

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, September 1, 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.

[2009-1732](#)

Now, Therefore Be It Resolved, that the Council of the City of Pittsburgh does hereby recognize and commemorate the achievements of these innovative and entrepreneurial western Pennsylvanians; and,
Be It Further Resolved, that the Council of the City of Pittsburgh commends Mr. Alfred Mann of Highland Park for celebrating this important part of our region's history.

SPONSOR(S): PATRICK DOWD AND ALL MEMBERS

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

Bill No.

[2009-1733](#)

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby welcome Bishop C. Garnett Henning Senior and Mrs. Ernestine Lee Henning, and delegates of the 142nd annual AME conference; and

RESOLVED FURTHER, that the Council of the City of Pittsburgh does hereby declare the week of August 31 through September 6, 2009, to be "Greater Allen AME Church and Annual Conference Week" in the City of Pittsburgh.

Passed in City Council Tuesday September 1, 2009.

Douglas Shields
President of Council

Attest: Linda M. Johnson-Wasler
City Clerk

SPONSORED BY

COUNCILWOMAN DARLENE M. HARRIS and TONYA D. PAYNE

CO-SPONSORED BY COUNCIL PRESIDENT DOUG SHIELDS and MEMBERS RICKY V. BURGESS, PATRICK DOWD, BRUCE A. KRAUS, JIM MOTZNIK, WILLIAM PEDUTO and THERESA KAIL-SMITH

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

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

Bill No. [2009-1734](#)
NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize and commend the Taylor Allderdice Classes of January 1959, June 1959 and January 1960 for producing a remarkable cadre of graduates who went out into the world and through their successes and philanthropy contributed to the betterment and advancement of the City of Pittsburgh and beyond ; and,
BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare September 4, 5, and 6, 2009, to be “TAYLOR ALLDERDICE 50TH REUNION WEEKEND” 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. [2009-1735](#)
NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate Pittsburgh Allderdice High School's World Language Department; and,
BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Tuesday, September 1, 2009 , to be “ALLDERDICE WORLD LANGUAGE DEPARTMENT 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

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

Bill No. [2009-1721](#)
Resolution authorizing the Mayor and the Directors of Public Works, and Finance to enter into a Grant Agreement with the Commonwealth of Pennsylvania, Department of Community and Economic Development (DCED C000038997) to receive \$150,000.00 in Grant funding for Equipment Purchases.

Read and referred to Public Works Committee

Bill No. [2009-1722](#)
Resolution amending resolution 228-09, effective May 8, 2009, as amended by resolution 336-09, effective June 16, 2009, regarding the 2009 CDBG Street Resurfacing Program, by increasing the total by \$35,065.00, from \$2,700,000.00, to \$2,735,065.00.

Read and referred to Public Works Committee

Bill No. [2009-1723](#)
Resolution further amending Resolution No.675, effective December 30, 2008, as amended, entitled “Adopting and approving the 2009 Capital Budget and the 2009 Community Development Block Grant Program; and approving the 2009 through 2013 Capital Improvement Program,” by transferring \$364,000.00 (\$72,800 CITY/\$291,200 FHWA) from the “CBD (Central Business District) Signal Upgrades, and transferring \$250,000.00 (\$50,000.00 CITY/\$200,000 FHWA) from the “Project Management Services” line item and creating the “Reconstruction of Forbes Avenue”

line item in the amount of \$614,000.00 (\$122,800.00 CITY/\$491,200.00 FHWA).

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

Read and referred to Public Works Committee

Bill No.

[2009-1724](#)

Resolution providing for an Agreement or Agreements, or for the use of existing Agreements, providing for a Contract or Contracts, or use of existing Contracts, and providing for the purchase of materials and supplies in connection with the Reconstruction of Forbes Avenue/Market Square; including Construction Management Services, 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 \$614,000.00.

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

Read and referred to Public Works Committee

Bill No.

[2009-1725](#)

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 transferring the balance of the "CBD Crosswalks" line item in the amount of \$55,618.95 to and creating the "Reconstruction of Forbes Avenue" line item in the amount of \$278,094.75 (\$55,618.95 CITY/222,475.80 FHWA).

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.

Bill No.

[2009-1726](#)

Resolution providing for an Agreement or Agreements, or for the use of existing Agreements, providing for a Contract or Contracts, or use of existing Contracts, and providing for the purchase of materials and supplies in connection with the Reconstruction of Forbes Avenue/Market Square; including Construction Management Services, 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 \$278,094.75.

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

Read and referred to Public Works Committee

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

Bill No.

[2009-1731](#)

Ordinance supplementing the Pittsburgh Code, Title Six: Conduct; Article I: Regulated Rights and Actions; Chapter 601: Public Order, by adding a new section 601.16 entitled 'Public Urination and Defecation', and by adding a new subsection

601.14 (e) specifying the penalty for violation of the new section 601.16.”

SPONSOR(S): BRUCE A. KRAUS

Read and referred to Public Safety Services Committee

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

Bill No. Resolution authorizing a grant agreement with the Pennsylvania Department of
[2009-1713](#) Community and Economic Development Alternative and Clean Energy Program for
grant monies in the amount of \$297,218 that will be used by the Pittsburgh Pirates to
be used for the dry cooler heating system and lighting retrofit projects at PNC Park.

Read and referred to Finance and Law Committee

Bill No. Resolution authorizing the City of Pittsburgh to issue quit claim deeds and to grant
[2009-1714](#) underground structure support easements and various other easements for portions of
City of Pittsburgh owned parcels in the 24th Ward to the Pennsylvania Department of
Transportation for right-of-way expansion and easement improvements to State Route
28, Sections A-09 and A-10.

Read and referred to Finance and Law Committee

Bill No. Resolution providing for an Agreement of Sale with Karl L. Gatto for acquisition by
[2009-1715](#) the City of Pittsburgh of property located at 804 Woods Run Avenue, Pittsburgh, PA
15212, Block and Lot 76-B-128, City of Pittsburgh, and providing further for certain
payments not to exceed \$54,000.00.

Read and referred to Finance and Law Committee

Bill No. Resolution appointing individuals from the Department of Finance to represent the
[2009-1716](#) City of Pittsburgh as delegates to the Tax Collection Committee to be established for
the Allegheny Central Tax Collection District pursuant to the requirements of Act 32
of 2008.

Read and referred to Finance and Law Committee

Bill No. Resolution providing for the filing of petitions for the sale of certain properties,
[2009-1717](#) 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 C.

A: 2540 Wadsworth; B: 3530 Frazier; C: 3949 Mintwood.

Read and referred to Finance and Law Committee

Bill No. Resolution providing for the filing of petitions for the sale of certain properties,
[2009-1718](#) 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 Q. A: 2907 Stafford; B: 1915, 1917 & 1919 Bedford;
C: 217 Lombard; D: 119 Kenova; E: 121 Kenova; F: 1702 Concordia;
G: 1511 Westfield; H: 1831 Realty; I: 101 Imogene; J: 7214 Stranahan;
K: 29 Perry; L: 425 Fairywood; M: 514 Fairywood; N: 516 Fairywood;
O: 1464 Kinmount; P: 3623 Colmar; Q: 4255 Bryn Mawr.

Read and referred to Finance and Law Committee

Bill No. 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.
[2009-1719](#) ITEMS A and B: A: 1122 Brabec; B: 916 Oranmore.

Read and referred to Finance and Law Committee

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.
[2009-1720](#) ITEMS A through I. A: 57 Acorn; B: 818 Lovitt; C: 812 Lovitt; D: 7632 Mulford; E: 4904 Yew; F: 705 North Euclid; G: 624 Naylor; H: 2236 Fairland (part); I: 3405 Iowa.

Read and referred to Finance and Law Committee**UNFINISHED BUSINESS****REPORTS OF COMMITTEE - FINAL ACTION****MR. PEDUTO PRESENTS COMMITTEE ON FINANCE AND LAW**

Bill No. Report of the Committee on Finance and Law for August 28, 2009 with an Affirmative Recommendation.
[2009-1727](#)

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

Bill No. Resolution authorizing the Mayor and the Director of Public Safety to enter into any necessary contracts or agreements to accept assistance in the form of grants, awards, or other funds from the United States Department of Justice and other applicable federal Departments or Agencies and the Commonwealth of Pennsylvania in connection with the City's hosting of the Group of Twenty (G-20) Finance Ministers and Central Bank Governors conference in Pittsburgh the week of September 21-25, 2009; 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, insurance and/or services in connection with the G-20 and identifying potential procurement processes available for necessary related purchases should an emergency arise.
[2009-1705](#)

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

Bill No. Resolution further amending and supplementing Resolution No.675, effective January
[2009-1706](#) 1, 2009, as amended, entitled: "Adopting and approving the 2009 Capital Budget and the 2009 Community Development Block Grant Program; and approving the 2009 through 2013 Capital Improvement Program," by adding funding The Group of Twenty (G-20) Finance Ministers and Central Bank Governors conference in Pittsburgh the week of September 21-25, 2009.

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

MRS. HARRIS PRESENTS COMMITTEE ON PUBLIC WORKS

Bill No. Report of the Committee on Public Works for August 28, 2009 with an Affirmative
[2009-1728](#) Recommendation.

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

Bill No. Ordinance amending the Pittsburgh City Code, Title IV, Public Places and Property,
[2009-1712](#) Article I: Public Rights of Way, Chapter 416: Obstructions, by temporarily amending the current regulations during the 2009 NFL Kickoff Celebration Activity Period in designated locations.

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

REV. BURGESS PRESENTS COMMITTEE ON LAND USE & ECONOMIC DEVELOPMENT

Bill No. Report of the Committee on Land Use and Economic Development for August 28,
[2009-1729](#) 2009 with an Affirmative Recommendation.

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

Bill No. Ordinance temporarily suspending applicable City of Pittsburgh Zoning Code requirements to allow temporary event signage in designated locations in connection with the G20 Summit.
[2009-1709](#)

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. Report of the Committee on Intergovernmental Affairs for August 28, 2009 with an Affirmative Recommendation.
[2009-1730](#)

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

Bill No. Ordinance authorizing the Mayor and the Director of the Department of Public Safety to enter into Intergovernmental Cooperation Agreements between the City of Pittsburgh and outside agencies to provide professional police and other public safety services for the G20 Summit.
[2009-1710](#)

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

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.