

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 27, 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

Councilmen Kraus and Preduto were available by telephone.

Present: 9 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, Mr. Preduto, Ms. Rudiak and Mrs. Smith

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

Bill No.

2012-0225

NOW, THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does hereby recognize and congratulate the following Varsity players: Charlie Albright, Eric Armbuster, Jeremy Burton, Dominic Campbell, Cletus Helton, Joshua Lengyel, Bradley Meyer, Luke Rizzo, Joey Ryan, Frank Secoli, Randall Whitley, Tyler Zeher and Michael Zigmund and recognizes and congratulates the following Junior Varsity players: Hunter Braebender, Joseph Gagne, Phillip Grayson, Jacob Kosuda, Marshall McGraw, RJ Pugh, Marc Stratiff and Chase Whitley and commends the Athletic Director and the Coaches for their dedication and commitment to youth sports and the children of St. Rosalia Academy; and, BE IT FURTHER RESOLVED, , that the Council of the City of Pittsburgh does hereby declare March 27, 2012, to be "ST. ROSALIA BOYS BASKETBALL 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.

2012-0226

NOW, THEREFORE, BE IT RESOLVED THAT in consideration of the mutual covenants herein set forth and intending to be legally bound, the parties agree to join as twin cities for the advancement of fostering a mutually beneficial relationship in the areas set forth above.

SPONSOR(S): DARLENE HARRIS AND ALL MEMBERS

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

Bill No.

2012-0227

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend; and, BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Tuesday, March 27, 2012, to be "Director Robert Stephany Day" in the City of Pittsburgh.

SPONSOR(S): THERESA SMITH, R. DANIEL LAVELLE AND ALL MEMBERS

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

Bill No.

2012-0228

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend Autism Speaks for the job they do in educating the public and being an advocate for the autistic community and we honor the parents, family and friends of people affected by autism for their patience and willingness to support life;

and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Tuesday, March 27, 2012, to be "Autism Speaks Day" in the City of Pittsburgh.

SPONSOR(S): THERESA SMITH, COREY O'CONNOR AND ALL MEMBERS

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

Bill No.

2012-0229

THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh recognizes Wm. David Allen Jr. Boy Scout Troop 6 for his years of service and congratulates him on achieving Eagle Scout.

THEREFORE BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby declare Tuesday, March 27, 2012 to be Wm. David Allen Jr. Day in the City of Pittsburgh.

SPONSOR(S): NATALIA RUDIAK AND ALL MEMBERS

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

Bill No.

2012-0230

THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh recognizes Colteryahn Dairy as an important economic and cultural institution in the City and the broader region.

THEREFORE BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby declare Tuesday, March 27, 2012 to be Colteryahn Dairy Day in the City of Pittsburgh.

SPONSOR(S): NATALIA RUDIAK, BRUCE A. KRAUS AND ALL MEMBERS

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

Bill No.

2012-0231

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend Dr. Sheila Johnson-Hunt for her passion and commitment to the Gospel community; and,

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby declare March 23, 2012, to be "Dr. Sheila Johnson-Hunt 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.

Bill No.

2012-0232

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby declare Tuesday, March 27, 2012, to be "Northside Institutional Church Day" in the City of Pittsburgh.

SPONSOR(S): R. DANIEL LAVELLE AND ALL MEMBERS

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

Bill No.

2012-0233

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize the 2012 Get Involved!, Inc. Pittsburgh Leadership Awardees for their community to community service and the difference they are making in our city; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare April 4th to be "Get Involved, Inc. Pittsburgh Leadership 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.

2012-0234

THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh recognizes Nicholas Paul Sywyj of Boy Scout Troop 6 for his years of service and congratulates him on achieving Eagle Scout.

THEREFORE BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby declare Tuesday, March 27, 2012 to be Nicholas Paul Sywyj Day in the City of Pittsburgh.

SPONSOR(S): NATALIA RUDIAK AND ALL MEMBERS

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

PUBLIC COMMENTS

PRESENTATION OF PAPERS

COUNCILMAN REVEREND RICKY V. BURGESS PRESENTS:

Bill No.

2012-0224

Resolution authorizing and directing the Mayor to issue and the City Controller to countersign a warrant in the amount of Sixty-one Thousand, Six Hundred and Fifty-four Dollars and One Cent (\$61,654.01) to the Commonwealth of Pennsylvania representing payment required for unclaimed funds for the year 2006, pursuant to the provisions of Deposition of Abandoned and Unclaimed Property Act of August 9, 1971 P.L. 74.

A motion was made that this matter be Read and referred to the Finance and Law Committee. The motion carried.

UNFINISHED BUSINESS

REPORTS OF COMMITTEE - FINAL ACTION

COUNCILMAN REV. RICKY V. BURGESS PRESENTS COMMITTEE ON FINANCE AND LAW

Bill No.

2012-0221

Report of the Committee on Finance and Law for March 21, 2012 with an Affirmative Recommendation.

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

Bill No.

2012-0156

Resolution providing for the issuance of a Nine Thousand Eight Hundred Dollar (\$9,800.00) warrant in favor of Linda L. Winston, c/o Mark S. Mislanovich, Esquire, Woomer & Hall, LP, 2945 Banksville Road, Suite 200, Pittsburgh, PA 15216-2749, in settlement of the action filed in the Court of Common Pleas of Allegheny County, Pennsylvania at AR 11-002471, for personal injuries and damages arising from a vehicular accident on or about September 16, 2010, at or near the public thoroughfare known as East Warrington Avenue, in the City of Pittsburgh.

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.

2012-0183

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.

Items A through E: A: 2148 Perrysville; B: 413 Rosedale; C: 1530 Lincoln; D: 6503 & 6505 Shetland; E: 2208 Dellrose.

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.

2012-0184

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 Side Yard Program. ITEMS A through E.

A: 8334 Bricelyn, B: 1321 Lowrie; C: 606 Greenfield; D: 4413 Armorhill; E: 3200 Camp.

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.

2012-0185

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.

ITEMS A through D.

A: 2622 Norwood; B: 938 Oranmore; C: 605 Warrington; D: 2929 Zephyr (DELETED).

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.

2012-0186

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.

ITEMS A through X. A: 3374 Webster; B: 6040 Butler(DELETED); C: 6036 Butler(DELETED); D: 6917 Kelly;

E: 6953 Lemington; F: 7234 Somerset; G: 7154 Apple; H: 7014 Mt. Vernon; I: 316 Arlington (part); J: 729 Carnival; K: 60 Wabash(DELETED); L: 58

Wabash(DELETED); M: 440 Wabash(DELETED); N: 1014 Marena(DELETED); O: 3045 Merwyn(DELETED); P: 903 and 905 Turtle; Q: 1416 Claim; R: 3000 Pratt; S: 2921 Pratt;

T: 314 W. Burgess; U: Mifflin Rear; V: 1823 Ridgeway (part);

W: 1411 & 1413 Juniata; X: 232 Glenwood.

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.

2012-0187

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.

ITEMS A through C.

A: 1531 Saturn; B: 1529 Saturn; C: 227 Alpine.

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 march 21, 2012 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. 765, effective November 12, 2010, amending Resolution No. 363, effective May 26, 2003, entitled "Resolution providing for funding for matching grants with the Department of Conservation and Natural Resources" for the purpose of analyzing and managing the natural systems of the City's Parks and open spaces of the City of Pittsburgh, by reprogramming a portion of funds for multimodal transportation system planning relative to the City's Parks and open spaces. The purpose of this amendment is to document that an account referenced in the earlier legislation was devoid of any funds.

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. Report of the Committee on Intergovernmental Affairs for March 21, 2012 with an Affirmative Recommendation.

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 pursue a tax increment financing proposal for portions of the Inner Triangle and Market Stanwix Certified Redevelopment Areas - Central Business District (Council District No. 6).

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

Votes: Ayes: 8 - Rev. Burgess, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith

Noes: 0

Abstentions: 1 - Mr. Dowd

Bill No.

2012-0192

Resolution authorizing a 2011-2012 Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh providing for the designation of the local matching share for seven grants applied for in seven applications filed with the Pennsylvania Department of Community and Economic Development under the Keystone Communities Program. (Council Districts: All).

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.

2012-0193

Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit seven applications for financial assistance for seven projects in the aggregate amount of \$2,500,000 to the Commonwealth of Pennsylvania Department of Community and Economic Development for the operation and administration of certain programs and projects in FY 2011-2012. (Council Districts: All).

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.

2012-0194

Resolution approving execution of a Contract for Disposition by Sale of Land by and between the Urban Redevelopment Authority of Pittsburgh and The Gardens at Market Square, LP., or an entity to be formed, for the sale of Block 1-H, Lots 184, 197, 200, 201, 204, 205, 207 in the 1st Ward of the City of Pittsburgh, 218-242 Forbes Avenue - - Council District No. 6 (Commercial Development).

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

Votes: Ayes: 8 - Rev. Burgess, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith

Noes: 0

Abstentions: 1 - Mr. Dowd

Bill No.

2012-0195

Resolution approving Execution of a Contract for Disposition by Sale of Land by and between the Urban Redevelopment Authority of Pittsburgh and Manchester Youth Development Center, Inc. for the Sale of Block 22-L, Lots 124, 124A, 125, 126, 128, 128A, 128B, (Decatur and N. Franklin Streets) in the 21st Ward of the City of Pittsburgh, Redevelopment Area No. 27 (Council District No. 6 - Commercial).

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.

2012-0196

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 Property in the 13th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block 175-A, Lot 31 (Council District No.9 - Site Assemblage for Residential Development - 7331 Finance Street).

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.

2012-0235

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby call upon Florida State Gov. Rick Scott and the Florida Attorney General to re-open the investigation, and the Florida State Legislature to amend or repeal the Florida Statute 776.012 Justifiable Use of Force.

SPONSOR(S): THERESA SMITH, R. DANIEL LAVELLE, REVEREND RICKY V. BURGESS AND ALL MEMBERS

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

PRESIDENT HARRIS ANNOUNCES APPOINTMENTS TO THE CAPITAL PROGRAM FACILITATION COMMITTEE:

Councilman Rev. Burgess and Council President Harris will represent City Council.

APPROVAL OF MINUTES

ADJOURNMENT

LEGISLATION PRESENTED BY SIGN LANGUAGE INTERPRETER