

# **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 31, 2011**

**1:30 PM**

**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. [2011-1744](#) NOW, THEREFORE BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh declares Tuesday, May 31, 2011 to be Barbara Mistick 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. [2011-1745](#) BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare May 29 to June 5, 2011 “Theta Beta Chapter-Delta Sigma Sorority Week” 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. [2011-1746](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby proclaim May 31, 2011, to be designated, “The Association of Black Nurses in Action” 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. [2011-1747](#) NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby recognize New Light Congregation on its 100th birthday, headed by Rabbi Jonathan Perlman and Rabbi Emeritus Harvey Brotsky, and does hereby proclaim Sunday June 5, 2011, as “New Light Congregation 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. [2011-1748](#) NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby recognize the Penn Brewery for hosting Pennsylvania Microbrewer's Fest bringing fun and feast to the North Side for the 15th year and for turning an old, historic building back to its original life as a Brewhaus 25 years ago and does hereby proclaim Saturday, June 4, 2011 “Pennsylvania Microbrewer's Fest Day at the Penn Brewery 2011 Day” in the City of Pittsburgh, and wishes a happy 25th anniversary to the Penn Brewery.

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

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

Bill No. [2011-1749](#) BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby declare June 3 through 12, 2011, to be "Pittsburgh Pride Week" 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. [2011-1750](#) BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Monday, May 30, 2011 - Memorial Day -- Robert J. McGrane 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. [2011-1751](#) NOW, THEREFORE BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh declares Tuesday, May 31, 2011 to be Susan Waldo 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. [2011-1752](#) THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does hereby congratulate and commend Tom Smith, as he carries on the tradition of a true community newspaper established 70 years ago and providing the residents of the Hilltop and South Side neighborhoods with an invaluable source of information.

**SPONSOR(S): BRUCE A. KRAUS AND ALL MEMBERS**

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

Bill No. [2011-1753](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby declare May 31, 2011 to be "Healthy Start Day" in the City of Pittsburgh.

**SPONSOR(S): R. DANIEL LAVELLE AND ALL MEMBERS**

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

Bill No. [2011-1754](#) BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Tuesday, May 31, 2011 to be "Reverend Joseph E. Swierczynski Day" 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. [2011-1755](#) NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize the legacy that Debra Rucki leaves to Pittsburgh Arsenal 6-8, a hands-on physical education teacher, vice principal and community leading principal of three generations of successful students, and does hereby proclaim the day of her retirement dinner, Friday, June 3, 2011, as "Debra Rucki 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.**

## **PUBLIC COMMENTS**

## **PRESENTATION OF PAPERS**

### **COUNCILMAN REV. RICKY V. BURGESS PRESENTS:**

Bill No. [2011-1741](#) Resolution authorizing the City Clerk, the Director of Finance and the City Solicitor to enter into agreement or agreements and/or contract or contracts for the purposes of commissioning an independent panel of actuaries and accountants to establish an independent valuation of the liability of the Combined Municipal Pension Trust Fund (CMPTF), its funded ratio and an independent present value calculation of the revenues irrevocably dedicated to it by City Council. Cost not to exceed \$100,000.

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

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

### **COUNCILMAN BRUCE A. KRAUS PRESENTS:**

Bill No. [2011-1740](#) Resolution authorizing the Mayor to enter into a Donation Agreement with the Pittsburgh Downtown Partnership to accept the sculpture entitled "Diamond Diamonds" for inclusion in the City's art collection and further authorizing the Mayor and Director of the Department of Public Works to enter into a License and Maintenance Agreement with the Pittsburgh Downtown Partnership and Artist Carin Mincemoyer regarding installation and future maintenance for "Diamond Diamonds."

**Read and referred to Public Works Committee**

Bill No. [2011-1742](#) 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 \$415,000.00.

**Read and referred to Public Works Committee**

### **COUNCILMAN WILLIAM PEDUTO PRESENTS:**

Bill No. [2011-1739](#) Resolution authorizing cooperation agreement or agreements, providing for the transfer of funds not to exceed Two Million One Hundred Thousand Dollars (\$2,100,000) dollars to the City of Pittsburgh Equipment Leasing Authority for the purchase of vehicles, radios and equipment for use by the City of Pittsburgh Departments and Authorities.

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

### **COUNCILMAN DOUGLAS SHIELDS PRESENTS:**

Bill No. [2011-1743](#) Resolution providing for the designation as a Historic Structure under Title 11 of the Code of Ordinances that certain structure known as the Wigman House, located at 1425 Brownsville Road, block and lot number 60-G-168, in the 29th Ward, City of

Pittsburgh.

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

## **UNFINISHED BUSINESS**

### **REPORTS OF COMMITTEE - FINAL ACTION**

#### **COUNCILMAN PEDUTO PRESENTS COMMITTEE ON FINANCE AND LAW**

Bill No. Report of the Committee on Finance and Law for May 25, 2011 with an Affirmative  
[2011-1736](#) 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 Six Thousand Dollar (\$6,000.00) warrant in  
[2011-1718](#) favor of Margaret Ann Hertrich c/o Steven M. Barth, Esquire, Goodrich & Goodrich, P.C., Suite 900 Law & Finance Building, 429 Fourth Avenue, Pittsburgh, PA 15219, in settlement of an action filed in the Court of Common Pleas of Allegheny County, Pennsylvania at GD 07-3352 for personal injuries and damages arising from a trip and fall on or about April 5, 2005, at or near Jacob Street and the South Busway, in 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. Lavelle, Mr. Peduto, Ms. Rudiak, Mr. Shields and Mrs. Smith  
Noes: 0  
Abstentions: 0

Bill No. Resolution providing for the conveyance by the City of Pittsburgh of certain property,  
[2011-1719](#) 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 S A: 3934 Liberty Ave; B: 4692 Lorigan St; C: 5121 Dresden Way, D: 7213 Monticello St; E: 4144 Millington Rd; F: 428 Parkwood Rd; G: 1527 Napoleon St; H: 1110 & 1112 Sunday St; I: 1319 Veto St; J: 919 E Warrington Ave; K: 515 Montooth St; L: 228 Kramer Way; M: 16 Ainsworth St; N: 1326 Diana Street O: 2906 & 2908 Shadeland Ave; P: 253 Legedale St; Q: 420 Jucunda St; R: 70 Wabash St; S: 7206 Idlewild St.

**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: 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. [2011-1720](#) 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: 431 Lincoln; B: 4753 Second; C: 800 Parkwood;  
D: 332 Climax & 321 Loyal; E: 800 & 802 Gearing; F: 159 Meridan; G: 17 Elliott;  
H: 46 Alaric; I: 3002 Sacramento; J: 1309 Hamlin; K: 1809 Brighton;  
L: 3132-34 McClure; M: 3507 McClure.

**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. [2011-1721](#) 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 G.  
A: 3944 Penn; B: 4827 Jordan; C: 4828 Kincaid; D: 5127 Jordan; E: 5107 Jordan;  
F: 317 Collins; G: 1214 Woodland.

**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

## **COUNCILMAN KRAUS PRESENTS COMMITTEE ON PUBLIC WORKS**

Bill No. [2011-1737](#) Report of the Committee on Public Works for May 25, 2011 with an Affirmative Recommendation.

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

Bill No. [2011-1722](#) Resolution providing for a Contract or Contracts or the use of existing Contracts; providing for an Agreement or Agreements or for the use of existing Agreements; providing for repairs, maintenance, improvements, emergencies and/or the purchase of materials, equipment and supplies, and providing for a Reimbursement Agreement with the Commonwealth of Pennsylvania, Department of Transportation, in connection with Beechwood Blvd.; and further providing for the payment of the costs thereof. Cost not to exceed \$260,000.00.

**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

## **COUNCILMAN REV. BURGESS PRESENTS COMMITTEE ON HUMAN RESOURCES**

Bill No. [2011-1738](#) Report of the Committee on Human Resources for may 25, 2011 with an Affirmatiave Recommendation.

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

Bill No. [2011-1702](#) Resolution authorizing the execution of an agreement with the Urban Redevelopment Authority (URA) of Pittsburgh in which URA will make a Thirty Five Thousand (\$35,000) Dollar grant to the Mayor and the Director of the Department of Personnel and Civil Service Commission to pay for recruitment of city residents for job opportunities at Bakery Square. This will include job readiness training of city residents; outreach and recruitment of city residents and a job fair.

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

**Votes:** Ayes: 5 - Mrs. Harris, Mr. Kraus, Mr. Peduto, Ms. Rudiak and Mr. Shields

Noes: 1 - Rev. Burgess

Abstentions: 3 - Mr. Dowd, Mr. Lavelle and Mrs. Smith

**A motion was made that this matter be RECOMMITTED to the Human Resources Committee. The motion failed by the following vote:**

**Votes:** Ayes: 3 - Rev. Burgess, Mr. Dowd and Mr. Lavelle

Noes: 6 - Mrs. Harris, Mr. Kraus, Mr. Peduto, Ms. Rudiak, Mr. Shields and Mrs. Smith

Abstentions: 0

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

**Votes:** Ayes: 8 - Rev. Burgess, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. Peduto, Ms. Rudiak, Mr. Shields and Mrs. Smith

Noes: 0

Abstentions: 1 - Mr. Dowd

## **MOTIONS AND RESOLUTIONS**

### **APPROVAL OF MINUTES**

### **RECESS**



**LEGISLATION PRESENTED BY SIGN LANGUAGE INTERPRETER****RECONVENED REGULAR MEETING Held June 1, 2011****COUNCIL PRESIDENT DARLENE M. HARRIS PRESENTS:**

Bill No. [2011-1756](#) Resolution submitting the names of Thomas Klano, Claude Paradise Gray and John S. Detwiler for consideration by the Mayor for an appointment to fill a vacancy on the Citizen Police Review Board, in accordance with the Pittsburgh Code, Title Six, Conduct, Article VI, Citizen Police Review Board.

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

**Votes:** Ayes: 7 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. Peduto and Mr. Shields

Noes: 0

Abstentions: 0

Out of Room: 2 - Ms. Rudiak and Mrs. Smith

**ADJOURNMENT**