

# **City of Pittsburgh**

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



## **MEETING MINUTES**

*Proceedings of the Council of the City of Pittsburgh*

**Thursday, January 22, 2009**

**10:00 AM**

**Council Chambers**

**City Council**

**ONE-HUNDRED  
THIRTY-FIFTH COUNCIL**

**Douglas Shields, President**

**Council Members: Reverend Ricky V. Burgess, 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: 7 - Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Motznik, Ms. Payne, Mr. Peduto and Mr. Shields

Absent: 1 - Rev. Burgess

## PLEDGE OF ALLEGIANCE

## PROCLAMATIONS

Bill No.

[2009-1060](#)

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the City of Pittsburgh hereby commend Pittsburgh Amateur Boxing, City Controller Michael Lamb and our Silver Glove Champions for continuing the stellar boxing history of our community and wishes all of our fighters good luck in their bouts this weekend.

**SPONSOR(S): JIM MOTZNIK AND ALL MEMBERS**

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

Bill No.

[2009-1061](#)

NOW THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize Giordano's as the official Steeler Bar in San Francisco and commends Giordano's for carrying on the great tradition of Pittsburgh hospitality, serving The Steeler Nation with distinction and for keeping the spirit of Pittsburgh alive in San Francisco; and,

BE IT FURTHER RESOLVED, The Council of the City of Pittsburgh does hereby confer upon Giordano Brothers the title of Ambassador Plenipotentiary of The Steeler Nation and confess upon them all rights and title therein

**SPONSOR(S): DOUGLAS SHIELDS**

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

Bill No.

[2009-1062](#)

NOW THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize Durkin's Tavern as one of the official Steeler Bars in Chicago and commends Durkin's for carrying on the great tradition of Pittsburgh hospitality, serving The Steeler Nation with distinction and for keeping the spirit of Pittsburgh alive in Chicago; and,

BE IT FURTHER RESOLVED, The Council of the City of Pittsburgh does hereby confer upon Durkin's Tavern the title of Ambassador Plenipotentiary of The Steeler Nation and confess upon them all rights and title therein and does hereby declare Sunday, February 1, 2009, to be "DURKIN'S TAVERN DAY" in the City of Pittsburgh.

**SPONSOR(S): DOUGLAS SHIELDS**

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

## PUBLIC COMMENTS

## PRESENTATION OF PAPERS

**MR. DOWD FOR REV. BURGESS, CHAIRPERSON OF THE COMMITTEE ON LAND USE AND ECONOMIC DEVELOPMENT, PRESENTS**

Bill No. Ordinance providing for the revision of Encroachment Ordinance Chapter 419.05 Telephone Booths, Transit Shelters and Newsracks of the Pittsburgh City Code to include Bicycle Racks.

[2009-1049](#)

**A motion was made that this matter be Read and referred to the Land Use and Economic Development Committee. The motion carried.**

Bill No. Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article I, Section 902.03 Zoning Map, by changing from R1A-H, Single Unit Residential Attached High Density District to LNC, Local Neighborhood Commercial District, certain property identified as Block No. 121-K, Lot No. 69, in the Allegheny County Block and Lot System; 10th Ward.

[2009-1050](#)

**A motion was made that this matter be Read and referred to the Land Use and Economic Development Committee. The motion carried.**

**MR. DOWD, CHAIRPERSON OF THE COMMITTEE ON INTERGOVERNMENTAL AFFAIRS, PRESENTS**

Bill No. Resolution authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh in connection with URA's application for a Redevelopment Assistance Capital Program grant of up to \$500,000 for the Carnegie Music Hall project of the Carnegie Museums of Pittsburgh. (Council District 8)

[2009-1051](#)

**A motion was made that this matter be Read and referred to the Intergovernmental Affairs Committee. The motion carried.**

Bill No. 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 of up to \$500,000 for the Carnegie Music Hall project of the Carnegie Museums of Pittsburgh. (Council District 8)

[2009-1052](#)

**A motion was made that this matter be Read and referred to the Intergovernmental Affairs Committee. The motion carried.**

Bill No. Resolution authorizing the submission of an application to the Pennsylvania Department of Community and Economic Development for a Neighborhood Stabilization Program grant of up to \$20,000,000. (Council Districts 1, 2, 4, 6 and 9).

[2009-1053](#)

**A motion was made that this matter be Read and referred to the Intergovernmental Affairs Committee. The motion carried.**

Bill No. Resolution authorizing a cooperation agreement or agreements with the Urban Redevelopment Authority of Pittsburgh for administration and implementation of a Neighborhood Stabilization Program grant of up to \$20,000,000 from the Pennsylvania Department of Community and Economic Development. (Council Districts 1, 2, 4, 6 and 9).

[2009-1054](#)

**A motion was made that this matter be Read and referred to the Intergovernmental Affairs Committee. The motion carried.**

**MRS. HARRIS, CHAIRPERSON OF THE COMMITTEE ON PUBLIC WORKS,  
PRESENTS**

Bill No.

[2009-1041](#)

Resolution authorizing the City of Pittsburgh to dedicate a part of the City owned Parcel 114-E-1 in the 27th Ward, 1st Council District of the City of Pittsburgh for the widening of California Avenue and to accept from the County of Allegheny part of their Parcel 114-F-282 to also widen California Avenue and a corner of Windhurst Street for the Jacks Run Bridge No.1 Rehabilitation by the Allegheny County Department of Public Works.

**A motion was made that this matter be Read and referred to the Public Works Committee. The motion carried.**

Bill No.

[2009-1042](#)

Resolution granting unto the Pittsburgh Dance Alloy, 5530 Penn Avenue, Pittsburgh, PA 15206, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a steel and glass canopy over the right-of-way of Stratford Avenue in the 8th Ward, 9th Council District of the City of Pittsburgh.

**A motion was made that this matter be Read and referred to the Public Works Committee. The motion carried.**

Bill No.

[2009-1043](#)

Resolution granting unto Pizza Sola, 1417 East Carson Street, Pittsburgh, PA 15201, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a business identification sign over the sidewalk area at 1417 East Carson Street in the 17th Ward, 3rd Council District of the City of Pittsburgh.

**A motion was made that this matter be Read and referred to the Public Works Committee. The motion carried.**

Bill No.

[2009-1044](#)

Resolution vacating a portion of Tarpon Way at Biggs Avenue southwesterly a distance of 94.72 feet in the 25th Ward, 1st Council District of the City of Pittsburgh.

**A motion was made that this matter be Read and referred to the Public Works Committee. The motion carried.**

Bill No.

[2009-1045](#)

Resolution vacating a 10' Unnamed Way between Simona Drive and Woodbine Street in the 10th Ward, 7th Council District of the City of Pittsburgh.

**A motion was made that this matter be Read and referred to the Public Works Committee. The motion carried.**

Bill No.

[2009-1046](#)

Resolution vacating Washburn Street between Bartold Street and Hodgkiss Street in the 27th and Ward, 1st Council District of the City of Pittsburgh.

**A motion was made that this matter be Read and referred to the Public Works Committee. The motion carried.**

**MR, KRAUS, CHAIRPERSON OF THE COMMITTEE ON PUBLIC SAFETY SERVICES, PRESENTS**

Bill No. Ordinance amending Ord. No. 22 of 2008, entitled, "Amending and supplementing the Pittsburgh Code, Title Six: Conduct; Article I: Regulated Rights and Actions; Chapter 619: Refuse Collection and Recycling, adding Responsibilities of Landlord and Tenant as it relates to the storage, disposal, and recycling of refuse;" by making various changes to assist with implementation of the new requirements.

[2009-1055](#)

**SPONSOR(S): BRUCE A. KRAUS, DARLENE HARRIS AND TONYA D. PAYNE**

**A motion was made that this matter be Waived under Rule 8. The motion carried.**

**A motion was made that this matter be Read and referred to the Public Works Committee. The motion carried.**

**MR. MOTZNIK, CHAIRPERSON OF THE COMMITTEE ON GENERAL AND GOVERNMENT SERVICES, PRESENTS**

Bill No. Resolution Further amending Resolution No. 230, 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 various projects in connection with the Neighborhood Needs Program in Council District 4; and providing for the payment of the costs thereof," by adding \$20,512.80 to the "South Hills Junction TRID" and by deleting \$6,000 from "Deck Hockey Court" and \$14,512.80 from "PWSA District 4 Projects" in Council District 4. Total of all projects is not to exceed \$1,000,000.00.

[2009-1056](#)

**SPONSOR(S): JIM MOTZNIK**

**A motion was made that this matter be Waived under Rule 8. The motion carried.**

**A motion was made that this matter be Read and referred to the Finance and Law Committee. 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 Budget and the 2000 Community Development Block Grant Program; and approving the 2000 through 2005 Capital Improvement Program, by adding \$20,512.80 to the "South Hills Junction TRID" and by deleting \$6,000 from "Deck Hockey Court" and \$14,512.80 from "PWSA District 4 Projects" in Council District 4 Neighborhood Needs.

[2009-1057](#)

**SPONSOR(S): JIM MOTZNIK**

**A motion was made that this matter be Waived under Rule 8. The motion carried.**

**A motion was made that this matter be Read and referred to the Land Use and Economic Development Committee. The motion carried.**

Bill No.

[2009-1058](#)

Resolution Further amending Resolution No. 121 of 2003, effective March 14, 2003 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 "South Hills Junction TRID" \$4,834.46 and by reducing "Brookline Memorial Park- Dan McGibbney Field" by \$500 and "Colrain Street Retaining Wall" by \$4,334.46 in Council District 4.

**SPONSOR(S): JIM MOTZNIK**

**A motion was made that this matter be Waived under Rule 8. The motion carried.**

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

Bill No.

[2009-1059](#)

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 "South Hills Junction TRID" \$4,834.46 and by reducing "Brookline Memorial Park- Dan McGibbney Field" by \$500 and "Colrain Street Retaining Wall" by \$4,334.46 in Council District 4.

**SPONSOR(S): JIM MOTZNIK**

**A motion was made that this matter be Waived under Rule 8. The motion carried.**

**A motion was made that this matter be Read and referred to the Land Use and Economic Development Committee. The motion carried.**

## **MS. PAYNE, CHAIRPERSON OF THE COMMITTEE ON HUMAN RESOURCES, PRESENTS**

Bill No.

[2009-1047](#)

Resolution providing for the renewal of a contract with for the purpose of ensuring that on-going medical care is provided to City of Pittsburgh employees who require treatment for service related injuries and/or illness pursuant to the Pennsylvania's Worker's Compensation Act and on-going professional nurse case management services in connection with the monitoring of certain workers' compensation claims and medical treatment toward a goal of returning employees to work as soon as they are medically able to return, providing for the payment of the cost thereof, cost not to exceed \$5,814,927.

**A motion was made that this matter be Read and referred to the Human Resources Committee. The motion carried.**

Bill No. Resolution providing that the City of Pittsburgh enter into a professional service  
[2009-1048](#) Contract or Contracts for the purpose of providing professional legal services in connection with the defense of certain worker's compensation matters and claims brought against the City under the Workers' Compensation Act and providing for the payment of the cost thereof. Cost not to exceed \$1,200,000.

**A motion was made that this matter be Read and referred to the Human Resources Committee. The motion carried.**

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

Bill No. Ordinance supplementing the Pittsburgh Code, Title One, Administrative, by adding a  
[2009-1039](#) new section, Article XIII, entitled, "Campaign Finance Regulations."

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

Bill No. Resolution authorizing the Mayor and the City Solicitor to enter into an agreement or  
[2009-1040](#) agreements for professional consulting services in connection with real estate tax assessment matters, including, but not limited to, tax assessment appeals filed by property owners and/or the City or other taxing jurisdictions in regard to commercial, industrial and residential real property in the City of Pittsburgh at a cost not to exceed \$66,000 (Sixty-Six Thousand Dollars).

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

## **UNFINISHED BUSINESS**

Bill No. Resolution authorizing the appointment of Caroline S. West, 272 Shady Avenue,  
[2008-0989](#) Pittsburgh, PA 15206, as a member of the Disruptive Property Appeals Board for a term to expire on December 31, 2009.

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

**Votes:** Ayes: 6 - Mr. Dowd, Mr. Kraus, Mr. Motznik, Ms. Payne, Mr. Peduto and Mr. Shields  
Noes: 1 - Mrs. Harris  
Abstentions: 0  
Absent: 1 - Rev. Burgess

Bill No. Resolution authorizing the appointment of Jerome B. McKinney, 6337 Burchfield  
[2008-0991](#) Avenue, Pittsburgh, PA 15217, as a member of the Disruptive Property Appeals Board for a term to expire on December 31, 2011.

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

**Votes:** Ayes: 5 - Mr. Dowd, Mr. Motznik, Ms. Payne, Mr. Peduto and Mr. Shields  
Noes: 2 - Mrs. Harris and Mr. Kraus  
Abstentions: 0  
Absent: 1 - Rev. Burgess

Bill No.

[2008-0993](#)

Resolution authorizing the appointment of Crystal S. Sumpter, 3421 Iowa Street, Pittsburgh, PA 15219, as a member of the Disruptive Property Appeals Board for a term to expire on December 31, 2013.

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

**Votes:** Ayes: 6 - Mr. Dowd, Mrs. Harris, Mr. Motznik, Ms. Payne, Mr. Peduto and Mr. Shields  
Noes: 1 - Mr. Kraus  
Abstentions: 0  
Absent: 1 - Rev. Burgess

## **REPORTS OF COMMITTEE - FINAL ACTION**

None

## **MOTIONS AND RESOLUTIONS**

## **EXCUSE ABSENT MEMBERS**

**A motion was made to excuse the absent member(s) Rev. Ricky Burgess. 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.**