

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 31, 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: 8 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Motznik, Ms. Payne, Mr. Peduto and Mrs. Smith
Absent: 1 - Mr. Shields

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

Bill No. [2009-1271](#) NOW THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does hereby wish to congratulate both of these teams, their coaches, and managers for their winning seasons as well as commend them for their hard work, dedication, and teamwork.

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

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

Bill No. [2009-1272](#) Now, therefore be it resolved that the Council of the City of Pittsburgh does hereby recognize and honor Mr. Brian Narr for his actions on behalf of his neighbors,

And Be it further resolved, that the Council of the City of Pittsburgh hereby declares March 31, 2009 "Brian Narr 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.

PUBLIC COMMENTS

PRESENTATION OF PAPERS

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

Bill No. [2009-1268](#) Requesting the approval of an inter-municipal transfer of a restaurant liquor license, License No. R-1813, from Mama L's Pizza, 4536 Melwood Road, Leechburg PA, 15656, to Applicant M3K, Ltd., 3122 Chartiers Avenue, Pittsburgh, PA 15204, for the premises located at 3122 Chartiers Avenue, Pittsburgh, PA 15204, known as M3K, Ltd., t/a-Craig's Cocktails & Cuisine pursuant to amended Pennsylvania Liquor Code, §4-461.

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

Read and referred to Finance and Law Committee

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

Bill No. [2009-1263](#) Resolution providing for an Agreement or Agreements or for the use of existing Agreements, providing for a Contract or Contracts or for the use of existing Contracts, and providing for the purchase of materials, supplies and equipment in connection with the Rehabilitation and Reconstruction of Various Park Facilities; and further providing for the payment of the costs thereof. Cost not to exceed \$808,932.00.

Read and referred to Public Works Committee

Bill No. [2009-1264](#) Resolution providing for an Agreement or Agreements or for the use of existing Agreements, providing for a Contract or Contracts or for the use of existing Contracts, and providing for the purchase of materials, supplies and equipment in connection with the rehabilitation and reconstruction of various park facilities; and further providing for the payment of the costs thereof. Cost not to exceed \$766,000.00.

Read and referred to Public Works Committee

Bill No. [2009-1265](#) Resolution further amending Resolution No. 704, effective December 20, 2007, as amended, entitled "Adopting and approving the 2008 Capital Budget and the 2008 Community Development Block Grant Program; and approving the 2008 through 2012 Capital Improvement Program," by increasing "Park Reconstruction" by \$34,932.00, from \$774,000.00 to \$808,932.00.

Read and referred to Public Works Committee

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

Bill No. [2009-1262](#) Resolution providing that the City of Pittsburgh enter into a professional services agreement or agreements with McGann & Chester, LLC for professional services in connection with the administration and provision of towing and storage services on behalf of the City of Pittsburgh at zero cost.

Read and referred to Public Safety Services Committee

MR. MOTZNIK, CHAIRPERSON OF THE COMMITTEE ON GENERAL AND GOVERNMENT SERVICES, PRESENTS

Bill No. [2009-1269](#) Resolution Further amending Resolution No. 230, 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 4; and providing for the payment of the costs thereof," by adding "Beechview Athletic Association" \$10,000 and by deleting "Able-Long Park Improvements" \$10,000 in Council District 4. Total of all projects is not to exceed \$1,000,000.00.

SPONSOR(S): JIM MOTZNIK

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 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 adding "Beechview Athletic Association" \$10,000 and by deleting "Able-Long Park Improvements" \$10,000 in Council District 4 Neighborhood Needs.

[2009-1270](#)

SPONSOR(S): JIM MOTZNIK

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

Read and referred to Land Use and Economic Development Committee

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

Bill No. Resolution repealing items in Resolutions approved on various dates, authorizing the sale of properties in various wards of the City of Pittsburgh, in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984. Items A through E: A: 916 Oranmore; B: 1612 Orchlee; C: 721 Singer; D: 174 Wabash; E: 2053 Frankella.

[2009-1255](#)

Read and referred to Finance and Law Committee

Bill No. 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.

[2009-1256](#)

ITEMS A through C: A: 413 Jonathan; B: Dunster Lot 9; C: 203 Walter.

Read and referred to Finance and Law Committee

Bill No. 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 R: A: 1526 Brighton; B: 4548 Friendship; C: 4728 Chatsworth; D: 716 Watt; E: 3621 Colmar; F: 36 Nobles; G: 58 Norton; H: 22 Somers; I: 210 Ophelia; J: 730 Idlewood; K: 132 44th; L: 3561 Bethoven; M: 6818 Baker; N: 2040 Forbes; O: 3609 Charlotte; P: 1955 Lithgow; Q: 124 Herndon; R: 3525 Sirius.

[2009-1257](#)

Read and referred to Finance and Law Committee

Bill No. 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 Z: A: 210 Seneca;

[2009-1258](#)

B: 1426 Sandusky; C: 1356 Lowrie; D: 4616 Penn; E: 7003 Frankstown; F: 1412 DeHaven; G: 1409 Spring Garden; H: 324 Edith; I: 1076 Blackadore; J: 159 Almond; K: 3611 Baytree; L: 828 Suismon; M: 1309 Pitt; N: 7154 Apple; O: 3217 Josephine; P: 112, 114 & 116 Ireland; Q: 707 Sterrett; R: 7247 Kelly;

S: 7251 & 7255 Kelly; T: 7231 Butler; U: 1716 Cosmos; V: 1148 Woods Run;
W: 459 Norton; X: 4044 Howley; Y: 2031 Fairland; Z: 521 Montooth.

Read and referred to Finance and Law Committee

Bill No.

[2009-1259](#)

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 J. A: 35 Norton; B: 1619 St. Patrick; C: 6950 Lemington; D: 521 53rd; E: 7315 Frankstown; F: 1710 Marmaduke; G: 164 38th; H: 5235 Lotus & 5234 Holmes; I: 5312 Holmes; J: 5305 Camelia.

Read and referred to Finance and Law Committee

Bill No.

[2009-1260](#)

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 F. A: 2003 Wyandotte; B: 2035 Wyandotte; C: 2013 and 2015 Colwell; D: 1833 and 1837 Colwell; E: 1826 & 28 Diaz and 1829 Colwell;
F: 2116 Watson.

Read and referred to Finance and Law Committee

Bill No.

[2009-1261](#)

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 and B: A: 6105 Jackson; B: 423 N. Fairmount.

Read and referred to Finance and Law Committee

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

Bill No.

[2009-1266](#)

Resolution providing for an Agreement or Agreements with the Pittsburgh Board of Public Education for the purpose of providing meals in connection with the 2009 Summer Food Service Program in the Department of Parks and Recreation. The total cost shall not exceed Seven Hundred Seventy Thousand Dollars (\$770,000.00).

Read and referred to Urban Recreation Committee

Bill No.

[2009-1267](#)

Resolution providing for a contract or contracts, agreements or agreements, lease or leases, or the use of existing contracts, leases or agreements and other approved expenditures for the payment of supplies, equipment, materials, salaries, rentals, and other services required to provide center services for the Senior Community Program in an amount not to exceed \$700,000.00 for the Department of Parks and Recreation.

Read and referred to Urban Recreation 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 March 25, 2009 with an Affirmative
[2009-1250](#) Recommendation.

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

Bill No. Resolution further amending Resolution No. 654, effective October 25, 2001, entitled,
[2009-1240](#) "Resolution 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 City Council's 2001 Neighborhood Needs Supplement Program; and providing for the payment of the costs thereof," by adding \$2,500 to St. Clair Athletic Association, \$500 to Beltzhoover Concerned Citizens-Community Festival, \$1,000 to Mount Washington CDC-Grandview Park 100, \$1,000 to Western PA Conservancy-St. Clair Blockwatch, and \$500 to South Side Slopes Neighborhood Association Baseball Equipment and by reducing Citiparks by \$5,500 in Council District 3.

SPONSOR(S): BRUCE A. KRAUS

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 Mrs. Smith
Noes: 0
Abstentions: 0
Absent: 1 - Mr. Shields

MRS. HARRIS PRESENTS COMMITTEE ON PUBLIC WORKS

Bill No. Report of the Committee on Public Works for March 25, 2009 with an Affirmative
[2009-1251](#) Recommendation.

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

Bill No. Amending and supplementing the Pittsburgh Code of Ordinances, Title 4: Public
[2009-1158](#) Places and Property; Article I: Public Rights of Way; Chapter 416: Obstructions, by making various changes relating to street encroachments for sidewalk cafes.

SPONSOR(S): BRUCE A. KRAUS

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

This Matter was Passed Finally, As Amended on the Consent Agenda.

Bill No. Resolution providing for a Contract or Contracts or for the use of existing Contracts,
[2009-1197](#) providing for an Agreement or Agreements or for the use of existing Agreements, and providing for the design, repairs, maintenance, improvements, emergencies and/or the purchase of equipment, materials and supplies in connection with the on-going

maintenance, rehabilitation and new construction of City-owned walls, steps and fences; and further providing for the payment of the costs thereof. Cost not to exceed \$200,000.

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2009-1198](#)

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 the design, repairs, maintenance, improvements, emergencies and/or the purchase of materials, equipment and supplies in connection with the design and construction of handicap ramps and sidewalks at various city-owned locations throughout the City of Pittsburgh; and further providing for the payment of the costs thereof. Cost not to exceed \$200,000.

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2009-1199](#)

Resolution providing for an Agreement or Agreements, or for the use of existing Agreements, providing for a Contract or Contracts, or use of existing Contracts, and providing for the purchase of materials and supplies in connection with the Reconstruction of Forbes Avenue/Market Square; including Construction Management Services, providing for a Reimbursement Agreement with the Commonwealth of Pennsylvania, Department of Transportation; and further providing for the payment of the costs thereof. Cost not to exceed \$3,200,000.

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2009-1200](#)

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 design, repairs, maintenance, improvements, emergencies and/or the purchase of materials and supplies in connection with Neighborhood Street Improvements; and further providing for the payment of the costs thereof. Cost not to exceed \$1,100,000.

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. Motznik, Ms. Payne, Mr. Peduto and Mrs. Smith

Noes: 0

Abstentions: 0

Absent: 1 - Mr. Shields

MS. PAYNE PRESENTS COMMITTEE ON HUMAN RESOURCES

Bill No.

[2009-1252](#)

Report of the Committee on Human Resources for March 25, 2009 with an Affirmative Recommendation.

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

Bill No.

[2009-1173](#)

Resolution providing that the City of Pittsburgh enter into Professional Service Agreement(s) and/or Contracts with consultants and/or service providers for professional services in connection with Civil Service and MPOETC required assessment and evaluation of Public Safety candidates (Police Officer Recruits, Paramedics), and providing for payment of the cost thereof, not to exceed \$20,150.00.

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 Mrs. Smith
Noes: 0
Abstentions: 0
Absent: 1 - Mr. Shields

REV. BURGESS PRESENTS COMMITTEE ON LAND USE & ECONOMIC DEVELOPMENT

Bill No.

[2009-1253](#)

Report of the Committee on Land Use and Economic Development for March 25, 2009 with an Affirmative Recommendation.

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

Bill No.

[2009-1242](#)

Resolution further Amending Resolution No. 424 of 2001, effective June 19, 2001, entitled "Further amending Resolution No. 976 effective January 1, 1996, as amended, Adopting and Approving the 1996 Capital Budget and the 1996 Community Development Block Grant by creating a new line item, City Clerk Office Modernization Project Grant # 2271000 for the purpose of augmenting neighborhood needs programs and/or the District Improvement Fund, and transferring \$1,128,892.00 from Grant/Liberty to City Clerk's Office Modernization" by adding \$2,500 to St. Clair Athletic Association, \$500 to Beltzhoover Concerned Citizens-Community Festival, \$1,000 to Mount Washington CDC-Grandview Park 100, \$1,000 to Western PA Conservancy-St. Clair Blockwatch, and \$500 to South Side Slopes Neighborhood Association Baseball Equipment and by reducing Citiparks by \$5,500 in Council District 3.

SPONSOR(S): BRUCE A. KRAUS

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 Mrs. Smith
Noes: 0
Abstentions: 0
Absent: 1 - Mr. Shields

MRS, SMITH PRESENTS COMMITTEE ON URBAN RECREATION

Bill No. Report of the Committee on Urban Recreation for March 25, 2009 with an
[2009-1254](#) Affirmatiave Recommendation.

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

Bill No. Resolution authorizing the Department of Parks and Recreation to enter into a contract
[2009-1145](#) or contracts, agreement or agreements, or the use of existing contracts or agreements and other approved expenditures for the first floor reconstruction of the Brookline Community Center to convert into a fitness center with new nautilus circuit equipment. Cost not to exceed \$75,000.00.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution amending Resolution No.672, effective August 22, 2003, entitled:
[2009-1201](#) "Resolution 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 in connection with the 2003 Swimming Pool Maintenance and Repairs," by increasing the authorized amount, from \$50,000 to \$150,000

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution amending and supplementing Resolution No.891, effective January 1,
[2009-1202](#) 2003, as amended, entitled: "Adopting and approving the 2003 Capital Budget and the 2003 Community Development Block Grant Program; and approving the 2003 through 2008 Capital Improvement Program," by deleting the Recreation Grants Matching Fund and increasing the "Pool Maintenance" line-item in the amount of \$100,000.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution authorizing the Department of Parks and Recreation to enter into a contract
[2009-1203](#) or contracts, agreement or agreements, or the use of existing contracts or agreements and other approved expenditures for the construction of Splash Zones, aquatic playground facilities. Cost not to exceed \$575,000.00.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution authorizing the Mayor and the Department of Finance to enter into a grant
[2009-1204](#) agreement with the Commonwealth of Pennsylvania, Office of Commonwealth Libraries to receive Keystone Recreation, Park, and Conservation Fund grant monies in the amount of \$300,000 that will be used by the Carnegie Library of Pittsburgh to upgrade the existing lighting in the Stacks of the Main Library.

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. Motznik, Ms. Payne, Mr. Peduto and Mrs. Smith

Noes: 0

Abstentions: 0

Absent: 1 - Mr. Shields

MOTIONS AND RESOLUTIONS

EXCUSE ABSENT MEMBERS

A motion was made to excuse the absent member(s) Mr. Shields. 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.