

# **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, February 22, 2011**

**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

*Councilmen Dowd and Lavelle were available by phone.*

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. [2011-1458](#) NOW, THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does hereby recognize and commend the Duquesne Law School for 100 Years of Excellence in the law and notes its motto, "The Welfare of the People is the Highest Law" to be the most noble of traditions and goals.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare 2011 to be the "DUQUESNE UNIVERSITY SCHOOL OF LAW CENTENNIAL" and February 23, 2011, to be "DUQUESNE UNIVERSITY SCHOOL OF LAW 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.**

Bill No. [2011-1459](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby proclaim Tuesday, February 22, 2011 Service Worker Day in the City of Pittsburgh.

BE IT FURTHER RESOLVED that the City of Pittsburgh encourages all citizens to join us in recognizing the accomplishments and contributions of public service workers at all levels - federal, state, county and city.

**SPONSOR(S): NATALIA RUDIAK AND ALL MEMBERS**

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

Bill No. [2011-1460](#) Now, Therefore, be it resolved that the Council of the City of Pittsburgh does hereby recognize and commend The Pennsylvania Black Conference on Higher Education, Inc. for many dedicated years of excellence, contributing to efforts in the Commonwealth by promoting academic achievement within the African American community, and for continuing to realize goals established from its inception; and

Be It Further Resolved, that the Council of the City of Pittsburgh does hereby proclaim February 23rd - 26th, 2011, as "The Pennsylvania Black Conference on Higher Education, Inc." days in the City of Pittsburgh.

**SPONSOR(S): REVEREND RICKY V. BURGESS, R. DANIEL LAVELLE AND ALL MEMBERS**

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

Bill No. [2011-1461](#) BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby declare Sunday, February 27th 2011, to be "PITTSBURGH FILM OFFICE 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. [2011-1462](#) NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh thanks Odell Robinson for using his strength of character to care for those bereaved who come to him and for the children he reaches out to working toward bettering these children's lives by giving his wisdom and showing them opportunity;

AND BE IT FURTHER RESOLVED that Council declare Tuesday, February 22, 2011 "Odell Robinson 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. [2011-1463](#) NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby officially recognizes February 22, 2011, as "Spay 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. [2011-1464](#) NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby commend and congratulate Philip Ameris on being named Person of the Year by the Mid-Atlantic Community Fund, and does hereby declare February 17th to be "Philip Ameris 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. [2011-1465](#) NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby commend and congratulate John K. Weinstein on being named Person of the Year by the Mid-Atlantic Community Fund, and does hereby declare February 22, 2011, to be "John K. Weinstein 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. [2011-1466](#) NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby commend and congratulate Samuel Staten, Sr., on being awarded the Lifetime Achievement Award by the Mid-Atlantic Community Fund, and does hereby declare February 22, 2011, to be "Samuel Staten, Sr., 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 REVEREND RICKY V. BURGESS PRESENTS:

Bill No. Resolution providing that the City of Pittsburgh enter into Professional Service  
[2011-1450](#) 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 \$23,220.00.

**Read and referred to Human Resources Committee**

Bill No. Resolution providing authorization for the City of Pittsburgh and the Urban  
[2011-1451](#) Redevelopment Authority to enter into an agreement for the City to provide administrative services associated with the health care plan to the Urban Redevelopment Authority.

**Read and referred to Human Resources Committee**

Bill No. Resolution amending Resolution No. 439 of 2010 entitled "Providing for the filing of  
[2011-1452](#) an application or applications by the City of Pittsburgh with the U.S. Department of Labor and/or Commonwealth of Pennsylvania for a grant or grants in connection with the Workforce Investment Act of 1998 (WIA) and/or the Joint Jobs Initiative Program Employment Advancement and Retention Network (EARN) and/or the ARRA TANF Pennsylvania Way to Work Program (WTW).

**Read and referred to Human Resources Committee**

### COUNCILMAN PATRICK DOWD PRESENTS:

Bill No. Resolution amending Resolution No. 589, effective August 10, 2010, entitled  
[2011-1455](#) "Resolution authorizing a Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh designating URA as the City's agent for administration of a TIGER II Discretionary Grant in the amount of \$30,000,000 and a TIGER II Community Challenge Planning Grant in the amount of \$1,500,000 from the U.S. Department of Transportation and/or the U.S. Department of Housing and Urban Development for planning for the Allegheny Riverfront Green Boulevard" by providing for the transfer to grant funds to URA, adding the account number into which funds will be deposited and making certain other changes. (Council Districts 7, 8 and 9)

**Read and referred to Intergovernmental Affairs Committee**

### COUNCILMAN BRUCE A. KRAUS PRESENTS:

Bill No. Resolution granting unto Riva Ridge Enterprises, P.O. Box 876, McMurray, PA  
[2011-1448](#) 15317, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a deck over the sidewalk area at 838 Windom Street in the 17th Ward, 3rd Council District of the City of Pittsburgh.

**Read and referred to Public Works Committee**

Bill No. Resolution vacating of a 20 foot Unnamed Way, from Marion Street to its terminus in  
[2011-1449](#) the 1st Ward, 6th Council District of the City of Pittsburgh.

**Read and referred to Public Works Committee**

**COUNCILMAN WILLIAM PEDUTO PRESENTS:**

Bill No. Resolution authorizing the issuance of a warrant in favor of Trans Associates  
[2011-1443](#) Engineering Cons. Inc., in an amount not to exceed Four Thousand Seven Hundred  
Three Dollars and Eleven Cents (\$4,703.11) for professional engineering consulting  
services in connection with the Carole Herman v. City of Pittsburgh litigation.

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

Bill No. Resolution providing for the issuance of a \$2,826.88 warrant in favor of Shadyside  
[2011-1444](#) Honda, of 5121 Liberty Avenue, Pittsburgh, PA 15224, in settlement of a claim for  
sidewalk damage due to City tree roots in August 2010.

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

Bill No. Resolution authorizing the issuance of a warrant in favor of James C. Duff, Esquire, in  
[2011-1445](#) an amount not to exceed Six Thousand Fifty-One Dollars and Thirty-Eight Cents  
(\$6,051.38) for professional services in connection with the Fraternal Association of  
Professional Paramedics (J. Dimon discharge) arbitration matter.

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

Bill No. Resolution authorizing the issuance of a warrant in favor of Ogletree, Deakins, Nash,  
[2011-1446](#) Smoak & Stewart, P.C., in an amount not to exceed Five Thousand One Hundred  
Dollars and Fifty Cents (\$5,100.50) for professional mediation services in connection  
with the John Doe v. City of Pittsburgh and the Cathy Thomas-Taylor v. City of  
Pittsburgh Bureau of Police labor litigation matters.

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

Bill No. Resolution Authorizing the issuance of a warrant in favor of Elliot Newman,  
[2011-1447](#) Arbitrator, in an amount not to exceed Two Thousand Four Hundred Twenty Dollars  
(\$2,420.00) for professional services in connection with the Police Officer Eugene  
Hlavac Arbitration matter.

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

**COUNCILMAN DOUGLAS SHIELDS PRESENTS:**

Bill No. Resolution amending Resolution No. 1956 approved December 8th 2009, entitled  
[2011-1453](#) "Resolution amending Resolution No. 763 approved December 31, 1998, entitled  
"Amending Resolution No. 221 approved April 15, 1997, entitled amending  
Resolution No. 578, approved July 31, 1996, entitled amending Resolution No. 206,  
approved April 11, 1996, entitled providing for implementation of a Residential  
Parking Permit Program (RPPP) Area "Y" in the Shadyside community (Council  
District #8) pursuant to Pittsburgh Code Chapter 549," so as to amend streets included  
in Area "Y" to include Elmer Street, from Maryland Street to College Street.

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

Bill No. Resolution amending resolution 95/1994 entitled "Resolution providing for implementation of the Residential Parking Permit Program in portions of the Bloomfield community pursuant to Pittsburgh Code Chapter 549, so as to amend the streets included in Area "H" so as to amend the streets to include Lorigan Street from Garnet Way to Sapphire Way.

[2011-1454](#)

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

### **COUNCIL PRESIDENT DARLENE HARRIS PRESENTS:**

Bill No. Communication from Rob Stephany, Executive Director of the Urban Redevelopment Authority of Pittsburgh (URA) submitting the Position and Salary Report as of December 31, 2010.

[2011-1456](#)

**SPONSOR(S): DARLENE HARRIS**

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

Bill No. Communication from Noor Ismail, Director of City Planning, submitting the recertification of Area "B" Central and West Oakland, area "D" Central Oakland and Area "M" South Oakland, for the Residential Parking Permit Program (RPPP).

[2011-1457](#)

**SPONSOR(S): DARLENE HARRIS**

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

### **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 February 16, 2011 with an Affirmative Recommendation.

[2011-1440](#)

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

Bill No. Resolution authorizing the Mayor and the City Solicitor to enter into an agreement or agreements with Langholz Wilson Ellis, Inc. for professional consulting services in connection with real estate tax assessment matters, including, but not limited to, tax assessment appeals filed by property owners and/or the City or other taxing jurisdictions in regard to commercial, industrial and residential real property in the City of Pittsburgh at a cost not to exceed \$66,000 (Sixty-Six Thousand Dollars).

[2011-1363](#)

**This Matter was Passed Finally on the Consent Agenda.**

Bill No. Resolution providing for the issuance of a Sixty Five Thousand Dollar (\$65,000.00) warrant in favor of Carole Lynn Herman c/o Daniel I. Herman, Geer and Herman, P.C., 2100 Wilmington Road, New Castle, PA 16105, in settlement of an action filed in the Court of Common Pleas of Allegheny County, Pennsylvania at GD 04-027465

[2011-1388](#)

for personal injuries and damages arising from a pedestrian-automobile accident on or about September 30, 2003, at or near the intersection of Braddock Avenue and Guthrie Street in the City of Pittsburgh, Allegheny County, Pennsylvania.

**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. Lavelle, Mr. Peduto, Ms. Rudiak, Mr. Shields and Mrs. Smith  
Noes: 0  
Abstentions: 0

### **COUNCILWOMAN SMITH PRESENTS COMMITTEE ON PUBLIC SAFETY SERVICES**

Bill No. Report of the Committee on Public Safety Services for February 16, 2011 with an Affirmative Recommendation.  
[2011-1441](#)

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

Bill No. Ordinance amending the Pittsburgh Code, Title Six Conduct, Article I Regulated Rights and Actions, Chapter 601 Public Order, Section 601.04 Noise Control, Subsection (f) Refuse Collection, by deleting subsection (f) in its entirety.  
[2011-1396](#)

**SPONSOR(S): WILLIAM PEDUTO**

**This Matter was Passed Finally on the Consent Agenda.**

Bill No. Ordinance amending the Pittsburgh Code, Title Seven Business Licensing, Article VII Service Businesses, Chapter 765 Commercial Hauling of Municipal Waste, Section 765.05 Collection Practices, Subsection (f), by deleting subsection (f) in its entirety.  
[2011-1397](#)

**SPONSOR(S): WILLIAM PEDUTO**

**This Matter was Passed Finally on the Consent Agenda.**

Bill No. Resolution providing for a contract or contracts or the use of existing contract or contracts; or agreement or agreements for the implementation of a Spay and Neuter program for the Bureau of Animal Control at a cost not to exceed Fifty Thousand Dollars (\$50,000) and providing for the payment thereof.  
[2011-1428](#)

**SPONSOR(S): DARLENE HARRIS, BRUCE A. KRAUS AND THERESA SMITH**

**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. Lavelle, Mr. Peduto, Ms. Rudiak, Mr. Shields and Mrs. Smith  
Noes: 0  
Abstentions: 0

## **COUNCILMAN SHIELDS PRESENTS COMMITTEE ON LAND USE & ECONOMIC DEVELOPMENT**

Bill No. Report of the Committee on Land Use and Economic Development for February 16, 2011 with an Affirmative Recommendation.  
[2011-1442](#)

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

Bill No. Resolution directing the Department of City Planning to begin the process of dedicating various parcels listed in Attachment A in the Morningside and Stanton Heights neighborhoods as a City of Pittsburgh Greenway, to be named the Allegheny Valley Greenway.  
[2010-0929](#)

**SPONSOR(S): PATRICK DOWD**

**This Matter was Passed Finally on the Consent Agenda.**

Bill No. Resolution providing for the designation and transfer of certain public properties within the Morningside and Stanton Heights neighborhoods to become permanent, public, passive open space under the Greenways for Pittsburgh program.  
[2011-1390](#)

**SPONSOR(S): PATRICK DOWD**

**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. Lavelle, Mr. Peduto, Ms. Rudiak, Mr. Shields and Mrs. Smith  
Noes: 0  
Abstentions: 0

## **MOTIONS AND RESOLUTIONS**

*COUNCILMAN KRAUS: Motioned for Cablecast Post Agenda to discuss the Residential Parking Permit Program (RPPP)*

### **MS. RUDIAK PRESENTS:**

Bill No. NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Pittsburgh hereby resolves by and with the authority of the same as follows:  
[2011-1467](#)

FIRST: The recitations set forth herein are incorporated by reference thereto.



SECOND: The City Council of said City recognizes the Applicant as a non-profit corporation which is authorized by its written Articles of Incorporation and By-Laws to engage in a civic or service purpose within the Commonwealth and does engage in such activities, and which has existed in the Commonwealth for more than one year.

THIRD: That the Council of the City of Pittsburgh recognizes The Beechview Merchants Association as a "Civic and/or Service Association" within the contest of the Local Options Small Games of Chance Act, as amended.

**SPONSOR(S): NATALIA RUDIAK**

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

### **MRS. HARRIS PRESENTS:**

Bill No. [2011-1468](#) NOW, THEREFORE, BE IT RESOLVED that in accordance with Ordinance 29 of 2010, City Council hereby submits the following nominees to the Mayor for his consideration to the Capital Program Facilitation Committee:

District 1	Pete Bellisario
District 2	Samantha Sims
District 4	Clayton Wukich
District 5	Brandon Trombatt
District 6	Michael Strelic
District 8	Sabina Deitrick, PhD
District 9	Celeste Taylor

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

### **APPROVAL OF MINUTES**

### **ADJOURNMENT**

### **LEGISLATION PRESENTED BY SIGN LANGUAGE INTERPRETER**