

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 13, 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.

[2010-0315](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh hereby recognizes the Paralyzed Veteran's of America for upholding the commitment to improving the quality of life and protecting the rights of paralyzed veterans; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare April 11- 17, 2010, Paralyzed Veterans Awareness Week 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.

[2010-0316](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize and commend Family Resources of PA for their active and successful efforts to protect children; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Tuesday, April 27, 2010, to be "FAMILY RESOURCES OF PA 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.

[2010-0317](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize April 22, 2010 as Earth Day and encourage communities to get involved; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Tuesday, April 13, 2010, to be "Environment Awareness 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.

Bill No.

[2010-0318](#)

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby recognize, in sincere and heartfelt appreciation, sympathy, and solidarity, Dr. Gary Anthony Cuccia, Mrs. Johanna S. Cuccia, Demi's siblings Jake, Steve, Saige, and Alexa, and the Board of Directors of the Demi Brae Cuccia Awareness Organization, for encouraging, endorsing, and supporting widespread knowledge and understanding of Teen Dating Violence.

SPONSOR(S): DARLENE HARRIS AND ALL MEMBERS

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

Bill No.

[2010-0319](#)

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby join with the Demi Brae Cuccia Awareness Organization, in encouraging, endorsing, and supporting the passage of H.B. 2026, the Demi Brae Cuccia Law, by the legislature of the Commonwealth of Pennsylvania; and it is

FURTHER RESOLVED that the Council of the City of Pittsburgh urges citizens to better educate themselves on dating violence, beginning by visiting www.DemiBrae.com.

SPONSOR(S): DARLENE HARRIS

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

Bill No.

[2010-0320](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate Amen Corner for recognizing Wendell G. Freeland with their Professional Achievement Award for his outstanding career and accomplishments in the field of law and justice; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Thursday, May 7, 2009, to be "WENDELL G. FREELAND 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.

[2010-0321](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate Amen Corner for recognizing Judge Joseph M. James with the Judge Robert E. Dauer Award for Judicial Leadership and Excellence for his outstanding career and achievement in the field of law and justice; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Thursday, May 7, 2009, to be "JUDGE JOESPH M. JAMES 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. [2010-0322](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate Amen Corner for recognizing Raymond L. Billotte with their Special Recognition Award for his outstanding career and accomplishments in the field of law and justice; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Thursday, May 7, 2009, to be “RAYMOND L. BILLOTTE DAY” in the City of Pittsburgh.

BRUCE A. KRAUS R. DANIEL LAVELLE, BILL PEDUTO,
NATALIA RUDIAK AND THERESA KAIL-SMITH

SPONSOR(S): DOUGLAS SHIELDS

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

Bill No. [2010-0323](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate Amen Corner for recognizing Judge Kate Ford Elliot with the Judge Robert E. Dauer Award for Judicial Leadership and Excellence for her outstanding career and achievement in the field of law and justice; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Thursday, May 7, 2009, to be “JUDGE KATE FORD ELLIOT DAY” in the City of Pittsburgh.

SPONSOR(S): DOUGLAS SHIELDS

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

Bill No. [2010-0324](#) NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby recognize the 50th Anniversary of the Pennsylvania AFL-CIO, and does declare this week to be “Pennsylvania AFL-CIO Week” in the City of Pittsburgh.

SPONSOR(S): DARLENE HARRIS AND ALL MEMBERS

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

Bill No. [2010-0325](#) NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby thank every single library and librarian, and does declare this week to be “Library Week” in the City of Pittsburgh.

SPONSOR(S): DARLENE HARRIS AND ALL MEMBERS

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

Bill No. [2010-0326](#) NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby offer sincerest condolences to the family and friends of this devoted citizen, and does hereby remember and honor William Minton.

SPONSOR(S): DARLENE HARRIS AND ALL MEMBERS

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

PUBLIC COMMENTS

PRESENTATION OF PAPERS

COUNCILMAN REV. RICKY V. BURGESS PRESENTS:

Bill No. Ordinance supplementing Pittsburgh City Code, Title I, Administrative, Article III:
[2010-0314](#) Organization, Chapter 121, Department of Finance, by adding Section 121.02 (i), Fleet Management Systems.

SPONSOR(S): REVEREND RICKY V. BURGESS

A motion was made that this matter be Read and referred to the Performance and Asset Management Committee. The motion carried.

COUNCILMAN BRUCE A. KRAUS PRESENTS:

Bill No. Resolution providing for a Contract or Contracts or for the use of existing Contracts,
[2010-0307](#) 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 Brookline Community Fitness Center; and further providing for the payment of the costs thereof. Cost not to exceed \$115,000.00.

A motion was made that this matter be Read and referred to the Public Works Committee. The motion carried.

Bill No. Resolution further amending Resolution No.762, effective December 28, 2005, as
[2010-0308](#) amended, entitled "Adopting and approving the 2006 Capital Budget and the 2006 Community Development Block Grant Program; and approving the 2006 through 2011 Capital Improvement Program," by transferring \$100,000.00 from the "Fire Station Design/Construction" line item and creating the "Brookline Community Fitness Center" line item in the amount of \$100,000.00.

A motion was made that this matter be Read and referred to the Public Works Committee. The motion carried.

Bill No. Resolution further amending Resolution No. 833, effective January 1, 2002, as
[2010-0309](#) amended, entitled "Adopting and approving the 2002 Capital Budget and the 2002 Community Development Block Grant Program; and approving the 2002 through 2007 Capital Improvement Program," by transferring the "Phillips Deck Hockey" line item in the amount of \$50,000.00 to new line items entitled "Traffic Division Plotter Printer" in the amount of \$35,000.00 and "Brookline Community Fitness Center" in the amount of \$15,000.00.

A motion was made that this matter be Read and referred to the Public Works Committee. The motion carried.

Bill No. Resolution providing for a Contract or Contracts or for the use of existing Contracts,
[2010-0310](#) 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 Traffic Division Printer Plotter; and further providing for the payment of the costs thereof. Cost not to exceed \$35,000.00.

A motion was made that this matter be Read and referred to the Public Works Committee. The motion carried.

COUNCILMAN WILLIAM PEDUTO PRESENTS:

Bill No. [2010-0306](#) Resolution further amending and supplementing Resolution No. 592, effective December 13, 2004, as amended by Resolution No. 320, effective June 15, 2007, as amended by Resolution No. 63, effective February 20, 2008 entitled: "Providing for an Agreement or Agreements and a Lease or Leases by and between the City of Pittsburgh ("City") and First Vehicle Services ("First Vehicle"), pursuant to which First Vehicle will furnish all work and services needed to manage and maintain the City's vehicle fleet," by extending the contract on a month to month basis for up to six (6) months and authorizing funding for said extension period.

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

A motion was made that this matter be Read and referred to the Performance and Asset Management Committee. The motion carried.

COUNCILMAN DOUGLAS SHIELDS PRESENTS:

Bill No. [2010-0311](#) Resolution providing for the designation as a Historic Structure under Title 11 of the Code of Ordinances that certain structure known as the former Iron City Brewery, located at 3340 Liberty Avenue, block and lot numbers 26-A-300, 26-A-140, 25-D-296, and 26-A-137, in the 6th Ward, City of Pittsburgh.

A motion was made that this matter be Read and referred to the Land Use and Economic Development Committee. The motion carried.

COUNCILWOMAN DARLENE HARRIS, PRESIDENT OF COUNCIL, PRESENTS:

Bill No. [2010-0312](#) Resolution further amending and supplementing Resolution No. 258, 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 for the purchase of materials, supplies, equipment, and/or services for various projects in connection with the Neighborhood Needs Program; and providing for the payment of the costs thereof by adding \$5,500 to each of the following three neighborhood groups for a surveillance camera: Summer Hill Citizens Council, East Allegheny Community Council, and Brightwood Civic Group, and by also adding \$4,000 to Observatory Hill Inc, \$1,000 to Observatory Hill Newsletter and \$4,000 to Perry Athletic Association-baseball/soccer, in Council District 1. The total amount of all projects is not to exceed \$1,000,000.

SPONSOR(S): DARLENE HARRIS

A motion was made that this matter be Read and referred to the Finance and Law Committee. The motion carried.

Bill No. [2010-0313](#) Resolution amending and supplementing Resolution No. 861, effective January 1, 2000, as amended, entitled: "Adopting and approving the 2000 Capital; 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 \$5,500 to each of the following three neighborhood groups for a surveillance camera: Summer Hill Citizens Council, East Allegheny Community Council, and Brightwood Civic Group, and by adding \$4,000 to Observatory Hill Inc, and \$1,000 to Observatory Hill Newsletter and \$4,000 to Perry Athletic Association-baseball/soccer, and by adjusting various other projects in Council District 1 Neighborhood Needs.

SPONSOR(S): DARLENE HARRIS

A motion was made that this matter be Read and referred to the Land Use and Economic Development Committee. The motion carried.

UNFINISHED BUSINESS

REPORTS OF COMMITTEE - FINAL ACTION

COUNCILMAN PEDUTO PRESENTS COMMITTEE ON FINANCE AND LAW

Bill No. [2010-0304](#) Report of the Committee on Finance and Law for April 7, 2010 with an Affirmative Recommendation.

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

Bill No. [2010-0257](#) Resolution providing for the issuance of a of Twenty-Seven Thousand, Five Hundred Dollars(\$27,500.00) warrant in favor of Margaret and Dennis Ingold c/o Virginia Spencer Scott, Esquire,Ainsman, Levine & Drexler, LLC, 330 Grant Street, Suite 2201, Pittsburgh, PA 15219, in settlementof an action filed in the Court of Common Pleas of Allegheny County, Pennsylvania at GD 09-10295for personal injuries and damages arising from a slip and fall on or about July 1, 2008, at or near Calle Street and Conniston Avenue, in the City of Pittsburgh.

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. [2010-0258](#) Resolution providing for the issuance of a \$5,787.32 warrant in favor of Sacred Heart Parish, of 310 Shady Avenue, Pittsburgh, PA 15206, in settlement of a claim for sidewalk damage due to City tree roots on August 14, 2009.

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 amending Resolution No. 670 of 2008, to permit \$7,000 already transferred to the District 9 Crime Trust Fund to now be used as additional funding for the City's previously authorized Professional Services Agreement with Professor David Kennedy for consulting services on the Pittsburgh Initiative to Reduce Crime (PIRC).

[2010-0266](#)

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

COUNCILMAN KRAUS PRESENTS COMMITTEE ON PUBLIC WORKS

Bill No. Report of the Committee on Public Works for April 7, 2010 with an Affirmative Recommendation.

[2010-0305](#)

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

Bill No. Resolution naming the building located at the West End Elliott Overlook as the ELMER CLARK PAVILION.

[2010-0265](#)

SPONSOR(S): THERESA SMITH

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. NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby recognizes the Pittsburgh Public Theater Corporation to be a civic and/or service organization within the context of the Pennsylvania Small Games of Chance Act, as amended.

[2010-0327](#)

SPONSOR(S): R. DANIEL LAVELLE

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

APPROVAL OF MINUTES

ADJOURNMENT

LEGISLATION PRESENTED BY SIGN LANGUAGE INTERPRETER