

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, May 12, 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. [2009-1409](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize and commend the good work of the Emergency Medical Teams; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh declares May 17 through 23, 2009 as Emergency Medical Services Week 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.

Bill No. [2009-1410](#) NOW, THEREFORE, BE IT RESOLVED, that Council of the City of Pittsburgh welcomes the Rotary Foundation's Group Study Exchange team from Norway and thanks the Rotary Foundation for sponsoring an opportunity for individuals from different cultures to meet and learn from each other; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh hereby declares May 12th, 2009, "Rotary Foundation GSE 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. [2009-1411](#) NOW THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does hereby wish to thank First Lady Vickie Grigsby for over a decade of service to the Central Baptist Church and her spiritual and civic contributions to the greater Hill District community by declaring May 9, 2009 "First Lady Vickie L. Grigsby 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. [2009-1412](#) NOW THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does hereby declare the week of May 11-15, 2009 as "Students Against Violence Week" and encourages all school stake-holders to unite in action to decrease the potential for violence in our schools and communities by promoting meaningful student involvement, education, and service opportunities in efforts to provide safer environments for learning.

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

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

Bill No.

[2009-1413](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend the 2008 retirees and awardees of Fort Pitt Lodge #1 Fraternal Order of Police for their dedication and commitment to protecting and serving the people of the City of Pittsburgh; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Friday, May 8, 2009 to be "Fort Pitt Lodge #1 Fraternal Order of Police 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.

Bill No.

[2009-1414](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize Ira Frank for decades of devoted volunteerism and commitment to Beth Shalom Congregation and congratulates him on his two year tenure as President; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Wednesday, May 20, 2009, to be "IRA FRANK 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

REV. BURGESS, CHAIRPERSON OF THE COMMITTEE ON LAND USE AND ECONOMIC DEVELOPMENT, PRESENTS

Bill No.

[2009-1403](#)

Resolution authorizing the Department of City Planning to submit a Community Conservation Partnerships Program (C2P2) grant application to and execute relevant agreements with the Pennsylvania Department of Conservation and National Resources (DNCR) in order to create a Comprehensive Open Space, Parks and Recreation Plan for the City.

Read and referred to Land Use and Economic Development Committee

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

Bill No.

[2009-1402](#)

Resolution providing for a Contract or Contracts, Agreement or Agreements, or the use of existing Contracts for the purchase of Emergency Medical Services equipment and related accessories for the Bureau of Emergency Medical Services at a cost not to exceed One Hundred and Fifty Thousand Dollars (\$150,000.00) and providing for the payment thereof.

Read and referred to Public Safety Services Committee

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

Bill No. Resolution amending Resolution No. 713, effective December 31, 2007, entitled:
[2009-1401](#) “Resolution providing for the creation of the Ethics Board Trust Fund (EBTF) and
setting conditions for the deposit and expenditure of such funds.”

Read and referred to Finance and Law Committee

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

Bill No. Ordinance supplementing the Pittsburgh Code, Title Six, Conduct, Article VII,
[2009-1404](#) Disruptive Properties, by adding Chapter 671, entitled “Nuisance/Vacant Properties.”

SPONSOR(S): THERESA SMITH

Read and referred to Public Safety Services Committee

**MR. SHIELDS, PRESIDENT OF COUNCIL AND CHAIRPERSON OF THE
COMMITTEE ON HEARINGS, PRESENTS**

Bill No. Resolution Authorizing the Solicitor and the Mayor to enter into an agreement with
[2009-1405](#) the Brady Center for the purpose of assisting the Solicitor pro bono in the
representation of the City of Pittsburgh regarding the defense of Ordinance 80 of 2008
(Lost and Stolen Hand Guns) and also authorizing reimbursement of the Brady Center
for reasonable expenses including but not limited to travel in an amount not to exceed
\$ 5,000.

SPONSOR(S): DOUGLAS SHIELDS

**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 directing the Department of Public Safety, Bureau of Building Inspection,
[2009-1406](#) to conduct an analysis of all abandoned and substandard housing on Ivondale Street
and develop a plan for demolition, and also directing the Department of Public Works
to perform a cost-benefit study regarding the repair of Ivondale Street, or in the
alternative, to buy out property owners for the purposes of the remediation of the
landslide conditions present on Ivondale Street.

SPONSOR(S): DOUGLAS SHIELDS

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

Read and referred to Public Safety Services 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 May 5, 2009 with an Affirmative
[2009-1395](#) Recommendation.

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

Bill No. Resolution amending and supplementing Resolution No. 675, effective January 1,
[2009-1344](#) 2009, 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 adjusting various line items to reflect additional funding available from the PWSA for the comprehensive Web-based Permitting system project.

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

MR. KRAUS PRESENTS COMMITTEE ON PUBLIC SAFETY SERVICES

Bill No. Report of the Committee on Public Safety Services for May 6, 2009 with an
[2009-1396](#) Affirmative Recommendation.

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

Bill No. Resolution authorizing the acquisition of the property located at 1230 Arlington
[2009-1345](#) Avenue, 18th Ward, Block & Lot No. 14-F-147, from Solaris Holdings, LLC or Urban Redevelopment Authority of Pittsburgh for \$52,000 plus closing costs for use as a parking lot for the new Zone 3 police station. (Council District 3).

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution providing for a contract or contracts from time to time in connection with
[2009-1346](#) demolition and removal of condemned buildings and providing for the payment of the costs thereof. Cost not to exceed \$1,000,000.00.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Providing for a contract or contracts from time to time in connection with demolition
[2009-1347](#) and removal of condemned buildings and providing for the payment of the costs thereof. Cost not to exceed \$500,000.00.

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. 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 May 6, 2009 with an Affirmative
[2009-1397](#) Recommendation.

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 the Department of Public Works
[2009-1348](#) to enter into an Easement Agreement with the School District of Pittsburgh for a permanent Sidewalk, Bicycle, and Grading Easement on School District property along Penn Avenue in conjunction with the Bakery Square Project in East Liberty and/or to accept a Deed of Easement from the School District of Pittsburgh for such permanent easement.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution authorizing the Mayor and the Director of the Department of Finance to
[2009-1349](#) grant a temporary construction easement to Bakery Square Holdings, L.P. to facilitate necessary street widening.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution authorizing the Mayor and the Director of the Department of Parks and
[2009-1350](#) Recreation to enter into an Agreement of Release with the Commonwealth of Pennsylvania, Department of Transportation in connection with the widening of Fifth and Penn Avenues as part of the Bakery Square Project in East Liberty.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution declaring that certain City property in Mellon Park shall be dedicated to
[2009-1351](#) public right of way use.

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

Noes: 1 - Mr. Dowd

Abstentions: 0

Bill No. Resolution authorizing the Mayor and the Director of the Department of Public Works
[2009-1352](#) to enter into a Cooperation and License Agreement with Summerset Neighborhood Association to set forth the ownership and maintenance obligations of both entities relating to the public and private improvements thus far completed in the Summerset at Frick Park development and adjacent portions of Frick 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. 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 May 6, 2009
[2009-1398](#) with an Affirmative Recommendation.

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

Bill No. Resolution authorizing the Department of City Planning to enter into an agreement or
[2009-1353](#) agreements or contract or contracts to implement a comprehensive Web-based Permitting System for the residents of the City of Pittsburgh and providing for the payment of the cost thereof, not to exceed One Million Three Hundred Thousand Dollars (\$1,300,000.00).

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution authorizing the City to enter into a Grant Agreement with the Pennsylvania
[2009-1356](#) Department of Community and Economic Development, in the amount of \$5,000.00 for expenditures related to marketing and promotional activities for the Sister City Program.

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: 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. SMITH PRESENTS COMMITTEE ON URBAN RECREATION

Bill No. Report of the Committee on Urban Recreation and for May 6, 2009 with an
[2009-1399](#) Affirmatiave Recommendation.

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

Bill No. Resolution providing for the acceptance by the City of Pittsburgh from Joseph and
[2009-1354](#) Catherine O'Toole and J.M. O'Toole, Jr., Executor of the Estate of certain property in the 15th Ward of the City of Pittsburgh, for public purpose as an addition to Schenley Park at no cost to the City of Pittsburgh.

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

MR. MOTZNIK PRESENTS COMMITTEE ON GENERAL & GOVERNMENT SERVICES

Bill No. Report of the Committee on General and Governmental Services for May 6, 2009 with
[2009-1400](#) an Affirmative Recommendation.

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

Bill No. Resolution providing for an agreement between the City of Pittsburgh ("City") and the
[2009-1205](#) County of Allegheny ("County") for the continued assumption by the County of purchasing activities on behalf of the City which henceforth shall include service contracts (B contracts) and commodity purchases for the purchase of materials, general supplies, and equipment by the various Departments of the City of Pittsburgh for any or all Departments of the City of Pittsburgh; and providing for the payment of all costs thereof. Cost not to exceed \$200,000.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution authorizing the City to enter into a Grant Agreement with the Pennsylvania
[2009-1206](#) Department of Community and Economic Development, in the amount of \$67,500.00.

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

MOTIONS AND RESOLUTIONS

MR. SHIELDS PRESENTS:

Bill No. Resolution authorizing the Re-appointment of Linda M. Johnson-Wasler as City Clerk of the City of Pittsburgh, for a three year term to expire April, 2012.
[2009-1407](#)

SPONSOR(S): DOUGLAS SHIELDS

A motion was made that this matter be Approved. 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 authorizing the Re-appointment of Mary Beth Doheny as Deputy City Clerk of the City of Pittsburgh, for a three year term to expire April 30, 2012.
[2009-1408](#)

SPONSOR(S): DOUGLAS SHIELDS

A motion was made that this matter be Approved. 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

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.