

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, February 23, 2010

10:00 AM

Council Chambers

City Council

**ONE-HUNDRED
THIRTY-SIXTH COUNCIL**

Darlene Harris, President

Council Members: Reverend Ricky V. Burgess, Patrick Dowd, Bruce A. Kraus, R. Daniel Lavelle, William Peduto, Natalia Rudiak, Douglas Shields, 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. Lavelle, Mr. Peduto, Ms. Rudiak, Mr. Shields and Mrs. Smith

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

Bill No.

[2010-0172](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize and commends the Center for Victims of Violence and Crime for creating a unique continuum of education, prevention and intervention services in Southwestern Pennsylvania which reduces the proliferation of violence and its impact in our community while increasing capacity for collaboration, peace and healing.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Wednesday, February 24, 2010, to be designated as "PEACE-IT-TOGETHER COMMUNITY INITIATIVE 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.

[2010-0173](#)

THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does, hereby, commend Marilyn Kautz for her three decades of dedication, compassion and devotion to the participants of the Allentown Senior Citizen Centers and wishes her a long and happy retirement filled with good health, friends, family and laughter.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does, hereby, proclaim Monday, February 22, 2010 to be "Marilyn Kautz Day" 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.

PUBLIC COMMENTS

PRESENTATION OF PAPERS

MR. KRAUS, CHAIRPERSON OF THE COMMITTEE ON PUBLIC WORKS, PRESENTS

Bill No.

[2010-0164](#)

Ordinance amending the Pittsburgh City Code, Title I, Administrative, Article VII: Procedures, Chapter 161: Contracts, by adding Section 161.13, entitled Special Requirements for City Contracts Competitively Bid and Managed through the PENNDOT ECMS.

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

Read and referred to Public Works Committee

Bill No.
[2010-0165](#)

Resolution granting the City, in furtherance of the City's beautification plans, leave to enter into an Agreement with Norfolk Southern Railway Company and the Urban Redevelopment Authority of Pittsburgh (URA). In that Agreement, the Railway will grant an easement to the City and the URA as its agent to clean, paint, install lighting, reconstruct sidewalks, construct a sidewalk canopy, and remove an existing building ("the facilities"), upon the Railway-owned bridges and in the area of the Railway-owned bridges spanning Anderson Street and Sandusky Street.

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

Bill No.
[2010-0166](#)

Resolution granting to Chatham University temporary construction easement through designated City of Pittsburgh property bounded by Penn Avenue and Fifth Avenue at the new site of Chatham University's East Side Campus, and receiving from Chatham University a permanent Sidewalk/ Streetscape Easement.

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

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

Bill No.
[2010-0163](#)

Resolution authorizing the Mayor and the Director of Finance to enter into a Lease Agreement with 133 Penn Circle West, LLC to permit temporary use of the City facility located at 133 Penn Circle West (former Zone 5 Police Station) as a parole office.

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.
[2010-0169](#)

Resolution further amending Resolution No. 231, 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 8; and providing for the payment of the costs thereof," by adding \$15,000 to Bloomfield Development Corporation and by adjusting various other projects in Council District 8. Total cost of all projects not to exceed \$1,000,000.

SPONSOR(S): WILLIAM PEDUTO

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

Bill No.
[2010-0170](#)

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 \$15,000 to Bloomfield Development Corporation and by adjusting various other projects in Council District 8.

SPONSOR(S): WILLIAM PEDUTO

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

MR. SHIELDS, CHAIRPERSON OF THE COMMITTEE ON LAND USE AND ECONOMIC DEVELOPMENT, PRESENTS

Bill No. Ordinance supplementing the Pittsburgh Code at Title Seven: Business Licensing; [2010-0171](#) Article V: Trade Occupations Service Businesses, by adding a new Chapter at 780, Private Vehicle Towing, setting forth requirements for Towing Business Registration, Tow Truck Driver Registration and General Requirements related to non-consensual and consensual towing of private vehicles within the City of Pittsburgh.

SPONSOR(S): DOUGLAS SHIELDS

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

MRS. SMITH, CHAIRPERSON OF THE COMMITTEE ON PUBLIC SAFETY, PRESENTS

Bill No. Adopting Official Sewage Facilities Plan for Sweetbriar Village Development, Private [2010-0143](#) Sanitary Sewer System.

SPONSOR(S): THERESA SMITH

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.

MRS. HARRIS, CHAIRPERSON OF THE COMMITTEE ON HEARINGS, PRESENTS

Bill No. Communicatiion from City Clerk Linda M. Johnson Wasler, on behalf of City [2010-0167](#) Council, submitting the signed Interim Approval Letters, dated February 8, 2010 for the approval of the Mayor's Declaration of a Local Disaster Emergency, and February 15, 2010 providing for the continuation of the Declaration of the Local Disaster Emergency.

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

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 February 17, 2010 with an
[2010-0159](#) Affirmative Recommendation.

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

Bill No. Resolution providing for the issuance of a Seventeen Thousand, Three Hundred
[2010-0128](#) Thirty-five Dollars (\$17,335.00) warrant in favor of Stephen Stamy, 401 Roup Avenue, Pittsburgh, PA 15232, in settlement of actions filed in the Court of Common Pleas of Allegheny County, Pennsylvania at AR09-005926, AR09-010057, and AR09-010058 for alleged damage to his real property at 401 Roup Avenue, in the City of Pittsburgh, caused by City-owned and maintained trees.

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

Votes: Ayes: 7 - Rev. Burgess, Mr. Dowd, Mr. Kraus, Mr. Lavelle, Ms. Rudiak, Mr. Shields and Mrs. Smith
Noes: 0
Abstentions: 2 - Mrs. Harris and Mr. Peduto

Bill No. Resolution authorizing the issuance of a warrant in favor of Cozen O'Connor in an
[2010-0129](#) amount not to exceed Thirty-Four Thousand Three Hundred Eighty-Six Dollars and Fifty-Five Cents (\$34,386.55) for professional legal services in connection with the Post-Secondary Education Privilege Tax.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution providing for an agreement or use of existing agreements and/or a contract
[2010-0130](#) or contracts, or use of existing contracts, and for the purchase of materials, supplies and equipment and/or services in connection with the purchase, installation, maintenance for replacement of Security Equipment located in the City-County Building providing for the payment of the costs thereof, at a cost not to exceed \$100,000.00.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution providing for an agreement or use of existing agreements and/or a contract
[2010-0131](#) or contracts, or use of existing contracts, and for the purchase of materials, supplies and equipment and/or services in connection with the maintenance and/or renovations of elevators located in various City buildings providing for the payment of the costs thereof, at a cost not to exceed \$100,000.00.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution authorizing the City of Pittsburgh to grant the Pittsburgh Water and Sewer
[2010-0132](#) Authority a permanent utility easement and the privilege and license to install, use, operate, maintain, repair, renew and finally remove a 36 inch storm sewer line across City of Pittsburgh property designated as Block 10-R, Lot No. 83 located at 2325 Reed Street in the 5th Ward.

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2010-0133](#)

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. ITEMS A through D. A: 3603 Colmar; B: 3601 Colmar; C: 42 Pasadena; D: 1409 Rush.

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2010-0134](#)

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.
ITEMS A and B.
A: 511, 513 & 515 Climax; B: 3 & 5 Pride.

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2010-0135](#)

Resolution providing for the filing of petitions for the sale of certain properties, 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 M.
A: 5505 Margaretta; B: 5627 E. Liberty; C: 723 North St. Clair; D: 5624 Rural;
E: 214 South St. Clair; (DELETED F-J); K: 5109 Broad; L: 5170 Broad; M: 405-11 North Evaline.

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2010-0136](#)

Resolution providing for the filing of petitions for the sale of certain properties, 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 W. A: 2926 Hartman; B: 7172 Lemington; C: 2814 Bedford;
D: 1608 Alverado; (DELETED E); F: 1408 Sheffield; G: 1427 Pennsylvania;
H: 3711 Chartiers; I: 2748 Shiras; J: 27 & 23 Natchez; K: 446 Norton;
L: 462 Natchez; M: 7714 Hamilton; N: 405 Alpine; O: 619 Collins;
P: 6951 Upland; Q: 6058 Butler; R: 6042 Butler; S: 3618 Sardis;
T: 6919 & 6925 Kelly; U: 8003 Bennett; V: 2312 Perrysville; W: 1529 Alverado.

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2010-0151](#)

Ordinance supplementing the Pittsburgh Code, Title Two, Fiscal; Article IX, Property Taxes; Chapter 263, Real Property Tax and Exemption; Section 263.02, Payment Options, Discount and Delinquency Penalty; paragraph (a), Discount in advance, and paragraph (c), Interest for late payments, to change the discount and delinquent dates for the year 2010.

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. Dowd, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. Peduto, Ms. Rudiak, Mr. Shields and Mrs. Smith
Noes: 0
Abstentions: 0

MRS. SMITH PRESENTS COMMITTEE ON PUBLIC SAFETY SERVICES

Bill No. [2010-0160](#) Report of the Committee on Public Safety Services for February 17, 2010 with an Affirmative Recommendation.

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

Bill No. [2010-0155](#) Resolution providing for the continuation of the Declaration of Disaster Emergency issued by the Mayor of the City of Pittsburgh, dated February 6, 2010, as it pertains to the existing disaster emergency associated with the winter storm that began on February 5, 2010.

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. Lavelle, Mr. Peduto, Ms. Rudiak and Mrs. Smith
Noes: 0
Abstentions: 0
Out of Room: 1 - Mr. Shields

MR. SHIELDS PRESENTS COMMITTEE ON LAND USE & ECONOMIC DEVELOPMENT

Bill No. [2010-0161](#) Report of the Committee on Land Use and Economic Development for February 17, 2010 with an Affirmative Recommendation.

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

Bill No. [2010-0137](#) Resolution authorizing the Mayor and the Director of City Planning to enter into a grant agreement with the Heinz Endowments to receive monies to support the development of a Bicycle Pedestrian 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 \$135,000.00.

This Matter was Passed Finally on the Consent Agenda.

Bill No. [2010-0138](#) Resolution providing for a resolution authorizing the City of Pittsburgh to enter into a Programmatic Memorandum of Agreement (PMOA) with the Pennsylvania State

Historic Preservation Officer, the Advisory Council on Historic Preservation, and the United States Department of Housing and Urban Development.

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2010-0139](#)

Resolution providing for the submission of a \$15,000 Certified Local Government (CLG) grant application to the Pennsylvania Historical and Museum Commission (PHMC) for the development of the Cultural Heritage component to the City's Comprehensive Master Plan.

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2010-0140](#)

Resolution providing for an Agreement or Agreements or Contract or Contracts, or for use of existing Agreements or Contracts, with a Consultant or Consultants, or Vendor or Vendors, for the purpose of preparing a "CULTURAL HERITAGE PLAN" and related activities in support of such plan, at a cost not to exceed \$40,000.

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2010-0141](#)

Resolution providing for the designation and transfer of certain public properties within the Perry South neighborhood to become permanent, public, passive open space under the Greenways for Pittsburgh program.

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. Lavelle, Mr. Peduto, Ms. Rudiak and Mrs. Smith

Noes: 0

Abstentions: 0

Out of Room: 1 - Mr. Shields

MR. LAVELLE PRESENTS COMMITTEE ON URBAN RECREATION

Bill No.

[2010-0162](#)

Report of the Committee on Urban Recreation for February 17, 2010 with an Affirmative Recommendation.

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

Bill No.

[2010-0142](#)

Resolution authorizing the Mayor and the Director of the Department of Personnel and Civil Service and the Department of Parks and Recreation to enter into an Intergovernmental Agreement or Agreements with the Housing Authority of the City of Pittsburgh and the City of Pittsburgh to reimburse the City for services performed including: summer employment, recreational programming and activities, and an Ammon Recreation Center score board and to receive reimbursement for pool tags.

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. Lavelle, Mr. Peduto,
Ms. Rudiak and Mrs. Smith

Noes: 0

Abstentions: 0

Out of Room: 1 - Mr. Shields

MOTIONS AND RESOLUTIONS

APPROVAL OF MINUTES

ADJOURNMENT