

# City of Pittsburgh



## City Council

### Regular Meeting Agenda

**Tuesday, December 13, 2011**

**10:00 AM**

**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****PLEDGE OF ALLEGIANCE****PROCLAMATIONS****PUBLIC COMMENTS****PRESENTATION OF PAPERS****COUNCILMAN PATRICK DOWD PRESENTS:**

Bill No. Resolution adopting official sewage facilities plan for the University of Pittsburgh -  
[2011-2368](#) Salk Hall Addition at 3501 Terrace Street, Pittsburgh, PA 15213.

*Legislative History*

12/13/11 City Council Read and referred

**COUNCILMAN BRUCE A. KRAUS PRESENTS:**

Bill No. Resolution granting unto Shawn K. Thor, 832 Parkview Blvd., Pittsburgh, PA 15215,  
[2011-2367](#) his successors and assigns, the privilege and license to construct, maintain and use at  
his own cost and expense, five stoops for five single family townhouses at 458-472  
Fisk Street in the 9th Ward, 7th Council District of the City of Pittsburgh.

*Legislative History*

12/13/11 City Council Read and referred

**COUNCILMAN WILLIAM PEDUTO PRESENTS:**

Bill No. Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business  
[2011-2359](#) Related Taxes, Chapter 245, Earned Income Tax, by fixing the rate of interest on  
certain delinquent Earned Income Tax for [2011] 2012.

*Legislative History*

12/13/11 City Council Read and referred

Bill No. Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business  
[2011-2360](#) Related Taxes, Chapter 246, Home Rule Tax, by fixing the rate of interest on certain  
delinquent Earned Income and Home Rule Taxes for [2011] 2012.

*Legislative History*

12/13/11 City Council Read and referred

Bill No. Resolution authorizing the issuance of a warrant in favor of the Fitch Ratings in an  
[2011-2361](#) amount not to exceed seven thousand five hundred dollars (\$7,500.00), for the  
Pittsburgh (PA) GO Bonds Series 2010 rating fee; and providing for the payment  
thereof.

*Legislative History*

12/13/11 City Council Read and referred

Bill No. Resolution designating Banks and Lending Institutions to act as Depositories for the  
[2011-2362](#) year 2012 in accordance with the Pittsburgh Code, Title Two, Fiscal, Article III,  
Depositories.

**Legislative History**

12/13/11 City Council Read and referred

Bill No.

[2011-2363](#)

Resolution providing for the acceptance by the City of Pittsburgh from the Board of Education of the School District of Pittsburgh of certain property on Fineview Avenue, parcel 23-C-246 in the 25th Ward of the City of Pittsburgh for public recreation purposes.

**Legislative History**

12/13/11 City Council Read and referred

Bill No.

[2011-2364](#)

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 thru C: A19 Lafferty;; B: 6953 Lemington; C: 2907 Stafford.

**Legislative History**

12/13/11 City Council Read and referred

Bill No. 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.

[2011-2365](#)

ITEM A.

A: 1327 Warner.

Legislative History

12/13/11 City Council Read and referred

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.

[2011-2366](#)

ITEMS A through D. A: 2297 Centre; B: 1688 Broadhead; C: 1300 Goettman; D: 1921 N. Charles.

Legislative History

12/13/11 City Council Read and referred

## 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 December 7, 2011 with an Affirmative Recommendation.

[2011-2355](#)

Legislative History

12/13/11 City Council Read, Received and Filed Passed

Bill No. Ordinance supplementing the Pittsburgh Code Title One, Administrative; Article XI, Personnel; by creating Chapter 196, Limitations on Use of Franking and adding language to regulate and limit the use of franking in City government.

[2011-2204](#)

**SPONSOR(S): NATALIA RUDIAK, WILLIAM PEDUTO AND DOUGLAS SHIELDS**

Legislative History

10/18/11	City Council	Read and referred	
10/26/11	Standing Committee	AMENDED	Passed
10/26/11	Standing Committee	Held in Committee	Passed
11/2/11	Standing Committee	Held in Committee	Passed
11/16/11	Standing Committee	Held in Committee	Passed
11/21/11	Standing Committee	Affirmatively Recommended as Amended	Passed
11/21/11	Standing Committee	AMENDED	Passed
11/29/11	Standing Committee	AMENDED	Passed
11/29/11	City Council	RECOMMITTED	Passed
11/29/11	Standing Committee	Held in Committee	Passed
12/7/11	Standing Committee	Affirmatively Recommended	Passed

12/13/11

City Council

Passed Finally

Passed

Bill No. [2011-2222](#) Ordinance supplementing the Pittsburgh Code, Title Two Fiscal, Article IX Property Taxes, Chapter 267, Exemptions for Industrial and Commercial Improvements, Section 267.03 Exemption Schedule, by adding a new section (e) Local Economic Stimulus, to adopt a new exemption schedule for all applications filed for projects with a building permit that is issued during the period of January 1, 2012 through June 30, 2012 as to which a building permit has been issued reflecting a cost in excess of one million dollars (\$1,000,000) for the improvements or construction.

**SPONSOR(S): WILLIAM PEDUTO AND DARLENE HARRIS**

**Legislative History**

10/25/11	City Council	Read and referred	
11/2/11	Standing Committee	AMENDED BY SUBSTITUTE	Passed
11/2/11	Standing Committee	Held in Committee	Passed
11/10/11	Standing Committee	Held in Committee	Passed
11/16/11	Standing Committee	Held in Committee	Passed
11/21/11	Standing Committee	Held in Committee	Passed
11/29/11	Standing Committee	Held in Committee	Passed
12/7/11	Standing Committee	AMENDED BY SUBSTITUTE	Passed
12/7/11	Standing Committee	Affirmatively Recommended as Amended	Passed
12/13/11	City Council	Passed Finally	Passed

Bill No. [2011-2245](#) Ordinance supplementing the Pittsburgh City Code Title Two-Fiscal, Article I-Administration by adding Chapter 202-Debt Management Policy to ensure responsible issuance and management of City debt.

**SPONSOR(S): WILLIAM PEDUTO, DARLENE HARRIS AND DOUGLAS SHIELDS**

**Legislative History**

11/1/11	City Council	Read and referred	
11/10/11	Standing Committee	AMENDED BY SUBSTITUTE	Passed
11/10/11	Standing Committee	Held in Committee	Passed
11/16/11	Standing Committee	Affirmatively Recommended	Passed
11/21/11	City Council	RECOMMITTED	Passed
11/21/11	Standing Committee	Held in Committee	Passed
12/7/11	Standing Committee	AMENDED BY SUBSTITUTE	Passed
12/7/11	Standing Committee	Affirmatively Recommended as Amended	Passed
12/13/11	City Council	Passed Finally	Passed

Bill No. [2011-2290](#) Resolution providing for the issuance of a Eighty-Seven Thousand Five-Hundred Dollar (\$87,500.00) warrant in favor of Costa Soutemenides, c/o David M. Landay, Esquire, The Grant Building, Suite 1420, 310 Grant Street, Pittsburgh, PA 15219, in settlement of an action filed in the Court of Common Pleas of Allegheny County, Pennsylvania at GD 07-026833 for personal injuries and damages arising from a

vehicular accident on or about July 13, 2007, at or near the public highway or thoroughfare known as 32nd Street, in the City of Pittsburgh.

**Legislative History**

11/14/11	City Council	Read and referred	
11/21/11	Standing Committee	Held in Committee	Passed
12/7/11	Standing Committee	Affirmatively Recommended	Passed
12/13/11	City Council	Passed Finally	Passed

Bill No.

[2011-2295](#)

Ordinance amending the Pittsburgh Code, Title Two, Fiscal; Article IX, Property Taxes; Chapter 263, Real Property Tax and Exemption; Adding Section 263.03, Special Library Tax Levy and Rate on Lands and Buildings, fixing the rate of taxation effective as of January 1, 2012.

**SPONSOR(S): PATRICK DOWD AND BRUCE A. KRAUS**

**Legislative History**

11/14/11	City Council	Waived under Rule 8	Passed
11/14/11	City Council	Read and referred	
11/16/11	Standing Committee	Held for Public Hearing	Passed
11/28/11	Hearings Committee	Public Hearing Held	Passed
12/7/11	Standing Committee	Affirmatively Recommended	Passed
12/13/11	City Council	Passed Finally	Passed

Bill No.

[2011-2303](#)

Resolution authorizing the issuance of a Warrant in the sum of \$7,500.00 in favor of Etta Calvert and Raizman, Frischman & Matzus, P.C., c/o Raizman, Frischman & Matzus, P.C., 7300 Penn Ave., Pittsburgh, PA 15208, in full and final settlement of an action filed in the Court of Common Pleas of Allegheny County, Pennsylvania at GD 09-3876 for personal injuries and damages arising from a slip and fall on or about March 2, 2007, at or near 4400 Centre Avenue in the City of Pittsburgh,

**Legislative History**

11/21/11	City Council	Read and referred	
11/29/11	Standing Committee	Held in Committee	Passed
12/7/11	Standing Committee	Affirmatively Recommended	Passed
12/13/11	City Council	Passed Finally	Passed

Bill No.

[2011-2335](#)

Resolution realigning a total of \$4,954,000 \$4,956,500 between various accounts within the 2011 Operating Budget. This transfer is necessary for the 2011 close in order to meet expenditures for the remainder of the fiscal year.

**Legislative History**

12/6/11	City Council	Waived under Rule 8	Passed
12/6/11	City Council	Read and referred	
12/7/11	Standing Committee	Affirmatively Recommended	Passed
12/13/11	City Council	AMENDED	Passed
12/13/11	City Council	Passed Finally, As Amended	Passed

**COUNCILMAN KRAUS PRESENTS COMMITTEE ON PUBLIC WORKS**

Bill No. Report of the Committee on Public Works for December 7, 2011 with an Affirmative Recommendation.

[2011-2356](#)

**Legislative History**

12/13/11	City Council	Read, Received and Filed	Passed
----------	--------------	--------------------------	--------

Bill No. Ordinance amending the Pittsburgh Code, Title Seven, Business Licensing, Chapter 719 Vendors and Peddlers, Section 710.10, Lists of Sites Approved by Council, by deleting and adding permanent street and sidewalk vending sites for 2012 Licensure Year.

[2011-2324](#)

**Legislative History**

11/29/11	City Council	Read and referred	
12/7/11	Standing Committee	Affirmatively Recommended	Passed
12/13/11	City Council	Passed Finally	Passed

**COUNCILMAN SHIELDS PRESENTS COMMITTEE ON LAND USE & ECONOMIC DEVELOPMENT**

Bill No. Report of the Committee on Land Use and Economic Development for December 7, 2011 with an Affirmative Recommendation.

[2011-2357](#)

**Legislative History**

12/13/11	City Council	Read, Received and Filed	Passed
----------	--------------	--------------------------	--------

Bill No. Ordinance amending and supplementing the Pittsburgh Code, Title Nine Zoning Code, Article II Base Zoning District, Chapter 903 Residential Zoning Districts, 903.03 Development Subdistricts, to clarify required setbacks of "attached" dwelling units.

[2011-1924](#)

**SPONSOR(S): DARLENE HARRIS**

**Legislative History**

7/19/11	City Council	Waived under Rule 8	Passed
7/19/11	City Council	Read and referred	
7/20/11	Standing Committee	Referred for Report and Recommendation	Passed
7/20/11	Standing Committee	Held for Public Hearing	Passed
7/20/11	Standing Committee	Referred for Report and Recommendation	
11/7/11	Standing Committee	Public Hearing Scheduled	
12/5/11	Hearings Committee	Public Hearing Held	Passed
12/7/11	Standing Committee	Affirmatively Recommended	Passed
12/13/11	City Council	Passed Finally	Passed

Bill No. Ordinance amending and supplementing the Pittsburgh Code, Title Nine Zoning Code, Article IX Measurements and Definitions, Chapter 925 Measurements, 925.06 Setbacks, to broaden and clarify the use of contextual front setbacks and front setbacks on corner and irregular lots.

[2011-1925](#)

**SPONSOR(S): DARLENE HARRIS**

**Legislative History**

7/19/11	City Council	Waived under Rule 8	Passed
7/19/11	City Council	Read and referred	



7/20/11	Standing Committee	Referred for Report and Recommendation	Passed
7/20/11	Standing Committee	Held for Public Hearing	Passed
7/20/11	Standing Committee	Referred for Report and Recommendation	
11/7/11	Standing Committee	Public Hearing Scheduled	
12/5/11	Hearings Committee	Public Hearing Held	Passed
12/7/11	Standing Committee	Affirmatively Recommended	Passed
12/13/11	City Council	Passed Finally	Passed

Bill No. [2011-2137](#) Resolution approving a Conditional Use Application under the Pittsburgh Code, Title 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

**Legislative History**

10/4/11	City Council	Read and referred	
10/12/11	Standing Committee	Held for Public Hearing	Passed
11/16/11	Hearings Committee	Public Hearing Held	Passed
12/7/11	Standing Committee	Affirmatively Recommended	Passed
12/13/11	City Council	Passed Finally	Passed

## COUNCILMAN DOWD PRESENTS COMMITTEE ON INTERGOVERNMENTAL AFFAIRS

Bill No. [2011-2358](#) Report of the Committee on Intergovernmental Affairs for December 7, 2011 with an Affirmative Recommendation.

**Legislative History**

12/13/11	City Council	Read, Received and Filed	Passed
----------	--------------	--------------------------	--------

Bill No. [2011-2339](#) Resolution authorizing a cooperation agreement with the Urban Redevelopment Authority of Pittsburgh designating URA as the City's agent in connection with a \$3,000,000 Penn Works grant for the LTV Hazelwood site owned by Almono, LP. (Council Districts 3 & 5)

**Legislative History**

12/6/11	City Council	Waived under Rule 8	Passed
12/6/11	City Council	Read and referred	
12/7/11	Standing Committee	Affirmatively Recommended	Passed
12/13/11	City Council	Passed Finally	Passed

Bill No. [2011-2340](#) Resolution authorizing the filing of an application with the Pennsylvania Department of Community and Economic Development for a \$3,000,000 Penn Works grant for the LTV Hazelwood site owned by Almono, LP. (Council Districts 3 & 5)

**Legislative History**

12/6/11	City Council	Waived under Rule 8	Passed
12/6/11	City Council	Read and referred	
12/7/11	Standing Committee	Affirmatively Recommended	Passed

12/13/11

City Council

Passed Finally

Passed

**MOTIONS AND RESOLUTIONS**

**EXCUSE ABSENT MEMBERS**

**APPROVAL OF MINUTES**

**ADJOURNMENT**

**LEGISLATION PRESENTED BY SIGN LANGUAGE INTERPRETER**