

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, July 14, 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, 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. Motznik, Ms. Payne, Mr. Peduto, Mrs. Smith and Mr. Shields

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

Bill No.

[2009-1624](#)

THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does, hereby, commend league members, Producer - Becky Brown; Director and Producer - Keilan Rickard; and Editor - Shawn Bronson for their outstanding efforts to bring this documentary to the larger community. Council also recognizes the Multicultural Arts Initiative and its director, Robert Reed; League Treasurer, Wendy James, and members Ben de Jesus, Steve Mrdjenovich and Ken Riling along with President, David Binder, for their efforts to present a festive celebration of the release of this film.

SPONSOR(S): BRUCE A. KRAUS, PATRICK DOWD, DARLENE HARRIS, JIM MOTZNIK, TONYA D. PAYNE, WILLIAM PEDUTO, DOUGLAS SHIELDS AND THERESA SMITH

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

Bill No.

[2009-1625](#)

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend the Vintage Grand Prix for providing all city residents with fourteen days of excitement, bringing the top vintage cars out for the public to view, and pursuing their philanthropic duty as a fundraiser for the Autism Society of Pittsburgh and Allegheny Valley School; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh declares Friday, July 17, 2009, to be "Pittsburgh Vintage Grand Prix 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.

[2009-1626](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize the Pittsburgh Cultural Trust, the City's Urban Redevelopment Authority, the Allegheny Conference on Community Development and the City of Pittsburgh Planning Department for defining the vision for the Cultural District and for taking the steps to make the vision a reality and congratulates the Founders and Heroes of The Pittsburgh Cultural Trust to make the dream of H.J. "Jack Heinz" a reality ; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Friday, July 17, 2009, to be "PITTSBURGH CULTURAL TRUST 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.

PUBLIC COMMENTS

PRESENTATION OF PAPERS

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

Bill No. Resolution providing that the City of Pittsburgh to enter into a professional services agreement or agreements for the annual maintenance and support of software and equipment necessary for the processing and administration of Personnel and Civil Service applications for employment and written examinations and providing for the payment of the cost thereof. Cost not to exceed \$19,622.75.

[2009-1619](#)

Read and referred to Human Resources Committee

MRS. SMITH, CHAIRPERSON OF THE COMMITTEE ON URBAN RECREATION, PRESENTS

Bill No. Resolution changing the name of Dean's Field at the base of the Bloomfield Bridge, in the 8th Ward of the City of Pittsburgh, to the Officer Paul J. Sciuлло II Memorial Field.

[2009-1622](#)

Read and referred to Urban Recreation Committee

MR. SHEILDS, CHAIRPERSON OF THE COMMITTEE ON HEARINGS, PRESENTS

Bill No. Resolution informing City Council of the appointment by Councilman William Peduto of Eric G. Hulsey, 737 South Braddock Avenue, Pittsburgh, PA 15221, as a Member of the Propel Pittsburgh Commission representing District 8, for a term to expire August 1, 2010.

[2009-1620](#)

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

Bill No. Resolution informing City Council of the appointment by Councilman William Peduto of Andrew Karpan, 5610 Holbart Street, Apt. #1, Pittsburgh, PA, 15217, as a Member of the Pittsburgh Youth Council representing District 8.

[2009-1621](#)

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

Bill No. Petition from the residents of the City of Pittsburgh requesting a public hearing relative to the needs of the Pittsburgh Community that should be addressed in the proposed cable franchise agreement between the City of Pittsburgh and Verizon Pennsylvania.

[2009-1623](#)

Read and referred to Hearings Committee

UNFINISHED BUSINESS

Bill No. Resolution authorizing the reappointment of Patricia Bagley, 533 Mt. Pleasant Road, Pittsburgh, PA 15214, as a member of the Housing Authority of the City of Pittsburgh for a term to expire on December 31, 2013.

[2009-1550](#)

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

Bill No. Resolution authorizing the appointment of Chaz Kellem, 3226 Richardson Avenue,
[2009-1564](#) Pittsburgh, PA 15212, as a member of the Commission on Human Relations for a term
to expire on April 1, 2013.

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

Bill No. Resolution authorizing the appointment of Patrick J. Beck, 5342 Pocusset Street,
[2009-1586](#) Pittsburgh, PA 15217, as a member of the Shade Tree Commission for a term to
expire on December 31, 2012.

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

MR. MOTZNIK: A motion was made to amend by substitute the June 23rd motion to Hold Appts. for Interview. The motion was approved by a 5-4 majority. The following bills were put to a vote for Approval, as follows:

Bill No. Resolution authorizing the appointment of Page Thomas, 1 Odanah Street, Pittsburgh,
[2009-1552](#) PA 15212, as a member of the Planning Commission for a term to expire on January
2, 2010. Mr. Thomas is replacing Lynne Garfinkel.

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

Votes: Ayes: 5 - Rev. Burgess, Mrs. Harris, Mr. Motznik, Ms. Payne and Mrs. Smith
Noes: 4 - Mr. Dowd, Mr. Kraus, Mr. Peduto and Mr. Shields
Abstentions: 0

Bill No. Resolution authorizing the reappointment of Wrenna Watson, 1700 Wylie Avenue,
[2009-1554](#) Pittsburgh, PA 15219, as a member of the Zoning Board of Adjustment for a term to
expire on December 31, 2010.

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

Votes: Ayes: 5 - Rev. Burgess, Mrs. Harris, Mr. Motznik, Ms. Payne and Mrs. Smith
Noes: 4 - Mr. Dowd, Mr. Kraus, Mr. Peduto and Mr. Shields
Abstentions: 0

Bill No. Resolution authorizing the appointment of Kirk Burkley, 206 West North Avenue,
[2009-1555](#) Pittsburgh, PA 15212, as a member of the Zoning Board of Adjustment 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: 5 - Rev. Burgess, Mrs. Harris, Mr. Motznik, Ms. Payne and Mrs. Smith
Noes: 4 - Mr. Dowd, Mr. Kraus, Mr. Peduto and Mr. Shields
Abstentions: 0

Bill No. [2009-1556](#) Resolution authorizing the appointment of Manoj Jegasothy, 1203 Malvern Avenue, Pittsburgh, PA 15217, as a member of the Zoning Board of Adjustment 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 - Rev. Burgess, Mrs. Harris, Mr. Motznik, Ms. Payne and Mrs. Smith
Noes: 4 - Mr. Dowd, Mr. Kraus, Mr. Peduto and Mr. Shields
Abstentions: 0

Bill No. [2009-1558](#) Resolution authorizing the reappointment of Michael Stern, 1035 Murray Hill Avenue, Pittsburgh, PA 15217, as a member of the Historic Review Commission for a term to expire on February 29, 2012 2011.

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

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

Votes: Ayes: 5 - Rev. Burgess, Mrs. Harris, Mr. Motznik, Ms. Payne and Mrs. Smith
Noes: 4 - Mr. Dowd, Mr. Kraus, Mr. Peduto and Mr. Shields
Abstentions: 0

Bill No. [2009-1559](#) Resolution authorizing the appointment of Ernie Hogan, 1151 Portland Street, Pittsburgh, PA 15206, as a member of the Historic Review Commission for a term to expire on April 30, 2012.

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

Votes: Ayes: 5 - Rev. Burgess, Mrs. Harris, Mr. Motznik, Ms. Payne and Mrs. Smith
Noes: 4 - Mr. Dowd, Mr. Kraus, Mr. Peduto and Mr. Shields
Abstentions: 0

Bill No. [2009-1560](#) Resolution authorizing the appointment of Linda McLellan, 2361 Tilbury Avenue, Pittsburgh, PA 15217, as a member of the Historic Review Commission for a term to expire on May 29, 2012.

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

Votes: Ayes: 5 - Rev. Burgess, Mrs. Harris, Mr. Motznik, Ms. Payne and Mrs. Smith
Noes: 4 - Mr. Dowd, Mr. Kraus, Mr. Peduto and Mr. Shields
Abstentions: 0

Bill No. [2009-1561](#) Resolution authorizing the appointment of Joe Serrao, 1120 N. St. Clair Street, Pittsburgh, PA 15206, as a member of the Historic Review Commission for a term to expire on May 29, 2012.

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

Votes: Ayes: 5 - Rev. Burgess, Mrs. Harris, Mr. Motznic, Ms. Payne and Mrs. Smith
Noes: 4 - Mr. Dowd, Mr. Kraus, Mr. Peduto and Mr. Shields
Abstentions: 0

Bill No. Resolution authorizing the reappointment of Lynette Drawn-Williamson, 7219
[2009-1562](#) Hilliards Street, Pittsburgh, PA 15206, as a member of the Commission on Human Relations for a term to expire on April 1, 2013.

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

Votes: Ayes: 5 - Rev. Burgess, Mrs. Harris, Mr. Motznic, Ms. Payne and Mrs. Smith
Noes: 4 - Mr. Dowd, Mr. Kraus, Mr. Peduto and Mr. Shields
Abstentions: 0

Bill No. Resolution authorizing the reappointment of Curtis Smith, 5555 Hampton Street,
[2009-1563](#) Pittsburgh, PA 15206, as a member of the Commission on Human Relations for a term to expire on April 1, 2013.

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

Votes: Ayes: 5 - Rev. Burgess, Mrs. Harris, Mr. Motznic, Ms. Payne and Mrs. Smith
Noes: 4 - Mr. Dowd, Mr. Kraus, Mr. Peduto and Mr. Shields
Abstentions: 0

Bill No. Resolution authorizing the reappointment of Jennifer Arkett, 109 Woodrow Street,
[2009-1565](#) Pittsburgh, PA 15066, as a member of the Shade Tree Commission for a term to expire on December 31, 2012.

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

Votes: Ayes: 5 - Rev. Burgess, Mrs. Harris, Mr. Motznic, Ms. Payne and Mrs. Smith
Noes: 4 - Mr. Dowd, Mr. Kraus, Mr. Peduto and Mr. Shields
Abstentions: 0

Bill No. Resolution authorizing the appointment of Matt Erb, 3629 Butler Street, Pittsburgh,
[2009-1569](#) PA 15201, as a member of the Shade Tree Commission for a term to expire on December 31, 2012.

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

Votes: Ayes: 5 - Rev. Burgess, Mrs. Harris, Mr. Motznic, Ms. Payne and Mrs. Smith
Noes: 4 - Mr. Dowd, Mr. Kraus, Mr. Peduto and Mr. Shields
Abstentions: 0

REPORTS OF COMMITTEE - FINAL ACTION

MR. PEDUTO PRESENTS COMMITTEE ON FINANCE AND LAW

Bill No. Report of the Committee on Finance and Law for July 8, 2009 with an Affirmative
[2009-1614](#) Recommendation.

Read, Received and Filed

Bill No. Ordinance supplementing the Pittsburgh Code, Title Two, Fiscal, Article V, Special
[2009-1474](#) Funds, by adding Chapter 235, entitled "Stimulus Oversight and Reinvestment in New Growth Committee."

SPONSOR(S): WILLIAM PEDUTO

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

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

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

Noes: 0

Abstentions: 0

MR. KRAUS PRESENTS COMMITTEE ON PUBLIC SAFETY SERVICES

Bill No. Report of the Committee on Public Safety Services for July 8, 2009 with an
[2009-1615](#) Affirmative Recommendation.

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

Bill No. Resolution providing for the extension of network services from the existing INET at
[2009-1534](#) 312 S. Main Street (Zone 6) to 130 Wabash Avenue for the Department of Public Safety, Bureau of Police and providing for the cost thereof. Cost not to exceed \$15,558.00.

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. Motznik, Ms. Payne, Mr. Peduto, Mrs. Smith and Mr. Shields

Noes: 0

Abstentions: 0

MRS. HARRIS PRESENTS COMMITTEE ON PUBLIC WORKS

Bill No. Report of the Committee on Public Works for July 8, 2009 with an Affirmative
[2009-1616](#) 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,
[2009-1582](#) 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. Dowd, Mrs. Harris, Mr. Kraus, Mr. Motznik, Ms. Payne, Mr. Peduto, Mrs. Smith and Mr. Shields
Noes: 0
Abstentions: 0

Bill No.

[2009-1581](#)

Resolution authorizing and directing the City Controller to create a special trust fund designated as the "Stimulus Trust Fund", for the purpose of depositing funds received through the American Recovery and Reinvestment Act of 2009 (Stimulus) to be used for purposes as set forth in approved agreements. Creation of this trust fund will keep the City of Pittsburgh compliant with ARRA requirements stipulating all funds received from the act must be isolated.

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. Motznik, Ms. Payne, Mr. Peduto, Mrs. Smith and Mr. Shields
Noes: 0
Abstentions: 0

Bill No.

[2009-1583](#)

Resolution granting to Equitable Gas Company a permanent pipeline easement and a temporary construction easement through designated City of Pittsburgh property bounded by lands within Sheridan Park.

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. Motznik, Ms. Payne, Mr. Peduto, Mrs. Smith and Mr. Shields
Noes: 0
Abstentions: 0

REV. BURGESS PRESENTS COMMITTEE ON LAND USE & ECONOMIC DEVELOPMENT

Bill No.

[2009-1617](#)

Report of the Committee on Land Use and Economic Development for July 8, 2009 with an Affirmative Recommendation.

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

Bill No.

[2009-1584](#)

Resolution amending Resolution No. 347, effective June 16, 2009, 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 the Public Works Department from "Ballfield Lighting" (-460,000) to "Bridge Repairs" (+277,500) and to "Neighborhood Street Improvements" (+120,000); and to Disabled and Public Sidewalk Program" (+62,500).

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. Motznic, Ms. Payne, Mr. Peduto, Mrs. Smith and Mr. Shields
Noes: 0
Abstentions: 0

Bill No.

[2009-1585](#)

Resolution amending Resolution No. 348, effective June 16, 2009, entitled: 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 2009 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 increase the amount allocated from \$16,647,702 to \$16,682,767 (+ \$35,065) to the following project: "Street Resurfacing" (+ 35,065).

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. Motznic, Ms. Payne, Mr. Peduto, Mrs. Smith and Mr. Shields
Noes: 0
Abstentions: 0

MR. DOWD PRESENTS COMMITTEE ON INTERGOVERNMENTAL AFFAIRS

Bill No.

[2009-1618](#)

Report of the Committee on Intergovernmental Affairs for July 8, 2009 with an Affirmative Recommendation.

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

Bill No.

[2009-1515](#)

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 \$4,000,000 for the Bakery Square Parking Garage project. (Council District 9)

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

Votes: Ayes: 8 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Motznik, Ms. Payne, Mr. Peduto, Mrs. Smith and Mr. Shields
Noes: 1 - Mr. Kraus
Abstentions: 0

Bill No.

[2009-1516](#)

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 \$4,000,000 for the Bakery Square Parking Garage project. (Council District 9)

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

Votes: Ayes: 8 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Motznik, Ms. Payne, Mr. Peduto, Mrs. Smith and Mr. Shields
Noes: 1 - Mr. Kraus
Abstentions: 0

MOTIONS AND RESOLUTIONS

Bill No.

[2009-1627](#)

NOW THEREFORE, BE IT RESOLVED that Council of the City of Pittsburgh, does hereby endorse House Bill No. 115 and applaud the actions of the Pennsylvania House of Representatives in passing this legislation unanimously on March 23, 2009; and, BE IT FURTHER RESOLVED that Council of the City of Pittsburgh, does hereby call upon the members of the Senate Law and Judiciary Committee to pass House Bill No. 115 out of committee.

BE IT FURTHER RESOLVED that Council of the City of Pittsburgh, does hereby call upon the members of the Pennsylvania Senate to pass House Bill No. 115 with all due speed.

BE IT FURTHER RESOLVED that a copy of this resolution shall be transmitted to the Pennsylvania Legislature.

SPONSOR(S): BRUCE A. KRAUS, PATRICK DOWD, DARLENE HARRIS, JIM MOTZNIK, TONYA D. PAYNE, WILLIAM PEDUTO, DOUGLAS SHIELDS AND THERESA SMITH

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

Votes: Ayes: 8 - Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Motznik, Ms. Payne, Mr. Peduto, Mrs. Smith and Mr. Shields
Noes: 0
Abstentions: 1 - Rev. Burgess

APPROVAL OF MINUTES

ADJOURNMENT