

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 10, 2008

10:00 AM

Council Chambers

City Council

**ONE-HUNDRED
THIRTY-FIFTH COUNCIL**

Douglas Shields, President

**Council Members: Reverend Ricky V. Burgess, Dan Deasy, 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: 9 - Mr. Deasy, Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Motznik, Ms. Payne, Mr. Peduto and Mr. Shields

PLEDGE OF ALLEGIANCE

Led by the Color Guard:
Sean Conrad, Air Force, Waynesboro, PA
Kristen Macbride, Air Force, Cheltenham, PA,
Liam Flynn, Marines, Bellwood, PA
Thomas Hawkins, Navy, Guilford, ID
Tom Joyce, Army, Scranton, PA

MAYOR RAVENSTAHL'S 2009 BUDGET ADDRESS

PROCLAMATIONS

Bill No. [2008-0903](#) NOW THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend The Federation of War Veterans Societies' Inc for all the hard work that has been done over the years.; and

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh proclaims Tuesday, November 11th, 2008 as "The Federation of War Veterans Societies' 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. [2008-0904](#) THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh, does hereby commend LIFE Pittsburgh and its PACE program for allowing the elderly to remain in their homes to live in dignity and comfort while giving support to their family and caregivers .

NOW, THEREFORE BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby proclaim, November 10 - 14 as LIFE Pittsburgh Caregivers Week in the City of Pittsburgh.

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

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

Bill No. [2008-0905](#) NOW THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does hereby wish to thank Reverend Monroe for his tireless dedication to the community and honor him by declaring Friday, November 14, 2008, "Reverend Johnnie Monroe Day" in the City of Pittsburgh.

SPONSOR(S): TONYA D. PAYNE AND ALL MEMBERS

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

Bill No. [2008-0906](#) NOW, THEREFORE, BE IT RESOLVED THAT, the Council of the City of Pittsburgh congratulates Carlow University on the anniversaries of its adult education programs; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh hereby declares November 13, 2008 "Carlow University Adult Degree Center Day" in the City of Pittsburgh.

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SPONSOR(S): WILLIAM PEDUTO AND ALL MEMBERS

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

PUBLIC COMMENTS

PRESENTATION OF PAPERS

REV. BURGESS, CHAIRPERSON OF THE COMMITTEE ON LAND USE AND ECONOMIC DEVELOPMENT, PRESENTS

Bill No. [2008-0899](#) Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article I, Section 902.03 Zoning Map, by changing from R1D-L, Residential Single - Unit Detached, Low Density District and P, Parks District to RP, Residential Planned Unit Development District, all that certain property identified as Block Number 18 - M, Lot Number 35 in the Allegheny County Block and Lot System, 20th Ward.

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

Read and referred to Land Use and Economic Development Committee

Bill No. [2008-0900](#) Resolution approving a Conditional Use exception under the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 911, Section 911.04.A.99 to Najib and Nasra Aboud, property owner, for authorization to occupy an existing structure located at 2126 East Carson Street as a Restaurant with Liquor License, on property zoned "LNC", Local Neighborhood Commercial District, 16th Ward.

Read and referred to Land Use and Economic Development Committee

MR. DEASY, CHAIRPERSON OF THE COMMITTEE ON INTERGOVERNMENTAL AFFAIRS, PRESENTS

Bill No. [2008-0901](#) Resolution adopting the Official Sewage Facilities Plan for the City Vista at Parkway, Southstar Development Partners of Pennsylvania, LLC,

SPONSOR(S): DAN DEASY

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

Read and referred to Intergovernmental Affairs Committee

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

Bill No. [2008-0898](#) Resolution providing for the issuance of a warrant in the sum of \$210,000 to Lawrence Miedema, c/o Samuel P. Kamin, Esquire, Goldberg Kamin & Garvin, 1806 Frick Building, 437 Grant Street, Pittsburgh, PA 15219, in full and final settlement of the action filed at GD 08-0798. The case arose from an eminent domain proceeding wherein the City of Pittsburgh took the Plaintiff's residence and surrounding property. The payment represents "just compensation" to the Plaintiff.

Read and referred to Finance and Law Committee

MR. SHIELDS, PRESIDENT OF COUNCIL AND CHAIRPERSON OF THE COMMITTEE ON HEARINGS, PRESENTS

Bill No. [2008-0902](#) Resolution providing for the issuance of a warrant in favor of Daystar Computer Systems, Inc. in the amount of \$10,178.00 in payment for the annual maintenance agreement for the legislative tracking software used by the City Clerk's Office.

SPONSOR(S): DOUGLAS SHIELDS

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

Read and referred to Finance and Law Committee

REPORTS OF COMMITTEE - FINAL ACTION**MR. PEDUTO PRESENTS COMMITTEE ON FINANCE AND LAW**

Bill No. [2008-0893](#) Report of the Committee on Finance and Law for November 6, 2008 with an Affirmative Recommendation.

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

Bill No. [2008-0845](#) Resolution providing for the issuance of a \$5,411.81 warrant in favor of Thomas Wallace and Sandra Colon, 2455 S. Braddock Avenue, Pittsburgh, PA 15218, in settlement of a claim for a damaged vehicle due to a City Public Works salt truck on March 8, 2008.

This Matter was Passed Finally on the Consent Agenda.

Bill No. [2008-0846](#) Resolution providing for the issuance of a \$3,130.87 warrant in favor of Port Authority Transit of Allegheny County, 345 Sixth Avenue 3rd Floor, Pittsburgh, PA 15222-2527, in settlement of a claim for a damaged bus due to a City Public Works vehicle on March 19, 2008.

This Matter was Passed Finally on the Consent Agenda.

Bill No. [2008-0856](#) Resolution providing for the issuance of a Twenty Three Thousand Two Hundred Eighty Nine Dollars (\$23,289.00) warrant in favor of The Port Authority of Allegheny County c/o Colin Meneely, Esquire, Heinz 57 Center, 3rd Floor, 345 Sixth Avenue,

Pittsburgh, PA 15222-2527 in settlement of GD 06-005762 for property damages arising from a motor vehicle collision on or about October 12, 2005, involving a EMS vehicle owned by the City of Pittsburgh.

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2008-0857](#)

Resolution providing for the issuance of a Two Hundred and Ninety Thousand Dollar (\$290,000.00) warrant in favor of Ellen B. Pagnotta, Administratrix of the Estate of J. Thomas Bruecken, deceased and her attorneys Raymond J. Conlon, Esquire, and Conlon Tarker, P.C., 108 East Diamond Street, Butler, PA 16001, in settlement of GD 06-005762 for personal injuries and damages arising from a motor vehicle collision on or about October 12, 2005, involving a EMS vehicle owned by the City of Pittsburgh.

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2008-0861](#)

Resolution authorizing the issuance of a warrant in favor of the Richard S. Caliguiri Amyloidosis Foundation in an amount not to exceed twelve thousand three hundred and three dollars (\$12,303.00), in connection with the 2008 Great Race in the Department of Parks and Recreation, without previous authority of law; and providing for the payment thereof.

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2008-0866](#)

Resolution amending Resolution No. 86, effective March 18, 2004 by providing for the continued designation of an Oakland Business Improvement District.

SPONSOR(S): BRUCE A. KRAUS, TONYA D. PAYNE AND WILLIAM PEDUTO

This Matter was Passed Finally on the Consent Agenda.

Passed The Consent Agenda

A motion was made, including all the preceding items marked as having been adopted on the Consent Agenda. The motion carried by the following vote:

Votes: Ayes: 9 - Rev. Burgess, Mr. Deasy, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Motznik, Ms. Payne, Mr. Peduto and Mr. Shields

Noes: 0

Abstentions: 0

MR. KRAUS PRESENTS COMMITTEE ON PUBLIC SAFETY SERVICES

Bill No.

[2008-0894](#)

Report of the Committee on Public Safety Services for November 6, 2008 with an Affirmative Recommendation.

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

Bill No.

[2008-0882](#)

Resolution authorizing the Mayor to accept on behalf of the City of Pittsburgh, a grant from the Department of Justice in the amount of \$150,000, and authorizing and directing the Mayor to enter into an Agreement or Agreements with qualified drug treatment programs for drug treatment services, with qualified non-profit agencies for project coordination services, with qualified organizations for community surveying, social, educational, recreational, youth development, and other related services including transfer of salaries and fringe benefits, supply purchases, equipment purchases, travel reimbursement, and other expenses in connection with the City's Operation Weed and Seed Program in the Lawrenceville neighborhood.

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2008-0883](#)

Resolution authorizing the Mayor to accept on behalf of the City of Pittsburgh, a grant from the Department of Justice in the amount of \$150,000, and authorizing and directing the Mayor to enter into an Agreement or Agreements with qualified drug treatment programs for drug treatment services, with qualified non-profit agencies for project coordination services, with qualified organizations for community surveying, social, educational, recreational, youth development, and other related services including transfer of salaries and fringe benefits, supply purchases, equipment purchases, travel reimbursement, and other expenses in connection with the City's Operation Weed and Seed Program in the East Liberty, Larimer, and Garfield neighborhoods.

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2008-0884](#)

Resolution authorizing the Mayor to accept on behalf of the City of Pittsburgh, a grant from the Department of Justice in the amount of \$150,000, and authorizing and directing the Mayor to enter into an Agreement or Agreements with qualified drug treatment programs for drug treatment services, with qualified non-profit agencies for project coordination services, with qualified organizations for community surveying, social, educational, recreational, youth development, and other related services including transfer of salaries and fringe benefits, supply purchases, equipment purchases, travel reimbursement, and other expenses in connection with the City's Operation Weed and Seed Program in the neighborhoods of Chartiers City, Crafton Heights, Elliott, Esplen, Fairywood, Sheraden, West End, and Windgap.

This Matter was Passed Finally on the Consent Agenda.

Passed The Consent Agenda

A motion was made, including all the preceding items marked as having been adopted on the Consent Agenda. The motion carried by the following vote:

Votes: Ayes: 9 - Rev. Burgess, Mr. Deasy, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Motznik, Ms. Payne, Mr. Peduto and Mr. Shields
Noes: 0
Abstentions: 0

MRS. HARRIS PRESENTS COMMITTEE ON PUBLIC WORKS

Bill No. Report of the Committee on Public Works for November 6, 2008 with an Affirmative
[2008-0895](#) Recommendation.

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

Bill No. Resolution providing for a Contract or Contracts or for the use of existing Contracts,
[2008-0858](#) providing for an Agreement or Agreements or for the use of existing Agreements,
providing for the purchase of materials and supplies in connection with the
renovations and maintenance of various public buildings, and further providing for the
payment of the costs thereof. Cost not to exceed \$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. Deasy, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Motznik,
Ms. Payne, Mr. Peduto and Mr. Shields
Noes: 0
Abstentions: 0

REV. BURGESS PRESENTS COMMITTEE ON LAND USE & ECONOMIC DEVELOPMENT

Bill No. Report of the Committee on Land Use and Economic Development for November 6,
[2008-0896](#) 2008 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. 479, effective September 9, 2008 entitled:
[2008-0867](#) providing for an Agreement or Agreements with various community organizations for
operational/administrative expenses, maintenance, purchase of equipment and/or
rehabilitation of neighborhood facilities and the benefit of residents of the City of
Pittsburgh; and further, authorizing various City Departments to enter into contract or
contracts or use existing contract or contracts for street paving, the purchase of
equipment and/or furniture and other related costs at a costs not to exceed 800,000.00,
so as to reprogram funds in City Council from "District 2-Equipment" (-500) to the
"ONALA Club" (+500).

SPONSOR(S): DAN DEASY

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution Amending Resolution No. 487, effective September 9, 2008 entitled: by
[2008-0868](#) providing for the filing of a Community Development statement by the City of
Pittsburgh with the U.S. Department of Housing and Urban Development for a grant
in connection with the 2007 Community Development Block Grant Program;
providing for the execution of grant contracts and for the filing of other data providing

for required assurances; providing for execution of payment vouchers on letter of credit and for certification of authorized signature; the deposit of the funds in a bank account and providing for the payment of expenses within categories; so as to reprogram funds in City Council from "District #2" (-500) to the "ONALA Club" (+500).

SPONSOR(S): DAN DEASY

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2008-0869](#)

Resolution amending Resolution No. 304, effective June 13, 2008 entitle "Resolution providing for an Agreement or Agreements with various community organizations for operational/administrative expenses, maintenance, purchase of equipment and/or rehabilitation of neighborhood facilities and the benefit of residents of the City of Pittsburgh; and further, authorizing various City Departments to enter into contact or contracts or use existing contract or contracts for street paving, the purchase of equipment and/or furniture and other related costs at a costs not to exceed 800,000.00", so as to reprogram funds in City Council from "District #2-Equipment" (-5,500) to the Windgap -Chartiers Athletic Assoc" (+4,000); and to the "Onala Club" (+1,500).

SPONSOR(S): DAN DEASY

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2008-0870](#)

Resolution Amending Resolution No. 470, effective August 27, 2008, entitled: Resolution providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 2008 Community Development Block Grant Program; providing for the execution of grant contracts and for the filing of other data providing for required assurances; providing for execution of payment vouchers on letter of credit and for certification of authorized signature; the deposit of the funds in a bank account and providing for the payment of expenses within categories, so as to reprogram funds in City Council from "District #2-Equipment" (-5,500) to the Windgap Chartiers Athletic Assoc." (+4,000); and to the "Onala Club" (+1,500).

SPONSOR(S): DAN DEASY

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2008-0871](#)

Resolution amending Resolution No. 252, effective May 21, 2008 entitled: "Resolution providing for an Agreement or Agreements with various community organizations for operational/administrative expenses, maintenance, purchase of equipment and/or rehabilitation of neighborhood facilities and the benefit of residents of the City of Pittsburgh; and further, authorizing various City Departments to enter into contract or contracts or use existing contract or contracts for street paving, the purchase of equipment and/or furniture and other related costs at a costs not to exceed 950,000.00" so as to reprogram funds from City Council: "District 2 Equipment" (-8,900) to "West End - Elliott Citizens Corp." (+4,000); and to "Sheraden Community Council" (+4,000); and to the "Onala Club" (+900).

SPONSOR(S): DAN DEASY

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2008-0872](#)

Resolution amending Resolution No. 469 effective August 27, 2008, entitled: "Resolution providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 2006 Community Development Block Grant Program; providing for the execution of grant contracts and for the filing of other data providing for required assurances; providing for execution of payment vouchers on letter of credit and for certification of authorized signature; the deposit of the funds in a bank account and providing for the payment of expenses within categories;" so as to reprogram funds from City Council from District #2" (-8,900) to West End/Elliott Citizens Corp." (+4,000); and to "Sheraden Community Council" (+4,000); and to the Onala Club" (+900).

SPONSOR(S): DAN DEASY**This Matter was Passed Finally on the Consent Agenda.****Passed The Consent Agenda**

A motion was made, including all the preceding items marked as having been adopted on the Consent Agenda. The motion carried by the following vote:

Votes: Ayes: 9 - Rev. Burgess, Mr. Deasy, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Motznik, Ms. Payne, Mr. Peduto and Mr. Shields
Noes: 0
Abstentions: 0

MR. DEASY PRESENTS COMMITTEE ON INTERGOVERNMENTAL AFFAIRS

Bill No.

[2008-0897](#)

Report of the Committee on Intergovernmental Affairs for November 6, 2008 with an Affirmative Recommendation.

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

Bill No.

[2008-0862](#)

Resolution providing for the execution of a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for the performance of certain work in connection with the conversion of the property located at 830 Warrington Avenue in the 18th Ward into the Zone 3 police station and providing for the conveyance of the property to the City for no consideration. (Council District 3).

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

This Matter was Passed Finally, As Amended on the Consent Agenda.

Bill No.

[2008-0863](#)

Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to pursue a tax increment financing proposal for portions of the East Liberty Gateway Redevelopment Area (Pending Certification) - East Liberty Neighborhood. (Council District 9)

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2008-0864](#)

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 Properties in the 3rd Ward of the City of Pittsburgh Designated in the Deed Registry Office of Allegheny County as Block 11-A, Lots 190, 191, 191A, 192, 192A, 193, 194, 196, 198, 200, 202 and Block 11-E, Lots 245, 248, 249, 250, 254, 255, 257, 258, 268, 270, 271, 283, 288, 296 (Council District No. 6 - Site Assemblage for Residential Development - 261½, 263, 261, 265, 259, 257, 253, 258, 200, 206, 208, 210, 218, 220, 224, 226, 246, 252, 251, 227, 217, 201 Dinwiddie Street, 265 Kearney Way, and 267 and 252 Wick Street).

This Matter was Passed Finally on the Consent Agenda.

Passed The Consent Agenda

A motion was made, including all the preceding items marked as having been adopted on the Consent Agenda. The motion carried by the following vote:

Votes: Ayes: 9 - Rev. Burgess, Mr. Deasy, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Motznik, Ms. Payne, Mr. Peduto and Mr. Shields

Noes: 0

Abstentions: 0

MOTIONS AND RESOLUTIONS

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.