

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, March 23, 2010

10:00 AM

Council Chambers

City Council

**ONE-HUNDRED
THIRTY-SIXTH COUNCIL**

Darlene Harris, President

Council Members: Reverend Ricky V. Burgess, Patrick Dowd, Bruce A. Kraus, R. Daniel Lavelle, William Peduto, Natalia Rudiak, Douglas Shields, 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. Lavelle, Mr. Peduto, Ms. Rudiak, Mr. Shields and Mrs. Smith

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

Bill No.

[2010-0251](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate Nicky's Grant Street, Mrs. G and Nicky Geanopulos for successfully reaching twenty five years in business in the same location and serving as a popular meeting place for breakfast and lunch for Pittsburghers in downtown Pittsburgh.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Tuesday, March 16, 2010, to be "NICKY'S GRANT STREET DAY" in the City of Pittsburgh.

SPONSOR(S): BRUCE A. KRAUS, DOUGLAS SHIELDS, DARLENE HARRIS AND ALL MEMBERS

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

Bill No.

[2010-0252](#)

NOW, THEREFORE, BE IT RESOLVED, that Council of the City of Pittsburgh recognizes the 82nd birthday of Fred Rodgers and thanks the United Way and Family Communications, Inc. for working to promote and extend his legacy of being a good neighbor; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh hereby declares March 19, 2010, "Won't You Be My Neighbor?' 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.

[2010-0253](#)

NOW THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend St. Rosalia's CYM Basketball Team on a great season and a job well done;

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Sunday, March 21, 2010, to be "St. Rosalia's CYM Basketball Team Day" here 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. [2010-0255](#)
- NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh
1. honors the Clean Air Act by declaring, March 23, 2010, as Clean Air Act Day in the City of Pittsburgh; and
 2. applauds the Environmental Protection Agency (EPA) for listening to health professionals and scientists and proposing new smog limits that will protect our health and environment; and
 3. recognizes the urgency of supporting the integrity of the Clean Air Act and believes that the City of Pittsburgh has a part to play in this endeavor; and
 4. encourages the U.S. Congress, and Pennsylvania's Senators Arlen Specter and Robert Casey in particular, to keep intact the Clean Air Act and to ensure that the Environmental Protection Agency (EPA) retains the authority to regulate global warming pollution from all sources, including existing power plants and new coal plants, and that coal plants meet smokestack-specific, plant-by-plant standards for global warming pollution.

SPONSOR(S): WILLIAM PEDUTO AND ALL MEMBERS

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

PUBLIC COMMENTS

PRESENTATION OF PAPERS

COUNCILMAN DOUGLAS SHIELDS PRESENTS:

- Bill No. [2010-0250](#)
- Ordinance amending the Pittsburgh Code, Title V- Traffic, Article I, Administrative, Chapter 503, Enforcement and Control, prohibiting the non-emergency use of compression brakes at a new section at 503.15

SPONSOR(S): DOUGLAS SHIELDS

Read and referred to Public Safety Services Committee

COUNCILWOMAN THERESA KAIL-SMITH PRESENTS:

- Bill No. [2010-0246](#)
- Resolution providing for a Contract or Contracts, or the use of existing Contracts for the purchase of fire nozzles and other firefighting equipment for the Fire Bureau at a cost not to exceed Two hundred thousand dollars (\$200,000.00) and providing for the payment thereof.

Read and referred to Public Safety Services Committee

- Bill No. [2010-0247](#)
- Resolution providing for a Contract or Contracts, or the use of existing Contracts for the purchase of protective clothing and other related equipment for the Fire Bureau at a cost not to exceed Two hundred thousand dollars (\$200,000.00) and providing for the payment thereof.

Read and referred to Public Safety Services Committee

COUNCIL PRESIDENT DARLENE M. HARRIS PRESENTS:

Bill No. Ordinance amending the Pittsburgh Code at various places in Title Five: Traffic,
[2010-0248](#) Article VII: Parking, so as to increase the fines for illegal parking.

**SPONSOR(S): DARLENE HARRIS, PATRICK DOWD, BRUCE A. KRAUS,
NATALIA RUDIAK AND DOUGLAS SHIELDS**

Read and referred to Public Safety Services Committee

Bill No. Ordinance amending the Pittsburgh Code Title Five: Traffic, Article III: Towing,
[2010-0249](#) Section 521.01: Vehicle Immobilization, Removal and Impoundment, so as to increase
the time allotted for accumulation of unpaid tickets from 18 to 36 months for booting.

SPONSOR(S): DARLENE HARRIS

Read and referred to Public Safety Services Committee

UNFINISHED BUSINESS**REPORTS OF COMMITTEE - FINAL ACTION****COUNCILMAN PEDUTO PRESENTS COMMITTEE ON FINANCE AND LAW**

Bill No. Report of the Committee on Finance and Law for March 17, 2010 with an Affirmative
[2010-0241](#) Recommendation.

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

Bill No. Resolution authorizing and directing the Mayor to issue and the City Controller to
[2010-0207](#) countersign a warrant in the amount of Seventy-two Thousand, One Hundred and
Ninety-five Dollars and Seven Cents (\$72,195.07) to the Commonwealth of
Pennsylvania representing payment required for unclaimed funds for the year 2004,
pursuant to the provisions of Deposition of Abandoned and Unclaimed Property Act,
Act of August 9, 1971 P.L. 74.

**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. Lavelle, Mr. Peduto,
Ms. Rudiak, Mr. Shields and Mrs. Smith

Noes: 0

Abstentions: 0

Bill No. Resolution providing for the issuance of a Twenty-Three Thousand Eight Hundred
[2010-0208](#) Thirty-Nine Dollar and Thirty-Three Cent (\$23,839.33) warrant in favor of TBE, Inc.
d/b/a Sonitrol Security Systems c/o Shawn T. Flaherty, Esquire, Flaherty Fardo, LLC,
5541 Walnut Street, Pittsburgh, PA 15232, in settlement of an action filed in the
Court of Common Pleas of Allegheny County, Pennsylvania at GD 09-015612 for
damages arising from a contract entered into between the City and TBE, Inc. for
installation of certain goods and materials on or about May 3, 2006.

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. Lavelle, Mr. Peduto, Ms. Rudiak, Mr. Shields and Mrs. Smith
Noes: 0
Abstentions: 0

COUNCILWOMAN SMITH PRESENTS COMMITTEE ON PUBLIC SAFETY SERVICES

Bill No. [2010-0242](#) Report of the Committee on Public Safety Services for March 17, 2010 with an Affirmative Recommendation.

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

Bill No. [2010-0209](#) Resolution amending Resolution No. 12, effective February 2, 2001, entitled, "Resolution authorizing the issuance of a warrant in favor of Director, Department of Public Safety in the amount of Twenty Thousand Dollars (\$20,000.00) for the purpose of establishing an imprest fund for the Bureau of Police, Department of Public Safety" by including additional language to include or Witness Protection on the endorsement.

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. Lavelle, Mr. Peduto, Ms. Rudiak, Mr. Shields and Mrs. Smith
Noes: 0
Abstentions: 0

COUNCILMAN KRAUS PRESENTS COMMITTEE ON PUBLIC WORKS

Bill No. [2010-0243](#) Report of the Committee on Public Works for March 17, 2010 with an Affirmative Recommendation.

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

Bill No. [2010-0215](#) Ordinance amending the Pittsburgh Code, Title Seven, Business Licensing, Chapter 719, Vendors and Peddlers, Section 719.10, Lists of Sites Approved by Council, by amending permanent street and sidewalk vending sites.

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. Lavelle, Mr. Peduto, Ms. Rudiak, Mr. Shields and Mrs. Smith
Noes: 0
Abstentions: 0

COUNCILMAN SHIELDS PRESENTS COMMITTEE ON LAND USE & ECONOMIC DEVELOPMENT

Bill No. [2010-0244](#) Report of the Committee on Land Use and Economic Development for March 17, 2010 with an Affirmative Recommendation.

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

Bill No. [2009-2038](#) Ordinance amending the Pittsburgh Code, Title Nine, Zoning Code, Article IV, Chapter 914, Parking and Loading Access, to provide for and to incentivize bicycle parking. (PUBLIC HEARING HELD MARCH 9, 2010)

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. Lavelle, Mr. Peduto, Ms. Rudiak, Mr. Shields and Mrs. Smith
Noes: 0
Abstentions: 0

COUNCILMAN DOWD PRESENTS COMMITTEE ON INTERGOVERNMENTAL AFFAIRS

Bill No. [2010-0245](#) Report of the Committee on Intergovernmental Affairs for March 17, 2010 with an Affirmative Recommendation.

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

Bill No. [2010-0212](#) Resolution approving execution of a Contract for Disposition by Sale of Land by and between the Urban Redevelopment Authority of Pittsburgh and S & A Homes, or an entity to be formed, for the sale of Block 50-K, Lot 166 and Block 50-F, Lot 35 in the 10th Ward of the City of Pittsburgh - Council District No. 9 - 5012 Broad Street and 5021 Kincaid Street.

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. Lavelle, Mr. Peduto, Ms. Rudiak, Mr. Shields and Mrs. Smith
Noes: 0
Abstentions: 0

Bill No. [2010-0213](#) Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire 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-E, Lot 259 (Council District No. 6 - Site Assemblage for Residential Development - 228 Dinwiddie Street).

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. Lavelle, Mr. Peduto, Ms. Rudiak, Mr. Shields and Mrs. Smith

Noes: 0

Abstentions: 0

Bill No.

[2010-0214](#)

Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 13th Ward of the City of Pittsburgh owned by John M. and Betty Wallace and designated as Block 174-N, Lots 190 and 192, in the Deed Registry Office of Allegheny, under the Residential Land Reserve Fund (536 and 540 North Homewood Avenue - Council District No. 9).

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. Lavelle, Mr. Peduto, Ms. Rudiak, Mr. Shields and Mrs. Smith

Noes: 0

Abstentions: 0

MOTIONS AND RESOLUTIONS

Bill No.

[2010-0254](#)

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh urges Allegheny County Council Members to vote in favor of the prevailing wage legislation which will make sure taxpayer money supports fair wages.

SPONSOR(S): WILLIAM PEDUTO AND ALL MEMBERS

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

EXCUSE ABSENT MEMBERS

APPROVAL OF MINUTES

ADJOURNMENT

LEGISLATION PRESENTED BY SIGN INTERPRETER