

City of Pittsburgh

*510 City-County Building
414 Grant Street
Pittsburgh, PA 15219*



MEETING MINUTES

Proceedings of the Council of the City of Pittsburgh

Thursday, November 10, 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

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.

[2011-2282](#)

Now, therefore be it resolved that the Council of the City of Pittsburgh honors the creative and artistic achievements of Gene A. Pietragallo, II, director Fred A. Sayeg, screenwriter Mitchell Cohen and the cast and crew of The Encore of Tony Duran; and Be it further resolved, that the Council of the City of Pittsburgh hereby declares Thursday, November 10, 2011, as Tony Duran 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.

[2011-2283](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend and honor the late Lieutenant Colonel Juanita Warman for her unselfish service to our country and the Council of the City of Pittsburgh gives their gratitude to her family for their unselfish sacrifice and gives our deepest sympathy for their loss; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Thursday, November 10, 2011, to be "Lieutenant Colonel Juanita Warman 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.

[2011-2284](#)

NOW, THEREFORE, BE IT RESOLVED that Pittsburgh City Council celebrates our region's rich Polish history and culture; and

BE IT FURTHER RESOLVED that Council declares Thursday, November 10, 2011 to be David Motak Day in the City of Pittsburgh.

SPONSOR(S): NATALIA RUDIAK AND ALL MEMBERS

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

Bill No.

[2011-2285](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize His Eminence Metropolitan Maximos for his years of service and dedication as Bishop of the Greek Orthodox Diocese of Pittsburgh; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare November 5, 2011 to be "His Eminence Metropolitan Maximos 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. NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh
[2011-2286](#) does hereby recognize Lou Scheimer's unique and enduring contributions to the entertainment industry; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare November 12, 2011 to be "Lou Scheimer 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.

PUBLIC COMMENTS

PRESENTATION OF PAPERS

COUNCILMAN PATRICK DOWD PRESENTS:

Bill No. Resolution requesting the approval of an inter-municipal transfer of restaurant liquor
[2011-2277](#) license, License No. E-3448, from Subco Enterprises, Inc. - dba Rudy's Subs 1 1229 Long Run Road, White Oak, PA 15131-2038 to Applicant FVAV, Inc. dba - Italian Village Pizza - Waterworks Mall, 979 Freeport Road, Pittsburgh, PA 15238 into the premises to be known as Italian Village Pizza, pursuant to amended Pennsylvania Liquor Code, §4-461.

Read and referred to Intergovernmental Affairs Committee

Bill No. Resolution adopting Plan Revision to the City of Pittsburgh's Official Sewage
[2011-2278](#) Facilities Plan for the Residences at the Strip, located at 2404 Railroad Street, Pittsburgh, Pennsylvania 15222.

Read and referred to Intergovernmental Affairs Committee

Bill No. Resolution adopting Plan Revision to the City of Pittsburgh's Official Sewage
[2011-2279](#) Facilities Plan for East End Cooperative Ministry Community Building located at 6140 Penn Circle North, Pittsburgh, Pennsylvania 15206.

Read and referred to Intergovernmental Affairs Committee

COUNCILMAN BRUCE A. KRAUS PRESENTS:

Bill No. Resolution providing for an Agreement or Agreements, or for the use of existing
[2011-2263](#) Agreements, with a Consultant or Consultants, for engineering services in connection with the construction of a new structure across Nine Mile Run in the vicinity of MacFarren Street; 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 \$800,000.00.

Read and referred to Public Works Committee

Bill No. Resolution providing for an Agreement or Agreements or for the use of existing
[2011-2264](#) Agreements, providing for a Contract or Contracts or for the use of existing Contracts, providing for repairs, maintenance, improvements, emergencies and/or the purchase of materials, equipment and supplies in connection with the investigation, design, and

construction of CBD (Central Business District) Signal Upgrades throughout the City; and providing for the payment of the costs thereof. Cost not to exceed \$364,000.00.

Read and referred to Public Works Committee

Bill No.

[2011-2265](#)

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, providing for repairs, maintenance, improvements, emergencies and/or the purchase of materials, equipment and supplies in connection with the investigation, design, and construction of CBD (Central Business District) Signal Upgrades throughout the City; and providing for the payment of the costs thereof. Cost not to exceed \$1,750,000.00.

Read and referred to Public Works Committee

COUNCILMAN R. DANIEL LAVELLE PRESENTS:

Bill No.

[2011-2261](#)

Resolution authorizing the issuance of a warrant in favor of the Richard S. Caliguiri Amyloidosis Foundation in an amount not to exceed fifteen thousand, three hundred, seventy seven dollars (\$15,377), in connection with the 2011 Great Race in the Department of Parks and Recreation, without previous authority of law; and providing for the payment thereof.

Read and referred to Finance and Law Committee

COUNCILMAN WILLIAM PEDUTO PRESENTS

Bill No.

[2011-2268](#)

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 projects in connection with the Neighborhood Needs Program in Council District 8; and providing for the payment of the costs thereof," by reducing "District 8 Community Initiatives" by \$13,000 and adding that amount to the Shadyside Chamber of Commerce (\$10,000 for lighting and \$3,000 for a bike corral). Total cost of all projects not to exceed \$1,000,000.

SPONSOR(S): WILLIAM PEDUTO

Read and referred to Finance and Law Committee

Bill No.

[2011-2269](#)

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 reducing "District 8 Community Initiatives" by \$13,000 and adding that amount to the Shadyside Chamber of Commerce (\$10,000 for lighting and \$3,000 for a bike corral) in Council District 8 neighborhood needs.

SPONSOR(S): WILLIAM PEDUTO

Read and referred to Land Use and Economic Development Committee

Bill No.

[2011-2270](#)

Resolution further amending Resolution No. 833, effective January 1, 2002, as amended, entitled "Adopting and approving the 2002 Capital Budget and the 2002 Community Development Block Grant Program; and approving the 2002 through 2007 Capital Improvement Program," by reducing the Building Maintenance Program-GS by \$1,004.81 to reflect actual expenditures and close this project.

SPONSOR(S): WILLIAM PEDUTO

Read and referred to Finance and Law Committee

Bill No.

[2011-2271](#)

Resolution further amending Resolution No. 891, effective January 1, 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 reducing the Building Maintenance Program - GS by \$2,156.38 and the West End Senior Center by \$5,000 to reflect actual expenditures and close the projects.

SPONSOR(S): WILLIAM PEDUTO

Read and referred to Finance and Law Committee

Bill No.

[2011-2272](#)

Resolution further amending Resolution No. 948, effective January 1, 2004, as amended, entitled "Adopting and approving the 2004 Capital Budget and the 2004 Community Development Block Grant Program; and approving the 2004 through 2009 Capital Improvement Program," by deleting the Federal Highway Transportation reimbursable portion for the McArdle Roadway Reconstruction by \$480,000 in order to close this project.

SPONSOR(S): WILLIAM PEDUTO

Read and referred to Finance and Law Committee

Bill No.

[2011-2273](#)

Resolution further amending Resolution No. 762, effective January 1, 2006, as amended, entitled "Adopting and approving the 2006 Capital Budget and the 2006 Community Development Block Grant Program; and approving the 2006 through 2011 Capital Improvement Program," by reducing the Building Maintenance line item to reflect actual expenditures and close this project.

SPONSOR(S): WILLIAM PEDUTO

Read and referred to Finance and Law Committee

Bill No.

[2011-2274](#)

Resolution further amending Resolution No. 704, effective January 1, 2008, as amended, entitled "Adopting and approving the 2008 Capital Budget and the 2008 Community Development Block Grant Program; and approving the 2008 through 2013 Capital Improvement Program," by reducing the Building Maintenance Program-BPFAS by \$8,708.48 to reflect actual expenditures and close this project.

SPONSOR(S): WILLIAM PEDUTO

Read and referred to Finance and Law Committee

Bill No. [2011-2275](#) Resolution repealing resolution No. 559 of 2004 entitled “providing for an Agreement or Agreements or for the use of existing Agreements with a Consultant or Consultants, for preliminary engineering services in connection with the McArde Roadway Reconstruction, including Project Management Services; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation; and further providing for the payment of the costs thereof. Cost not to exceed \$600,000” by repealing in its entirety.

SPONSOR(S): WILLIAM PEDUTO

Read and referred to Public Works Committee

Bill No. [2011-2276](#) Resolution repealing resolution No. 455 of 2003 entitled “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 purchase of materials and supplies in connection with the renovation of the West End Senior Center at a cost not to exceed \$105,000.00” by repealing it in its entirety.

SPONSOR(S): WILLIAM PEDUTO

Read and referred to Public Works Committee

COUNCILWOMAN NATALIA RUDIAK PRESENTS:

Bill No. [2011-2280](#) Resolution amending the Rules of Council, Rule X, to limit the speaking time of Council Members.

SPONSOR(S): NATALIA RUDIAK, BRUCE A. KRAUS, WILLIAM PEDUTO AND THERESA SMITH

Read and referred to Finance and Law Committee

Bill No. [2011-2281](#) Resolution amending the Rules of Council, Rule IX, to limit the number of proclamations given and presented per member, per meeting.

SPONSOR(S): NATALIA RUDIAK, BRUCE A. KRAUS AND WILLIAM PEDUTO

Read and referred to Finance and Law Committee

COUNCILMAN DOUGLAS SHIELDS PRESENTS:

Bill No. [2011-2266](#) Resolution further amending Resolution No.703, effective October 17, 2011, as amended, entitled “Adopting and approving the 2011 Capital Budget and the 2011 Community Development Block Grant Program; and approving the 2011 through 2016 Capital Improvement Program,” by transferring \$1,000,000.00 (\$200,000.00 CITY/\$800,000.00 FHWA) from the “Brookline Boulevard” line item to the “CBD (Central Business District) Signal Upgrades,” increasing this line item from \$750,000.00 (\$150,000.00 CITY/\$600,000.00 FHWA) to \$1,750,000.00 (\$350,000.00 CITY/ \$1,400,000.00 FHWA).

Read and referred to Land Use and Economic Development Committee

Bill No.

[2011-2267](#)

Resolution amending Resolution No. 514 approved June 17, 2003, to include additional streets and area “BB” in the Bloomfield/Friendship Neighborhood

Read and referred to Land Use and Economic Development Committee

COUNCILWOMAN THERESA KAIL-SMITH PRESENTS:

Bill No. Resolution authorizing an Agreement or Agreements with Philips Medical Systems for a service agreement to repair and service the Bureau of Emergency Medical Services' MXR Heart monitors, and providing for the payment of the cost thereof. Cost not to exceed \$44,455.23.

[2011-2262](#)

Read and referred to Public Safety Services Committee

UNFINISHED BUSINESS

Bill No. Resolution submitting the appointments by City Council Members to the School Board Re-Appportionment Committee.

[2011-2178](#)

Nikki Monroe-Hines
Carey Harris
Wayne Gerhold

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

REPORTS OF COMMITTEE - FINAL ACTION**REPORT OF THE COMMITTEE ON FINANCE AND LAW:**

Bill No. Report of the Committee on Finance and Law for November 2, 2011 with an Affirmative Recommendation.

[2011-2258](#)

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

Bill No. Resolution authorizing the transfer of One Million Two Hundred Thousand (\$1,200,000) Dollars from the debt service (interest expense- bonds) account in Non-Departmental Debt Service to the supplies (fuel) account within Non-Departmental Citywide. This transfer is necessary to prevent any service interruptions to the City's fueling stations for the motor vehicle fleet.

[2011-2218](#)

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 further amending Resolution No. 654, effective October 25, 2001, entitled, "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 \$500 to the "South Side Slopes Neighborhood Association" and \$6,500 to the "Poise Foundation-Hope Fund"

[2011-2224](#)

and by reducing various Neighborhood Needs projects in Council Districts 3 and 9.

SPONSOR(S): REVEREND RICKY V. BURGESS AND BRUCE A. KRAUS

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

REPORT OF THE COMMITTEE ON HUMAN RESOURCES:

Bill No. Report of the Committee on Human Resources for November 2, 2011 with an
[2011-2259](#) Affirmatiave Recommendation.

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

Bill No. Resolution providing that the City of Pittsburgh enter into a professional services
[2011-2219](#) agreement or agreements for the annual maintenance and support of software necessary for the processing and administration of Personnel and Civil Service applications for employment and providing for the payment of the cost thereof. Cost not to exceed \$12,218.75.

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

REPORT OF THE COMMITTEE ON LAND USE AND ECONOMIC DEVELOPMENT:

Bill No. Report of the Committee on Land Use and Economic Development for November 2,
[2011-2260](#) 2011 with an Affirmatiave Recommendation.

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

Bill No. Resolution further Amending Resolution No. 424 of 2001, effective June 19, 2001,
[2011-2225](#) 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 \$1,128,888.00 from Grant/Liberty to City Clerk's Office Modernization" by adding \$500 to the "South Side Slopes Neighborhood Association" and \$6,500 to the "Poise

Foundation-Hope Fund” and by reducing various Neighborhood Needs projects in Council Districts 3 and 9.

SPONSOR(S): REVEREND RICKY V. BURGESS AND BRUCE A. KRAUS

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

APPROVAL OF MINUTES

ADJOURNMENT

LEGISLATION PRESENTED BY SIGN LANGUAGE INTERPRETER