

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, May 21, 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, Mr. Peduto, Mrs. Smith and Mr. Shields
Absent: 1 - Ms. Payne

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

Bill No. Be It Further Resolved, that the Council of the City of Pittsburgh does hereby proclaim
[2009-1428](#) Thursday, May 21, 2009 as "Wade Lipscomb Day" in the City of Pittsburgh.

SPONSOR(S): REVEREND RICKY V. BURGESS AND ALL MEMBERS

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

Bill No. BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby
[2009-1429](#) declare Thursday, May 21, 2009, to be "TAKE YOUR FATHER TO SCHOOL 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. NOW THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh
[2009-1430](#) recognizes this outstanding young man, Robert Papale of Troop 6 and commends him for his commitment to the betterment of his community and his great personal achievement.

SPONSOR(S): JIM MOTZNIK

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

Bill No. BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby
[2009-1431](#) declare Thursday, May 21, 2009, to be "DR. MOE COLEMAN 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.

PUBLIC COMMENTS

PRESENTATION OF PAPERS

REV. BURGESS, CHAIRPERSON OF THE COMMITTEE ON LAND USE AND ECONOMIC DEVELOPMENT, PRESENTS

Bill No. Resolution providing for the submission of a \$40,000 Land Use Planning and
[2009-1419](#) Technical Assistance Program (LUPTAP) grant application to the Pennsylvania Department of Community and Economic Development (DCED) for the development of the Cultural Heritage component to the City's Comprehensive Master Plan.

Read and referred to Land Use and Economic Development Committee

Bill No. [2009-1425](#) 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 adding \$3,647.54 to "Steps, sidewalks, fences, and retaining walls" and by adjusting amounts in various other projects in Council District 3.

SPONSOR(S): BRUCE A. KRAUS

Read and referred to Land Use and Economic Development Committee

Bill No. [2009-1427](#) Resolution amending and supplementing 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 adjusting various line items in conformance with City Council's 2003 Capital Budget amendments" by adding \$15,000 to "District 3 DPW Project" and by reducing "Southside Chamber of Commerce" by the same amount in Council District 4.

SPONSOR(S): BRUCE A. KRAUS

Read and referred to Land Use and Economic Development Committee

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

Bill No. [2009-1420](#) Resolution authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh in connection with URA's application for a Redevelopment Assistance Capital Program grant of up to \$500,000 for the Bombardier Test Track project. (Council District 5)

Read and referred to Intergovernmental Affairs Committee

Bill No. [2009-1421](#) Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an Application to the Pennsylvania Office of the Budget for a Redevelopment Assistance Capital Program grant of up to \$500,000 for the Bombardier Test Track project. (Council District 5)

Read and referred to Intergovernmental Affairs Committee

MR. PEDUTO, CHAIRPERSON OF THE COMMITTEE FINANCE AND LAW

Bill No. [2009-1423](#) Ordinance adopting and approving the implementation of the Amended Recovery Plan, dated May 20, 2009, prepared by the Recovery Plan Coordinator pursuant to the Municipalities Financial Recovery Act and authorizing and instructing the City Solicitor and/or City Clerk to prepare for enactment, adoption and execution any Ordinances, Resolutions, Agreements and other documents necessary for the implementation of The Amended Recovery Plan.

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. [2009-1424](#) Resolution further amending and supplementing Resolution No. 180, effective April 5, 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 3", by adding \$3,647.54 to "Steps, sidewalks, fences, and retaining walls" and by adjusting various other projects. Total cost is not to exceed \$1,000,000.

SPONSOR(S): BRUCE A. KRAUS

Read and referred to Finance and Law Committee

Bill No. [2009-1426](#) Resolution Further amending Resolution No. 121 of 2003, effective March 14, 2003 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 2003 Community Needs Program; and providing for the payment of the costs thereof," by adding \$15,000 to "District 3 DPW Project" and by reducing "Southside Chamber of Commerce" by the same amount in Council District 4.

SPONSOR(S): BRUCE A. KRAUS

Read and referred to Finance and Law Committee

UNFINISHED BUSINESS

REPORTS OF COMMITTEE - FINAL ACTION

MR. PEDUTO PRESENTS COMMITTEE ON FINANCE AND LAW

Bill No. [2009-1415](#) Report of the Committee on Finance and Law for May 13, 2009 with an Affirmative Recommendation.

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

Bill No. [2008-0960](#) Resolution providing for conveyance by the City of Pittsburgh of certain property. ITEM A. A: 3579 Bigelow.

This Matter was Passed Finally on the Consent Agenda.

Bill No. [2009-1371](#) Resolution further amending and supplementing Resolution No. 258, effective April 26, 2000, as amended, 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; and providing for the payment of the costs thereof," by adding \$6,700 to the "Police Chaplain Program" in Council District 1. The total amount of all projects is not to exceed \$1,000,000.

SPONSOR(S): DARLENE HARRIS

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution further amending Resolution No. 403, as amended, entitled, "Providing for
[2009-1372](#) 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 6; and providing for the payment of the costs thereof," by adding \$6,700 to "Police Chaplain Program" and by amending various line items in Council District 6. Total cost of all projects not to exceed \$1,000,000.

SPONSOR(S): TONYA D. PAYNE

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution further amending Resolution No. 654, effective October 25, 2001, entitled,
[2009-1373](#) "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 \$6,700 to "Police Chaplain Program" and by adjusting other projects in Council District 2.

SPONSOR(S): THERESA SMITH

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution Authorizing the Solicitor and the Mayor to enter into an agreement with
[2009-1405](#) the Brady Center for the purpose of assisting the Solicitor pro bono in the representation of the City of Pittsburgh regarding the defense of Ordinance 80 of 2008 (Lost and Stolen Hand Guns) and also authorizing reimbursement of the Brady Center for reasonable expenses including but not limited to travel in an amount not to exceed \$ 5,000.

SPONSOR(S): DOUGLAS SHIELDS

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, Mr. Peduto, Mrs. Smith and Mr. Shields

Noes: 0

Abstentions: 0

Absent: 1 - Ms. Payne

MR. KRAUS PRESENTS COMMITTEE ON PUBLIC SAFETY SERVICES

Bill No. Report of the Committee on Public Safety Services for May 13, 2009 with an
[2009-1416](#) Affirmative Recommendation.

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

Bill No.

[2009-1370](#)

Resolution providing for an agreement or agreements, contract or contracts, or for the use of existing agreements and/or contracts, for the purchase of patrol rifles, adapters, suppressors, ammunition and/or sighting systems for the Department of Public Safety, Bureau of Police, at a cost not to exceed eighty five thousand, eight hundred dollars (\$85,800) and providing for the cost thereof.

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2009-1406](#)

Resolution directing the Department of Public Safety, Bureau of Building Inspection, to conduct an analysis of all abandoned and substandard housing on Ivondale Street and develop a plan for demolition, and also directing the Department of Public Works to perform a cost-benefit study regarding the repair of Ivondale Street, or in the alternative, to buy out property owners for the purposes of the remediation of the landslide conditions present on Ivondale Street.

SPONSOR(S): DOUGLAS SHIELDS

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. Motznic, Mr. Peduto, Mrs. Smith and Mr. Shields

Noes: 0

Abstentions: 0

Absent: 1 - Ms. Payne

REV. BURGESS PRESENTS COMMITTEE ON LAND USE & ECONOMIC DEVELOPMENT

Bill No.

[2009-1417](#)

Report of the Committee on Land Use and Economic Development for May 13, 2009 with a NEGATIVE Recommendation.

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

Bill No.

[2008-0899](#)

Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article I, Section 902.03 Zoning Map, by changing from R1D-L, Residential Single - Unit Detached, Low Density District and P, Parks District to RP, Residential Planned Unit Development District, all that certain property identified as Block Number 18 - M, Lot Number 35 in the Allegheny County Block and Lot System, 20th Ward. (City Vista Project)

A motion was made that this matter be RECOMMENDED to the Land Use and Economic Development Committee. The motion carried by the following vote:

Votes: Ayes: 8 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Motznik, Mr. Peduto, Mrs. Smith and Mr. Shields
Noes: 0
Abstentions: 0
Absent: 1 - Ms. Payne

Bill No. Report of the Committee on Land Use and Economic Development for May 13, 2009
[2009-1422](#) with an Affirmative Recommendation.

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

Bill No. Resolution amending and supplementing Resolution No. 861, effective January 1,
[2009-1374](#) 2000, as amended, entitled: "Adopting and approving the 2000 Capital; 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 adding \$6,700 to the "Police Chaplain Program" and by adjusting various other projects in Council District 1 Neighborhood Needs.

SPONSOR(S): DARLENE HARRIS

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution amending and supplementing Resolution No. 861, effective January 1,
[2009-1375](#) 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 adding \$6,700 to "Police Chaplain Program" and by reducing "District 6 Neighborhood Initiatives" by the same amount.

SPONSOR(S): TONYA D. PAYNE

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution further Amending Resolution No. 424 of 2001, effective June 19, 2001,
[2009-1376](#) 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 \$6,700 to "Police Chaplain Program" in Council District 2.

SPONSOR(S): 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: 8 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Motznic, Mr. Peduto, Mrs. Smith and Mr. Shields

Noes: 0

Abstentions: 0

Absent: 1 - Ms. Payne

MR. DOWD PRESENTS COMMITTEE ON INTERGOVERNMENTAL AFFAIRS

Bill No. [2009-1418](#) Report of the Committee on Intergovernmental Affairs for May 13, 2009 with a NEGATIVE Recommendation.

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

Bill No. [2008-0901](#) Resolution adopting the Official Sewage Facilities Plan for the City Vista at Parkway, Southstar Development Partners of Pennsylvania, LLC,

A motion was made that this matter be RECOMMENDED to the Intergovernmental Affairs Committee. The motion carried by the following vote:

Votes: Ayes: 8 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Motznic, Mr. Peduto, Mrs. Smith and Mr. Shields

Noes: 0

Abstentions: 0

Absent: 1 - Ms. Payne

MOTIONS AND RESOLUTIONS

EXCUSE ABSENT MEMBERS

A motion was made to excuse the absent member(s)Ms. Payne. 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.