

City of Pittsburgh

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



MEETING MINUTES

Proceedings of the Council of the City of Pittsburgh

Friday, December 30, 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

NOTE: Councilman Dowd participated via telephone.

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

Bill No.

[2011-2389](#)

NOW, THEREFORE BE IT RESOLVED, that the climate change is not an abstract problem for the future or one that will only affect far distant places but rather climate change is happening now, we are causing it, and the longer we wait to act, the more we lose and the more difficult the problem will be to solve; and,
BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh, on behalf of the residents of Pittsburgh, do hereby urge the administrator of the Environmental Protection Agency, Lisa P. Jackson, and President Barack Obama to move swiftly to fully employ and enforce the Clean Air Act to do our part to reduce carbon in our atmosphere to no more than 350 parts per million.

SPONSOR(S): DOUGLAS SHIELDS AND ALL MEMBERS

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

Bill No.

[2011-2390](#)

NOW THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh hereby calls on our elected officials join the tens of thousands of citizens, grassroots organizations and local governments across the country in the Move to Amend campaign to call for an Amendment to the Constitution to Abolish Corporate Personhood and return our democracy, our elections, our communities back to America's human persons and to thus reclaim our sovereign right to self-governance.
BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh calls on other communities and jurisdictions to join with us in this action by passing similar Resolutions.

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh supports education to increase public awareness of the threats to our democracy posed by Corporate Personhood, and encourages lively discussion to build understanding and consensus to take appropriate community and municipal actions to democratically respond to these threats.

SPONSOR(S): DOUGLAS SHIELDS AND ALL MEMBERS

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

Bill No.

[2011-2391](#)

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby affectionately celebrate our beloved Doug Shields, who continues the fight against drilling and the rights of the common man and in honor of his years of dedication and service does declare December 30, 2011 to be "Councilman Doug Shields 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.

PUBLIC COMMENTS

UNFINISHED BUSINESS - MAYOR'S VETOES

NOTE: A MOTION TO OVERRIDE A MAYOR'S VETO REQUIRES A 2/3 MAJORITY VOTE.

Bill No. [2011-2387](#) Communication from Mayor Luke Ravenstahl submitting a Veto of Council Bill 2011-2204.

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

Bill No. [2011-2204](#) Ordinance supplementing the Pittsburgh Code Title One, Administrative; Article XI, Personnel; by creating Chapter 196, Limitations on Use of Franking and adding language to regulate and limit the use of franking in City government.

SPONSOR(S): NATALIA RUDIAK, WILLIAM PEDUTO AND DOUGLAS SHIELDS

A motion was made that this matter be Overridden. The motion failed by the following vote:

Votes: Ayes: 5 - Mrs. Harris, Mr. Kraus, Mr. Peduto, Ms. Rudiak and Mr. Shields
Noes: 4 - Rev. Burgess, Mr. Dowd, Mr. Lavelle and Mrs. Smith
Abstentions: 0

Bill No. [2011-2388](#) Communication from Mayor Luke Ravenstahl submitting a veto of Council Bill No. 2011-2174.

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

Bill No. [2011-2174](#) Ordinance amending and supplementing the Pittsburgh Code, Title Two-Fiscal, Article Three-Depositories, Chapter 221-Contracts, by requiring financial institutions seeking to become City depositories to make a commitment to community reinvestment and responsible banking and instructing the City Controller to evaluate banks with which the City does business as to their success or failure in meeting this commitment.

SPONSOR(S): WILLIAM PEDUTO AND DARLENE HARRIS

A motion was made that this matter be Overridden. The motion failed by the following vote:

Votes: Ayes: 5 - Mrs. Harris, Mr. Kraus, Mr. Peduto, Ms. Rudiak and Mr. Shields
Noes: 4 - Rev. Burgess, Mr. Dowd, Mr. Lavelle and Mrs. Smith
Abstentions: 0

REPORTS OF COMMITTEE - FINAL ACTION

COUNCILMAN PEDUTO PRESENTS COMMITTEE ON FINANCE AND LAW

Bill No. [2011-2383](#) Report of the Committee on Finance and Law for December 19, 2011 with an Affirmative Recommendation.

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

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

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

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

Votes: Ayes: 5 - Mr. Kraus, Mr. Peduto, Ms. Rudiak, Mr. Shields and Mrs. Smith
Noes: 4 - Rev. Burgess, Mr. Dowd, Mrs. Harris and Mr. Lavelle
Abstentions: 0

Bill No. [2011-2323](#) Resolution authorizing the issuance of a warrant in favor of William A. Lintz, 1018 Childs Ave., Monaca, PA 15061, in an amount not to exceed Two Thousand Four Hundred Seventy-Nine Dollars and Seventeen Cents (\$2,479.17) for professional services rendered in connection with the Jordan Miles v. City of Pittsburgh litigation filed in the United States District Court, 10 CV 01135-GLL.

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. [2011-2359](#) Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business Related Taxes, Chapter 245, Earned Income Tax, by fixing the rate of interest on certain delinquent Earned Income Tax for [2011] 2012.

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. Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business
[2011-2360](#) Related Taxes, Chapter 246, Home Rule Tax, by fixing the rate of interest on certain delinquent Earned Income and Home Rule Taxes for [2011] 2012.

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 authorizing the issuance of a warrant in favor of the Fitch Ratings in an
[2011-2361](#) amount not to exceed seven thousand five hundred dollars (\$7,500.00), for the Pittsburgh (PA) GO Bonds Series 2010 rating fee; and providing for the payment thereof.

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 designating Banks and Lending Institutions to act as Depositories for the
[2011-2362](#) year 2012 in accordance with the Pittsburgh Code, Title Two, Fiscal, Article III, Depositories.

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 providing for the acceptance by the City of Pittsburgh from the Board of
[2011-2363](#) Education of the School District of Pittsburgh of certain property on Fineview Avenue, parcel 23-C-246 in the 25th Ward of the City of Pittsburgh for public recreation purposes.

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 repealing items in Resolutions approved on various dates, authorizing the
[2011-2364](#) 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: A19 Lafferty;; B: 6953 Lemington; C: 2907 Stafford.

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 providing for the conveyance by the City of Pittsburgh of certain property,
[2011-2365](#) under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984; having been placed for sale to adjoining property owners in conjunction with the City of Pittsburgh/City Source Associates Sideyard Program.

ITEM A.

A: 1327 Warner.

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 providing for the filing of petitions for the sale of certain properties,
[2011-2366](#) acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

ITEMS A through D. A: 2297 Centre; B: 1688 Broadhead; C: 1300 Goettman; D: 1921 N. Charles.

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 2381 was initially voted upon finally, but a motion was later made to reconsider, for the purpose of an amendment, as follows:

Bill No. Resolution providing for the issuance of a warrant in favor of County of Allegheny
[2011-2381](#) Department of Elections, 604 County Office Building, 542 Forbes Avenue, Pittsburgh, PA 15219-2953 in the amount of \$52,516.16 in payment of costs associated with the Special Election held on February 3, 2009 to fill the vacancy of Council District #2.

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

Votes: Ayes: 8 - Rev. Burgess, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. Peduto, Ms. Rudiak, Mr. Shields and Mrs. Smith
Noes: 0
Abstentions: 0
Out of Room: 1 - Mr. Dowd

A motion was made that this matter be Passed Finally, As Amended. 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

COUNCILMAN KRAUS PRESENTS COMMITTEE ON PUBLIC WORKS

Bill No. Report of the Committee on Public Works for December 19, 2011 with an Affirmative Recommendation.
[2011-2384](#)

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

Bill No. Resolution vacating a portion of Leath Way in the 14th, Ward, 5th Council District of the City of Pittsburgh.
[2011-2241](#)
Public Hearing Held December 5, 2011))

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 granting unto Shawn K. Thor, 832 Parkview Blvd., Pittsburgh, PA 15215, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense, five stoops for five single family townhouses at 458-472 Fisk Street in the 9th Ward, 7th Council District of the City of Pittsburgh.
[2011-2367](#)

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

COUNCILMAN LAVELLE PRESENTS COMMITTEE ON URBAN RECREATION

Bill No. Report of the Committee on Urban Recreation for December 19, 2011 with an
[2011-2385](#) Affirmatiave Recommendation.

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

Bill No. Authorizing the Mayor and the Director of the Department of Parks and Recreation
[2011-2380](#) and/or the Director of the Department of Public Works to enter into a Community Partner Playground Contract with KaBOOM!, Inc. to collaborate in the construction of a new playground in Allegheny Commons Park, North Common.

SPONSOR(S): R. DANIEL LAVELLE

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

COUNCILMAN DOWD PRESENTS COMMITTEE ON INTERGOVERNMENTAL AFFAIRS

Bill No. Report of the Committee on Intergovernmental Affairs for December 19, 2011 with an
[2011-2386](#) Affirmative Recommendation.

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

Bill No. Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an
[2011-2242](#) Application to the Pennsylvania Office of the Budget for a Redevelopment Assistance Capital Program grant of up to \$500,000 for the Bryant Street Redevelopment project. (Council District 7)

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 authorizing a Cooperation Agreement or Agreements with the Urban
[2011-2243](#) Redevelopment Authority of Pittsburgh in connection with URA's application for a Redevelopment Assistance Capital Program grant of up to \$500,000 for the Bryant Street Redevelopment project (Council District 7)

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 adopting official sewage facilities plan for the University of Pittsburgh -
[2011-2368](#) Salk Hall Addition at 3501 Terrace Street, Pittsburgh, PA 15213.

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