

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, July 10, 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.

[2012-0594](#)

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend the Vintage Grand Prix for providing all city residents with ten days of excitement, bringing the top vintage cars out for the public to view for thirty years, and for pursuing their philanthropic duty as a fundraiser for the Autism Society of Pittsburgh and Allegheny Valley School; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh declares Saturday, July 21, 2012, to be "Pittsburgh Vintage Grand Prix 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.

[2012-0595](#)

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby honor Pittsburgh Public Schools for its 100 years of excellence in education, as well as Dr. Linda Lane for her successful and effective leadership in her role as Pittsburgh Public Schools Superintendent; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Tuesday, July 10, 2012 Pittsburgh Public Schools Centennial 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.

[2012-0596](#)

THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh commends the Bricolage for the company's contributions to the cultural life of Pittsburgh and bricoleurs Jeffery Carpenter and Tami Dixon for their work to that end; and

THEREFORE BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby declare Tuesday, July 10, 2012 to be Bricolage Day in the City of Pittsburgh.

SPONSOR(S): NATALIA RUDIAK

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

Bill No. [2012-0597](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend the Redd Up and Green Up crews for the work that they do not only on behalf of District 2 but the entire City of Pittsburgh; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Tuesday, July 10, 2012, to be “Redd Up and Green Up 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. [2012-0598](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize the 90th Birthday of Mr. Frank Buratti and commends him for the service he gave to his country and community; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Sunday, July 15, 2012, to be “Frank Buratti 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. [2012-0599](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize the important contributions that Pradeep K. Khosla has made to the City of Pittsburgh and its status as a world-class leader in technology and education; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare July 10, 2012 to be “Pradeep K. Khosla 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.

PUBLIC COMMENTS

PRESENTATION OF PAPERS

COUNCILMAN PATRICK DOWD PRESENTS:

Bill No. [2012-0582](#) Resolution authorizing the filing of an application for federal assistance, as a co-applicant with Urban Redevelopment Authority of Pittsburgh, with the U.S. Economic Development Administration for up to \$1,959,500 to construct public works required for the Bakery Square 2.0 project. (Council District 8).

Read and referred to Intergovernmental Affairs Committee

Bill No. [2012-0583](#) Resolution authorizing a cooperation agreement with the Urban Redevelopment Authority of Pittsburgh designating URA as the City's agent for administration of a \$1,959,500 grant from the U.S. Economic Development Administration to be used to construct public improvements required for the Bakery Square 2.0 project. (Council District 8).

Read and referred to Intergovernmental Affairs Committee

Bill No. [2012-0585](#) 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 Properties in the 5th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block 10-P, Lot 192D and Block 10-N, Lots 336, 339, and 345 (Council District No. 6 - Site Assemblage - 14 Elmore Street, 421, 401 Grove Street and 412 Covell Way).

Read and referred to Intergovernmental Affairs Committee

Bill No. [2012-0586](#) Resolution approving execution of a Contract for Disposition by Sale of Land by and between the Urban Redevelopment Authority of Pittsburgh and Homewood Station Senior Housing, L.P., for the Sale of Block 174-N, Lots 182, 186, 187, 188, in the 13th Ward of the City of Pittsburgh, - Council District No.9 (512-522-524-528-530 N. Homewood Avenue - residential/commercial construction).

Read and referred to Intergovernmental Affairs Committee

Bill No. [2012-0587](#) Resolution authorizing the execution of a cooperation agreement or agreements with the Urban Redevelopment Authority of Pittsburgh in which URA will make a grant to the City of \$3,000.00 per year for five years to pay maintenance costs of the Washburn Square open space park; cost not to exceed \$15,000.00. (Council District 1)

Read and referred to Intergovernmental Affairs Committee

Bill No. [2012-0590](#) Resolution requesting the approval of an inter-municipal transfer of restaurant liquor license, License No. R-5232 from B & C Pizza, Inc., 998 Ardmore Blvd. Pittsburgh, PA 15221 to Applicant Tender Bar & Kitchen, LLC - 4300 Butler Street, Pittsburgh, PA 15201 into the premises to be known as Tender Bar & Kitchen LLC pursuant to amended Pennsylvania Liquor Code, §4-461.

Read and referred to Intergovernmental Affairs Committee

Bill No. [2012-0593](#) Resolution requesting the approval of an inter-municipal transfer of restaurant liquor license, License No. R-7542 from M.H.P. Corporation t/a Benito's, Olympia Shopping Center, McKeesport, PA 15132 to Applicant Fifth Avenue Pub, LLC, 1010 Fifth Avenue, Pittsburgh, PA 15219 into the premises to be known as Fifth Avenue Pub pursuant to amended Pennsylvania Liquor Code, §4-461.

Read and referred to Intergovernmental Affairs Committee

COUNCILMAN BRUCE A. KRAUS PRESENTS:

Bill No. [2012-0578](#) Resolution providing for an Agreement or Agreements, or the use of existing Agreements; providing for a Contract or Contracts, or the use of existing Contracts; providing for repairs, maintenance, improvements, emergencies and/or the purchase of materials, equipment and supplies in connection with the design and construction of

Wenzell Avenue/Carnahan Road Intersection; providing for the payment of the costs thereof; and further providing for a Reimbursement Agreement with the Commonwealth of Pennsylvania, Department of Transportation.

Read and referred to Public Works Committee

Bill No.

[2012-0579](#)

Resolution further amending Resolution No. 855, effective, January 1, 2012, as amended, entitled "Adopting and approving the 2012 Capital Budget and the 2012 Community Development Block Grant Program; and approving the 2012 through 2017 Capital Improvement Program," by decreasing the "Architectural Engineering Services" line item by \$100,000.00 from \$400,000.00 to \$300,000.00 and creating the "Wenzell Avenue/Carnahan Road" line item in the amount of \$500,000.00 (\$100,000.00 BOND/\$400,000.00 FHWA).

Read and referred to Public Works Committee

Bill No.

[2012-0580](#)

Resolution providing for an Agreement or Agreements, or the use of existing Agreements; providing for a Contract or Contracts, or the use of existing Contracts; providing for repairs, maintenance, improvements, emergencies and/or the purchase of materials, equipment and supplies in connection with the design and construction of Brookline Boulevard; providing for the payment of the costs thereof; and further providing for a Reimbursement Agreement with the Commonwealth of Pennsylvania, Department of Transportation.

Read and referred to Public Works Committee

Bill No.

[2012-0581](#)

Resolution providing for a Contract or Contracts or the use of existing Contracts; providing for an Agreement or Agreements or for the use of existing Agreements; providing for repairs, maintenance, improvements, emergencies and/or the purchase of materials, equipment and supplies in connection with the design and construction of handicap ramps and sidewalks at various city-owned locations throughout the City of Pittsburgh; and further providing for the payment of the costs thereof.

Read and referred to Public Works Committee

COUNCILMAN R. DANIEL LAVELLE PRESENTS:

Bill No.

[2012-0591](#)

Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article I, Section 902.03 Zoning Map, by changing from UNC Urban Neighborhood Commercial District, property bounded by South Aiken Ave., the existing EMI district boundary line, and Block & Lot No. 51-R-150; from UNC Urban Neighborhood Commercial District property bounded by Centre Ave., Morewood Ave., Baum Blvd. and the East Busway; from UI Urban Industrial District property bounded by the East Busway, South Millvale Ave., Gross St., Block & Lot No. 51-E-236, Asia Way, Lima Way, and the existing UNC boundary line; and from UNC property bounded by Baum Blvd., the East Busway, the existing UI boundary line, Cypress St., Block No. 51-K, lots 172 & 211, Woodworth St., Block No. 51-K, lot 245, and Woodworth St.; all to EMI, Educational/Medical Institution District; 7th & 8th Wards.

Read and referred to Land Use and Economic Development Committee

Bill No. Resolution approving an Institutional Master Plan under the Pittsburgh Code, Title
[2012-0592](#) Nine, Zoning, Article II, Chapter 905, Section 905.03.D and Article VII, Chapter 922,
Section 922.12 for UPMC Shadyside Hospital entitled "Project Area Master Plan" on
property zoned EMI, Educational/Medical Institution District, 7th and 8th Wards.

Read and referred to Land Use and Economic Development Committee

COUNCILMAN COREY O'CONNOR PRESENTS:

Bill No. Resolution further amending Resolution No. 149 of 2012 entitled "Providing for an
[2012-0588](#) 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; and providing for the payment of the costs thereof" by
providing an additional \$3,100 to the Greenfield Portal Project from Council District 5
Neighborhood Needs.

SPONSOR(S): COREY O'CONNOR

Read and referred to Finance and Law Committee

Bill No. Resolution further amending and supplementing Resolution No. 855 of 2011, entitled
[2012-0589](#) "adopting and approving the 2012 Capital Budget and the 2012-2017 Capital
Improvement Program" by providing an additional \$3,100 to the Greenfield Portal
Project from Council District 5 Neighborhood Needs

SPONSOR(S): COREY O'CONNOR

Read and referred to Land Use and Economic Development Committee

UNFINISHED BUSINESS

REPORTS OF COMMITTEE - FINAL ACTION

COUNCILMAN KRAUS PRESENTS COMMITTEE ON PUBLIC WORKS

Bill No. Report of the Committee on Public Works for July 2, 2012 with an Affirmative
[2012-0575](#) Recommendation.

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

Bill No. Resolution Providing for an Agreement between the City of Pittsburgh and the
[2012-0553](#) Borough of West Homestead in connection with the paving of Basic Avenue and
providing for the payment of the costs thereof, by the Borough to the City, of the costs
associated with the paving of the Borough's portion of Basic Avenue. The estimated
cost of preparation and completion of work is Fifty Six Thousand Two Hundred
Seventy Dollars and Forty Cents (\$56,270.40).

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 providing for an Agreement between the City of Pittsburgh and the
[2012-0554](#) Borough of Wilkinsburg in connection with the paving of Pitt Street and providing for the payment of the costs thereof, by the Borough to the City, of the costs associated with the paving of the Borough's portion of Pitt Street. The estimated cost of preparation and completion of work is Sixteen Thousand One Hundred Ninety Two Dollars and Fifty Six Cents (\$16,192.56)

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. Report of the Committee on Land Use and Economic Development for July 2, 2012
[2012-0576](#) 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. 227, effective April 27, 2012, entitled: providing
[2012-0525](#) 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 2011 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: "Northside Coalition for Fair Housing" (- \$2,000.00); and transfer these funds to "Children 2 Champions (C2C)" (+\$2,000.00).

SPONSOR(S): R. DANIEL LAVELLE

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. [2012-0526](#) Resolution amending Resolution No. 226, effective April 27, 2012, entitled: Resolution 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 for administrative/operational costs, maintenance, purchase of equipment, and/or rehabilitation of neighborhood facilities of various departmental programs/projects for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$1,357,500.00; so as to reprogram funds in City Council from: "Northside Coalition for Fair Housing" (- \$2,000.00); and transfer these funds to "Children 2 Champions (C2C)" (+\$2,000.00).

SPONSOR(S): R. DANIEL LAVELLE

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 DOWD PRESENTS COMMITTEE ON INTERGOVERNMENTAL AFFAIRS

Bill No. [2012-0577](#) Report of the Committee on Intergovernmental Affairs for July 2, 2012 with an Affirmative Recommendation.

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

Bill No. [2012-0522](#) Resolution adopting Plan Revision to the City of Pittsburgh's Official Sewage Facilities Plan for NRG Energy Pittsburgh Reverse Osmosis Water Treatment Installation at 111 South Commons, Pittsburgh, PA 15212.

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

Bill No. [2012-0600](#) NOW, THEREFORE, BE IT RESOLVED that the City Council of Pittsburgh supports a strong judiciary, and calls on Pennsylvania Senators Bob Casey and Pat Toomey to recommend qualified nominees to the White House and work with their colleagues to fill the eight federal judicial vacancies in the state of Pennsylvania before the end of the year.

SPONSOR(S): NATALIA RUDIAK AND ALL MEMBERS

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

APPROVAL OF MINUTES

ADJOURNMENT

LEGISLATION PRESENTED BY SIGN LANGUAGE INTERPRETER