

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, June 16, 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, Ms. Payne, Mr. Peduto, Mrs. Smith and Mr. Shields
Absent: 1 - Mr. Motznik

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

Bill No. [2009-1520](#) NOW THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does hereby wish to thank the following people, as well as everyone involved in the project.

Charlee Brodsky, Carnegie Mellon University
Vicki Sirockman, Executive Director of Lydia's Place
Carol Haley Smith, Director of Women's Programming for Lydia's Place
Megaen Reilly, Development Director, Lydia's Place
Roberta Schick, Case Manager, Lydia's Place

BE IT FURTHER RESOLVED that the Council wishes to extend its support for Lydia's Place in correlation with CMU and their efforts to raise awareness of and encourage solutions to substance abuse and other factors that often lead to incarceration.

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

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

Bill No. [2009-1521](#) NOW, THEREFORE, BE IT RESOLVED THAT, the Council of the City of Pittsburgh recognizes Ms. Jean Haller and Journeys of Life for their positive influence and resources provided to the City of Pittsburgh; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh hereby declares June 19, 2009, "Journeys of Life 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. [2009-1522](#) NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh hereby acknowledges the many contributions of the 2008 awardees and extends gratitude to each individual and organization for making the North Side a great place to live, work and play; and

BE IT FURTHER RESOLVED that the Council acknowledges the efforts that the NSLC has achieved through collaboration with community and corporate organizations and hereby declares Thursday, June 11, 2009, Northside Leadership Conference and Awardees Day in the City of Pittsburgh.

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

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

Bill No.

[2009-1523](#)

NOW THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh calls upon Governor Ed Rendell and the Pennsylvania state legislature to retain the original budget proposal of \$14 million in grants through the Pennsylvania Council on the Arts and the Pennsylvania Historical and Museum Commission; and BE IT FURTHER RESOLVED that a copy of this resolution shall be transmitted to the Mayor of Pittsburgh, to all members of the Pennsylvania General Assembly, and to the Governor of Pennsylvania.

SPONSOR(S): DOUGLAS SHIELDS AND ALL MEMBERS

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

Bill No.

[2009-1524](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize Jerry Bortman, Jerry Livingston and Robin Cole and the Obediah Cole Foundation for Prostate Cancer for their remarkable dedication to educating the public and promoting early detection of prostate cancer ; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Sunday, June 21, 2009, to be “ OBEDIAH COLE FOUNDATION 5K/10K RUN/WALK 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.

[2009-1525](#)

NOW THEREFORE, BE IT RESOLVED that the Steel Valley Enterprise Zone Corporation is designated as the agency to prepare appropriate applications to the Pennsylvania Department of Community and Economic Development for Enterprise Zone Designation and Basic Grant Funding on behalf of the cooperating municipalities; and

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby endorse the application of the Corporation to the Pennsylvania Department of Community and Economic Development for continued Enterprise Zone Designation and Basic Grant Funding and engage the Steel Valley Enterprise Zone Corporation to act for and on behalf of the parties in handling all aspects of the Enterprise Zone Program for activities to be funded in the amount of \$50,000 by the Pennsylvania Department of Community and Economic Development.

SPONSOR(S): DOUGLAS SHIELDS

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

Bill No.

[2009-1526](#)

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh, does hereby commend and congratulate Mrs. Beatrice Hogan on her 60th birthday and dedication to the City of Pittsburgh, and does hereby declare June 16, 2009, to be “Bea Hogan 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

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

Bill No. Resolution authorizing the Mayor and the Director of the Department of Public Works to enter into a License and Maintenance Agreement with the Central Northside Neighborhood Council to maintain a planting median strip stretching from the intersection of Federal Street and Hemlock to Federal Street and Alpine Avenue.

[2009-1509](#)

Read and referred to Public Works Committee

Bill No. Resolution authorizing the Mayor and the Director of the Department of Public Works to enter into a License and Maintenance Agreement with the Friends of the Riverfront to construct and maintain a canoe/kayak rack and launch facility along the left bank of the Ohio River at the end of Westhall Street.

[2009-1510](#)

Read and referred to Public Works Committee

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

Bill No. Resolution providing for the issuance of a Four Thousand Six Hundred Sixty-Five Dollar and Sixty-Six Cent (\$4,665.66) warrant in favor of Maureen Jensen-Woodward c/o G. Christopher Apessos, Esquire, Ainsman, Levine & Drexler, LLC, 330 Grant Street, Suite 2201, Pittsburgh, PA 15219, in settlement of an action filed in the Court of Common Pleas of Allegheny County, Pennsylvania at GD 06-019506 for personal injuries and damages arising from a trip and fall on or about February 10, 2005, at or near 1506 East Carson Street, in the City of Pittsburgh.

[2009-1506](#)

Read and referred to Finance and Law Committee

Bill No. Communication from the Mayor's Office requesting permission for non-city employees Judith Ginyard, member of the East Liberty Weed and Seed Steering Committee, Charlene Anderson, resident of the East Liberty Weed and Seed site, and Tony Ceoffe, member of the Lawrenceville Weed and Seed Steering Committee, to travel to Tampa, Florida on July 12, 2009 to attend the Community Capacity Development Office (CCDO) National Conference. The Conference will be held from July 13 - 16, 2009. It will provide training related to Federal Weed and Seed strategies and objectives. Cost will not exceed \$5,564.00.

[2009-1508](#)

Read and referred to Finance and Law Committee

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

Bill No. Resolution authorizing the issuance of a warrant in favor of the Sheraton Hotel Station Square in an amount not to exceed ten thousand dollars, for the Citiparks Seniors Program Volunteer Recognition Gala; and providing for the payment thereof.

[2009-1507](#)

Read and referred to Finance and Law Committee**MR. SHEILDS, CHAIRPERSON OF THE COMMITTEE ON HEARINGS, PRESENTS**

Bill No. Communication from Michael E. Lamb, Controller submitting a Performance Audit for the Pittsburgh Housing Authority dated June 2009.
[2009-1519](#)

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

UNFINISHED BUSINESS**REPORTS OF COMMITTEE - FINAL ACTION****MR. KRAUS PRESENTS COMMITTEE ON PUBLIC SAFETY SERVICES**

Bill No. Report of the Committee on Public Safety Services for June 10, 2009 with an Affirmative Recommendation.
[2009-1503](#)

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

Bill No. Resolution providing for a Contract or Contracts, or the use of existing Contracts for the purchase of equipment and installation of diesel exhaust systems in the fire stations for the Fire Bureau at a cost not to exceed One hundred seventy nine thousand one hundred and ninety dollars (\$179,190) and providing for the payment thereof.
[2009-1454](#)

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution providing for a Contract or Contracts, or the use of existing Contracts for the purchase of fire nozzles and other firefighting equipment for the Fire Bureau at a cost not to exceed Two hundred thousand dollars (\$200,000.00) and providing for the payment thereof.
[2009-1455](#)

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution providing for a Contract or Contracts, or the use of existing Contracts for the purchase of protective clothing and other related equipment for the Fire Bureau at a cost not to exceed Two hundred thousand dollars (\$200,000.00) and providing for the payment thereof.
[2009-1456](#)

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, Ms. Payne, Mr. Peduto, Mrs. Smith and Mr. Shields
Noes: 0
Abstentions: 0
Absent: 1 - Mr. Motznik

MRS. HARRIS PRESENTS COMMITTEE ON PUBLIC WORKS

Bill No. Report of the Committee on Public Works for June 10, 2009 with an Affirmative
[2009-1504](#) Recommendation.

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

Bill No. Resolution granting unto The August Wilson for African American Culture, 980
[2009-1457](#) Liberty Avenue, Pittsburgh, PA 15219, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, trees with subsurface planting and maintenance systems at 980 Liberty Avenue, in the 2nd Ward, 6th Council District of the City of Pittsburgh.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution granting unto Charles W. Fetrow, 1919 Forbes Avenue, Pittsburgh, PA
[2009-1458](#) 15219, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense, a concrete patio with railing and Café' on the sidewalk area at 1919 Forbes Avenue, in the 1st Ward, 6th Council District of the City of Pittsburgh.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution granting unto Eastside V LLC, 535 Smithfield Street, Suite 2450,
[2009-1459](#) Pittsburgh, PA 15219, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, an entry sign and roof overhang at 6201 Penn Avenue in the 11th Ward, 8th Council District of the City of Pittsburgh.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Ordinance amending Ord. No. 4 of 2009, effective 1-1-2010, entitled, "An Ordinance
[2009-1491](#) amending and supplementing the Pittsburgh Code, Title 4: Public Places and Property; Article I: Public Rights of Way; Chapter 416: Obstructions, by making changes relating to street encroachments for sidewalk cafes" by adding language to Section 416.12, Effective Date.

SPONSOR(S): BRUCE A. KRAUS

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, Ms. Payne, Mr. Peduto, Mrs. Smith and Mr. Shields
Noes: 0
Abstentions: 0
Absent: 1 - Mr. Motznik

REV. BURGESS PRESENTS COMMITTEE ON LAND USE & ECONOMIC DEVELOPMENT

Bill No. [2009-1505](#) Report of the Committee on Land Use and Economic Development for June 10, 2009 with an Affirmative Recommendation.

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

Bill No. [2009-1460](#) Resolution amending Resolution No. 227, approved April 4, 2003 entitled "Resolution Providing for the implementation of a Residential Parking Permit Program (RPPP) Area "AA", in the Beechview area (Council District #4) pursuant to Pittsburgh Code Chapter 549.

This Matter was Passed Finally on the Consent Agenda.

Bill No. [2009-1461](#) Resolution amending Resolution No. 811, approved December 31, 2001 entitled "Resolution Amending Resolution No. 839, approved October 26, 1994 which further amends Resolution No. 994 approved December 19, 1989, entitled "Providing for implementation of Residential Parking Permit Program (RPPP) in the Shadyside community pursuant to Pittsburgh Code Chapter 549, so as to amend the streets included in the existing Shadyside RPPP Area "J" so as to amend the streets included in Area "J" so as to amend the streets included in Area "J".

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, Ms. Payne, Mr. Peduto, Mrs. Smith and Mr. Shields
Noes: 0
Abstentions: 0
Absent: 1 - Mr. Motznik

MOTIONS AND RESOLUTIONS

EXCUSE ABSENT MEMBERS

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