

**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, January 13, 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**

**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.

[2009-1034](#)

Now, therefore be it resolved, that the Council of the City of Pittsburgh hereby recognizes and commends the Pittsburgh Chapter of Kappa Alpha Psi on 87 years of nurturing community leaders and advocates, and providing brotherhood and camaraderie to the members of the Pittsburgh Alumni Chapter, and Be it further resolved, that the Council of the City of Pittsburgh, on the occasion of the Pittsburgh Alumni Chapter's Founders Day Celebration, hereby declares January 17, 2009, "Kappa Alpha Psi Day" in the City of Pittsburgh.

**SPONSOR(S): PATRICK DOWD AND ALL MEMBERS**

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

Bill No.

[2009-1035](#)

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh thanks Eberhard Mueller and all of the German immigrants for their industry, skills and good citizenship, for they have added to the richness of our area; and BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare January 13, 2009, to be Eberhard Mueller Day in the City of Pittsburgh. Glück auf !

**SPONSOR(S): DARLENE HARRIS AND ALL MEMBERS**

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

Bill No.

[2009-1036](#)

NOW, THEREFORE, BE IT RESOLVED that, in addition to wishing a wonderful, long, happy life to all the participating veterans, this Council does hereby recognize, appreciate, and call attention to the generosity of Ed, Mary Ann, John and Suzanne Graf and the Priory Hospitality Group, and all those who are donating to the Winter White Wedding in kind, and does hereby declare January 14, 2008, as "Priory Day" in the City of Pittsburgh.

**SPONSOR(S): DARLENE HARRIS AND ALL MEMBERS**

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

Bill No.

[2009-1037](#)

NOW, THEREFORE, the Council of the City of Pittsburgh does hereby recognize and honor the following individuals for their brave and heroic work with this fire, as representative of all the good work done each day in the City of Pittsburgh by our firefighters:

James K. Crawford, Assistant Chief, Planning & Support  
Harry Scherer, Deputy Chief, C Platoon  
Michael Marks, Battalion Chief, 1st Battalion, C Platoon  
Keith Drudy, Battalion Chief, 3rd Battalion, C Platoon

Robert Cox, Battalion Chief, Training Academy  
Mark Stuart, Captain, Communications  
Carey Kaercher, Captain, MAC Unit, C Platoon  
James Overfield, Lieutenant, (Acting Capt.) Engine Co. No. 4, C Platoon  
David Borgese, Captain, Truck Co. No. 6, C Platoon  
James Flaherty, Captain, Engine Co. No. 7, C Platoon  
Ronald Bartolowits, Captain, Truck Co. No. 32, C Platoon  
Scott Muto, Lieutenant, Engine Co. No. 3, C Platoon  
Michael Burford, Master Firefighter, (Acting Lt.) Engine Co. No. 4, C Platoon  
Kenneth Diulus, Lieutenant, Engine Co. No. 6, C Platoon  
Joseph Magliocca, Lieutenant, Engine Co. No. 8, C Platoon  
Michael Buckley, Lieutenant, Engine Co. No. 10, C Platoon  
Bernard Noone, Firefighter, (Acting Lt.), Engine Co. No. 12, C Platoon  
William Goob, Lieutenant, Engine Co. No. 24, C Platoon  
Dennis Schmidt, Lieutenant, Engine Co. No. 27, C Platoon  
Timothy Hottenfeller, Lieutenant, Engine Co. No. 30, C Platoon  
Joseph Janosko, Lieutenant, Engine Co. No. 32, C Platoon  
Fred Cleis, Lieutenant, Engine Co. No. 37, C Platoon  
John Sharpe, Lieutenant, Engine Co. No. 38, C Platoon  
Lester Robinson, Master Firefighter, MAC Unit, C Platoon  
Dale Malacki, Master Firefighter, Truck Co. No. 4, C Platoon  
Leonard Inenell, Master Firefighter, Engine Co. No. 4, D Platoon  
Andrew Pickur, Master Firefighter, Truck Co. No. 6, C Platoon  
Joseph Somma, Master Firefighter, Engine Co. No. 7, C Platoon  
Robert Friel, Master Firefighter, Engine Co. No. 10, C Platoon  
Ralph Bilski, Master Firefighter, Engine Co. No. 10, C Platoon  
Harold White, Master Firefighter, Engine Co. No. 10, C Platoon  
David Anderson, Master Firefighter, Truck Co. No. 32, C Platoon  
William Onyshko, Master Firefighter, Engine Co. No. 32, C Platoon  
William Ley, Master Firefighter, Engine Co. No. 38, A Platoon  
Kevin Garofalo, Firefighter, Engine Co. No. 3, C Platoon  
Johnny Dipasquale, Firefighter, Engine Co. No. 3, C Platoon  
Michael Bauer, Firefighter, Engine Co. No. 3, C Platoon  
William Gray, Firefighter, Engine Co. No. 4, C Platoon  
Edward Hurley, Firefighter, Truck Co. No. 4, C Platoon  
Daniel Clark, Firefighter, Truck Co. No. 4, C Platoon  
Sean Jaras, Firefighter, Engine Co. No. 4, D Platoon  
Robert White, Firefighter, Engine Co. No. 6, C Platoon  
Scott Lees, Firefighter, Truck Co. No. 6, C Platoon  
William Gorham, Firefighter, Truck Co. No. 6, C Platoon  
Michael Lemon, Firefighter, Engine Co. No. 6, C Platoon  
Francis Carey, Firefighter, Engine Co. No. 7, C Platoon  
Tim Coyne, Firefighter, Engine Co. No. 7, C Platoon  
Matthew Schmitt, Firefighter, Engine Co. No. 8, C Platoon  
Edward Weist, Firefighter, Engine Co. No. 8, C Platoon

David Hamburger, Firefighter, Engine Co. No. 8, C Platoon  
Joshua Colbert, Firefighter, Engine Co. No. 10, D Platoon  
Jacob Overfield, Firefighter, Engine Co. No. 12, C Platoon  
Jason McLean, Firefighter, Engine Co. No. 12, C Platoon  
Richard Reider, Firefighter, Engine Co. No. 24, A Platoon  
James Pierce, Firefighter, Truck Co. No. 24, D Platoon  
Keith Roach, Firefighter, Engine Co. No. 27, C Platoon  
Joseph Goldie, Firefighter, Engine Co. No. 27, C Platoon  
Dennis Hickman, Firefighter, Engine Co. No. 27, C Platoon  
David McEndoo, Firefighter, Engine Co. No. 30, C Platoon  
Joshua Wolf, Firefighter, Engine Co. No. 30, C Platoon  
Eric Dengler, Firefighter, Engine Co. No. 30, C Platoon  
Jason Lowman, Firefighter, Truck Co. No. 32, C Platoon  
Christopher Gronsky, Firefighter, Truck Co. No. 32, C Platoon  
Jamie Daly, Firefighter, Engine Co. No. 32, C Platoon  
Joseph Caimi, Firefighter, Engine Co. No. 32, A Platoon  
Rard Perkins, Firefighter, Engine Co. No. 37, C Platoon  
Craig Mahouski, Firefighter, Engine Co. No. 37, C Platoon  
Nathan Walz, Firefighter, Engine Co. No. 37, C Platoon  
Stephan Cummings, Firefighter, Engine Co. No. 38, C Platoon  
Scott Story, Firefighter, Engine Co. No. 38, C Platoon.

**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 INTERGOVERNMENTAL AFFAIRS, PRESENTS**

Bill No. [2009-1031](#) Resolution amending Resolution No. 618, effective November 21, 2008, entitled "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" by reducing the amount to \$1,500,000 and adding account numbers. (Council District 3).

**Read and referred to Intergovernmental Affairs Committee**

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

Bill No. [2009-1029](#) Resolution providing for a Contract or Contracts or for the use of existing Contracts, providing for an Agreement or Agreements or for the use of existing Agreements, and providing for the purchase of materials and supplies in connection with miscellaneous repairs to streets and structures; and further providing for the payment of the costs

thereof. Cost not to exceed \$40,000.00.

**Read and referred to Public Works Committee**

Bill No.

[2009-1030](#)

Resolution providing for a Contract or Contracts or for the use of existing Contracts, 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 \$50,000.00.

**Read and referred to Public Works Committee**

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

Bill No.

[2009-1027](#)

Resolution providing for an agreement or agreements, contract or contracts, or for the use of existing agreements and/or contracts for the purchase of equipment, materials, and supplies and/or services in conjunction with the 830 E. Warrington Avenue Zone 3 Police Station and facilities at a cost not to exceed One Million, Five Hundred Thousand (\$1,500,000) Dollars; and further providing for the payment of the costs thereof.

**Read and referred to Public Safety Services Committee**

Bill No.

[2009-1028](#)

Resolution authorizing the Citizen Police Review Board to enter into an Agreement(s) or contract(s) with Ward McGough, LLC for professional services to assist in the legal representation of the Citizen Police Review Board providing for payment there of at a cost not to exceed \$45,000 (Forty-Five Thousand Dollars).

**Read and referred to Public Safety Services Committee**

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

Bill No.

[2009-1026](#)

Resolution authorizing the issuance of a warrant in the sum of \$9,599.56 to Patberg, Carmody, Ging & Philippi and James P. Grilli, c/o Sean J. Carmody, Esquire, of Patberg, Carmody, Ging & Philippi, Deutschtown Center, 801 Vinial Street, Third Floor, Pittsburgh, Pennsylvania 15212, and a warrant in the sum of \$400.44 to the Treasurer of the City of Pittsburgh for outstanding taxes, for a total payment of \$10,000.00, in full and final settlement of an action filed in the Court of Common Pleas of Allegheny County, Pennsylvania at GD-04-018739.

**Read and referred to Finance and Law Committee**

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

Bill No.

[2009-1032](#)

Communication from George R. Specter, City Solicitor, submitting a Claims Reports for the 4th Quarter of 2008.

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

**UNFINISHED BUSINESS**

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

[2008-0990](#)

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

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

[2008-0992](#)

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

## REPORTS OF COMMITTEE - FINAL ACTION

### MR. PEDUTO PRESENTS COMMITTEE ON FINANCE AND LAW

Bill No. Report of the Committee on Finance and Law for January 7, 2009 with an Affirmative Recommendation.

[2009-1023](#)

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

Bill No. Resolution further amending and supplementing Resolution No. 258, effective April 26, 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; and providing for the payment of the costs thereof," by adjusting various projects in Council District 1. The total amount of all projects is not to exceed \$1,000,000.

[2008-1013](#)

**SPONSOR(S): DARLENE HARRIS**

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

Noes: 0

Abstentions: 0

Bill No. 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 \$9,000 for "Traffic Study-Inner City Transit Options" and by adjusting various other projects in Council District 8. Total cost of all projects not to exceed \$1,000,000.

[2008-1015](#)

**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: 8 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Motznic, Ms. Payne, Mr. Peduto 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 January 7, 2009 with an  
[2009-1024](#) Affirmative Recommendation.

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

Bill No. Resolution amending Resolution No. 556 of 2008, effective 10-20-2008, entitled,  
[2009-1020](#) “Resolution authorizing the Mayor and the Directors of Public Safety and City Planning to enter into an agreement or agreements or contract or contracts with the University of Pittsburgh and the City University of New York for the purpose of designing and implementing the Pittsburgh Initiative to Reduce Crime, at a cost not to exceed \$200,000” by adding Professor David Kennedy in the contract assignment.

**SPONSOR(S): REVEREND RICKY V. BURGESS**

**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. Motznic, 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 January 7,  
[2009-1025](#) 2008 with an Affirmative Recommendation.

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

Bill No. Resolution approving a Conditional Use exception under the Pittsburgh Code, Title  
[2008-0859](#) Nine, Zoning, Article V, Chapter 911, Section 911.04.A.94 to the North Shore Community Alliance, owner, for authorization to occupy an existing two-story structure located at 1439 North Franklin Avenue as a Custodial Care Facility for nonviolent female offenders with children, on property zoned “R2-H”, Residential Two-Unit High Density District, 21st Ward.

**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

Bill No.

[2008-1014](#)

Resolution amending and supplementing Resolution No. 861, effective January 1, 2000, as amended, entitled: "Adopting and approving the 2000 Capital; 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 Brighton Heights Athletic Association, \$3,000; Observatory Hill Inc. \$5,000; Summer Hill Citizens Council \$5,000; Brighton Heights Citizens Federation, \$5,000; Perry Athletic Association \$3,000 and by adjusting various other projects in Council District 1 Neighborhood Needs.

**SPONSOR(S): DARLENE HARRIS**

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

Noes: 0

Abstentions: 0

Bill No.

[2008-1016](#)

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 \$9,000 for "Traffic Study-Inner City Transit Options" and by adjusting various other projects in Council District 8.

**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: 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**



Bill No.

[2009-1033](#)

Now therefore be it resolved that the Council of the City of Pittsburgh recognizes and applauds the efforts of the Allegheny County Council to establish its own County-wide Human Relations Commission.

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

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

## **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.**