

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, June 17, 2008

10:00 AM

Council Chambers

City Council

**ONE-HUNDRED
THIRTY-FIFTH COUNCIL**

Douglas Shields, President

**Council Members: Reverend Ricky V. Burgess, Dan Deasy, 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 - Mr. Deasy, Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Motznik, Ms. Payne and Mr. Shields
Absent: 1 - Mr. Peduto

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

Bill No. [2008-0528](#)
NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh hereby applauds the community-building efforts of the MGR Foundation as it instills at-risk youth with a sense of belonging in their respective communities and empowers each of them to improve their surrounding environment; and,
BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh declares Saturday, June 21, 2008, the third Community Art Day in Lawrenceville, to be "MGR Foundation 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. [2008-0529](#)
NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend The Delta Foundation and the Pridefest Committee for their commitment to promote unity and visibility for the GLBT Community and for their diligent work in promoting awareness and support in the Pittsburgh region; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare June 16 - June 22, 2008, to be "PITTSBURGH PRIDE WEEK" 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. [2008-0530](#)
NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize the many accomplishments of Herb Green - for his devotion to his family; for his excellence in his profession; for his many selfless acts on behalf of his family, colleagues country and the city he loved, and
BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh, in recognition of a life well lived, does hereby declare Friday, June 20, 2008, the first day of summer, to be Herb Green 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. [2008-0531](#)
NOW THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend Andrew Allen of Showcase Barbeque for his dedication to the Homewood Community.

SPONSOR(S): REVEREND RICKY V. BURGESS AND ALL MEMBERS

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

Bill No. NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby recognizes The Frankstown Club to be a civic and/or service organization within the context of the Pennsylvania Small Games of Chance Act, as amended.

[2008-0532](#)

SPONSOR(S): 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 Code of Ordinances, Title Nine, Zoning, Article I, Introduction and Establishment, Chapter 902, Zoning Districts in General, Section 902.02, Zoning District Hierarchy; Article IV, Planning Districts, Chapter 909, Planned Development Districts, Section 909.02, PUD, Planned Unit Development District; and Article VII, Review and Enforcement, Chapter 922, Development Review Procedures; in order to revise site development standards for calculating the maximum permitted density in new Planned Unit Development Districts; to add additional density bonuses; to amend the requirements for determining maximum permitted height; to clarify procedures for approving changes of use; and to establish a LEED Building Trust Fund.

[2008-0520](#)

Read and referred to Land Use and Economic Development Committee

Bill No. Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article I, Section 902.03 Zoning Map, by changing from Oakland Public Realm Subdistrict B and RM-VH, Residential Multi-Unit Very High Density District to RP, Residential Planned Unit Development District, certain property bounded by North Dithridge St.; Centre Avenue; North Craig St.; Lot No. 102, Block No. 27-D in the Allegheny County Block and Lot System; Chesney Way; and Lot No. 59, Block No. 27-D in the aforesaid system; 4th Ward.

[2008-0521](#)

Read and referred to Land Use and Economic Development Committee

Bill No. Resolution further amending and supplementing Resolution No.759, effective December 18, 2006, as amended, entitled: "Adopting and approving the 2007 Capital Budget and the 2007 Community Development Block Grant Program; and approving the 2007 through 2012 Capital Improvement Program," by adjusting various line-items to reflect additional funding available under the Emergency Shelter Grant program.

[2008-0522](#)

Read and referred to Land Use and Economic Development Committee

MR. DEASY, CHAIRPERSON OF THE COMMITTEE ON INTERGOVERNMENT AFFAIRS, PRESENTS

Bill No. Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an Application to the Pennsylvania Office of the Budget for a Redevelopment Assistance Capital Program grant of up to \$5,600,000 for the Market Square Place project.

[2008-0523](#)

(Council District 6)

Read and referred to Intergovernmental Affairs Committee

Bill No.

[2008-0524](#)

Resolution authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh in connection with URA's application for a Redevelopment Assistance Capital Program grant of up to \$5,600,000 for the Market Square Place project. (Council District 6)

Read and referred to Intergovernmental Affairs Committee

Bill No.

[2008-0526](#)

Resolution amending Resolution No. 253, effective May 21, 2008 entitled: providing for an Agreement or Agreements with various community organizations for operational/administrative expenses, maintenance, purchase of equipment and/or rehabilitation of neighborhood facilities and the benefit of residents of the City of Pittsburgh; and further, authorizing various City Departments to enter into contract or contracts or use existing contract or contracts for street paving, the purchase of equipment and/or furniture and other related costs at a costs not to exceed 800,000.00, so as to reprogram funds in City Council from "District 2-Equipment" (-3,000) and transfer these funds to: "Southwest PA Athletic Association" (+3,000).

SPONSOR(S): DAN DEASY

Read and referred to Land Use and Economic Development Committee

Bill No.

[2008-0527](#)

Resolution amending Resolution No.254, effective May 21, 2008 entitled: by providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 2007 Community Development Block Grant Program; providing for the execution of grant contracts and for the filing of other data providing for required assurances; providing for execution of payment vouchers on letter of credit and for certification of authorized signature; the deposit of the funds in a bank account and providing for the payment of expenses within categories; so as to reprogram funds in City Council from "District 2-Equipment" (-3,000) and transfer these funds to "Southwest PA Athletic Association" (+3,000).

SPONSOR(S): DAN DEASY

Read and referred to Land Use and Economic Development Committee

MR. DOWD, CHAIRPERSON OF THE COMMITTEE ON URBAN RECREATION, PRESENTS:

Bill No.

[2008-0525](#)

Resolution authorizing the City of Pittsburgh ("City") to Petition the Court of Common Pleas of Allegheny County to sell a certain lot ("Property"), now part of Highland Park, to Michael Gallagher and Angela Scolieri Gallagher, his wife ("Buyers"), for the sum of Fifteen Thousand Dollars (\$15,000.00), or upon such other terms and conditions as the Court may authorize and/or direct.

SPONSOR(S): PATRICK DOWD

Read and referred to Finance and Law Committee

UNFINISHED BUSINESS

Bill No. Resolution authorizing the reappointment of Adelaide Smith, 230 North Craig Street, Pittsburgh, PA 15213, as a member of the Commission on Human Relations for a term to expire on April 1, 2012.

[2008-0463](#)

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

Bill No. Resolution authorizing the reappointment of Reverend Tim Smith, 636 Dornbush Street, Pittsburgh, PA 15221, as a member of the Commission on Human Relations for a term to expire on April 1, 2012.

[2008-0464](#)

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

REPORTS OF COMMITTEE - FINAL ACTION

MR. KRAUS PRESENTS COMMITTEE ON PUBLIC SAFETY SERVICES

Bill No. Report of the Committee on Public Safety Services for June 11, 2008 with an Affirmative Recommendation.

[2008-0517](#)

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

Bill No. Resolution authorizing and providing for an extension and/or amendment of lease agreement and/or agreements with Associated Investors, Inc. of certain indoor office space occupied by the Citizen Police Review Board for a term of five (5) years at a cost not to exceed \$57,500 per lease year for the first thirty (30) months of the lease term and \$60,000 per lease year for the remaining thirty (30) months of the lease term.

[2008-0481](#)

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

Votes: Ayes: 8 - Rev. Burgess, Mr. Deasy, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Motznic, Ms. Payne and Mr. Shields

Noes: 0

Abstentions: 0

Absent: 1 - Mr. Peduto

MRS. HARRIS PRESENTS COMMITTEE ON PUBLIC WORKS

Bill No. Report of the Committee on Public Works for June 11, 2008 with an Affirmative Recommendation.

[2008-0518](#)

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

Bill No. Ordinance amending and supplementing the Pittsburgh Code, by amending Title Four - Public Places and Property, Article I - Streets and Sidewalks, Chapter 416 - Obstructions, Sections 416.01 - Minor street obstructions; permit required, and 416.02 - Permit fee for minor street obstructions, by providing for a new extension of premises permit and a fee for such permit.

[2008-0476](#)

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

Votes: Ayes: 7 - Rev. Burgess, Mr. Deasy, Mr. Dowd, Mrs. Harris, Mr. Kraus, Ms. Payne and Mr. Shields
Noes: 1 - Mr. Motznik
Abstentions: 0
Absent: 1 - Mr. Peduto

Bill No. Resolution granting unto 3609 Forbes Oakland Partners L.P., 3609 Forbes Avenue, Pittsburgh, PA 15213, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, condensing units at Euler Way for 3609 Forbes Avenue, in the 4th Ward, 6th Council District of the City of Pittsburgh.

[2008-0477](#)

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution granting unto Riverside Development Corporation 80 Union Avenue, Pittsburgh, PA 15202, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, concrete stoops and steps with metal rail and planting area on the right-of-way at 19 and 21 S. 18th Street in the 17th Ward, 3rd Council District of the City of Pittsburgh.

[2008-0478](#)

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution accepting the dedication of Josh Gibson Drive for public highway purposes, accepting the grading, paving, curbing, signage and fixing the width and position of the roadway and sidewalks thereof, in the 26th Ward, 6th Council District of the City of Pittsburgh.

[2008-0479](#)

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution vacating portions of a Colwell Street, Congress Street, Elm Street and Our Way in the 3rd Ward, 6th Council District, of the City of Pittsburgh.

[2008-0480](#)

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. Deasy, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Motznik, Ms. Payne and Mr. Shields
Noes: 0
Abstentions: 0
Absent: 1 - Mr. Peduto

MS. PAYNE PRESENTS COMMITTEE ON HUMAN RESOURCES COMMITTEE

Bill No. Report of the Committee on Human Resources for June 11, 2008 with an Affirmative
[2008-0519](#) Recommendation.

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

Bill No. Resolution providing for the filing of an application or applications by the City of
[2008-0475](#) Pittsburgh with the U.S. Department of Labor and/or Commonwealth of Pennsylvania for a grant or grants in connection with the Workforce Investment Act of 1998 (WIA) and/or the Joint Jobs Initiative Program Employment Advancement and Retention Network (EARN);

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

Votes: Ayes: 8 - Rev. Burgess, Mr. Deasy, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Motznic, Ms. Payne and Mr. Shields
Noes: 0
Abstentions: 0
Absent: 1 - Mr. Peduto

Bill No. Ordinance amending and supplementing the Pittsburgh Code, Title One,
[2008-0484](#) Administrative, Article XI Personnel, Chapter 186, Domestic Partnership and Common Law Spouse Benefits, by providing enhancements relating to a Mutual Commitment Registry.

SPONSOR(S): BRUCE A. KRAUS AND DOUGLAS SHIELDS

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

Votes: Ayes: 7 - Mr. Deasy, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Motznic, Ms. Payne and Mr. Shields
Noes: 1 - Rev. Burgess
Abstentions: 0
Absent: 1 - Mr. Peduto

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

Votes: Ayes: 7 - Mr. Deasy, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Motznic, Ms. Payne and Mr. Shields
Noes: 1 - Rev. Burgess
Abstentions: 0
Absent: 1 - Mr. Peduto

MOTIONS AND RESOLUTIONS

**MOTION TO WAIVE THE RULES OF COUNCIL FOR INTRODUCTION OF
2008-0533 DURING THE STANDING COMMITTEES MEETING OF JUNE 18TH.
APPROVED 7-1**

**AYES: Rev. Burgess, Mr. Deasy, Mrs. Harris, Mr, Kraus, Mr. Motznik, Ms. Payne, Mr.
Shields ; NOES: Mr. Dowd**

Bill No.

[2008-0533](#)

NOW, THEREFORE, BE IT RESOLVED that in the spirit of cooperation, the Council of the City of Pittsburgh requests that the School Board delay a final vote on the closing of Schenley High so that all interested stakeholders of the District have an opportunity to request and receive pertinent data and reports surrounding this controversial school closing, and so that residents, as well as other elected officials and community leaders, can come together to explore any and all alternatives to the current plan to close Schenley High School forever.

SPONSOR(S): DARLENE HARRIS AND TONYA D. PAYNE

A motion was made that this matter be Adopted. The motion failed by the following vote:

Votes: Ayes: 4 - Mrs. Harris, Mr. Kraus, Ms. Payne and Mr. Shields

Noes: 3 - Rev. Burgess, Mr. Deasy and Mr. Dowd

Abstentions: 1 - Mr. Motznik

Absent: 1 - Mr. Peduto

EXCUSE ABSENT MEMBER - MR. PEDUTO

APPROVAL OF MINUTES

ADJOURNMENT