

# **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, October 4, 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

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. [2011-2144](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby acknowledge St. Mary of the Mount Parish for the service they provide to the community through their many ministries; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Tuesday, October 4, 2011, to be "St. Mary of the Mount 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. [2011-2145](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby proclaim October 6, 2011, to be "Off the Record 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. [2011-2146](#) NOW THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes the following members of the CityFit Black Team:

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh, does hereby congratulate the CityFit Black Team on its third consecutive Championship and does hereby, support the CityFit Wellness at Work program in their efforts to promote health, wellness and camaraderie amongst the employees of the City of Pittsburgh.

**SPONSOR(S): BRUCE A. KRAUS AND ALL MEMBERS**

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

Bill No. [2011-2147](#) NOW, THEREFORE BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby recognize Jason Capps for carrying on the Italian culinary traditions of the Capps and Greco Families through his entrepreneurial pursuits and congratulates him for establishing and promoting the farm to table concepts of the green food industry and the Green Restaurant Association; and,

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby declare Tuesday, October 4, 2011, to be "BELLA SERA URBAN TRATTORIA DAY" in the City of Pittsburgh.

**SPONSOR(S): BRUCE A. KRAUS AND ALL MEMBERS**

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

Bill No.

[2011-2148](#)

NOW, THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does hereby recognize October as Domestic Violence Awareness Month and commends STANDING FIRM for the tremendous progress made in reducing domestic violence in the workplace and recommitting to making every person safe through their workplace mission; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare October 4, 2011, to be “STANDING FIRM 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.

[2011-2149](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize the Indonesian Student Association of the University of Pittsburgh for their commitment to the sharing of cultures in the spirit of community building; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare October 9, 2011 “Indonesian Culture 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.

[2011-2150](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize the 2011 VIA Music & New Media Festival for bringing groundbreaking arts and cultural events to our City; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare the week of October 3rd through October 9th “VIA Music & New Media Festival 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.

[2011-2151](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize Just Harvest for their unyielding commitment to the empowerment of local citizens through education, and their contributions to the fight against the conditions which maintain and perpetuate poverty and hunger in our local communities; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare October 4, 2011 “Just Harvest 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. [2011-2152](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize Community Human Services Corporation for their work to destigmatize the public view of homelessness, and their services to assist and provide for those in our community struggling with poverty and homelessness; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare October 21, 2011 "Sleep-In for the Homeless 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. [2011-2153](#) NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby recognize and honor Professor Lave for his environmental stewardship, and does hereby declare the month of October to be "Professor Lester B. Lave 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. [2011-2154](#) HEREAS The Academy was chosen from 4000 entrants to be highlighted by The Visionairies, a public broadcasting series viewed internationally; and

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby declare Saturday, October 8, through Monday, October 10, 2011, to be "Extended Columbus Days" 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 REV. RICKY V. BURGESS PRESENTS:**

Bill No. [2011-2143](#) Resolution authorizing the Mayor and the Directors of Public Safety and City Planning to enter into an agreement or agreements or contract or contracts with Goodwill Industries Inc. and One Vision, One Life Inc. for the purpose of designing and implementing the Pittsburgh Initiative to Reduce Crime, at a cost not to exceed \$200,000.

**SPONSOR(S): REVEREND RICKY V. BURGESS**

**Read and referred to Public Safety Services Committee**

### **COUNCILMAN PATRICK DOWD PRESENTS:**

Bill No. [2011-2139](#) Resolution authorizing the filing of an application for federal assistance with the U.S. Department of Transportation Federal Railroad Administration for a \$1,044,869.00 Rail Line Relocation and Improvement Project Capital Grant for the planning, engineering and construction of rail improvements to the Allegheny Valley Railroad

rail line to support passenger rail service and the establishment of the Allegheny Riverfront Green Boulevard. (Council Districts 6 and 7)

**Read and referred to Intergovernmental Affairs Committee**

Bill No.

[2011-2140](#)

Resolution authorizing a Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh designating URA as the City's agent for administration of a Rail Line Relocation and Improvement Project Capital Grant in the amount of \$1,044,869.00 from the U.S. Department of Transportation Federal Railroad Administration for the planning, engineering and construction of rail improvements to the Allegheny Valley Railroad rail line to support passenger rail service and the establishment of the Allegheny Riverfront Green Boulevard. (Council Districts 6 and 7)

**Read and referred to Intergovernmental Affairs Committee**

**COUNCILMAN BRUCE KRAUS PRESENTS:**

Bill No.

[2011-2141](#)

Resolution Further amending Resolution No. 654, effective October 25, 2001, entitled, "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 City Council's 2001 Neighborhood Needs Supplement Program; and providing for the payment of the costs thereof," by adding "Southside Sabres" \$1,220.38 and by reducing "Quarry Field" by the same amount, in Council District 3.

**SPONSOR(S): BRUCE A. KRAUS**

**Read and referred to Finance and Law Committee**

Bill No.

[2011-2142](#)

Resolution Further Amending Resolution No. 424 of 2001, effective June 19, 2001, entitled "Further amending Resolution No. 976 effective January 1, 1996, as amended, Adopting and Approving the 1996 Capital Budget and the 1996 Community Development Block Grant by creating a new line item, City Clerk Office Modernization Project Grant # 2271000 for the purpose of augmenting neighborhood needs programs and/or the District Improvement Fund, and transferring \$1,128,888.00 from Grant/Liberty to City Clerk's Office Modernization" by adding "Southside Sabres" \$1,220.38 and by reducing "Quarry Field" by the same amount, in Council District 3 Neighborhood Needs.

**SPONSOR(S): BRUCE A. KRAUS**

**Read and referred to Land Use and Economic Development Committee**

**COUNCILMAN WILLIAM PEDUTO PRESENTS:**

Bill No.

[2011-2134](#)

Resolution authorizing the issuance of a warrant in favor of Jon B. Tucker, M.D. c/o Tucker Independent Medical Experts, Inc., 1082 Bower Hill Road, Suite 100, Pittsburgh, PA 15243, in an amount not to exceed Two Thousand Six Hundred Dollars (\$2,600.00) for professional services rendered in connection with the William H. Burgess v. City of Pittsburgh litigation filed in the Allegheny County Court of Common Pleas, Pennsylvania, GD 08-002999.

**Read and referred to Finance and Law Committee**

**COUNCILMAN DOUGLAS SHIELDS PRESENTS:**

Bill No. Resolution approving a Conditional Use Application under the Pittsburgh Code, Title  
[2011-2137](#) Nine, Zoning, Article V Chapter 911 Section 911.04.A.22 to the City of Pittsburgh, property owner, for authorization to place approximately 50,000 cu. yards of fill on property located within Riverview Park along Mairdale Avenue, zoned "P" Parks District, 26th Ward, Council District No. 1

**Read and referred to Land Use and Economic Development Committee**

Bill No. Resolution amending Resolution No. 1048, approved November 6, 2000 entitled  
[2011-2138](#) "Resolution amending Resolution No. 838, approved October 26, 1994 which amended Resolution 53 approved February 5, 1991 entitled amending Resolution #60, approved February 7, 1989 entitled amending Resolution #637 approved July 27, 1989, entitled providing for the implementation of a Residential Parking Permit Program in portions of the West Oakland community pursuant to Pittsburgh Code Chapter 549 so as to amending the streets included in Area 'C' so as to have one block of Halket Street in Council District #6 included in Area 'C' to add two addresses to Area 'C'" to add the south side of Allequippa Street between Robinson Street and Darragh Street.

**Read and referred to Land Use and Economic Development Committee**

**COUNCILWOMAN THERESA KAIL-SMITH PRESENTS:**

Bill No. Resolution providing for a contract or contracts from time to time in connection with  
[2011-2135](#) demolition and removal of condemned buildings and providing for the payment of the costs thereof. Cost not to exceed \$500,000.00.

**Read and referred to Public Safety Services Committee**

Bill No. Resolution providing for a Contract or Contracts, or the use of existing Contracts for  
[2011-2136](#) the purchase SCBA (Self Contained Breathing Apparatus) equipment and accessories for the Fire Bureau at a cost not to exceed One Million, Seventy Seven thousand, Ninety three dollars and Fourteen cents (\$1,077,093.14) and providing for the payment thereof.

**Read and referred to Public Safety Services Committee**

**UNFINISHED BUSINESS**

Bill No. Resolution authorizing the appointment of the following individuals to the newly  
[2011-2039](#) constituted Propel Pittsburgh Commission for terms expiring on August 31, 2014.

Justin Victor of 604 Pressley Street (Dist.1 Harris)  
Rick Moody Jr. of 1103 Idlewood Avenue (Dist.2 Smith)  
Colin White of 2202 Sarah Street (Dist.3 Kraus)  
Jennifer Askey of 2408 Beaufort Avenue (Dist.4 Rudiak)  
Lauren Stoner of 3569 Beechwood Boulevard (Dist.5 Shields)  
DaVonna Graham of 2043 Wylie Avenue (Dist.6 Lavelle)  
Eric Hulsey of 737 South Braddock Ave. (Dist.8 Peduto)

Thomas Donahue of 2501 Larkins Way  
Zachary Malone of 117 South 17th Street  
Caitlin McCarthy of 1827 Wharton Street  
Chelsea Prior of 130 7th Street  
Zachary Walters of 4223 Dunkeld Way  
Anthony Bellino of 5435 Howe Street  
Kento Ohmori of 211 56th Street 21st (WITHDRAWN)  
Robert Rakow of 435 Cedarville Street (WITHDRAWN)

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

## **REPORTS OF COMMITTEE - FINAL ACTION**

### **COUNCILMAN PEDUTO PRESENTS COMMITTEE ON FINANCE AND LAW**

Bill No. [2011-2132](#) Report of the Committee on Finance and Law for September 28, 2011 with an Affirmative Recommendation.

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

Bill No. [2011-2096](#) Resolution further amending and supplementing Resolution No. 229 effective April 19, 2000, 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 "Young Preservationists Association of Pittsburgh" \$3,000 and by adjusting various other projects in Council District 5. Total cost of all projects is not to exceed \$1,000,000.

**SPONSOR(S): DOUGLAS SHIELDS**

**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. [2011-2133](#) Report of the Committee on Land Use and Economic Development for September 28, 2011 with an Affirmative Recommendation.

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

Bill No. [2011-2095](#) Resolution amending and supplementing Resolution No. 861, effective January 1, 2000, as amended, entitled: "Adopting and approving the 2000 Capital Budget and the 2000 Community Development Block Grant Program; 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 "Young Preservationists Association of Pittsburgh" \$3,000 and by adjusting various other projects in Council District 5 Neighborhood Needs.

**SPONSOR(S): DOUGLAS SHIELDS**

**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. [2011-2155](#) NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby recognizes the Women's Committee of the Carnegie Museum of Art to be a civic and/or service organization within the context of the Pennsylvania Small Games of Chance Act, as amended.

**SPONSOR(S): WILLIAM PEDUTO**

**A motion was made that this matter be Adopted. 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. [2011-2156](#) NOW THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh, does hereby oppose House Bill 822, the proposed "National Right to Carry Reciprocity Act of 2011" as introduced by Congressman Cliff Stearns of Florida; and BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh, does hereby call upon the members of the Pennsylvania Congressional Delegation - especially Senator Pat Toomey and Senator Robert Casey - to join us in opposition to this dangerous bill, and to vote against it when it comes to a vote on the House or Senate floor; and BE IT FURTHER RESOLVED, that a copy of this resolution shall be transmitted to the Leadership of the United States Congress and to each member of the Pennsylvania Delegation.

**SPONSOR(S): BRUCE A. KRAUS AND ALL MEMBERS**

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



**Votes:** Ayes: 8 - Rev. Burgess, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. Peduto, Ms. Rudiak, Mr. Shields and Mrs. Smith

Noes: 0

Abstentions: 1 - Mr. Dowd

Bill No.

[2011-2157](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh joins with individuals and organizations, including service providers , advocates, and both non-profit and for-profit organizations, to acknowledge the serious deficits in decent, affordable, and available housing in Pennsylvania; and, BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh support the funding of policies and programs to increase the supply of safe, decent and affordable homes and decrease the frequency of homelessness in an effort to ensure that all residents of the City have a safe place to live.

**SPONSOR(S): THERESA SMITH, WILLIAM PEDUTO AND ALL MEMBERS**

**A motion was made that this matter be Adopted. 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

## **APPROVAL OF MINUTES**

## **ADJOURNMENT**

## **LEGISLATION PRESENTED BY SIGN LANGUAGE INTERPRETER**