

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 5, 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: 7 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Motznik, Mr. Peduto and Mrs. Smith
Absent: 2 - Ms. Payne and Mr. Shields

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

Bill No. [2009-1928](#)
Now, Therefore, be it resolved that the Council of the City of Pittsburgh does hereby recognize and commend Senator Jim Ferlo for his commitment and relentless dedication to the communities of the City of Pittsburgh; and

Be It Further Resolved, that the Council of the City of Pittsburgh does hereby proclaim November 6, 2009, to be designated, "Jim Ferlo" 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. [2009-1929](#)
NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby recognizes and commends the Pennsylvania Low-Income Home Energy Assistance Program helping people in need and urges eligible Pittsburgh residents to apply for the program; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh hereby declares November 5, 2009 "LIHEAP Day" in the City of Pittsburgh.

SPONSOR(S): WILLIAM PEDUTO, DOUGLAS SHIELDS AND ALL MEMBERS

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

Bill No. [2009-1930](#)
NOW, THEREFORE, BE IT RESOLVED, that Council of the City of Pittsburgh recognizes Coro Pittsburgh's 10th anniversary and thanks the organization for its work to improve civic life in the Pittsburgh region; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh hereby declares November 7, 2009, "Coro Pittsburgh 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. [2009-1931](#)
NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby commends and thanks PUMP and Pittsburgh Magazine and congratulates the recipients of the 40 under 40 awards; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh hereby declares November 6, 2009 "40 Under 40 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.

[2009-1932](#)

NOW, THEREFORE, BE IT RESOLVED, that Council of the City of Pittsburgh recognizes the Extra Mile Education Foundation's 20th anniversary and thanks the Foundation for its work in educating Pittsburgh's youth; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh hereby declares November 9, 2009, "Extra Mile Foundation 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.

[2009-1933](#)

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh thanks the Central Catholic High School alumni for organizing the event to honor the memory of Officer Paul J. Scullo II; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh hereby declares November 7, 2009, "Central Catholic Paul J. Scullo II Memorial Hockey Game 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.

[2009-1934](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize Sean Luke Earl for his leadership and hard work and congratulates Sean on earning the Eagle Scout Award through his remarkable and noteworthy project.

SPONSOR(S): DOUGLAS SHIELDS AND ALL MEMBERS

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

Bill No.

[2009-1935](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize Sean Michael Angelo for his leadership and hard work and congratulates Sean on earning the Eagle Scout Award through his remarkable and noteworthy project.

SPONSOR(S): DOUGLAS SHIELDS AND ALL MEMBERS

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

PRESENTATION OF PAPERS

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

Bill No.

[2009-1926](#)

Resolution authorizing the Mayor and the Directors of the Department of Parks and Recreation and the Department of Public Works to enter into a Project and License Agreement with the Mount Washington Community Development Corporation to benefit Grandview Scenic Byway Park, by providing capital improvements in the form of view and habitat restoration signs.

Read and referred to Public Works Committee

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

Bill No. [2009-1925](#) Resolution authorizing the Mayor to enter into a grant agreement with the County of Allegheny and the Allegheny County Health Department to receive funds allocated through a 2009 American Recovery and Reinvestment Act State Clean Diesel Grant received from the Pennsylvania Department of Environmental Protection and further providing for an Agreement or Agreements for professional services in connection with the execution of said grant agreement. Cost not to exceed \$401,000.00.

Read and referred to Finance and Law Committee

MR. SHIELDS, PRESIDENT OF COUNCIL AND CHAIRPERSON OF THE COMMITTEE ON HEARINGS, PRESENTS

Bill No. [2009-1927](#) Resolution providing for an Agreement or Agreements with the Carnegie Library of Pittsburgh for a grant of City operating funds for operational/administrative expenses, maintenance, purchase of equipment and/or rehabilitation of neighborhood library facilities for the benefit of residents of the City of Pittsburgh at a cost not to exceed \$600,000.00.

SPONSOR(S): DOUGLAS SHIELDS

Read and referred to Urban Recreation Committee

UNFINISHED BUSINESS**REPORTS OF COMMITTEE - FINAL ACTION****MR. PEDUTO PRESENTS COMMITTEE ON FINANCE AND LAW**

Bill No. [2009-1921](#) Report of the Committee on Finance and Law for October 28, 2009 with an Affirmative Recommendation.

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

Bill No. [2009-1870](#) 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 \$2,750 to Perry Hilltop Citizens Council and another \$2,750 to Fineview Citizens Council for surveillance cameras and by reducing District 1 Neighborhood Needs by \$5,500.00.

SPONSOR(S): DARLENE HARRIS

This Matter was Passed Finally on the Consent Agenda.

Bill No. [2009-1874](#) Resolution providing for the issuance of a warrant in favor of the Municipal Code Corporation, in the amount of \$3,918.32, in payment for professional services related

to updating the Pittsburgh City Code.

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: 7 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Motznik, Mr. Peduto and Mrs. Smith

Noes: 0

Abstentions: 0

Absent: 2 - Ms. Payne and Mr. Shields

MR. KRAUS PRESENTS COMMITTEE ON PUBLIC SAFETY SERVICES

Bill No. Report of the Committee on Public Safety Services for October 28, 2009 with an Affirmative Recommendation.
[2009-1922](#)

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

Bill No. Resolution authorizing the Mayor to accept on behalf of the City of Pittsburgh, a grant from the Department of Justice in the amount of \$142,000, and authorizing and directing the Mayor to enter into an Agreement or Agreements with qualified drug treatment programs for drug treatment services, with qualified non-profit agencies for project coordination services, with qualified organizations for community surveying, social, educational, recreational, youth development, and other related services including transfer of salaries and fringe benefits, supply purchases, equipment purchases, travel reimbursement, and other expenses in connection with the City's Operation Weed and Seed Program in the neighborhoods of Chartiers City, Crafton Heights, Elliott, Esplen, Fairywood, Sheraden, West End, and Windgap.
[2009-1889](#)

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution authorizing the Mayor to accept on behalf of the City of Pittsburgh, a grant from the Department of Justice in the amount of \$142,000, and authorizing and directing the Mayor to enter into an Agreement or Agreements with qualified drug treatment programs for drug treatment services, with qualified non-profit agencies for project coordination services, with qualified organizations for community surveying, social, educational, recreational, youth development, and other related services including transfer of salaries and fringe benefits, supply purchases, equipment purchases, travel reimbursement, and other expenses in connection with the City's Operation Weed and Seed Program in the Lawrenceville neighborhood.
[2009-1890](#)

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: 7 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Motznik, Mr. Peduto and Mrs. Smith

Noes: 0

Abstentions: 0

Absent: 2 - Ms. Payne and Mr. Shields

MRS. HARRIS PRESENTS COMMITTEE ON PUBLIC WORKS

Bill No. Report of the Committee on Public Works for October 28, 2009 with an Affirmative
[2009-1923](#) Recommendation.

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 for the use of existing Contracts,
[2009-1812](#) providing for an Agreement or Agreements or for the use of existing Agreements, providing for repairs, maintenance, improvements, emergencies and/or the purchase of materials, equipment and supplies to complete a comprehensive facilities maintenance plan to guide building improvements and maintenance expenditures and to ensure optimal space utilization, and further providing for the payment of the costs thereof. Cost not to exceed \$150,000.00.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution granting unto The Carnegie Library of Pittsburgh, 4400 Forbes Avenue,
[2009-1862](#) Pittsburgh, PA 15213, their successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense, overhead architectural features, a ramp and book returns for the East Liberty Branch of The Carnegie Library at 130 South Whitfield Street, Baum Boulevard and Tamello Way in the 8th Ward, 9th Council District of the City of Pittsburgh.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution vacating a portion of Marilyn Street in the 31st Ward, 5th Council District
[2009-1863](#) of the City of Pittsburgh.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution vacating a portion of Gosser Street between Conniston Avenue and Vernita
[2009-1864](#) Street in the 18th Ward, 4th Council District of the City of Pittsburgh.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution amending Resolution No. 561, approved October 14, 2008, entitled
[2009-1865](#) "Granting unto, United States General Services Administration, Mid-Atlantic Region, 100 Penn Square East, Philadelphia, PA 19107, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense,

planters and bollards on the sidewalk area of William Penn Place and 1000 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.

[2009-1866](#)

Resolution granting unto Juniper Holdings, 1000 Main Street, Sharpsburg, PA 15215, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a set of concrete steps on the right-of-way at 6808 Greenwood Street in the 10th Ward, 7th Council District of the City of Pittsburgh.

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2009-1867](#)

Resolution granting unto Joseph Clark, 955 Freeport Road, Natrona Heights PA 15065, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense, a business identification sign over the sidewalk area 1233 East Carson Street in the 17th Ward, 3rd Council District of the City of Pittsburgh.

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2009-1868](#)

Resolution granting unto Mark Knobil, 3559 Bethoven Street, Pittsburgh, PA 15213, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense, a concrete stoop with railing on the sidewalk area at 3138 Dobson Street and a concrete patio with rail on Hancock Street 6th Ward, 7th Council District of the City of Pittsburgh.

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2009-1869](#)

Resolution granting unto University of Pittsburgh, 124 Cathedral of Learning, Pittsburgh, PA 15260, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, private underground utilities at the right-of-ways of Robinson, Carrillo and Brackenridge Streets in the 4th and 5th Wards, 6th Council District of the City of Pittsburgh.

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2009-1905](#)

Resolution providing for an Agreement between the City of Pittsburgh and the Borough of Ingram in connection with the paving of Middletown Road and providing for the payment thereof by the Borough to the City of the costs associated with the paving of the Borough's portion of Middletown Road. The estimated cost of preparation and completion of work is One Hundred Fifty Three Thousand Eighty Six Dollars and Seventy-Four Cents (\$153,086.74).

SPONSOR(S): DARLENE HARRIS

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: 7 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Motznic, Mr. Peduto and Mrs. Smith

Noes: 0

Abstentions: 0

Absent: 2 - Ms. Payne and Mr. Shields

REV. BURGESS PRESENTS COMMITTEE ON LAND USE & ECONOMIC DEVELOPMENT

Bill No. [2009-1924](#) Report of the Committee on Land Use and Economic Development for October 28, 2009 with an Affirmative Recommendation.

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

Bill No. [2009-1871](#) 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 \$2,750 to Perry Hilltop Citizens Council and another \$2,750 to Fineview Citizens Council for surveillance cameras and by reducing District 1 Neighborhood Needs by \$5,500.00

SPONSOR(S): DARLENE HARRIS

A motion was made that this matter be Passed Finally. The motion carried by the following vote:

Votes: Ayes: 7 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Motznic, Mr. Peduto and Mrs. Smith

Noes: 0

Abstentions: 0

Absent: 2 - Ms. Payne and Mr. Shields

MOTIONS AND RESOLUTIONS

EXCUSE ABSENT MEMBERS

APPROVAL OF MINUTES

ADJOURNMENT