

# **City of Pittsburgh**

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



## **MEETING MINUTES**

*Proceedings of the Council of the City of Pittsburgh*

**Wednesday, April 25, 2012**

**10:00 AM**

**Council Chambers**

**City Council**

**ONE-HUNDRED  
THIRTY-SEVENTH COUNCIL**

**Darlene M. Harris, President**

**Council Members: Rev. Ricky V. Burgess, Patrick Dowd, Bruce A. Kraus, R. Daniel Lavelle,  
Corey O'Connor, William Peduto, Natalia Rudiak, Theresa Kail-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. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith

## PLEDGE OF ALLEGIANCE

## PROCLAMATIONS

Bill No.

[2012-0334](#)

NOW, THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does hereby recognize and commend Mark Schneider for an exemplary career of 33 years dedicated to the health and welfare of the citizens of the City of Pittsburgh and congratulates him on his retirement and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Wednesday April 25, 2012, to be "MARK SCHNEIDER DAY" in the City of Pittsburgh.

**SPONSOR(S): COREY O'CONNOR AND ALL MEMBERS**

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

Bill No.

[2012-0335](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend the Child Advocacy Center (CAC) at Children's Hospital of Pittsburgh of UPMC for their tremendous work and dedication to supporting and defending the lives of children and for their cooperation and collaboration with the City of Pittsburgh Bureau of Police to whom they are a valuable asset; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Wednesday, April 25, 2012, to be "Child Advocacy Center 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.

[2012-0336](#)

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby commend and congratulate, Stella and Gus Kalaris on their award and does hereby declare April 25, 2012, to be "Gus and Yia-Yia Day" in the City of Pittsburgh.

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

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

Bill No.

[2012-0337](#)

THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh recognizes the prodigious contributions of Martin Delany to life in Pittsburgh and in the United States; and

THEREFORE BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby declare Sunday, May 6, 2012 to be Martin Delany 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.

[2012-0338](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend the 2011 retirees for their dedication and commitment to protecting and servicing the people of the City of Pittsburgh; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Friday, April 27, 2012 to be "FOP Fort Pitt Lodge #1 Retirees 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.

[2012-0339](#)

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby commend and congratulate, Leo W. Gerard on being named the A. Philip Randolph Award Recipient by the APRI -Pittsburgh Chapter, and does hereby declare April 25, 2012, to be "Leo W. Gerard 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.

[2012-0340](#)

NOW, THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does hereby commend and recognize the Holocaust Center of Greater Pittsburgh for standing steadfast in its mission and for giving meaning to the clarion call, Never Again; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Wednesday, April 25 to be "YOM HASHOA 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.

[2012-0341](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize Childreach USA's efforts to work for childrens' healthcare, education and basic humans rights through sustainable development projects that help communities progress by giving them the tools they need to make ongoing changes for themselves; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare April 25, 2012 to be "Childreach USA 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.**

### **COUNCILMAN PATRICK DOWD PRESENTS:**

Bill No.

[2012-0317](#)

Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's Right, Title and Interest, if any, in and to the Publicly-Owned Property in the 6th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block 49-N, Lot 10 (Council District No. 7 - (site assemblage) -

3435 Butler Street.

**Read and referred to Intergovernmental Affairs Committee**

**COUNCILMAN COREY O'CONNOR PRESENTS:**

Bill No. Resolution authorizing the Mayor and the Department of Finance to enter into a grant  
[2012-0318](#) agreement with the Commonwealth of Pennsylvania, Office of Commonwealth Libraries to receive Keystone Recreation, Park, and Conservation Fund grant monies in the amount of \$575,000 that will be used by the Carnegie Library of Pittsburgh to renovate the interior and exterior of the South Side Branch Library.

**Read and referred to Urban Recreation Committee**

Bill No. Resolution providing for an Agreement with the Allegheny County Community  
[2012-0319](#) College (CCAC) for reimbursement for health and wellness programs for the Senior Community Program via the Allegheny County Area Agency on Aging/State Primetime Health Allocation in an amount not to exceed \$20,000 for the Department of Parks and Recreation.

**Read and referred to Urban Recreation Committee**

Bill No. Resolution providing for an Agreement or Agreements with the Pittsburgh Board of  
[2012-0320](#) Public Education or another vendor chosen through the City bid process for the purpose of providing meals in connection with the 2012 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**

**COUNCILMAN R. DANIEL LAVELLE PRESENTS:**

Bill No. Ordinance repealing Ordinance No. 13 of 2007, which amended the Pittsburgh Code,  
[2012-0323](#) Title Nine, Zoning, Article V, Section 911.02, Use Table, and Section 911.04, Use Standards, relative to the definitions and use standards for restaurants with and without liquor licenses" so as to comply with a ruling by the Court of Common Pleas.

**SPONSOR(S): R. DANIEL LAVELLE**

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

**COUNCIL PRESIDENT DARLENE M. HARRIS PRESENTS:**

Bill No. Resolution providing for an agreement/s, or use of existing agreements and/or a  
[2012-0321](#) contract/s, or use of existing contracts, and for the purchase of materials, supplies, equipment, and/or services for City Council Neighborhood Needs Program and providing for the payment of the costs thereof by transferring \$10,000 from District 1 Neighborhood Needs Projects to Troy Hill Citizen's Inc. Total cost of all projects is not to exceed \$437,779.53.

**SPONSOR(S): DARLENE HARRIS**

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

Bill No. Resolution further amending and supplementing Resolution No. 855 of 2011, entitled  
[2012-0322](#) "adopting and approving the 2012 capital budget and the 2012-2017 Capital

Improvement Program” by transferring \$10,000 from District 1 Neighborhood Needs Projects to Troy Hill Citizen's Inc.

**SPONSOR(S): DARLENE HARRIS**

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

Bill No. Communication from Michael Lamb, City Controller, submitting a Performance Audit  
[2012-0324](#) on the Citiparks Aquatics Division dated April 2012.

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

#### **APPOINTMENTS AUTHORIZING; REQUIRES VOTE**

Bill No. Resolution authorizing the Re-Appointment of Adelaide Smith, 230 North Craig  
[2012-0325](#) Street, Pittsburgh, PA 15213, as a Member of the Commission on Human Relations, for a Term to expire on April 1, 2016.

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

Bill No. Resolution authorizing the Re-Appointment of Dr. Elizabeth Lee Fogarty, 1311 King  
[2012-0326](#) Avenue, Pittsburgh, PA, 15206, as a Member of the Commission on Human Relations, for a Term to expire on April 1, 2015.

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

Bill No. Resolution authorizing the Re-Appointment of, Winford Craig, 2629 Stella Street,  
[2012-0327](#) Pittsburgh, PA, 15203, as a Member of the Commission on Human Relations, for a Term to expire on April 1, 2015.

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

Bill No. Resolution authorizing the Re-Appointment of Neil Parham, 522 Alpine Avenue,  
[2012-0328](#) Pittsburgh, PA, 15212, as a Member of the Commission on Human Relations, for a Term to expire on April 1, 2015.

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

Bill No. Resolution authorizing the Re-Appointment of Reverend Timothy Smith, 636  
[2012-0329](#) Dornbush Street, Pittsburgh, PA 15221 as a Member of the Commission on Human Relations, for a Term to expire on April 1, 2016.

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

Bill No. Resolution authorizing the Re-Appointment of Leah Williams-Duncan, 3908 Winshire  
[2012-0330](#) Street, Pittsburgh, PA 15212, as a Member of the Commission on Human Relations, for a Term to expire on April 1, 2016

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

Bill No. Resolution authorizing the Appointment of John L. Tague, Jr. 4261 Frank Street,  
[2012-0331](#) Pittsburgh, PA 15217, as a Member of the Commission on Human Relations, for a Term to expire on April 1, 2016.

**A motion was made that this matter be Held, Pending Interview to the Hearings Committee. The motion carried.**

Bill No. Resolution authorizing the Appointment of James Sheppard, 2620 Plainview Avenue,  
[2012-0332](#) Pittsburgh, PA 15226, as a Member of the Commission on Human Relations, for a  
Term to expire on April 1, 2015.

**A motion was made that this matter be Held, Pending Interview to the Hearings Committee. The motion carried.**

### **APPT. INFORMING; MOTION TO RECEIVE AND FILE**

Bill No. Resolution informing City Council of the appointment by Councilman William Peduto  
[2012-0333](#) of Ngani Ndimbie, 344 Garnet Way, Pittsburgh, PA 15224, as a Member of the  
Propel Pittsburgh Commission representing District 8, for a term to expire January,  
2013.

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

### **UNFINISHED BUSINESS**

Bill No. Resolution authorizing the reappointment of Ralph Norman, 281 Oakville Drive,  
[2012-0247](#) Pittsburgh, PA 15220 as a member of the Citizen Police Review Board for a term to  
expire on October 31, 2015.

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

Bill No. Resolution authorizing the appointment of Thomas Kolano of 1728 Wharton Street,  
[2012-0248](#) Pittsburgh, PA 15203 as a member of the Citizen Police Review Board for a term to  
expire on October 31, 2013.

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

Bill No. Resolution authorizing the appointment of Emma Lucas-Darby of 566 Soho Street,  
[2012-0249](#) Pittsburgh, PA 15219 as a member of the Citizen Police Review Board for a term to  
expire on October 31, 2015.

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

Bill No. Resolution authorizing the appointment of Thomas Waters of 5900 Jackson Street,  
[2012-0250](#) Pittsburgh, PA 15206 as a member of the Citizen Police Review Board for a term to  
expire on October 31, 2015.

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

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

#### **COUNCILMAN REV. RICKY V. BURGESS PRESENTS COMMITTEE ON FINANCE AND LAW**

Bill No. Report of the Committee on Finance and Law for April 18, 2012 with an Affirmative  
[2012-0314](#) Recommendation.

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

Bill No.

[2012-0279](#)

Resolution providing for a contract or contracts or the use of existing contract or contracts; or agreement or agreements for the Homewood/Brushton Redevelopment program at a cost not to exceed Three Hundred Fifty Thousand Dollars (\$350,000) and providing for the payment thereof.

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

**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. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith

Noes: 0

Abstentions: 0

Bill No.

[2012-0299](#)

Resolution further amending Resolution No. 855, effective January 1, 2012, as amended, entitled "Adopting and approving the 2012 Capital Budget and the 2012 Community Development Block Grant Program; and approving the 2012 through 2017 Capital Improvement Program," by reducing the Comprehensive Plan budget amount by \$150,000 and transferring that amount to the URA for the of Homewood/Brushton Redevelopment project.

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

**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. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith

Noes: 0

Abstentions: 0

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

Bill No.

[2012-0315](#)

Report of the Committee on Public Works for April 18, 2012 with an Affirmative Recommendation.

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

Bill No.

[2012-0291](#)

Resolution authorizing the Mayor to apply on behalf of the City of Pittsburgh and the Mount Washington Community Development Corporation (MWCDC) for a grant from the Department of Conservation and Natural Resources (DCNR) to fund an engineering plan and construct a trail in Emerald View Park above the southern end of the Fort Pitt Tunnel.

**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. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith  
Noes: 0  
Abstentions: 0

## **COUNCILMAN R. DANIEL LAVELLE PRESENTS COMMITTEE ON LAND USE & ECONOMIC DEVELOPMENT**

Bill No. Report of the Committee on Land Use and Economic Development for April 18, 2012  
[2012-0316](#) with an Affirmative Recommendation.

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

Bill No. Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article I, Section  
[2012-0188](#) 902.03 Zoning Map, by changing from R1A-H, Residential Single Unit Attached High Density District to EMI, Educational/Medical Institution District, property roughly bounded Filmore St., Zebina Way, Flossie Way and Boundary St. and identified as Block No. 52-N, Lot Nos. 280, 286, 289, 291, 293, 294, 299, 302, 304, 305 and 306, in the Allegheny County Block and Lot System; changing from OPR-B, Oakland Public Realm Subdistrict B to EMI, Educational/Medical Institution District, property roughly bounded by Flossie Way, Boundary St., the existing EMI zoning district boundary line, South Craig St. and Forbes Ave. and identified as Block No. 52-N, Lot Nos. 52, 59, 63, 64, 65, 66, 67, 68, 210, 230, 240 and 249 in the aforesaid system; and changing from P Parks District to EMI, Educational/Medical Institution District, property roughly bounded by Boundary St., Schenley Dr., the boundary of Schenley Park and the existing EMI zoning district boundary line; 14th Ward.

**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. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith  
Noes: 0  
Abstentions: 0

Bill No. Resolution approving an Institutional Master Plan under the Pittsburgh Code, Title  
[2012-0189](#) Nine, Zoning, Article II, Chapter 905, Section 905.03.D and Article VII, Chapter 922, Section 922.12 for Carnegie Mellon University entitled "Institutional Master Plan 2012" on property zoned EMI, Educational/Medical Institution District, 4th Ward.

**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. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith  
Noes: 0  
Abstentions: 0

## **MOTIONS AND RESOLUTIONS**



Bill No.

[2012-0342](#)

WHEREAS, the transit funding crisis that has struck not only Allegheny County, but the entire Commonwealth, will have a crippling effect on public transportation; and

WHEREAS, the Port Authority of Allegheny County serves more than 250,000 residents daily, providing over 200 million trips annually; and

WHEREAS, the Port Authority of Allegheny County has undergone significant productivity improvements and cost containment procedures in the past five years, improving productivity by over 50%; and

WHEREAS, the Amalgamated Transit Union Local 85, has made historic labor concessions in the past two consecutive contracts, reducing future legacy cost growth by nearly 50%; and

WHEREAS, the City of Pittsburgh, home to the nation's sixth-densest employment center and the Commonwealth's second- and third-largest economic centers, is heavily reliant on a robust transit system to achieve the economic stability and growth that has made our City and region a destination for new jobs and investments; and

WHEREAS, over half of all downtown Pittsburgh workers travel to their places of employment via public transportation and 25% of all workers in Oakland do the same, approximately 75,000 people in total; and

WHEREAS, the Port Authority of Allegheny County is planning for a 35% service reduction in September, 2012, with the potential for another 20% reduction in 2013, and another 15% in 2014 should no funding resolution be found; and

WHEREAS, over 20,000 residents of Allegheny County could be stranded daily due to the service cuts that the Port Authority is being forced to make as a result of its \$64 million budget shortfall; and

WHEREAS, some estimates indicate that each stranded rider must pay as much as \$9,100 annually to replace the services that the Port Authority currently provides, making daily life unaffordable for thousands; and

WHEREAS, the Pittsburgh region's roads, bridges, and parking facilities - facing their own funding crisis - do not have the capacity to handle the increased number of vehicles on the road as a result of the transit cuts; and

WHEREAS, the combination of transit cuts and increased vehicles on the roads indicates that this \$64 million budget shortfall could ultimately cost Allegheny County and City of Pittsburgh residents over \$220 million in new transportation costs - an unacceptable burden; and

WHEREAS, major regional employers may be forced to move elsewhere, reducing

property values and vital revenue sources for the City of Pittsburgh and surrounding municipalities; and

WHEREAS, Pennsylvania Governor Tom Corbett, by Executive Order, created the Transportation Funding Advisory Commission (TFAC) to identify \$2.7 billion in new revenue to deal with the statewide funding crisis; and

WHEREAS, TFAC identified a combination of revenue sources to reach the necessary \$2.7 billion, including \$400 million for transit statewide; and

WHEREAS, Governor Tom Corbett has yet to act on the funding recommendations made by his hand-picked TFAC.

NOW THEREFORE BE IT RESOLVED, that it is the will of the Council of the City of Pittsburgh to strongly urge Governor Corbett to address this funding shortfall immediately; and

AND, BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh calls on our General Assembly to endorse the TFAC funding recommendations and pass legislation to put them into effect before July 31, 2012 to ameliorate the undoubtedly negative economic consequences this funding gap has on the people of the City of Pittsburgh and the Commonwealth.

**SPONSOR(S): WILLIAM PEDUTO, THERESA SMITH, NATALIA RUDIAK,  
COREY O'CONNOR, R. DANIEL LAVELLE, BRUCE A.  
KRAUS, DARLENE HARRIS AND PATRICK DOWD**

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

## **APPROVAL OF MINUTES**

## **ADJOURNMENT**

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