

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 6, 2011

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

Councilwoman Rudiak was available by phone.

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.

[2011-2343](#)

NOW, THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does hereby commend Judge Dwayne and Joy Woodruff for their commitment to the children of our region to reduce violence, their respective teachers, Patricia Pugh Mitchell and DeLacey Green, for nurturing their spirit and encouraging their work, the judges who gave of their time and expertise and congratulates Durelle Ward and Nina Nelly Kowalewski for their winning essays.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare December 6, 2011, to be "DO THE WRITE THING 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.

[2011-2344](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize and commend Amnesty International USA Local Group 39 for its remarkable work to promote human rights and supports the Write-a-Thon and Candle Lighting on December 12.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare December 12, 2011 to be "AMNESTY INTERNATIONAL WRITE-A-THON 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.

[2011-2345](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize Buy Local Week as an opportunity for the region to support small businesses and the local economy and encourages consumers in the Pittsburgh region to shop locally throughout this holiday season; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare December 5th through December 11th, 2011 to be "Buy Local Week" 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. [2011-2346](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize Carl Truss for his years of service to the City of Pittsburgh and its citizens; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare November 29, 2011 to be “Carl Truss 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.

Bill No. [2011-2347](#) Now, therefore be it resolved that the Council of the City of Pittsburgh does hereby honor the ceaseless efforts of the Bloomfield-Garfield Corporation; and Be it further resolved, that the Council of the City of Pittsburgh does hereby declare Friday, December 2, 2011, as Bloomfield-Garfield Corporation 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. [2011-2348](#) NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby recognize and honor Robert Sladack for his dedicated communal efforts, and does hereby declare the month of December to be “Robert Sladack Month” 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. [2011-2349](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate Amen Corner for honoring Cyril H. Wecht, M.D., J.D., as the inaugural recipient of the Amen Corner Excellence in Leadership Award, for his outstanding professional achievement and personal successes and does hereby declare Wednesday, December 7, 2011, to be “Dr. Cyril Wecht 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.

Bill No. [2011-2350](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate Amen Corner for honoring Sally Wiggin, with the David L. Lawrence Award for Public Service Leadership & Excellence, for her outstanding professional achievement and personal successes and does hereby declare Wednesday, December 7, 2011, to be “Sally Wiggin 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.

Bill No.

[2011-2351](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize Big Brothers Big Sisters of Greater Pittsburgh and their volunteers and supporters for their tireless efforts to help children facing adversity achieve successes in life; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare December 12th, 2011 to be “Big Brothers Big Sisters Celebrate Coalitions 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.

[2011-2352](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize Dominic DeNucci for providing entertainment and community service through the sport of wrestling; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare December 3, 2011 to be “Dominic DeNucci 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.

[2011-2353](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend Pastor Charles and Dr. Shirley Brown for the selfless work they have done in creating a ministry to help make our communities stronger and create a better place to live; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Sunday, December 11, 2011, to be “Pastor Charles and Dr. Shirley Brown 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.

[2011-2354](#)

NOW THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh, Pennsylvania, and the City of Mont-Saint-Hilaire, Quebec, do hereby declare themselves to be a community of concern in their effort to meet the threat of aggressive natural gas extraction.

EN CONSÉQUENCE, Il est proposé par la conseillère Valéry Lapointe et appuyé par le conseiller Fernand Brillant que la ville de Pittsburgh en Pennsylvanie, et celle de Mont-Saint-Hilaire, au Québec, se déclarent solidaires dans leur préoccupation et leur effort à protéger leur environnement et à encourager d'autres villes à faire de même;

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does recognize and honor the work of Mont-Saint-Hilaire.

De plus, il est résolu que la ville de Pittsburgh reconnait et honore le travail des citoyens de la ville de Mont-Saint-Hilaire.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does, hereby declare Tuesday, December 6, 2011 to be “Mont-Saint-Hilaire Day” in the City

of Pittsburgh.

De plus, il est résolu que le conseil municipal de la ville de Pittsburgh déclare officiellement que le mardi 6 décembre 2011 soit déclaré "Jour de Mont-Saint-Hilaire" dans la ville de Pittsburgh.

SPONSOR(S): DOUGLAS SHIELDS 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. Resolution authorizing the execution of a cooperation agreement or agreements with
[2011-2336](#) the Urban Redevelopment Authority of Pittsburgh in which URA will make a \$100,000.00 grant to the City to pay part of the cost to convert Broad Street to two-way traffic. (Council District 9)

Read and referred to Intergovernmental Affairs Committee

Bill No. Resolution adopting Plan Revision to the City of Pittsburgh's Official Sewage
[2011-2337](#) Facilities Plan for Fifth Avenue Freshman Housing, 121 University Place, Pittsburgh, Pa 15213.

Read and referred to Intergovernmental Affairs Committee

Bill No. Resolution authorizing a cooperation agreement with the Urban Redevelopment
[2011-2339](#) Authority of Pittsburgh designating URA as the City's agent in connection with a \$3,000,000 Penn Works grant for the LTV Hazelwood site owned by Almono, LP. (Council Districts 3 & 5)

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

Read and referred to Intergovernmental Affairs Committee

Bill No. Resolution authorizing the filing of an application with the Pennsylvania Department
[2011-2340](#) of Community and Economic Development for a \$3,000,000 Penn Works grant for the LTV Hazelwood site owned by Almono, LP. (Council Districts 3 & 5)

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

Read and referred to Intergovernmental Affairs Committee

COUNCILMAN WILLIAM PEDUTO PRESENTS:

Bill No. Resolution closing out old and unused Trust Funds so as to not include unused Trust
[2011-2326](#) Fund codes in the new Enterprise Resource Planning system.

SPONSOR(S): WILLIAM PEDUTO

Read and referred to Finance and Law Committee

Bill No. Resolution authorizing the City Controller to transfer One Million Three Hundred
[2011-2327](#) Thousand Three Hundred and Twenty One dollars and Twelve cents (\$1,340,321.12)
from various closed Trust Funds to the General fund for the purpose of cleaning out
old trust funds and increasing the fund balance.

SPONSOR(S): WILLIAM PEDUTO

Read and referred to Finance and Law Committee

Bill No. Resolution amending Resolution No. 908, effective January 1, 2011 entitled
[2011-2328](#) "Adopting and approving the 2011 Capital Budget and the 2011 Community
Development Block Grant Program; and approving the 2011 through 2016 Capital
Improvement Program," by deleting and /or reducing funding for various capital
projects by \$17,872,500 from \$25,687,500 to \$7,815,000 in order to match available
City PAYGO funding levels.

SPONSOR(S): WILLIAM PEDUTO

Read and referred to Finance and Law Committee

Bill No. Resolution providing for the issuance of a \$13,448.40 warrant in favor of Mingo
[2011-2334](#) Creek Construction, LP, c/o Kinga N. Blum, P.O. Box 385, Meadow Lands, PA
15347, in settlement of a claim for property damage to for damage to equipment in a
construction site located along Interstate Route 22, westbound in North Fayette
Township on April 11, 2011, by a City of Pittsburgh Environmental Services vehicle.

Read and referred to Finance and Law Committee

Bill No. Resolution realigning a total of \$4,954,000 between various accounts within the 2011
[2011-2335](#) Operating Budget. This transfer is necessary for the 2011 close in order to meet
expenditures for the remainder of the fiscal year.

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

Read and referred to Finance and Law Committee

COUNCILWOMAN THERESA SMITH PRESENTS:

Bill No. Ordinance supplementing the Pittsburgh Code at Title Six, Conduct, by adding Article
[2011-2338](#) X Blighted Properties, Chapter 694 entitled "Neighborhood Blight Reclamation and
Revitalization (NBRRA)."

SPONSOR(S): THERESA SMITH

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

Read and referred to Public Safety Services Committee

Bill No. Resolution of the City of Pittsburgh to extend the term of existence of the Chartiers
[2011-2341](#) Valley District Flood Control Authority.

SPONSOR(S): THERESA SMITH

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

Read and referred to Intergovernmental Affairs Committee

COUNCILMAN SHIELDS PRESENTS:

Bill No. Ordinance Supplementing the Pittsburgh Code at Title Two: Fiscal, Article VII:
[2011-2333](#) Business Related Taxes, so as to add a new Chapter entitled "EXCISE TAX ON
OUTDOOR ADVERTISING TRANSACTIONS."

SPONSOR(S): DOUGLAS SHIELDS

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

Read and referred to Finance and Law Committee

COUNCIL PRESIDENT DARLENE M. HARRIS PRESENTS:

Bill No. Resolution Amending and reaffirming Resolution 180, effective April 16, 2008,
[2011-2342](#) entitled "Resolution authorizing and directing the Director of City Planning, the
Zoning Administrator and the Chief of the Bureau of Building Inspection to place a
Six (6) month moratorium on the erection, size modification and/or approval of all
advertising signs in all zoning districts," as subsequently amended by Resolution 528,
effective October 3, 2008, so as to extend the moratorium until a report and
recommendation is received, and the legislative process is complete on Council Bill
2008-0222 and 2008-0721, to reaffirm that the moratorium continues in effect, and to
continue the moratorium regarding receipt of report and recommendation for those and
the completion of the legislative process for those and any subsequent bill of
similar substance, including but not limited to 2011-0216 and 2011-1916 and the
moratorium shall remain in effect until such time as an appropriate regulatory
ordinance is enacted.

SPONSOR(S): DARLENE HARRIS

A motion was made that this matter be Waived under Rule 8. The motion carried by the following vote:

Votes: Ayes: 7 - Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. Peduto, Ms. Rudiak, Mr. Shields
and Mrs. Smith

Noes: 2 - Rev. Burgess and Mr. Dowd

Abstentions: 0

Read and referred to Land Use and Economic Development 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 November 29, 2011 with an
[2011-2329](#) Affirmative Recommendation.

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

Bill No. Resolution repealing items in Resolutions approved on various dates, authorizing the
[2011-2304](#) 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, B and C. A: Nineteen (19) Lots on Colwell Street and Diaz Way; B: Nine (9) Lots on Colwell Street, Diaz Way and Wyandotte Street; C: 3611 Baytree.

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 conveyance by the City of Pittsburgh of certain property.
[2011-2305](#) ITEM A. A: 7143 Vassar 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. Resolution providing for conveyance by the City of Pittsburgh of certain property,
[2011-2306](#) under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984. ITEMS A through C. A: 1956 & 1958 Lithgow; B: 125 Ravilla; C: Timberland Lots 16 & 17.

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 conveyance by the City of Pittsburgh of certain property,
[2011-2307](#) 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 C. A: 3805 Melwood; B: 3820 Alexis; C: 16 Conestoga.

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.

[2011-2308](#)

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 L. A: 5103 Dearborn; B: 1923 Montier; C: 319 Kearsarge; D: 150 New York; E: 146 New York; F: 426 N. Taylor; G: 1518 Brighton; H: 316 Elsdon; I: 108 Wabash; J: 3316 Gass; [K: 6040 Butler; L: 6036 Butler.] DELETED K& L

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.

[2011-2330](#)

Report of the Committee on Public Works for November 29, 2011 with an Affirmative Recommendation.

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

Bill No.

[2011-2292](#)

Resolution amending Resolution No. 776, approved December 19, 2006, effective December 27, 2006, entitled "Providing for an Agreement or Agreements, or for the use of existing Agreements, with a Consultant or Consultants, for design services in connection with the rehabilitation or replacement of the South Highland Avenue Bridge; providing for a Reimbursement Agreement with the Commonwealth of Pennsylvania, Department of Transportation; and further providing for the payment of the costs thereof.," by adding language.

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.

[2011-2309](#)

Resolution accepting the dedication of Fern Street and Fern Circle, in the 10th Ward, 7th Council District.

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 vacating Burmah Way and a portion of Green Street in the 3rd Ward, 6th
[2011-2310](#) Council District of 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

COUNCILMAN SHIELDS PRESENTS COMMITTEE ON LAND USE & ECONOMIC DEVELOPMENT

Bill No. Report of the Committee on Land Use and Economic Development for November 29,
[2011-2331](#) 2011 with an Affirmative Recommendation.

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

Bill No. Resolution amending Resolution No. 1267 approved November 12, 1993, to include an
[2011-2293](#) additional address and area "V" in the Shadyside neighborhood.

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. Report of the Committee on Intergovernmental Affairs for November 29, 2011 with an
[2011-2332](#) Affirmative Recommendation.

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

Bill No. Resolution further amending Resolution No. 574, effective October 26, 2007, entitled
[2011-2311](#) "Resolution authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh in connection with URA's application for a \$875,000 Redevelopment Assistance Capital Program grant for the Pittsburgh Zoo Water's Edge and Multi Purpose Facility project" by increasing the amount of the grant to \$2,275,000. (Council District 7)

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.

[2011-2312](#)

Resolution further amending Resolution No. 575, effective October 26, 2007, entitled “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 in the amount of \$875,000 for the Pittsburgh Zoo Water's Edge and Multi Purpose Facility project” by increasing the grant to \$2,275,000. (Council District 7)

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

APPROVAL OF MINUTES

ADJOURNMENT

LEGISLATION PRESENTED BY SIGN LANGUAGE INTERPRETER