

# **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, July 22, 2008**

**10:00 AM**

**Council Chambers**

**City Council**

**ONE-HUNDRED  
THIRTY-FIFTH COUNCIL**

**Douglas Shields, President**

**Council Members: Reverend Ricky V. Burgess, Dan Deasy, Patrick Dowd, Darlene M. Harris,  
Bruce A. Kraus, Jim Motznik, Tonya D. Payne, William Peduto**

**Linda M. Johnson-Wasler, City Clerk**

**Mary Beth Doheny, Deputy City Clerk**

## ROLL CALL

Present: 8 - Mr. Deasy, Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Ms. Payne, Mr. Peduto and Mr. Shields  
Absent: 1 - Mr. Motznik

## PLEDGE OF ALLEGIANCE

## PROCLAMATIONS

Bill No. [2008-0627](#) BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh, in recognition of Donnie's participation in the First Tee Leadership Academy, does hereby declare Tuesday July 22, 2008, to be

**SPONSOR(S): DOUGLAS SHIELDS AND ALL MEMBERS**

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

Bill No. [2008-0628](#) NOW THEREFORE BE IT FURTHERED RESOLVED that the Council of the City of Pittsburgh does hereby proclaim, July 28, 2008, "FBI Day" in the City of Pittsburgh.

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

## PUBLIC COMMENTS

## PRESENTATION OF PAPERS

### REV. BURGESS PRESENTS COMMITTEE ON LAND USE & ECONOMIC DEVELOPMENT

Bill No. [2008-0625](#) Resolution further amending Resolution No. 296, effective June 9, 2008 entitled: "Providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1994 Community Development Block Grant Program" so as to transfer funds in City Council from "District #4" (-5,210.25) to "Washington Heights Athletic Assoc." (+5,210.25).

**SPONSOR(S): JIM MOTZNIK**

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

Bill No. [2008-0626](#) Resolution further amending Resolution No 289, effective June 9, 2008, entitled "Resolution providing for an Agreement or Agreements with various community organizations for operational/administrative expenses, maintenance, purchase of equipment; and/or rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$1,108,517.10, chargeable to and payable from the 1994 Community Development Block Grant Program" so as to transfer funds from City Council, "District #4"(-5,210.25) to the "Washington Heights Athletic Assoc." (+5,210.25).

**SPONSOR(S): JIM MOTZNIK**

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

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

Bill No. [2008-0624](#) An Ordinance amending the Pittsburgh Code, Title 6, Conduct, Article I, Regulated Rights and Actions, Chapter 601, Public Order, Sections 601.01 and 601.02 as it relates to posting signs and distribution of handbills, samples and advertisements.

**SPONSOR(S): BRUCE A. KRAUS**

**Read and referred to Public Works Committee**

**MR. KRAUS, CHAIRPERSON OF THE COMMITTEE ON PUBLIC SAFETY SERVICES PRESENTS**

Bill No. [2008-0619](#) Resolution providing for a Contract or Contracts, Agreement or Agreements, or the use of existing Contracts for the purchase of Emergency Medical Services equipment and related accessories for the Bureau of Emergency Medical Services at a cost not to exceed One Hundred and Fifty Thousand Dollars (\$150,000.00) and providing for the payment thereof.

**Read and referred to Public Safety Services Committee**

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

Bill No. [2008-0617](#) Resolution authorizing the Mayor and the Director of the Department of Finance to enter into a Cooperation Agreement or Agreements with Allegheny County providing that in exchange for a payment of One Million Dollars from the City, the County will take over long-term operation, maintenance, and project responsibilities for the Municipal Courts Building upon its sale to the Commonwealth of Pennsylvania.

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

Bill No. [2008-0618](#) Resolution authorizing the Mayor and the Director of the Department of Finance to enter into an Agreement or Agreements providing for the sale of the City's Municipal Courts Building to the Commonwealth of Pennsylvania for the sum of Nine Million Dollars.

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

Bill No. [2008-0622](#) Resolution authorizing the Mayor and the City Solicitor to enter into an agreement or agreements for the hiring of the Cohen Law Group to represent the City of Pittsburgh in connection with the conduct of negotiations with Verizon Pennsylvania, Inc., regarding a proposed cable television franchise in the City of Pittsburgh, at a cost not to exceed Fifty Thousand Dollars (\$50,000.00).

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

Bill No. Resolution authorizing and directing the incurring of non-electoral debt through the  
[2008-0623](#) issuance of a series of General Obligation Bonds.

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

### **MR. SHEILDS, CHAIRPERSON OF THE COMMITTEE ON HEARINGS, PRESENTS**

Bill No. Communication from Michael Lamb, City Controller, submitting the School District  
[2008-0620](#) of Pittsburgh, Pennsylvania Comprehensive Annual Financial Report (CAFR) for year ending December 31, 2007.

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

Bill No. Petition from the residents of the City of Pittsburgh requesting a public hearing before  
[2008-0621](#) City Council relative to the frequent changing of the Zone 3 commander and the low levels of staffing at the Zone 3 Police Station and the affect it is having on the communities it serves and protects.

**Read and referred to Hearings Committee**

## **UNFINISHED BUSINESS**

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

### **MR. PEDUTO PRESENTS COMMITTEE ON FINANCE AND LAW**

Bill No. Report of the Committee on Finance and Law for July 16, 2008 with an Affirmative  
[2008-0613](#) Recommendation.

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

Bill No. Resolution repealing items in Resolutions approved on various dates, authorizing the  
[2008-0555](#) sale of properties in various wards of the City of Pittsburgh, in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984. Items A thru C D: A: 7632 Frankstown; B: 6486 Frankstown; C: 64 Beltzhoover; D: 3100 Tretow.( ITEM D DELETED)

**This Matter was Passed Finally on the Consent Agenda.**

Bill No. Resolution further amending and supplementing Resolution No. 256, effective April  
[2008-0579](#) 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 in Council District 9; and providing for the payment of the costs thereof," by adding \$37,517.05 to the Poise Foundation-Hope Fund and by making various other adjustments in Council District 9. Total of all projects is not to exceed \$1,000,000.

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

**This Matter was Passed Finally on the Consent Agenda.**

Bill No. [2008-0580](#) 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 \$2,398.79 to the Poise Foundation- Hope Fund in Council District 9.

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

**This Matter was Passed Finally on the Consent Agenda.**

Bill No. [2008-0581](#) Resolution amending resolution No. 181, effective April 5, 2000, entitled "Providing for an Agreement or Agreements by and between the City of Pittsburgh and the Animal Rescue League of Western Pennsylvania to conduct a veterinary technician training program as part of the Neighborhood Needs Program in Council District 9 at a cost not to exceed \$68,000.00, and providing for the payment thereof" by reducing the pre-encumbrance by \$24,716.48 from \$68,000 to \$43,283.52.

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

**This Matter was Passed Finally on the Consent Agenda.**

Bill No. [2008-0584](#) 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 in Council District 1; and providing for the payment of the costs thereof," by adjusting various projects 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.**

### **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. Deasy, Mr. Dowd, Mrs. Harris, Mr. Kraus, Ms. Payne, Mr. Peduto and Mr. Shields

Noes: 0

Abstentions: 0

Absent: 1 - Mr. Motznik

### **MRS. HARRIS PRESENTS COMMITTEE ON PUBLIC WORKS**

Bill No. [2008-0614](#) Report of the Committee on Public Works for July 16, 2008 with an Affirmative Recommendation.

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

Bill No. [2008-0571](#) Resolution granting unto Heartland Restaurant Group, LLC, 115 Federal Street, Suite 210, Pittsburgh, PA 15212 (Dunkin Donuts), their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, awnings, lighting and business identification signs over the sidewalk areas of 119 Forbes Avenue and Market Place in the 1st Ward, 6th Council District of the City of Pittsburgh.

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

**Votes:** Ayes: 7 - Rev. Burgess, Mr. Deasy, Mr. Dowd, Mrs. Harris, Mr. Kraus, Ms. Payne and Mr. Peduto  
Noes: 1 - Mr. Shields  
Abstentions: 0  
Absent: 1 - Mr. Motznik

Bill No. [2008-0572](#) 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, an electric ductbank for telecom lines and steam line on the right-of-ways of Thackeray Avenue and O'Hara Street in the 4th Ward, 8th Council District of the City of Pittsburgh.

**This Matter was Passed Finally on the Consent Agenda.**

Bill No. [2008-0573](#) Resolution granting unto Community Builders, Inc. 201 S. Highland Avenue, Suite 201 Pittsburgh, PA 15206, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, building façade additions for 5801 Penn Avenue in the 11th Ward, 9th Council District of the City of Pittsburgh.

**This Matter was Passed Finally on the Consent Agenda.**

Bill No. [2008-0574](#) Resolution vacating a portion of S. 29th Street between E. Carson Street and Carey Way in the 16th Ward, 3rd Council District, of the City of Pittsburgh.

**This Matter was Passed Finally on the Consent Agenda.**

Bill No. [2008-0593](#) Resolution vacating a portion of Vera Street in the 5th Ward, 6th Council District, of the City of Pittsburgh.

**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. Deasy, Mr. Dowd, Mrs. Harris, Mr. Kraus, Ms. Payne, Mr. Peduto and Mr. Shields  
Noes: 0  
Abstentions: 0  
Absent: 1 - Mr. Motznik

## REV. BURGESS PRESENTS COMMITTEE ON LAND USE AND ECONOMIC DEVELOPMENT

Bill No. [2008-0615](#) Report of the Committee on Land Use and Economic Development for July 16, 2008 with an Affirmative Recommendation.

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

Bill No. [2008-0520](#) Ordinance amending the Pittsburgh Code of Ordinances, Title Nine, Zoning, Article I, Introduction and Establishment, Chapter 902, Zoning Districts in General, Section 902.02, Zoning District Hierarchy; Article IV, Planning Districts, Chapter 909, Planned Development Districts, Section 909.02, PUD, Planned Unit Development District; and Article VII, Review and Enforcement, Chapter 922, Development Review Procedures; in order to revise site development standards for calculating the maximum permitted density in new Planned Unit Development Districts; to add additional density bonuses; to amend the requirements for determining maximum permitted height; to clarify procedures for approving changes of use; and to establish a LEED Building Trust Fund.

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

Bill No. [2008-0521](#) Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article I, Section 902.03 Zoning Map, by changing from Oakland Public Realm Subdistrict B and RM-VH, Residential Multi-Unit Very High Density District to RP, Residential Planned Unit Development District, certain property bounded by North Dithridge St.; Centre Avenue; North Craig St.; Lot No. 102, Block No. 27-D in the Allegheny County Block and Lot System; Chesney Way; and Lot No. 59, Block No. 27-D in the aforesaid system; 4th Ward.

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

Bill No. [2008-0577](#) Resolution providing for the City of Pittsburgh's endorsement and support of the Planning Department's grant application for Preserve America funds to assist the completion of a Cultural Heritage Plan as a component to the City's Comprehensive Plan.

**This Matter was Passed Finally on the Consent Agenda.**

Bill No. [2008-0582](#) Resolution further Amending Resolution No. 424 of 2001, effective June 19, 2001, 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 \$2,398.79 to the Poise Foundation-Hope Fund and by adjusting various projects in Council District 9.



**SPONSOR(S): REVEREND RICKY V. BURGESS****This Matter was Passed Finally on the Consent Agenda.**

Bill No.

[2008-0583](#)

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 \$37,517.05 to the Poise Foundation-Hope Fund, and by making various other adjustments in Council District 9.

**SPONSOR(S): REVEREND RICKY V. BURGESS****This Matter was Passed Finally on the Consent Agenda.**

Bill No.

[2008-0585](#)

Resolution amending and supplementing Resolution No. 861, effective January 1, 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 Observatory Hill Youth Association, \$5,000 and by reducing "District 1 Community Organizational Support" by the same amount and by adjusting various projects in Council District 1.

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

**MR. MOTZNIK PRESENTS COMMITTEE ON GENERAL & GOVERNMENT SERVICE**

Bill No.

[2008-0616](#)

Report of the Committee on General and Government Services for July 16, 2008 with an Affirmative Recommendation.

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

Bill No.

[2008-0507](#)

Resolution authorizing the Mayor to institute a City Risk Management Task Force and establish a City-wide asset risk-management program.

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

**Votes:** Ayes: 8 - Rev. Burgess, Mr. Deasy, Mr. Dowd, Mrs. Harris, Mr. Kraus, Ms. Payne, Mr. Peduto 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.**