

DRAFT

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, December 16, 2008

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: 8 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Motznik, Ms. Payne, Mr. Peduto and Mr. Shields

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

Bill No. [2008-0997](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize this remarkable book and CD, The Point of Pittsburgh and congratulates Charles McCollester, Bill Yund and Mike Stout; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Tuesday, December 16, 2008 to "THE POINT OF PITTSBURGH 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. [2008-0998](#) NOW THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does hereby wish to honor Mr. Jorgé Myers for his activism and inspiration to the community by declaring December 16, 2008 "Jorgé Myers 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. [2008-0999](#) NOW, THEREFORE, BE IT RESOLVED THAT, the Council of the City of Pittsburgh thanks Rabbi Danny Schiff for his service to the Ethics Hearing Board and wishes him well in future endeavors; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh hereby declares December 16, 2008, "Rabbi Danny Schiff Day" in the City of Pittsburgh.

SPONSOR(S): WILLIAM PEDUTO AND ALL MEMBERS

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

Bill No. [2008-1000](#) Now, Therefore, be it resolved that the Council of the City of Pittsburgh does hereby recognize and commend The Pittsburgh Chapter of Jack and Jill of America, Inc. for its endless contribution and dedication to the youth of the City of Pittsburgh; and

Be It Further Resolved, that the Council of the City of Pittsburgh does hereby proclaim Saturday, December 27, 2008 as "Jack and Jill Day" in the City of Pittsburgh.

SPONSOR(S): REVEREND RICKY V. BURGESS AND ALL MEMBERS

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

Bill No. [2008-1001](#) NOW, THEREFORE, BE IT RESOLVED that this Council does hereby recognize and appreciate the transformational work Catherine Baker Knoll accomplished in her

public career, beginning in the Pennsylvania Department of Transportation, modernizing and reforming the Treasurer's Office, and going on to serve diligently as Pennsylvania's first woman Lieutenant Governor; and

BE IT FURTHER RESOLVED that this Council, certainly joining this City, County, and Commonwealth, being keenly aware of the immeasurable toll that sudden and serious disease can take, and being deeply saddened by the passing of this wonderful woman, hereby express our grief and extend our sympathy to her family, friends, and coworkers by declaring December 16, 2008, "Catherine Baker Knoll Memorial Day" in the City of Pittsburgh.

Passed in City Council Tuesday, December 16, 2008.

SPONSOR(S): DARLENE HARRIS AND ALL MEMBERS

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

PUBLIC COMMENTS

PRESENTATION OF PAPERS

MR. DOWD, CHAIRPERSON OF THE COMMITTEE ON URBAN RECREATION, PRESENTS

Bill No. Ordinance amending the provisions of the Pittsburgh City Code, Title Four, Public
[2008-0988](#) Places and Property, Chapter 473 Use Regulations, Section 473.03 Traffic, by adding a new subsection (f), Parking lots in City parks.

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

Read and referred to Urban Recreation Committee

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

Bill No. Resolution authorizing the Department of Public Safety - Bureau of Animal Control to
[2008-0986](#) enter into an agreement or agreements or contract or contracts to implement a Spay and Neuter Program for the residents of the City of Pittsburgh and providing for the payment of the cost thereof, not to exceed Fifty Thousand Dollars (\$50,000).

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

Read and referred to Public Safety Services Committee

Bill No. Resolution providing for an Agreement or Agreements for the purchase of
[2008-0987](#) Pharmaceutical Services, Supplies, and Medications necessary for the operations of the Bureau of Emergency Medical Services for a period of three years (2009, 2010 and 2011). Total cost for three years not to exceed \$132,400.

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

Read and referred to Public Safety Services Committee**MS. PAYNE, CHAIRPERSON OF THE COMMITTEE ON HUMAN RESOURCES,
PRESENTS:**

Bill No. [2008-0995](#) Resolution further amending Resolution No. 403, effective June 14, 2000, as amended, 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 6; and providing for the payment of the costs thereof," by adding several projects and by reducing "District 6 Neighborhood Initiatives" by \$26,750. Total cost of all projects not to exceed \$1,000,000.

SPONSOR(S): TONYA D. PAYNE

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

Read and referred to Finance and Law Committee

Bill No. [2008-0996](#) 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 adjusting various line items in conformance with City Council's 2000 Capital Budget amendments," by adding \$5,000 to YMCA Centre Ave, \$1,000 to Northside Leadership Conference, \$2,500 to Northside Coalition for Fair Housing, \$1,000 to Gist Street Public Art Program, \$5,000 to Beginning with Books, \$1,000 to Perry Hilltop Citizen's Council, \$4,000 to Contact Pittsburgh, and \$2,000 to Tree of Hope, \$2,500 to Dress for Success, and \$2,750 to Angel Place, and by reducing "District 6 Neighborhood Initiatives" by \$26,750.

SPONSOR(S): TONYA D. PAYNE

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

Bill No. [2008-0984](#) Resolution providing for the issuance of an \$11,470.00 warrant in favor of Geraldine Black, 10 Rodney Street, Pittsburgh, PA 15212, in settlement of a claim for property damage from water run-off due to improper street resurfacing.

Read and referred to Finance and Law Committee

Bill No. [2008-0985](#) Resolution providing for the issuance of a \$2,563.97 warrant in favor of Brian Kelly, 3535 Boulevard the Allies, Pittsburgh, PA 15213, in settlement of a claim for sidewalk damage due to City tree roots on October 7, 2008.

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

Read and referred to Finance and Law Committee

Bill No. Resolution authorizing and directing the Mayor to begin the process of converting all
[2008-0994](#) City street lights to LEDs by issuing an RFP and submitting an application with the Commonwealth for a Guaranteed Energy Savings Agreement.

SPONSOR(S): WILLIAM PEDUTO

Read and referred to Public Works Committee

MR. SHIELDS, PRESIDENTS OF COUNCIL AND CHAIRMAN OF THE COMMITTEE ON HEARINGS, PRESENTS:

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.

Held, Pending Interview to Hearings Committee

Bill No. Resolution authorizing the appointment of Agnes Jean Brose, 1442 Simona Drive,
[2008-0990](#) Pittsburgh, PA 15201, as a member of the Disruptive Property Appeals Board for a term to expire on December 31, 2010.

Held, Pending Interview to Hearings Committee

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.

Held, Pending Interview to Hearings Committee

Bill No. Resolution authorizing the appointment of Tony M. Ceoffe, 253 38th Street,
[2008-0992](#) Pittsburgh, PA 15201, as a member of the Disruptive Property Appeals Board for a term to expire on December 31, 2012.

Held, Pending Interview to Hearings Committee

Bill No. Resolution authorizing the appointment of Crystal S. Sumpter, 3421 Iowa Street,
[2008-0993](#) Pittsburgh, PA 15219, as a member of the Disruptive Property Appeals Board for a term to expire on December 31, 2013.

Held, Pending Interview to Hearings 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 December 10, 2008 with an
[2008-0980](#) Affirmative Recommendation.

Read, Received and Filed

Bill No. [2008-0956](#) Resolution authorizing the issuance of a warrant in favor of Ward McGough, LLC in an amount not to exceed Four Thousand Eight Hundred Sixty Three Dollars and Fifty Cents (\$4,863.50) for legal services and costs incurred, for defending a suit filed by Lamar Advertising Company against certain Council members 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: 7 - Rev. Burgess, Mrs. Harris, Mr. Kraus, Mr. Motznic, Ms. Payne, Mr. Peduto and Mr. Shields
Noes: 1 - Mr. Dowd
Abstentions: 0

Bill No. [2008-0932](#) Resolution authorizing the Department of Finance to enter into a professional services agreement or agreements for credit card acceptance services for the collection of Rental Permit Registration Fees owed to the City of Pittsburgh on an annual basis at a cost not to exceed Five Thousand Dollars (\$5,000.00) per year, and providing for the cost thereof.

This Matter was Passed Finally on the Consent Agenda.

Bill No. [2008-0955](#) Resolution authorizing the issuance of a warrant in favor of Ward McGough, LLC in an amount not to exceed Four Thousand Five Hundred Fifteen Dollars (\$4,515.00) for legal services provided for defending the City of Pittsburgh in the FOP Retiree Healthcare lawsuit in the Supreme Court, and providing for the payment thereof.

This Matter was Passed Finally on the Consent Agenda.

Bill No. [2008-0956](#) Resolution authorizing the issuance of a warrant in favor of Ward McGough, LLC in an amount not to exceed Four Thousand Eight Hundred Sixty Three Dollars and Fifty Cents (\$4,863.50) for legal services and costs incurred, for defending a suit filed by Lamar Advertising Company against certain Council members and providing for the payment thereof.

This Matter was Passed Finally on the Consent Agenda.

Bill No. [2008-0962](#) Resolution directing City Council, the Mayor and Controller to work with the Intergovernmental Cooperation Authority and the Act 47 Coordinators to develop and adopt an amended Act 47 Financial Recovery Plan for the City of Pittsburgh by no later than March 25, 2009.

SPONSOR(S): REVEREND RICKY V. BURGESS

This Matter was Passed Finally on the Consent Agenda.

Bill No. [2008-0970](#) Resolution authorizing the City Controller to transfer funds within the City Clerk's Office in the amount of \$21,000.

SPONSOR(S): DOUGLAS SHIELDS

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: 8 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Motznic, Ms. Payne, Mr. Peduto and Mr. Shields
Noes: 0
Abstentions: 0

Bill No.

[2008-0938](#)

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, 2009.

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

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

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

Bill No.

[2008-0939](#)

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.

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

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

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

Bill No.

[2008-0940](#)

Resolution 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 adjusting various line items in conformance with City Council's 2009 Capital Budget amendments.

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

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

This Matter was Passed Finally, As Amended 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: 6 - Rev. Burgess, Mrs. Harris, Mr. Kraus, Mr. Motznik, Ms. Payne and Mr. Shields
Noes: 2 - Mr. Dowd and Mr. Peduto
Abstentions: 0

MRS. HARRIS PRESENTS COMMITTEE ON PUBLIC WORKS

Bill No. Report of the Committee on Public Works for December 10, 2008 with an Affirmative Recommendation.
[2008-0981](#)

Read, Received and Filed

Bill No. Resolution granting unto McCormick and Schmicks, 301 Fifth Avenue, Pittsburgh, PA 15222, 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 of Wood Street in the 2nd Ward, 6th Council District of the City of Pittsburgh.
[2008-0933](#)

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution vacating a portion of Magee and Colwell Streets in the 3rd, Ward, 6th Council District of the City of Pittsburgh.
[2008-0935](#)

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution vacating Robinson Court from Carrillo Street to Robinson Street in the 4th and 5th Wards, 6th Council District of the City of Pittsburgh.
[2008-0936](#)

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: 8 - Rev. Burgess, 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 December 10, 2008 with an Affirmative Recommendation.
[2008-0982](#)

Read, Received and Filed

Bill No. [2008-0926](#) Resolution authorizing the Mayor and the Director of City Planning to enter into a grant agreement with the Colcom Foundation to receive monies to support the development of a comprehensive art plan for the City of Pittsburgh, and further providing for legitimate expenditures for payments and agreement or agreements, or contract or contracts for any services required in connection with the execution of said grant agreement. Said agreement or agreements, contract or contracts or expenditures shall not exceed \$45,000.00.

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

MR. DOWD PRESENTS COMMITTEE ON INTERGOVERNMENTAL AFFAIRS

Bill No. [2008-0983](#) Report of the Committee on Intergovenmental Affairs Committee for December 10, 2008 with an Affirmatiave Recommendation.

Read, Received and Filed

Bill No. [2008-0971](#) Resolution providing for the issuance of a warrant in favor of the Allegheny County Bureau of Elections, 604 County Office Building, Suite 604, 542 Forbes Avenue, Pittsburgh, PA 15219-2953 in the amount of \$43,837.31 in payment of costs associated with the 2006 Special Election held to fill the vacancy of Council District #3.

SPONSOR(S): DOUGLAS SHIELDS

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

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

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

MOTIONS AND RESOLUTIONS**EXCUSE ABSENT MEMBERS****APPROVAL OF MINUTES****ADJOURNMENT**