

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, February 28, 2012

10:00 AM

Council Chambers

City Council

**ONE-HUNDRED
THIRTY-SEVENTH COUNCIL**

Darlene M. Harris, President

**Council Members: Rev. Ricky V. Burgess, Patrick Dowd, Bruce A. Kraus, R. Daniel Lavelle,
Corey O'Connor, William Peduto, Natalia Rudiak, Theresa Kail-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. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

Bill No.

[2012-0144](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend; the Urban League Young Professionals for their service and dedication to the Urban League of Greater Pittsburgh; and,

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby declare Monday, February 20, 2012, to be "Urban League Young Professionals 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.

[2012-0145](#)

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby honor Mike and Robert-Perry Nichols demonstration of courage and commitment to the most delicate lives in our community; and

Be it further resolved, that the Council of the City of Pittsburgh does hereby declare Tuesday, February 28, Mike and Robert-Perry Nichols 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.

[2012-0146](#)

NOW, THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does hereby commend and honor Hilda Pang Fu , President of Luminari, Inc and her Officers and Board for their extraordinary vision to develop the region's most valuable assets, its young people, and congratulates them on the successful development of LUMINARI; and,

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby declare February 28, 2012, to be "I WANT TO BE AN AMBASSADOR! DAY" in the City of Pittsburgh.

SPONSOR(S): COREY O'CONNOR AND ALL MEMBERS

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

Bill No.

[2012-0147](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby celebrate the 100th anniversary of Carnegie Mellon University's School of Music; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare February 28, 2012 to be "The Carnegie Mellon University School of Music 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.

[2012-0148](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend Mr. Greg Panza for his dedication in making Mount Washington, Duquesne Heights and the City of Pittsburgh a place for the residents to take pride in and have a better life; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Tuesday, February 28 , 2012, to be “Greg Panza 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.

[2012-0149](#)

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby officially recognizes February 28, 2012, as “Spay Day” in the City of Pittsburgh.

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 PATRICK DOWD PRESENTS:

Bill No.

[2012-0134](#)

Resolution adopting Plan Revision to the City of Pittsburgh's Official Sewage Facilities Plan for Mellon Park Spray Park Facility, at 6549 Fifth Avenue, Pittsburgh, PA 15206.

Read and referred to Intergovernmental Affairs Committee

Bill No.

[2012-0135](#)

Resolution adopting Plan Revision to the City of Pittsburgh's Official Sewage Facilities Plan for Mintwood Townhouses, 4026 Mintwood, 15224.

Read and referred to Intergovernmental Affairs Committee

Bill No.

[2012-0136](#)

Resolution adopting Plan Revision to the City of Pittsburgh's Official Sewage Facilities Plan for East Hills Spray Park Facility.

Read and referred to Intergovernmental Affairs Committee

COUNCILWOMAN DARLENE HARRIS PRESENTS:

Bill No.

[2012-0138](#)

Resolution submitting the names of Thomas Kolono, Thomas C. Waters and Joelle E. Tighe for consideration by the Mayor for an appointment to fill the expired terms on the Citizens Police Review Board, in accordance with the Pittsburgh City Code, Title Six, Conduct, Article VI, Citizen Police Review Board.

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

Bill No. Resolution authorizing the appointment of Pastor Ann Miller Smith, 1946 Lowrie Street, Pittsburgh, PA 15212, as a member of the Ethics Hearing Board for a term to expire on August 1, 2013.

[2012-0139](#)

A motion was made that this matter be Held, Pending Interview to the Hearings Committee. The motion carried.

Bill No. Resolution authorizing the appointment of Richard G. Talarico, 5547 Fair Oaks Street, Pittsburgh, PA 15217, as a member of the Ethics Hearing Board for a term to expire on August 1, 2013.

[2012-0140](#)

A motion was made that this matter be Held, Pending Interview to the Hearings Committee. The motion carried.

Bill No. Resolution authorizing the reappointment of John C. Welch, 611 Wilkinsburg Avenue, Pittsburgh, PA 15221, as a member of the Ethics Hearing Board for a term to expire on August 1, 2012.

[2012-0141](#)

A motion was made that this matter be Held, Pending Interview to the Hearings Committee. The motion carried.

Bill No. Resolution authorizing the appointment of Patrick J. Bigley, 112 Carol Circle, Pittsburgh, PA 15227, as a member of the Pittsburgh Water and Sewer Authority for a term to expire on December 31, 2016.

[2012-0142](#)

A motion was made that this matter be Held, Pending Interview to the Hearings Committee. The motion carried.

COUNCILMAN R. DANIEL LAVELLE PRESENTS:

Bill No. Ordinance amending the Pittsburgh Code, Title VII, Business Licensing, Article III, Sales Businesses, Chapter 719, Vendors and Peddlers, to prohibit peddling and vending within certain public rights of way without the consent of the property owner and to adjust the area delineated in Map 3 to include the Consol Energy Center.

[2012-0137](#)

SPONSOR(S): R. DANIEL LAVELLE

Read and referred to Public Safety Services Committee

Bill No. Ordinance amending the Pittsburgh City Code, Title Six: Conduct, Article VI: Citizen Police Review Board, Chapter §662.04(e), Section (7), by delineating the process to follow should the appointing authority fail to designate a successor for an expired seat in the Citizens Police Review Board, and amending Pittsburgh City Code, Title Six: Conduct, Article VI: Citizen Police Review Board, Chapter §662.04(f), Sections (2) & (3), by delineating the process to follow for nominations of vacant terms to the Citizens Police Review Board that require confirmation from the Mayor, and for vacant terms requiring confirmation from City Council.

[2012-0143](#)

SPONSOR(S): R. DANIEL LAVELLE

Read and referred to Public Safety Services Committee

UNFINISHED BUSINESS

Bill No. Resolution authorizing the appointment of Darlene Yanakos, 120 South 15th Street,
[2012-0064](#) Pittsburgh, PA 15203, as a Member of the Pittsburgh Water and Sewer Authority, for
a term to expire December 31, 2016.

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

Bill No. Resolution authorizing the appointment of Robert Wilson, 533 Arthur Street,
[2012-0065](#) Pittsburgh, PA 15219 as a Member of the Housing Authority, for a term to expire
April 30, 2015.

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

Votes: Ayes: 9 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith
Noes: 0
Abstentions: 0

Bill No. Resolution authorizing the appointment of Patrick Connelly, 5922 Howe Street,
[2012-0067](#) Pittsburgh, PA 15232, to the Ethics Hearing Board, for a term to expire August 1,
2014.

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

Votes: Ayes: 9 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith
Noes: 0
Abstentions: 0

Bill No. Resolution informing City Council of the appointment of Jim Malanos, 1432 Termon
[2012-0071](#) Avenue, Pittsburgh, PA 15212 as a member of the Stadium Authority, for a term to
expire December 31, 2015.

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

REPORTS OF COMMITTEE - FINAL ACTION

COUNCILMAN REV. RICKY V. BURGESS PRESENTS COMMITTEE ON FINANCE AND LAW

Bill No. Report of the Committee on Finance and Law for February 22, 2012 with an
[2012-0131](#) Affirmative Recommendation.

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

Bill No. [2012-0089](#) Resolution authorizing the Mayor and the City Solicitor to enter into a Supplemental Agreement with Hollinshead, Mendelson, Bresnahan & Nixon, P.C. for professional services to assist in the legal representation of the City of Pittsburgh in connection with litigation arising from the Corfu Street remediation, specifically actions concerning Douglas Blair and real property identified at Block and Lot 7-N-238, 20th Ward, City of Pittsburgh and providing for the payment thereof at a cost not to exceed \$33,387.70 (Thirty-three Thousand Three Hundred Eighty-Seven Dollars and Seventy Cents).

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. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith
Noes: 0
Abstentions: 0

Bill No. [2012-0100](#) 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 the City Council Neighborhood Needs Program in Council District 3; and providing for the payment of the costs thereof by reducing various projects and adding \$500 to Hilltop Alliance and \$22,998.47 to District 3 DPW Projects. Total of all projects is not to exceed \$120,327.02

SPONSOR(S): BRUCE A. KRAUS

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. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith
Noes: 0
Abstentions: 0

Bill No. [2012-0103](#) 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 the City Council Neighborhood Needs Program in Council District 1; and providing for the payment of the costs thereof by reducing various projects and adding \$5,000 to Team Pittsburgh and \$180,231.16 to District 1 Projects. Total cost of all projects is not to exceed \$437,779.53

SPONSOR(S): DARLENE HARRIS

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. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith
Noes: 0
Abstentions: 0

COUNCILMAN R. DANIEL LAVELLE PRESENTS COMMITTEE ON LAND USE & ECONOMIC DEVELOPMENT

Bill No. [2012-0132](#) Report of the Committee on Land Use and Economic Development for February 22, 2012 with an Affirmative Recommendation.

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

Bill No. [2012-0092](#) Resolution amending Resolution No. 474 approved February 5, 1991, providing for the implementation of a Residential Parking Permit Program (RPPP) Area “B”, in the West Oakland area (Council District #6 and #8) to expand the district to include additional street pursuant to Pittsburgh Code Chapter 549.06.

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. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith
Noes: 0
Abstentions: 0

Bill No. [2012-0093](#) Resolution amending Resolution No. 934 approved December 10, 2003, providing for the implementation of a Residential Parking Permit Program (RPPP) Area “Y”, in the Shadyside-Ellsworth area (Council District #8) to expand the district to include additional addresses pursuant to Pittsburgh Code Chapter 549.

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. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith
Noes: 0
Abstentions: 0

Bill No. [2012-0094](#) Resolution amending Resolution No. 814 approved December 10, 2003, providing for the implementation of a Residential Parking Permit Program (RPPP) Area “L”, in the Central Northside/E North Ave area (Council District #6) to expand the district to include additional addresses pursuant to Pittsburgh Code Chapter 549.

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. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith
Noes: 0
Abstentions: 0

Bill No. [2012-0095](#) Resolution providing for an Agreement or Agreements with East End Cooperative Ministry, St. Vincent de Paul, Joshua Development Corporation and Operation Safety Net for administrative, operating essential services, and/or renovation costs for their

shelters under the State Emergency Shelter Grant Program, at a cost not to exceed \$210,835.00.

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. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith
Noes: 0
Abstentions: 0

Bill No.

[2012-0101](#)

Resolution further amending and supplementing Resolution Nos. 89, 722, 793 and 855 of 2011, entitled "adopting and approving the 2000, 2003, 1996 and 2012 capital budgets" respectively by transferring all active District 3 Neighborhood Needs projects from three budget years into budget year 2012 in the JDE financial system and by reducing various projects and adding \$500 to Hilltop Alliance and \$22,998.47 to District 3 DPW Projects in Council District 3.

SPONSOR(S): BRUCE A. KRAUS

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. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith
Noes: 0
Abstentions: 0

Bill No.

[2012-0104](#)

Resolution further amending and supplementing Resolution Nos. 471, 722, 793 and 855 of 2011, entitled "adopting and approving the 2000, 2003, 1996 and 2012 capital budgets" respectively by transferring all active District 1 Neighborhood Needs projects from three budget years into budget year 2012 in the JDE financial system and by reducing various projects and adding \$5,000 to Team Pittsburgh and \$180,231.16 to District 1 Projects.

SPONSOR(S): DARLENE HARRIS

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. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith
Noes: 0
Abstentions: 0

COUNCILMAN O'CONNOR PRESENTS COMMITTEE ON URBAN RECREATION

Bill No.

[2012-0133](#)

Report of the Committee on Urban Recreation for February 22, 2012 with an Affirmative Recommendation.

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

Bill No. Resolution authorizing the Mayor and the Department of Parks and Recreation to enter into a License Agreement with the Catholic Diocese of Pittsburgh, Immaculate Conception School parking lot for a 2012 Farmers' Market.

[2012-0096](#)

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. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith
Noes: 0
Abstentions: 0

Bill No. Resolution authorizing the Mayor and the Director of the Department of Parks and Recreation to enter into a license agreement with union real estate company of Pittsburgh for the use of property behind Carrick shopping center for the 2012 farmers' market.

[2012-0097](#)

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. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith
Noes: 0
Abstentions: 0

MOTIONS AND RESOLUTIONS

APPROVAL OF MINUTES

MEETING RECESS

Until 9:45 A.M. Wednesday, February 29, 2012

LEGISLATION PRESENTED BY SIGN LANGUAGE INTERPRETER