

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 15, 2009

10:00 AM

Council Chambers

City Council

**ONE-HUNDRED
THIRTY-FIFTH COUNCIL**

Douglas Shields, President

Council Members: Reverend Ricky V. Burgess, Patrick Dowd, Darlene M. Harris, Bruce A. Kraus, Jim Motznik, Tonya D. Payne, William Peduto, 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. Motznik, Ms. Payne, Mr. Peduto, Mrs. Smith and Mr. Shields

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

Bill No.

[2009-2084](#)

NOW THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh recognizes and commends The South Brook Titans Softball Team for their drive, energy and teamwork, and congratulates them on their achievement on the diamond as the 2009 City League Champions.

NOW THEREFORE, BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby proclaim Tuesday, December 15th, 2009 "South Brook Titans Day" in the City of Pittsburgh.

SPONSOR(S): JIM MOTZNIK AND ALL MEMBERS

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

Bill No.

[2009-2085](#)

Now, therefore be it resolved that the Council of the City of Pittsburgh does hereby recognize and honor Mr. Tony Ceoffe for a lifetime of commitment to his community,

And Be it further resolved, that the Council of the City of Pittsburgh hereby declares December 15, 2009 "Tony Ceoffe 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.

[2009-2086](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize and commend the Save Race Street Committee for their efforts to enhance the quality of life for others as they empower the Homewood Community; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh, does hereby proclaim Saturday, December 19, 2009, as the "Save Race Street Committee" 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.

PUBLIC COMMENTS

PRESENTATION OF PAPERS

MRS. HARRIS, CHAIRPERSON OF THE COMMITTEE ON PUBLIC WORKS, PRESENTS

Bill No. [2009-2075](#) Resolution Authorizing the execution of a Temporary Easement and Dedication Agreement between the Housing Authority of the City of Pittsburgh, a public body corporate and politic organized and existing under the Housing Authorities Law of the Commonwealth of Pennsylvania, and the City of Pittsburgh, a municipal corporation of the Commonwealth of Pennsylvania, for real property in the Hill District.

SPONSOR(S): DARLENE HARRIS

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

Read and referred to Public Works Committee

Bill No. [2009-2076](#) Resolution vacating a 20' Unnamed Way, also know as Paul Place, northward from Capital Avenue in the 19th Ward, 4th Council District of the City of Pittsburgh.

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

Read and referred to Public Works Committee

Bill No. [2009-2079](#) Resolution providing for a contract or contracts or the use of existing contract or contracts; or agreement or agreements for the implementation of a Spay and Neuter program for the Bureau of Animal Control at a cost not to exceed Fifty Thousand Dollars (\$50,000) and providing for the payment thereof.

SPONSOR(S): DARLENE HARRIS

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

Read and referred to Public Safety Services Committee

**MR. KRAUS, CHAIRPERSON OF THE COMMITTEE ON PUBLIC SAFETY,
PRESENTS**

Bill No. [2009-2080](#) Resolution Further amending and supplementing Resolution No. 180, effective April 5, 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 in Council District 3", by adding \$2,000 to "Southside Chamber of Commerce Decorative Lights". Total cost is not to exceed \$1,000,000.

SPONSOR(S): BRUCE A. KRAUS

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

Read and referred to Finance and Law Committee

Bill No. [2009-2081](#) 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 \$2,000 to “Southside Chamber of Commerce Decorative Lights” and by adjusting amounts in various other projects in Council District 3.

SPONSOR(S): BRUCE A. KRAUS

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

Read and referred to Land Use and Economic Development Committee

MR. PEDUTO, CHAIRPERSON OF THE COMMITTEE ON FINANCE AND LAW, PRESENTS

Bill No. Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business
[2009-2072](#) Related Taxes, Chapter 246, Home Rule Tax, by fixing the rate of interest on certain delinquent Earned Income and Home Rule Taxes for [2009] 2010.

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

Read and referred to Finance and Law Committee

Bill No. Resolution authorizing the issuance of Warrants in the sum of \$39,692.12 in favor of
[2009-2073](#) John Moon; c/o Paul G. Kay, Esq., Merchant & Kay, LLC, 603 Washington Road, Suite 500, Pittsburgh, PA 15228; in full and final settlement of an action filed in the Court of Common Pleas of Allegheny County, Pennsylvania, Civil Division, at No. GD 07-14725 for an employment related claim, and in the sum of \$307.88 to the Treasurer of the City of Pittsburgh for indebtedness to the City.

Read and referred to Finance and Law Committee

Bill No. Resolution providing for the issuance of a Nine Thousand Seven Hundred Thirteen
[2009-2074](#) Dollar and Sixty Cent (\$9,713.60) warrant in favor of Mercedes C. Taylor c/o Jon Pushinsky, Esquire, 429 Fourth Avenue, Suite 1808, Pittsburgh, PA 15219, in settlement of an action filed in the Court of Common Pleas of Allegheny County, Pennsylvania at AR 07-010544 and AR 07-010567 for pension, longevity, and/or salary/employment benefits.

Read and referred to Finance and Law Committee

Bill No. Resolution authorizing the City Clerk to enter into a professional services contract(s),
[2009-2082](#) or use of existing professional services contract(s) with a consultant or consultants to provide professional services to Pittsburgh City Council for the purpose of including, but not limited to financial advisory, legal, writing, research, stenography, Legistar or other services, in an amount not to exceed Seventeen Thousand Dollars (\$17,000).

SPONSOR(S): WILLIAM PEDUTO

Read and referred to Finance and Law Committee

MR. SHIELDS, PRESIDENT OF COUNCIL AND CHAIRPERSON OF THE COMMITTEE ON HEARINGS, PRESENTS

Bill No. Ordinance ratifying the Pittsburgh Fire Fighters Local No. 1 Collective Bargaining Agreement and amending the Act 47 Plan in conformance therewith.
[2009-2083](#)

SPONSOR(S): DOUGLAS SHIELDS

Read and referred to Finance and Law Committee

Bill No. Resolution authorizing the appointment of Judy Hill Finegan to serve as the Director of the Department of Personnel and Civil Service Commission. Said appointment shall be effective as of the date of confirmation by City Council
[2009-2077](#)

Held, Pending Interview to Hearings Committee

Bill No. Resolution authorizing the appointment of Robert W. Kaczorowski to serve as the Director of the Department of Public Works. Said appointment shall be effective as of the date of confirmation by City Council
[2009-2078](#)

Held, Pending Interview to Hearings Committee

UNFINISHED BUSINESS

Appointments Authorizing - Require Vote

Bill No. Resolution authorizing the reappointment of Todd Reidbord, 1437 Inverness Street, Pittsburgh, PA 15217, as a member of the City Planning Commission for a term to expire on January 2, 2016.
[2009-2009](#)

This Matter was Approved on the Consent Agenda.

Bill No. Resolution authorizing the reappointment of Page Thomas, 1 Odanah Street, Pittsburgh, PA 15212, as a member of the City Planning Commission for a term to expire on January 2, 2016.
[2009-2010](#)

This Matter was Approved on the Consent Agenda.

Bill No. Resolution authorizing the appointment of Maelene Myers, 5820 Wayne Road, Pittsburgh, PA 15206, as a member of the City Planning Commission for a term to expire on January 2, 2014.
[2009-2011](#)

This Matter was Approved on the Consent Agenda.

Bill No. Resolution authorizing the reappointment of Kirk Burkley, 206 West North Avenue, Pittsburgh, PA 15212, as a member of the Zoning Board of Adjustment for a term to expire on December 31, 2012.
[2009-2012](#)

This Matter was Approved on the Consent Agenda.

Bill No. Resolution authorizing the appointment of Kilolo Luckett, 6960 Meade Street, Pittsburgh, PA 15208, as a member of the Art Commission for a term to expire on December 31, 2013.
[2009-2016](#)

This Matter was Approved 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.

Appointment Informing - Receive and File

Bill No. Resolution informing City Council of the reappointment of Robert D. Jones, 8370
[2009-2014](#) Bricelyn Street, Pittsburgh, PA 15221 , as a member of the Allegheny Regional Asset District with a term to expire December 31, 2013.

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

REPORTS OF COMMITTEE - FINAL ACTION

MR. PEDUTO PRESENTS COMMITTEE ON FINANCE AND LAW

Bill No. Report of the Committee on Finance and Law for December 9, 2009 with an
[2009-2068](#) Affirmative Recommendation.

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

Bill No. Resolution providing for the issuance of a \$2,601.89 warrant in favor of Highwood
[2009-2000](#) Condominium Association, of 372 S. Highland Avenue, Pittsburgh, PA 15206, in settlement of a claim for sidewalk damage due to City tree roots on July 20, 2009.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution providing for the issuance of a \$5,000.00 warrant in favor of Richard &
[2009-2001](#) Yvette Smith, of 1257 Ingham Street, Pittsburgh, PA 15212, in settlement of a claim for sidewalk damage due to City tree roots on February 27, 2009.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution authorizing the issuance of a warrant in favor of the Richard S. Caliguiri
[2009-2002](#) Amyloidosis Foundation in an amount not to exceed thirteen thousand five hundred and forty nine dollars, in connection with the 2009 Great Race in the Department of Parks and Recreation, without previous authority of law; and providing for the payment thereof
(PRESENTED BY MRS. SMITH)

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution authorizing the Mayor and CIS to enter into a Contract or Contract, or
[2009-2059](#) Agreement or Agreements with Granicus, for the purchase of hardware, software, installation, training and annual support relative to Video Streaming of City Council Meetings, beginning in January, 2010, at a total cost not to exceed 42,000.

SPONSOR(S): WILLIAM PEDUTO

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2009-2060](#)

Resolution providing for the issuance of a warrant in favor of Daystar Computer Systems, Inc. in the amount of \$6,393.00 in payment for software upgrades to Insite, the Legislative Information Center used by the City Clerk's Office, as well as integration between Legistar, the legislative management software and video streaming software to be implemented in January, 2010.

SPONSOR(S): WILLIAM PEDUTO

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2009-2061](#)

Resolution further amending and supplementing Resolution No. 257, effective April 26, 2000, as amended, 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 Mayor's citywide Neighborhood Needs Program; and providing for the payment of the costs thereof," by reducing "YMCA Centre Avenue" by \$11,000 and by adding that amount to "Central Outreach Resource and Referral Center". Total cost of all projects is not to exceed \$1,000,000.00

SPONSOR(S): TONYA D. PAYNE

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2009-2063](#)

Resolution Further amending Resolution No. 121 of 2003, effective March 14, 2003 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 2003 Community Needs Program; and providing for the payment of the costs thereof," by adding \$5,500 to Perry Hilltop Citizens Council and another \$5,500 to Fineview Citizens Council for surveillance cameras and by Wesley AME Charities, \$14,466 and Central Outreach Resource and Referral Center, \$32,467.57 and by adjusting various projects in District 6 Neighborhood Needs.

SPONSOR(S): TONYA D. PAYNE

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2009-2066](#)

Resolution further amending Resolution No. 403, as amended, 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 in Council District 6; and providing for the payment of the costs thereof," by adding \$3,300 to "Police Chaplain Program", \$10,000 to the "Central Northside Neighborhood Council" and \$11,532.75 to the "Central Outreach Resource and Referral Center" and by adjusting various projects in District

SPONSOR(S): TONYA D. PAYNE

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: 9 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Motznik, Ms. Payne, Mr. Peduto, Mrs. Smith and Mr. Shields

Noes: 0

Abstentions: 0

REV. BURGESS PRESENTS COMMITTEE ON LAND USE & ECONOMIC DEVELOPMENT

Bill No. Report of the Committee on Land Use and Economic Development for December 9, 2009 with an Affirmative Recommendation.
[2009-2069](#)

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

Bill No. Resolution further amending Resolution No. 861, effective January 1, 2000, 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 reducing "YMCA Centre Avenue" by \$11,000 and by adding that amount to "Central Outreach Resource and Referral Center". Total cost of all projects is not to exceed \$1,000,000.00
[2009-2062](#)

SPONSOR(S): TONYA D. PAYNE

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution amending and supplementing Resolution No. 891, effective January 1, 2003, as amended, entitled: "Adopting and approving the 2003 Capital Budget and the 2003 Community Development Block Grant Program; and approving the 2003 through 2008 Capital Improvement Program by adjusting various line items in conformance with City Council's 2003 Capital Budget amendments" by adding \$5,500 to Perry Hilltop Citizens Council and another \$5,500 to Fineview Citizens Council for surveillance cameras and by Wesley AME Charities, \$14,466 and Central Outreach Resource and Referral Center, \$32,467.57 and by adjusting various projects in District 6 Neighborhood Needs.
[2009-2064](#)

SPONSOR(S): TONYA D. PAYNE

This Matter was Passed Finally on the Consent Agenda.

Bill No. 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 \$3,300 to "Police Chaplain Program", \$10,000 to the "Central Northside Neighborhood Council" and \$11,532.75 to the "Central Outreach Resource and Referral Center" and by adjusting various projects in District 6.
[2009-2065](#)

SPONSOR(S): TONYA D. PAYNE

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: 9 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Motznik, Ms. Payne, Mr. Peduto, Mrs. Smith and Mr. Shields

Noes: 0

Abstentions: 0

MRS. SMITH PRESENTS COMMITTEE ON URBAN RECREATION

Bill No. Report of the Committee on Urban Recreation for December 15, 2009 with an Affirmative Recommendation.
[2009-2070](#)

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

Bill No. Resolution authorizing the Department of Parks and Recreation to enter into a contract or contracts, agreement or agreements, lease or leases, grant agreements, professional service agreements or the use of existing contracts, leases or agreements, and other services, along with other approved expenditures for the City's Comprehensive Open Space, Parks and Recreation Plan. Cost not to exceed \$100,000.
[2009-2003](#)

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution authorizing the Department of Parks and Recreation to enter into a contract or contracts, agreement or agreements, or the use of existing contracts or agreements and other approved expenditures for the construction of Splash Zones, aquatic playground facilities. Cost not to exceed \$500,000.
[2009-2004](#)

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution authorizing the Department of Parks and Recreation to enter into a contract or contracts, agreement or agreements, or the use of existing contracts or agreements and other approved expenditures for the maintenance and enhancement of City recreation and senior centers. Cost not to exceed \$100,000.
[2009-2005](#)

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: 9 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Motznik, Ms. Payne, Mr. Peduto, Mrs. Smith and Mr. Shields

Noes: 0

Abstentions: 0

MR. DOWD PRESENTS COMMITTEE ON INTERGOVERNMENTAL AFFAIRS

Bill No. Report of the Committee on Intergovernmental Affairs for December 9, 2009 with an Affirmative Recommendation.
[2009-2071](#)

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

Bill No. 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 3rd Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block 2-H, Lots 147, 149, 150, 151, and Block 11-E, Lots 45, 46, 49, 50, 51, 52A, 54, 56, 57, 58, 60A, 62, 63, 64, 65, 65A, 66, 68, 69, 70, 72, 73, and 296 (Council District No. 6 - Site Assemblage for future development - Colwell Street).
[2009-2006](#)

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution approving execution of a Deed by and between the Urban Redevelopment Authority of Pittsburgh and the City of Pittsburgh for the sale of Block 49-N, Lot 10, in the 6th Ward of the City of Pittsburgh, 3450 Butler Street - Council District No.7 (Greenspace).
[2009-2007](#)

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution authorizing the acquisition of the property located at 1228 Arlington Avenue, 18th Ward, Block & Lot No. 14-F-149, from Ashley J. Craven or Urban Redevelopment Authority of Pittsburgh for \$25,000 plus closing costs for use as a parking lot for the new Zone 3 police station. (Council District 3)
[2009-2008](#)

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: 9 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Motznik, Ms. Payne, Mr. Peduto, Mrs. Smith and Mr. Shields
Noes: 0
Abstentions: 0

MOTIONS AND RESOLUTIONS**APPROVAL OF MINUTES**

A motion was made to approve the minutes. The motion carried.

ADJOURNMENT

A motion was made to adjourn the meeting. The motion carried.