

# **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, March 9, 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. [2010-0221](#) NOW THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend all of the organizers of and participants in the Annual St. Patrick's Day Parade; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does, in honor of Pittsburgh's Irish community, hereby declares the week of March 09-17, 2010, to be "ST. PATRICK'S WEEK " 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. [2010-0222](#) NOW, THEREFORE BE IT RESOLVED City Council for the City of Pittsburgh, Pennsylvania calls upon the separate governments of Ireland to undertake immediate steps to implement the Good Friday Agreement, to formally study the implications of a United Ireland, and to outline steps fundamental to restore a United Ireland;

BE IT FURTHER RESOLVED that this body respectfully urges the separate governments of Ireland to mend their differences by granting "speaking rights" to the duly elected MP's of Northern Ireland in the Irish Dail and to expand the voting rights for the Irish President to the citizens of those six counties; and

BE IT FURTHER RESOLVED that the Clerk of this body be and is hereby authorized and directed to send certified copies of this resolution to the Taoiseach and President of Ireland, the English Prime Minister and Parliament, the President of the United States, the United States Ambassador to Ireland and such other persons that the clerk in his or her discretion may deem proper in order to effectuate the purpose of this resolution in support of a United Ireland.

**SPONSOR(S): DOUGLAS SHIELDS AND ALL MEMBERS**

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

Bill No. [2010-0223](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh hereby recognizes the cultural and historical significance of Nowruz; expresses its appreciation for the contributions of Iranian-Americans to the City of Pittsburgh; and wishes the Iranian community of Pittsburgh and all who observe this holiday a prosperous New Year; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare in the City of Pittsburgh, Saturday, March 20, 2010, a day to celebrate

“Nowruz.”

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

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

Bill No.

[2010-0224](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend the American Cancer Society's staff and selfless volunteers for their work in preventing cancer and supporting cancer patients; and, BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Tuesday, March 9, 2010, to be “A Day with more Birthdays” in the City of Pittsburgh.

**SPONSOR(S): THERESA SMITH AND ALL MEMBERS**

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

Bill No.

[2010-0225](#)

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh, does hereby offer condolence to the family, and does honor and remember with pride, sadness and heartfelt tribute Master Sergeant James Albert Fields, Sr.

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

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

## **PUBLIC COMMENTS**

## **PRESENTATION OF PAPERS**

### **REVEREND BURGESS, CHAIRPERSON OF THE COMMITTEE ON HUMAN RESOURCES, PRESENTS**

Bill No.

[2010-0216](#)

Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Chapters 907, 919 and 921, by revising various sections relating to Electronic Message Signs, creating a definition and requirements for Electronic Advertising Signs and Temporary Event Banners and clarifying abandonment of nonconforming advertising signs.

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

**Read and referred to Land Use and Economic Development Committee**

Bill No.

[2010-0217](#)

Ordinance amending the Pittsburgh Code, Title XI, Historic Preservation, Chapter 1101. Historic Structures, Districts, Sites and Objects; Subsections 1101.02 - Definitions and 1101.03 - Designation of historic structures, districts, sites and objects; by changing language.

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

**Read and referred to Land Use and Economic Development Committee**

Bill No.

[2010-0218](#)

Ordinance amending the Pittsburgh Code, Title Nine - Zoning, Article II, Section 905.03 - EMI, Education/Medical Institution District - by changing regulations regarding Institutional Master Plans.

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

**Read and referred to Land Use and Economic Development Committee**

**MR. DOWD, CHAIRPERSON OF THE COMMITTEE ON INTERGOVERNMENTAL AFFAIRS, PRESENTS**

Bill No. [2010-0212](#) Resolution approving execution of a Contract for Disposition by Sale of Land by and between the Urban Redevelopment Authority of Pittsburgh and S & A Homes, or an entity to be formed, for the sale of Block 50-K, Lot 166 and Block 50-F, Lot 35 in the 10th Ward of the City of Pittsburgh - Council District No. 9 - 5012 Broad Street and 5021 Kincaid Street.

**Read and referred to Intergovernmental Affairs Committee**

Bill No. [2010-0213](#) Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's Right, Title and Interest, if any, in and to the Publicly-Owned Property in the 3rd Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block 11-E, Lot 259 (Council District No. 6 - Site Assemblage for Residential Development - 228 Dinwiddie Street).

**Read and referred to Intergovernmental Affairs Committee**

Bill No. [2010-0214](#) Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 13th Ward of the City of Pittsburgh owned by John M. and Betty Wallace and designated as Block 174-N, Lots 190 and 192, in the Deed Registry Office of Allegheny, under the Residential Land Reserve Fund (536 and 540 North Homewood Avenue - Council District No. 9).

**Read and referred to Intergovernmental Affairs Committee**

Bill No. [2010-0219](#) Resolution requesting the approval of an inter-municipal transfer of a restaurant liquor license, License No. E-3448, from SUBCO Enterprises, Inc. (formerly trading as Rudy's Subs) 1229 Long Run Road, White Oak, PA 15131, to Applicant The Original Station Street Hot Dog Shop, Inc., 6290 Broad Street, Pittsburgh, PA 15206, for the premises located at 6290 Broad Street, Pittsburgh, PA 15206 pursuant to amended Pennsylvania Liquor Code, §4-461.

**Read and referred to Intergovernmental Affairs Committee**

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

Bill No. [2010-0207](#) Resolution authorizing and directing the Mayor to issue and the City Controller to countersign a warrant in the amount of Seventy-two Thousand, One Hundred and Ninety-five Dollars and Seven Cents (\$72,195.07) to the Commonwealth of Pennsylvania representing payment required for unclaimed funds for the year 2004, pursuant to the provisions of Deposition of Abandoned and Unclaimed Property Act, Act of August 9, 1971 P.L. 74.

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

Bill No. [2010-0208](#) Resolution providing for the issuance of a Twenty-Three Thousand Eight Hundred Thirty-Nine Dollar and Thirty-Three Cent (\$23,839.33) warrant in favor of TBE, Inc. d/b/a Sonitrol Security Systems c/o Shawn T. Flaherty, Esquire, Flaherty Fardo, LLC, 5541 Walnut Street, Pittsburgh, PA 15232, in settlement of an action filed in the

Court of Common Pleas of Allegheny County, Pennsylvania at GD 09-015612 for damages arising from a contract entered into between the City and TBE, Inc. for installation of certain goods and materials on or about May 3, 2006.

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

Bill No. Ordinance amending the Pittsburgh Code, Title Seven, Business Licensing, Chapter  
[2010-0215](#) 719, Vendors and Peddlers, Section 719.10, Lists of Sites Approved by Council, by amending permanent street and sidewalk vending sites.

**SPONSOR(S): WILLIAM PEDUTO**

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

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

Bill No. Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article I, Section  
[2010-0210](#) 902.03 Zoning Map, by changing from RM-H, Residential Multi-Unit High Density District to EMI, Educational/Medical Institution District, all that certain property identified as Block Number 28 - G, Lot Number 320 in the Allegheny County Block and Lot System, 4th Ward.

**Read and referred to Land Use and Economic Development Committee**

Bill No. Resolution approving an Amended Institutional Master Plan under the Pittsburgh  
[2010-0211](#) Code, Title Nine, Zoning, Article II, Chapter 905, Section 905.03.D and Article VII, Chapter 922, Section 922.12.G for the University of Pittsburgh entitled "Proposed Institutional Master Plan Update" dated January 29, 2010 on property zoned EMI, Educational/Medical Institution District, 4th Ward.

**Read and referred to Land Use and Economic Development Committee**

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

Bill No. Resolution amending Resolution No. 12, effective February 2, 2001, entitled,  
[2010-0209](#) "Resolution authorizing the issuance of a warrant in favor of Director, Department of Public Safety in the amount of Twenty Thousand Dollars (\$20,000.00) for the purpose of establishing an imprest fund for the Bureau of Police, Department of Public Safety" by including additional language to include or Witness Protection on the endorsement.

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

**MRS. HARRIS, PRESIDENT OF COUNCIL AND CHAIRPERSON OF THE COMMITTEE ON HEARINGS, PRESENTS**

Bill No. Resolution authorizing and directing the City Clerk to enter into an agreement or  
[2010-0220](#) agreements with the Comprehensive Municipal Pension Trust Fund Board (CMPTF), the Government Finance Officers Association (GFOA), and the Intergovernmental Cooperation Authority (ICA) and/or other entities for the purpose of providing an independent examination of the value of the assets of the Pittsburgh Parking Authority. The scope of the study shall include the real estate value and the market value of the garages, facilities, lots, other assets, and the City's on-street meter system;

and examination of the Mayor's monetization proposal; Sale of PPA facilities; Privatization of PPA management with revenue sharing; the Public Plan proposal transferring assets to the pension; and President Harris's option to keep the assets and increase rates by providing clear, objective quantitative data related to the impact on the pension fund and City operations. The cost to the City shall not exceed \$50,000.00

**SPONSOR(S): DARLENE HARRIS, NATALIA RUDIAK AND BRUCE A. KRAUS**

**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. [2010-0204](#) Report of the Committee on Finance and Law for March 3, 2010 with an Affirmative Recommendation.

**A motion was made that this matter be Read, Received and Filed. 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 Passed Finally. 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

#### **MR. KRAUS PRESENTS COMMITTEE ON PUBLIC WORKS**

Bill No. [2010-0205](#) Report of the Committee on Public Works for March 3, 2010 with an Affirmative Recommendation.

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

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 Passed Finally. 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

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 Passed Finally. 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

## **MR. SHIELDS PRESENTS COMMITTEE ON LAND USE & ECONOMIC DEVELOPMENT**

Bill No.

[2010-0206](#)

Report of the Committee on Land Use and Economic Development for March 3, 2010 with an Affirmative Recommendation.

**A motion was made that this matter be Read, Received and Filed. 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 Passed Finally. 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

**MOTIONS AND RESOLUTIONS**

**EXCUSE ABSENT MEMBERS**

**APPROVAL OF MINUTES**

**ADJOURNMENT**

**LEGISLATION PRESENTED BY SIGN INTERPRETATOR**