

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, March 11, 2008

10:00 AM

Council Chambers

City Council

**ONE-HUNDRED
THIRTY-FIFTH COUNCIL**

Douglas Shields, President

**Council Members: Reverend Ricky V. Burgess, Dan Deasy, Patrick Dowd, Darlene M. Harris,
Bruce A. Kraus, Jim Motznik, Tonya D. Payne, William Peduto**

Linda M. Johnson-Wasler, City Clerk

Mary Beth Doheny, Deputy City Clerk

ROLL CALL

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

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

Bill No. [2008-0205](#) NOW THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend all of the organizers of and participants in the Annual St. Patrick's Day Parade; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does, in honor of Pittsburgh's Irish community, hereby declares the week of March 9-15, 2008, to be "ST. PATRICK'S WEEK " in the City of Pittsburgh.

SPONSOR(S): DOUGLAS SHIELDS

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

Bill No. [2008-0206](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh hereby commends the members of the Pittsburgh Schaeffer Intermediate Student Council for taking such active leadership roles and making an immediate impact in their school and wishes them continued success in reaching all of their goals.

SPONSOR(S): DAN DEASY

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

Bill No. [2008-0207](#) NOW THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does hereby recognize and honor all of the City's emergency responders, and, in particular, Paramedic Jeffrey Ream and Paramedic George Mildner of Rescue 2; Paramedic Stacey Yaras and Crew Chief Mark Bonasso of Medic 10; and Lieutenant David Kurz, Firefighter Steven Zielmanski and Firefighter Jeff Yoder of the Bureau of Fire, in thanks for helping Mr. and Mrs. Cerra, and as represen-ta-tive of all the good work done each day in the City of Pittsburgh by our responders.

SPONSOR(S): DARLENE HARRIS AND ALL MEMBERS

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

Bill No. [2008-0208](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby proclaim March 10-17, 2008 as Multiple Sclerosis Awareness Week 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. [2008-0210](#) NOW THEREFORE, BE IT RESOLVED that the City of Pittsburgh applauds the efforts and contributions of Stand Up Now and Royal Tribe arts organization.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh hereby

declares March 11, 2008, "Stand Up Now Day" in the City of Pittsburgh.

SPONSOR(S): WILLIAM PEDUTO

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

PUBLIC COMMENTS

PRESENTATION OF PAPERS

REV. BURGESS, CHAIRPERSON OF THE COMMITTEE ON PLANNING, ZONING AND LAND USE, PRESENTS

Bill No. Resolution providing for the designation as a Historic Structure under Title 11 of the
[2008-0195](#) Code of Ordinances that certain structure known as the former National Negro Opera Company House, located at 7101 Apple Street, block and lot number 173-N-87, in the 12th Ward, City of Pittsburgh.

Read and referred to Planning, Zoning & Land Use Committee

Bill No. Resolution providing for the designation as a Historic Structure under Title 11 of the
[2008-0196](#) Code of Ordinances that certain structure known as the former Workingmen' Savings Bank, located at 800 E Ohio Street, block and lot number 24-N-142, in the 23rd Ward, City of Pittsburgh.

Read and referred to Planning, Zoning & Land Use Committee

Bill No. Resolution authorizing the Mayor and the Director of City Planning to enter into a
[2008-0197](#) grant agreement with the State of Pennsylvania's Department of Community and Economic Development to receive monies to support sector planning in the City of Pittsburgh, and further providing for legitimate expenditures for payments and agreement or agreements, or contract or contracts for any services required in connection with the execution of said grant agreement. Said agreement or agreements, contract or contracts or expenditures shall not exceed \$200,000.00.

Read and referred to Planning, Zoning & Land Use Committee

MR. DEASY, CHAIRPERSON OF HOUSING, ECONOMIC DEVELOPMENT AND PROMOTION, ON BEHALF OF MEMBERS DEASY, KRAUS AND PAYNE, PRESENTS

Bill No. Resolution Further amending Resolution No. 121 of 2003, effective March 14, 2003
[2008-0202](#) 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 \$4,500 to "District 2 DPW Projects" and \$6,603.74 to "District 3 DPW Projects" and by making adjustments to various other projects in Council Districts 2, 3 and 6.

SPONSOR(S): DAN DEASY, BRUCE A. KRAUS AND TONYA D. PAYNE

Read and referred to Finance, Law and Purchasing Committee

Bill No. [2008-0203](#) 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 \$4,500 to "District 2 DPW Projects" and \$6,603.74 to "District 3 DPW Projects" and by making adjustments to various other projects in Council Districts 2, 3 and 6.

SPONSOR(S): DAN DEASY, BRUCE A. KRAUS AND TONYA D. PAYNE

Read and referred to Housing, Economic Development & Promotion Committee

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

Bill No. [2008-0193](#) Resolution providing for a Contract or Contracts, or the use of existing Contracts for street resurfacing programs to include, hot mix asphalt, crack sealing, equipment purchases, sawing and sealing, asphalt milling, truck rental, brick and blockstone repairs, handicap ramps, concrete slab replacement and parks related asphalt work in CDBG areas throughout the City of Pittsburgh, and providing for the payment of the cost thereof, at a cost not to exceed \$540,000.00.

Read and referred to Public Works & Environmental Services Committee

MR. KRAUS, CHAIRPERSON OF PUBLIC SAFETY SERVICES, PRESENTS

Bill No. [2008-0200](#) 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 deleting "KDKA Beat Auto theft", \$2,000 and by reducing "Refurbish Quarry Field" by \$14,416.25 and by adding \$14,416.25 to "District 3 DPW Projects", \$1,500 to "Urban Mountain Gathering Place" and \$500 to "PA Resource Council" in Council District 3.

SPONSOR(S): BRUCE A. KRAUS

Read and referred to Finance, Law and Purchasing Committee

Bill No. [2008-0201](#) 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 \$1,128,892.00 from Grant/Liberty to City Clerk's Office Modernization" by deleting "KDKA Beat Auto theft", \$2,000 and by reducing "Refurbish Quarry Field" by \$14,416.25 and by adding \$14,416.25 to "District 3 DPW Projects", \$1,500 to "Urban Mountain Gathering Place" and \$500 to "PA Resource Council" in Council District 3.

SPONSOR(S): BRUCE A. KRAUS

Read and referred to Housing, Economic Development & Promotion Committee**MR. MOTZNIK, CHAIRPERSON OF THE COMMITTEE ON ENGINEERING, FLEET AND FORESTRY, PRESENTS**

Bill No. Resolution providing for securing a right-of-way in connection with the rehabilitation of the McArdle Viaduct No. 1; also providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Dept of Transportation; and further providing for the payment of the costs thereof. Cost not to exceed \$50,000.00.

[2008-0194](#)

Read and referred to Engineering, Fleet and Forestry Committee

MS. PAYNE, CHAIRPERSON OF FACILITIES, TECHNOLOGY AND THE ARTS, PRESENTS

Bill No. Resolution repealing resolution 878 effective 12-16-2003 entitled; "Resolution providing for an agreement or agreements or contract or contracts by and between the City of Pittsburgh and a Consultant or Consultants, Contractor or Contractors for the purpose of implementing the Freedom Corner Capital Improvement project for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$56,500.00" by repealing it in its entirety.

[2008-0204](#)

SPONSOR(S): TONYA D. PAYNE

Read and referred to Engineering, Fleet and Forestry Committee

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

Bill No. Resolution providing for the issuance of a \$8,548.00 warrant in favor of Howard and Beverly Filtz, 5508 Darlington Road, Pittsburgh, PA 15217, in settlement of a claim for sewer line damage due to City tree roots on March 28, 2007.

[2008-0190](#)

Read and referred to Finance, Law and Purchasing Committee

Bill No. Resolution authorizing cooperation agreement or agreements, providing for the transfer of funds not to exceed Nine Million One Hundred Thousand (\$9,100,000) dollars, to the City of Pittsburgh Equipment Leasing Authority for the purchase of vehicles, radios and equipment for use by the City of Pittsburgh Departments and Authorities.

[2008-0191](#)

Read and referred to Finance, Law and Purchasing Committee

Bill No. Resolution providing for an Agreement of Sale with Bud Holmes and Deborah Cunningham for acquisition by the City of Pittsburgh of property located at 18 Queen Street, 24th Ward, Block and Lot 24-A-213, City of Pittsburgh, and providing further for certain payments not to exceed \$16,000.00.

[2008-0192](#)

Read and referred to Finance, Law and Purchasing Committee

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

Bill No. [2008-0198](#) Communication from Arlette Scott Williams, Executive Director for the Allegheny County Sanitary Authority (ALCOSAN), submitting the Position and Salary Report as of December 31, 2007.

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

Bill No. [2008-0199](#) Communication from Michael Lichte, P.E. Acting Executive Director of the Pittsburgh Water and Sewer Authority (PWSA), submitting the Position and Salary Report as of December 31, 2007.

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

UNFINISHED BUSINESS

REPORTS OF COMMITTEE - FINAL ACTION

MR. PEDUTO PRESENTS COMMITTEE ON FINANCE, LAW AND PURCHASING

Bill No. [2008-0187](#) Report of the Committee on Finance, Law and Purchasing for March 5, 2008 with an Affirmative Recommendation.

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

Bill No. [2008-0148](#) Resolution providing that the City of Pittsburgh enter into Professional Service Agreement(s) and/or Contracts with consultants and/or service providers for professional services in connection with Civil Service and MPOETC required assessment and evaluation of Public Safety candidates (Police Officer Recruits, Paramedics), and providing for payment of the cost thereof, not to exceed \$20,000.00.

This Matter was Passed Finally on the Consent Agenda.

Bill No. [2008-0149](#) Resolution repealing items in Resolutions approved on various dates, authorizing the 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. Item A: 323 Mansion.

This Matter was Passed Finally on the Consent Agenda.

Bill No. [2008-0150](#) Resolution providing for the conveyance by the City of Pittsburgh of certain property, 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 P. A: 137 Furley; B: 414 Sloan; C: 2423 Vodeli; D: 2304 Cobden; E: 40 Holt; F: 3608 Colmar; G: 3610 Colmar; H: 3634 Purdue; I: 217 Carrington; J: 4001 Grizella; K: 325 Ravilla; L: 1302 Gifford; M: 233 Dunseith; N: 715 Glenside; O: 605 Jefferson; P: 5420 Carnegie

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution providing for conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.
[2008-0151](#) ITEMS A and B. A: 1215 Fairdale; B: 700 N. Aiken.

This Matter was Passed Finally on the Consent Agenda.

Bill No. 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.
[2008-0152](#) ITEMS A through D: A: 134 Beltzhoover; B: 653 S. Main; C: 7626 Tioga; D: 7620 Tioga.

This Matter was Passed Finally on the Consent Agenda.

Bill No. 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.
[2008-0153](#) ITEMS A through K. A: 806 Selby; B: 7 Telescope; C: 5312 Duncan; D: 1614-1616 Fifth; E: 22 Pius; F: 2639 Norwood; G: 172 Robinson; H: 231, 233, 235 & 237 Corliss; I: 241 & 247 Corliss; J: 2938 Leander; K: 1006 Moyer.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution further amending and supplementing Resolution No. 258, 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 Neighborhood Needs Program in Council District 1; and providing for the payment of the costs thereof," by adjusting various projects in Council District 1. The total amount of all projects is not to exceed \$1,000,000.
[2008-0155](#)

SPONSOR(S): DARLENE HARRIS

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution Further amending Resolution No. 232, effective April 19, 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 Neighborhood Needs Program in Council District 2; and providing for the payment of the costs thereof," By adding \$5,000 to "West End Elliott Citizens Council" and by reducing the "West Pittsburgh Partnership Elliott Park New Building" by the same amount, in Council District 2. Total cost of all projects not to exceed \$1,000,000.
[2008-0179](#)

SPONSOR(S): DAN DEASY

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. Deasy, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Motznik, Ms. Payne, Mr. Peduto and Mr. Shields
Noes: 0
Abstentions: 0

MRS. HARRIS PRESENTS COMMITTEE ON PUBLIC WORKS & ENVIRONMENTAL SERVICES

Bill No. Report of the Committee on Public Works and Environmental Services for March 5, 2008 with an Affirmative Recommendation.
[2008-0188](#)

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

Bill No. Resolution providing for a Contract or Contracts, or the use of existing Contracts for the repairs, maintenance, improvements, emergencies, landscaping equipment, including mowers, utility carts, tractors, etc., at various parks and park facilities throughout the City of Pittsburgh, and providing for the payment of the cost thereof, at a cost not to exceed \$300,000.00.
[2008-0132](#)

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

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

MR. DEASY PRESENTS COMMITTEE ON HOUSING, ECONOMIC DEVELOPMENT AND PROMOTION

Bill No. Report of the Committee on Housing, Economic Development and Promotion for March 5, 2008 with an Affirmative Recommendation.
[2008-0189](#)

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

Bill No. Resolution amending and supplementing Resolution No. 861, effective January 1, 2000, as amended, entitled: "Adopting and approving the 2000 Capital; 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 "Animal Care and Welfare Inc," and by reducing "District 1 Community Organizational Support" by the same amount in Council District 1.
[2008-0156](#)

SPONSOR(S): DARLENE HARRIS

This Matter was Passed Finally on the Consent Agenda.

Bill No. [2008-0180](#) 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 \$5,000 to "West End Elliott Citizens Council" and by reducing the "West Pittsburgh Partnership Elliott Park New Building" by the same amount, in Council District 2.
SPONSOR(S): DAN DEASY

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. Deasy, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Motznik, Ms. Payne, Mr. Peduto and Mr. Shields
Noes: 0
Abstentions: 0

MOTIONS AND RESOLUTIONS

Bill No. [2008-0211](#) NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby recognizes Private Soldier and Sailors Club to be a civic and/or service organization within the context of the Pennsylvania Small Games of Chance Act, as amended.

SPONSOR(S): DOUGLAS SHIELDS

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

Bill No. [2008-0212](#) THEREFORE, BE IT RESOLVED that Pittsburgh City Council calls upon the Pittsburgh Delegation to the Pennsylvanian State Legislature to support all efforts or organize around the efforts to follow the example of seven other states by writing and passing legislation making lost or stolen handgun reporting mandatory in Pennsylvania; and,
BE IT FURTHER RESOLVED that a copy of this resolution shall be transmitted to the Mayor of Pittsburgh, to all members of the Pennsylvania General Assembly, and to the Governor of Pennsylvania.

SPONSORED BY COUNCIL PRESIDENT DOUGLAS SHIELDS

CO-SPONSORED BY COUNCIL MEMBERS

DARLENE HARRIS, BRUCE A. KRAUS, BILL PEDUTO, REV. RICKY BURGESS, DAN DEASY, PATRICK DOWD, JIM MOTZNIK AND TONYA PAYNE

SPONSOR(S): DOUGLAS SHIELDS, DARLENE HARRIS, BRUCE A. KRAUS, WILLIAM PEDUTO, REVEREND RICKY V. BURGESS, DAN DEASY, PATRICK DOWD, JIM MOTZNIK AND TONYA D. PAYNE

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

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 by the following vote:

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

Noes: 0

Abstentions: 0