

City of Pittsburgh

*510 City-County Building
414 Grant Street
Pittsburgh, PA 15219*



MEETING MINUTES

Proceedings of the Council of the City of Pittsburgh

Monday, November 21, 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

Councilman Kraus participated by telephone.

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

Bill No. [2011-2318](#) Now, therefore be it resolved that the Council of the City of Pittsburgh honors the artistic efforts of Lawrenceville United and Donnie Freyer; and

Be it further resolved, that the Council of the City of Pittsburgh does hereby declare Monday, November 21, 2011, as Unity Art 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. [2011-2319](#) Now, therefore, be it resolved that the Council of the City of Pittsburgh does hereby recognize the critical role that the Greenfield Organization has played in the community and commends all the volunteers in Greenfield who have contributed so much time and talent to community efforts and to the betterment of their community, and

Be it further resolved that the Council of the City of Pittsburgh does hereby declare Saturday, November 19, 2011, to be "GREENFIELD DAY" in the City of Pittsburgh.

SPONSOR(S): DOUGLAS SHIELDS AND ALL MEMBERS

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

Bill No. [2011-2320](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend Head Coach Dale Checketts and the Bishop Canevin Baseball Team for their inspirational service to others off the field and for their continued success on the field; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Monday, November 21, 2011, to be "Bishop Canevin Baseball Team Day" in the City of Pittsburgh.

SPONSOR(S): THERESA SMITH AND ALL MEMBERS

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

PUBLIC COMMENTS

PRESENTATION OF PAPERS

COUNCILMAN PATRICK DOWD PRESENTS:

Bill No. Resolution further amending Resolution No. 574, effective October 26, 2007, entitled
[2011-2311](#) “Resolution authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh in connection with URA's application for a \$875,000 Redevelopment Assistance Capital Program grant for the Pittsburgh Zoo Water's Edge and Multi Purpose Facility project” by increasing the amount of the grant to \$2,275,000. (Council District 7)

Read and referred to Intergovernmental Affairs Committee

Bill No. Resolution further amending Resolution No. 575, effective October 26, 2007, entitled
[2011-2312](#) “Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an Application to the Pennsylvania Office of the Budget for a Redevelopment Assistance Capital Program grant in the amount of \$875,000 for the Pittsburgh Zoo Water's Edge and Multi Purpose Facility project” by increasing the grant to \$2,275,000. (Council District 7)

Read and referred to Intergovernmental Affairs Committee

COUNCILMAN BRUCE A. KRAUS PRESENTS:

Bill No. Resolution accepting the dedication of Fern Street and Fern Circle, in the 10th Ward,
[2011-2309](#) 7th Council District.

Read and referred to Public Works Committee

Bill No. Resolution vacating Burmah Way and a portion of Green Street in the 3rd Ward, 6th
[2011-2310](#) Council District of the City of Pittsburgh.

Read and referred to Public Works Committee

COUNCILMAN R. DANIEL LAVELLE PRESENTS:

Bill No. Ordinance amending the Pittsburgh Code, Title Five - Traffic, Article VII - Parking,
[2011-2317](#) Chapter 543 - Parking Meters, Section 543.01 - Parking Meter Zones and Rates, Subsection (b), so as to suspend nighttime enforcement of parking meters until January 1, 2012.

SPONSOR(S): R. DANIEL LAVELLE AND 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

COUNCILMAN WILLIAM PEDUTO PRESENTS:

Bill No. Resolution authorizing the issuance of a Warrant in the sum of \$7,500.00 in favor of
[2011-2303](#) 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,

Read and referred to Finance and Law Committee

Bill No.

[2011-2304](#)

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, B and C. A: Nineteen (19) Lots on Colwell Street and Diaz Way; B: Nine (9) Lots on Colwell Street, Diaz Way and Wyandotte Street; C: 3611 Baytree.

Read and referred to Finance and Law Committee

Bill No.

[2011-2305](#)

Resolution providing for conveyance by the City of Pittsburgh of certain property. ITEM A. A: 7143 Vassar Street.

Read and referred to Finance and Law Committee

Bill No.

[2011-2306](#)

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 C. A: 1956 & 1958 Lithgow; B: 125 Ravilla; C: Timberland Lots 16 & 17.

Read and referred to Finance and Law Committee

Bill No.

[2011-2307](#)

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 C. A: 3805 Melwood; B: 3820 Alexis; C: 16 Conestoga.

Read and referred to Finance and Law Committee

Bill No.

[2011-2308](#)

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 L. A: 5103 Dearborn; B: 1923 Montier; C: 319 Kearsarge; D: 150 New York; E: 146 New York; F: 426 N. Taylor; G: 1518 Brighton; H: 316 Elsdon; I: 108 Wabash; J: 3316 Gass; K: 6040 Butler; L: 6036 Butler.

Read and referred to Finance and Law Committee

Bill No.

[2011-2314](#)

Resolution Making Appropriations to pay the expenses of conducting the Public Business of the City of Pittsburgh and for meeting the debt charges thereof for the Fiscal Year, beginning January 1, 2012

Read and referred to Finance and Law Committee

Bill No.

[2011-2315](#)

Resolution fixing the number of officers and employees of the City of Pittsburgh, and the rate of compensation thereof, and setting minimum levels for designated positions.

Read and referred to Finance and Law Committee

Bill No. Resolution adopting and approving the 2012 Capital Budget and the 2012 Community
[2011-2316](#) Development Block Grant Program; and approving the 2012 through 2017 Capital
Improvement Program," by adjusting various line items in conformance with City
Council's 2012 Capital Budget amendments.

Read and referred to Finance and Law Committee

COUNCIL PRESIDENT DARLENE M. HARRIS PRESENTS:

Bill No. Communication from Michael Lamb, City Controller, submitting a Performance Audit
[2011-2313](#) of the Department of Public Safety, Bureau of Building Inspection, dated November
2011.

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

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 November 16, 2011 with an
[2011-2299](#) Affirmative Recommendation.

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

Bill No. Ordinance supplementing the Pittsburgh City Code Title Two-Fiscal, Article
[2011-2245](#) 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

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

Bill No. Resolution authorizing the issuance of a warrant in favor of the Richard S. Caliguiri
[2011-2261](#) Amyloidosis Foundation in an amount not to exceed fifteen thousand, three hundred,
seventy seven dollars (\$15,377), in connection with the 2011 Great Race in the
Department of Parks and Recreation, without previous authority of law; and providing
for the payment thereof.

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

Bill No.

[2011-2268](#)

Resolution further amending Resolution No. 231, effective April 19, 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 projects in connection with the Neighborhood Needs Program in Council District 8; and providing for the payment of the costs thereof," by reducing "District 8 Community Initiatives" by \$13,000 and adding that amount to the Shadyside Chamber of Commerce (\$10,000 for lighting and \$3,000 for a bike corral). Total cost of all projects not to exceed \$1,000,000.

SPONSOR(S): WILLIAM PEDUTO

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

Bill No.

[2011-2270](#)

Resolution further amending Resolution No. 833, effective January 1, 2002, as amended, entitled "Adopting and approving the 2002 Capital Budget and the 2002 Community Development Block Grant Program; and approving the 2002 through 2007 Capital Improvement Program," by reducing the Building Maintenance Program-GS by \$1,004.81 to reflect actual expenditures and close this project.

SPONSOR(S): WILLIAM PEDUTO

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

Bill No.

[2011-2271](#)

Resolution further amending 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 reducing the Building Maintenance Program - GS by \$2,156.38 and the West End Senior Center by \$5,000 to reflect actual expenditures and close the projects.

SPONSOR(S): WILLIAM PEDUTO

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

Bill No. [2011-2272](#) Resolution further amending Resolution No. 948, effective January 1, 2004, as amended, entitled "Adopting and approving the 2004 Capital Budget and the 2004 Community Development Block Grant Program; and approving the 2004 through 2009 Capital Improvement Program," by deleting the Federal Highway Transportation reimbursable portion for the McArdle Roadway Reconstruction by \$480,000 in order to close this project.

SPONSOR(S): WILLIAM PEDUTO

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

Bill No. [2011-2273](#) Resolution further amending Resolution No. 762, effective January 1, 2006, as amended, entitled "Adopting and approving the 2006 Capital Budget and the 2006 Community Development Block Grant Program; and approving the 2006 through 2011 Capital Improvement Program," by reducing the Building Maintenance line item to reflect actual expenditures and close this project.

SPONSOR(S): WILLIAM PEDUTO

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

Bill No. [2011-2274](#) Resolution further amending Resolution No. 704, effective January 1, 2008, as amended, entitled "Adopting and approving the 2008 Capital Budget and the 2008 Community Development Block Grant Program; and approving the 2008 through 2013 Capital Improvement Program," by reducing the Building Maintenance Program-BPFAS by \$8,708.48 to reflect actual expenditures and close this project.

SPONSOR(S): WILLIAM PEDUTO

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

Bill No. Resolution amending the Rules of Council, Rule IX, to limit the number of
[2011-2281](#) proclamations given and presented per member, per meeting.

SPONSOR(S): NATALIA RUDIAK, BRUCE A. KRAUS AND WILLIAM PEDUTO

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

Votes: Ayes: 7 - Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. Peduto, Ms. Rudiak, Mr. Shields and Mrs. Smith
Noes: 2 - Rev. Burgess and Mr. Dowd
Abstentions: 0

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

Votes: Ayes: 7 - Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. Peduto, Ms. Rudiak, Mr. Shields and Mrs. Smith
Noes: 2 - Rev. Burgess and Mr. Dowd
Abstentions: 0

COUNCILWOMAN SMITH PRESENTS COMMITTEE ON PUBLIC SAFETY SERVICES

Bill No. Report of the Committee on Public Safety Services for November 16, 2011 with an
[2011-2300](#) Affirmative Recommendation.

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

Bill No. Resolution authorizing an Agreement or Agreements with Philips Medical Systems for
[2011-2262](#) a service agreement to repair and service the Bureau of Emergency Medical Services' MXR Heart monitors, and providing for the payment of the cost thereof. Cost not to exceed \$44,455.23.

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. Report of the Committee on Public Works for November 16, 2011 with an Affirmative
[2011-2301](#) Recommendation.

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

Bill No. [2011-2263](#) Resolution providing for an Agreement or Agreements, or for the use of existing Agreements, with a Consultant or Consultants, for engineering services in connection with the construction of a new structure across Nine Mile Run in the vicinity of MacFarren Street; providing for a Reimbursement Agreement with the Commonwealth of Pennsylvania, Department of Transportation; and further providing for the payment of the costs thereof. Cost not to exceed \$800,000.00.

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

Bill No. [2011-2264](#) Resolution providing for an Agreement or Agreements or for the use of existing Agreements, providing for a Contract or Contracts or for the use of existing Contracts, providing for repairs, maintenance, improvements, emergencies and/or the purchase of materials, equipment and supplies in connection with the investigation, design, and construction of CBD (Central Business District) Signal Upgrades throughout the City; and providing for the payment of the costs thereof. Cost not to exceed \$364,000.00.

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

Bill No. [2011-2265](#) Resolution providing for an Agreement or Agreements or for the use of existing Agreements, providing for a Contract or Contracts or for the use of existing Contracts, providing for repairs, maintenance, improvements, emergencies and/or the purchase of materials, equipment and supplies in connection with the investigation, design, and construction of CBD (Central Business District) Signal Upgrades throughout the City; and providing for the payment of the costs thereof. Cost not to exceed \$1,750,000.00.

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

Bill No. [2011-2275](#) Resolution repealing resolution No. 559 of 2004 entitled "providing for an Agreement or Agreements or for the use of existing Agreements with a Consultant or Consultants, for preliminary engineering services in connection with the McArdle Roadway Reconstruction, including Project Management Services; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania,

Department of Transportation; and further providing for the payment of the costs thereof. Cost not to exceed \$600,000” by repealing in its entirety.

SPONSOR(S): WILLIAM PEDUTO

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

Bill No.

[2011-2276](#)

Resolution repealing resolution No. 455 of 2003 entitled “Resolution providing for a Contract or Contracts or for the use of existing Contracts, providing for an Agreement or Agreements or for the use of existing Agreements, and providing for the purchase of materials and supplies in connection with the renovation of the West End Senior Center at a cost not to exceed \$105,000.00” by repealing it in its entirety.

SPONSOR(S): WILLIAM PEDUTO

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 SHIELDS PRESENTS COMMITTEE ON LAND USE & ECONOMIC DEVELOPMENT

Bill No.

[2011-2302](#)

Report of the Committee on Land Use and Economic Development for November 16, 2011 with an Affirmative Recommendation.

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

Bill No.

[2011-2266](#)

Resolution further amending Resolution No.703, effective October 17, 2011, as amended, entitled “Adopting and approving the 2011 Capital Budget and the 2011 Community Development Block Grant Program; and approving the 2011 through 2016 Capital Improvement Program,” by transferring \$1,000,000.00 (\$200,000.00 CITY/\$800,000.00 FHWA) from the “Brookline Boulevard” line item to the “CBD (Central Business District) Signal Upgrades,” increasing this line item from \$750,000.00 (\$150,000.00 CITY/\$600,000.00 FHWA) to \$1,750,000.00 (\$350,000.00 CITY/ \$1,400,000.00 FHWA).

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

Bill No. Resolution amending Resolution No. 514 approved June 17, 2003, to include
[2011-2267](#) additional streets and area "BB" in the Bloomfield/Friendship Neighborhood

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

Bill No. Resolution amending and supplementing Resolution No. 861, effective January 1,
[2011-2269](#) 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 reducing "District 8 Community Initiatives" by \$13,000 and adding that amount to the Shadyside Chamber of Commerce (\$10,000 for lighting and \$3,000 for a bike corral) in Council District 8 neighborhood needs.

SPONSOR(S): WILLIAM PEDUTO

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

APPROVAL OF MINUTES

ADJOURNMENT

LEGISLATION PRESENTED BY SIGN LANGUAGE INTERPRETER