

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, May 3, 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. [2011-1681](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby honor the contributions and achievements of Brad Livezey; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare May 14, 2011 "Brad Livezey Day" in the City of Pittsburgh.

SPONSOR(S): WILLIAM PEDUTO

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

Bill No. [2011-1682](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby honor the efforts and achievements of Ladies United for the Preservation of Endangered Cocktails; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare May 3, 2011 "Ladies United for the Preservation of Endangered Cocktails Day" in the City of Pittsburgh.

SPONSOR(S): WILLIAM PEDUTO

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

Bill No. [2011-1683](#) BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Tuesday, May 3, 2011, National Teacher Appreciation Day in the City of Pittsburgh.

SPONSOR(S): PATRICK DOWD, THERESA SMITH AND DARLENE HARRIS

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

Bill No. [2011-1684](#) BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby declare Friday, May 20, 2011 to be "Take Your Father to School Day" in the City of Pittsburgh.

SPONSOR(S): DARLENE HARRIS

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

Bill No. [2011-1685](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend Grandma B's Restaurant on their one year anniversary and for the continuous work they do on behalf of the residents of the City of Pittsburgh by opening and running a long missed asset in the Hill District - a soul satisfying sit down restaurant.

SPONSOR(S): R. DANIEL LAVELLE

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

Bill No.

[2011-1686](#)

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby commend and congratulate Michael Dunleavy on being named Labor's 2011 Man of the Year by the Allegheny County Labor Council, and does hereby declare May 6, 2011, to be "Michael R. Dunleavy Day" in the City of Pittsburgh.

SPONSOR(S): DARLENE HARRIS

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

Bill No.

[2011-1687](#)

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Tuesday, May 3, 2011, Pennsylvania-Delaware Chapter of the International Society of Arboriculture Day in the City of Pittsburgh.

SPONSOR(S): PATRICK DOWD

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

Bill No.

[2011-1688](#)

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Thursday, May 5, 2011, to be "The Day of Prayer" in the City of Pittsburgh.

SPONSOR(S): THERESA SMITH

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

Bill No.

[2011-1689](#)

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby praise the work Carl Sellers does for the Head Start children at Martin Luther King Elementary School trying to keep them on the straight and narrow at such a young age, showing them his love and that someone cares for them, and does declare Tuesday, May 3, 2011, to be "Carl Sellers Day" in the City of Pittsburgh.

SPONSOR(S): DARLENE HARRIS

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

Bill No.

[2011-1690](#)

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh hereby commends Speaking of... and its founders for bringing spoken word art, to Pittsburgh and the North Side and does declare Tuesday, May 3, 2011 "Speaking of... Day" in the City of Pittsburgh.

SPONSOR(S): DARLENE HARRIS

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

Bill No.

[2011-1691](#)

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby commend and congratulate Kathy Jellison on being named Labor's 2011 Woman of the Year by the Allegheny County Labor Council.

SPONSOR(S): DARLENE HARRIS

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

Bill No.

[2011-1692](#)

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare April 28, 2011, to be "Los Muñequitos De Matanzas Day" in the City of Pittsburgh.

SPONSOR(S): DOUGLAS SHIELDS**A motion was made that this matter be Adopted. The motion carried.**

Bill No.

[2011-1693](#)

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Wednesday, May 4, 2011, to be "DOTTIE GRINBERG DAY" in the City of Pittsburgh.

SPONSOR(S): DOUGLAS SHIELDS**A motion was made that this matter be Adopted. The motion carried.**

Bill No.

[2011-1694](#)

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare April 26, 2011, to be "MARCELLUS SHALE PROTEST DAY" in the City of Pittsburgh.

SPONSOR(S): DOUGLAS SHIELDS**A motion was made that this matter be Adopted. The motion carried.**

Bill No.

[2011-1695](#)

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Wednesday, May 4, 2011, to be "SUSAN NITZBERG DAY" in the City of Pittsburgh.

SPONSOR(S): DOUGLAS SHIELDS**A motion was made that this matter be Adopted. The motion carried.**

Bill No.

[2011-1696](#)

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Friday, April 29, 2011 to be "FOP Fort Pitt Lodge #1 Retirees Day" in the City of Pittsburgh.

SPONSOR(S): THERESA SMITH**A motion was made that this matter be Adopted. The motion carried.****PUBLIC COMMENTS****PRESENTATION OF PAPERS****COUNCILMAN BRUCE A. KRAUS PRESENTS:**

Bill No.

[2011-1673](#)

Resolution authorizing the Mayor and/or the Director of the Department of Finance to execute a Declaration of Covenants to document the City's responsibility to maintain improvements in Allegheny Commons Park.

Read and referred to Public Works Committee

Bill No.

[2011-1674](#)

Resolution authorizing the Mayor and the Director of the Department of Public Works and the Director of the Department of Parks and Recreation to enter into a Project, Maintenance, and License Agreement with the Children's Museum of Pittsburgh to provide capital improvements/renovations and specified subsequent maintenance to Allegheny Public Square.

Read and referred to Public Works Committee

Bill No. Resolution authorizing the Mayor and the Director of the Department of Parks and Recreation and the Director of the Department of Public Works to enter into an Agreement or Agreements with the Pittsburgh Parks Conservancy to renew and extend the term of the current Cooperation Agreement.

[2011-1675](#)

Read and referred to Public Works Committee

Bill No. Resolution authorizing the Mayor and the Directors of the Department of Parks and Recreation and Public Works to enter into a Project and License Agreement with the Mount Washington Community Development Corporation to benefit Emerald View Park by providing capital improvements in the form of trail construction and development.

[2011-1676](#)

Read and referred to Public Works Committee

Bill No. Resolution authorizing the Mayor and the Director of the Department of Public Works and the Department of Parks and Recreation to enter into a Cooperation and License Agreement with the Pittsburgh Downtown Partnership to provide stewardship, improvements, and maintenance assistance for Market Square (Park Area).

[2011-1677](#)

Read and referred to Public Works Committee

Bill No. Resolution granting unto Solara Ventures, IV, LLC 30 Weatherfield Drive, Suite 217, Newtown, PA 18940 their, successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a handicap ramp, canopy and trees on the right-of-ways of 2434 Smallman Street and 25th Street in the 2nd Ward, 6th Council District of the City of Pittsburgh.

[2011-1678](#)

Read and referred to Public Works Committee

COUNCILMAN DOUGLAS SHIELDS PRESENTS:

Bill No. Resolution authorizing the submission of an application to the Commonwealth of Pennsylvania Department of Community and Economic Development for the Emergency Shelter Grant Program for fiscal year 2011.

[2011-1679](#)

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 April 27, 2011 with an Affirmative Recommendation.

[2011-1671](#)

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

Bill No. Resolution authorizing the issuance of a warrant in favor of D'Appolonia Engineering Division of Ground Technology, Inc., 275 Center Road, Monroeville, PA 15146, in an amount not to exceed Two Thousand Three Hundred Fifty-Five Dollars and

[2011-1633](#)

Twenty-Five Cents (\$2,355.25) for professional engineering consulting services in connection with the Blair v. City of Pittsburgh litigation.

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. [2011-1672](#) Report of the Committee on Public Works for April 27, 2011 with an Affirmative Recommendation.

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

Bill No. [2011-1634](#) Resolution authorizing the Mayor and the Director of the Department of Public Works to enter into a license agreement with the Friends of the Riverfront to construct and maintain a kayak rack and launch facility along the right bank of the Monongahela River at Duck Hollow.

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. [2011-1697](#) WHEREAS, coal-fired power plants emit air toxics and heavy metals, including mercury, arsenic, lead, dioxin and acid gases; and

WHEREAS, mercury is a harmful neurotoxin that can build up in women of childbearing age, and can cause developmental disorders and learning disabilities in children and fetuses; and

WHEREAS, EPA studies show that at least 1 in 12 - and as many as 1 in 6 - American women of childbearing age have enough mercury in their bodies to put a fetus at risk; and

WHEREAS, the federal Environmental Protect Agency (EPA) has proposed new standards for mercury and air toxics, which would update provisions in the Clean Air Act and establish emission limits for coal-fired power plants in the United States; and

WHEREAS, these new protections will save as many as 17,000 lives and prevent

120,000 cases of childhood asthma; and

WHEREAS, the Sierra Club is educating people about this issue by offering free mercury testing; and

WHEREAS, Sierra Club volunteers and others will travel to Philadelphia, PA on May 24th to attend one of three public hearings on this matter being held by the EPA to submit their official support for this proposal;

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby recognize and commend the Sierra Club for their ongoing advocacy for clean air and public health; and

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby support the EPA's proposed emission standards for mercury and other air toxics.

SPONSOR(S): NATALIA RUDIAK

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

APPROVAL OF MINUTES

ADJOURNMENT

LEGISLATION PRESENTED BY SIGN LANGUAGE INTERPRETER