0910](#)

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution repealing items in Resolutions approved on various dates, authorizing the sale of properties in various wards of the City of Pittsburgh, in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984. Items A through D: A: 919 Chestnut; B: 2236 Dellrose; C: 1401 Columbus; D: 1425 Boyle.

[2008-0911](#)

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution providing for conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

[2008-0912](#)

ITEMS A through C. A: Maytide Lot C; B: 2150 Whited; C: 3517 Leech.

This Matter was Passed Finally on the Consent Agenda.

Bill No.
[2008-0913](#)

Resolution providing for the conveyance by the City of Pittsburgh of certain property, 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. ITEMS A through J. A: 3328 Ruthven; B: 339 Jewel; (C: 1526 Brighton DELETED BY AMENDMENT); D: 38 Mayflower; E: 3428 Ligonier; F: 6320 Meadow; G: 1933 Perrysville;
H: 168 Ulysses; I: 4722 Juniper; J: 1326 Truax.

This Matter was Passed Finally on the Consent Agenda.

Bill No.
[2008-0914](#)

Resolution providing for the filing of petitions for the sale of certain properties, 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 D. A: 117 and 119-121 Dilworth; B: 549 Kearns; (C: 2034 Ley DELETED BY AMENDMENT) ; D: 845 Excelsior.

This Matter was Passed Finally on the Consent Agenda.

Bill No.
[2008-0915](#)

Resolution providing for the filing of petitions for the sale of certain properties, 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 Z. A: 547 N. Aiken; B: 2214 Perrysville; (C: 843 Phineas DELETED BY AMENDMENT); D: 31 Roberts; E: 15 Wooster; F: 5117 Duncan; G: 233 N. Graham; H: 4808 Kincaid; (I: 1527 Brighton DELETED BY AMENDMENT); J: 3711-13 Mintwood; K: 2314 Berg; L: 312 Orwell; M: 3622 Brighton; N: 11 Sycamore; O: 2108 Boulevard of the Allies; P: 523 Lincoln; Q: 7202 Hermitage; R: 1575 Summerdale; S: 2329 Fremont; T: 1828 Realty; U: 605 Warrington; V: 471 Oneida; W: 6742 Thomas; X: 6620 Baker; Y: 2105 South 18th; Z: 1037 Salter.

This Matter was Passed Finally on the Consent Agenda.

Bill No.
[2008-0916](#)

Resolution providing for the filing of petitions for the sale of certain properties, 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 H. A: 1825 & 1827 Colwell; B: 1831 Colwell; C: 1835 Colwell; D: 1839, 41, 43, 45-47 Colwell & 1840 Diaz; E: 1901 Colwell & 1900-02 Diaz; F: 2001 Colwell; G: 2017, 19 & 21 Colwell; H: 2027, 29, 31 & 33 Colwell.

This Matter was Passed Finally on the Consent Agenda.

Bill No.
[2008-0917](#)

Resolution providing for the filing of petitions for the sale of certain properties, 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 E: A: 5110 Kincaid; B: 5101 Kincaid; C: 5167 Kincaid; D: 5123 Broad; E: 5121 Broad.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution realigning a total of \$2,049,860 between various accounts within the 2008
[2008-0925](#) Operating Budget. This transfer is necessary for the 2008 closeout in order to meet expenditures for the remainder of the fiscal year.

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: 7 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Ms. Payne, Mr. Peduto and Mr. Shields

Noes: 0

Abstentions: 0

Absent: 1 - Mr. Motznik

MR. KRAUS PRESENTS COMMITTEE ON PUBLIC SAFETY SERVICES

Bill No. Report of the Committee on Public Safety Services for November 24, 2008 with an
[2008-0930](#) Affirmative Recommendation.

Read, Received and Filed

Bill No. Ordinance Supplementing the Pittsburgh Code, Title Six, Conduct, Article One,
[2008-0831](#) Regulated Rights and Actions, by adding a new Chapter 624 entitled Lost and Stolen Firearms.

SPONSOR(S): WILLIAM PEDUTO, BRUCE A. KRAUS, DOUGLAS SHIELDS, DARLENE HARRIS, JIM MOTZNIK, TONYA D. PAYNE AND DAN DEASY

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

Votes: Ayes: 6 - Mr. Dowd, Mrs. Harris, Mr. Kraus, Ms. Payne, Mr. Peduto and Mr. Shields

Noes: 1 - Rev. Burgess

Abstentions: 0

Absent: 1 - Mr. Motznik

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

Bill No. Report of the Committee on Land Use and Economic Development for November 24,
[2008-0931](#) 2008 with an Affirmative Recommendation.

Read, Received and Filed

Bill No. Resolution approving a Conditional Use exception under the Pittsburgh Code, Title
[2008-0860](#) Nine, Zoning, Article V, Chapter 911, Section 911.04.A.94 to Goodwill of Southwestern Pennsylvania, owner, for authorization to occupy an existing structure located at 2400 East Carson Street as an expanded Custodial Care Facility for a

maximum of 49 adult males, on property zoned "LNC", Local Neighborhood Commercial District, 16th Ward.

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

Votes: Ayes: 6 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Peduto and Mr. Shields
Noes: 0
Abstentions: 0
Out of Room: 1 - Ms. Payne
Absent: 1 - Mr. Motznik

MOTIONS AND RESOLUTIONS

EXCUSE ABSENT MEMBER - MR. MOTZNIK

APPROVAL OF MINUTES

ADJOURNMENT