

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, October 7, 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, Mr. Motznik, Ms. Payne and Mr. Peduto
Absent: 1 - Mr. Shields

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

Bill No.

[2008-0808](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize the International Women's Forum and its Pittsburgh leadership for its singular standing in the world in providing a global stage upon which women leaders can meet, confer, resolve and develop opportunities that expand prospects for women and girls throughout the world; and ,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare October 15-17, 2008, to be "INTERNATIONAL WOMEN'S FORUM DAYS" 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.

[2008-0809](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate the Women of Pittsburgh 2000 and the Coalition of Christian Outreach for their efforts to bring people together, to recognize diversity and to celebrate Pittsburgh; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Saturday, October 11, 2008, to be "WALK FOR RACIAL HARMONY 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.

[2008-0810](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh hereby recognizes, commends and thanks Physician Assistants for the medical care they provide throughout the year; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare the week of October 6, 2008 through October 12, 2008 to be, "Physician Assistants Week" 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. [2008-0811](#) NOW, THEREFORE, BE IT RESOLVED THAT, the Council of the City of Pittsburgh recognizes the contributions made by the Tech 50 Awards honorees; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh hereby declares October 16, 2008 "Tech 50 Awards 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. [2008-0812](#) NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh hereby congratulates Sara and Clinton on 55 blessed years of marriage and wishes them a most happy Anniversary; and

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby proclaim Thursday, October 9, 2008 as "Sara and Clinton Bottoms, Sr. 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. [2008-0813](#) NOW THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does hereby wish to honor and recognize Rev. Jason Barr, Jr. for his twenty years of service to the Hill District community and to the City of Pittsburgh.

SPONSOR(S): TONYA D. PAYNE AND ALL MEMBERS

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

Bill No. [2008-0814](#) NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh honors Frank Vittor's artistic and historical contributions to the City of Pittsburgh; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh hereby declares Sunday, October 12th, 2008 "Frank Vittor 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.

PRESENTATION OF PAPERS

MR. DOWD, CHAIRPERSON OF THE COMMITTEE ON URBAN RECREATION, PRESENTS

Bill No. [2008-0804](#) Resolution further amending Resolution No. 204, effective April 12, 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 7; and providing for the payment of the costs thereof," by deleting \$5,000 from the "HPCC Day Camp/Egg Hunt" and by adding "District 7 Community Organizational Support" by the same amount. Total cost of all projects should not exceed \$1,000,000.

SPONSOR(S): PATRICK DOWD**Read and referred to Finance and Law Committee**

Bill No. [2008-0805](#) 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 \$2,315.72 to Morningside Baseball Association and \$2,659.28 to District 7 Initiatives.

SPONSOR(S): PATRICK DOWD**Read and referred to Finance and Law Committee**

Bill No. [2008-0806](#) 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 deleting \$5,000 from the "HPCC Day Camp/Egg Hunt" and by adding the same amount to "District 7 Community Organizational Support".

SPONSOR(S): PATRICK DOWD**Read and referred to Land Use and Economic Development Committee**

Bill No. [2008-0807](#) 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 \$2,315.72 to Morningside Baseball Association, and \$2,659.28 to District 7 Initiatives and by adjusting various projects in Council District 7.

SPONSOR(S): PATRICK DOWD**Read and referred to Land Use and Economic Development Committee****MRS. HARRIS, CHAIRPERSON OF THE COMMITTEE ON PUBLIC WORKS, PRESENTS**

Bill No. [2008-0801](#) Resolution accepting the dedication of Dahlem Place in the 12th Ward of the City of Pittsburgh for public highway and utility purposes, and accepting the grading, paving, lighting, sidewalks and curbing, in the 12th Ward, 9th Council District.

Read and referred to Public Works Committee**MR. KRAUS, CHAIRPERSON OF THE COMMITTEE ON PUBLIC SAFETY SERVICES, PRESENTS**

Bill No. Resolution authorizing the City to enter into a Grant Agreement with the Pennsylvania
[2008-0800](#) Department of Community and Economic Development, in the amount of \$10,000.00.

Read and referred to Public Safety Services Committee

REV. BURGESS, ON BEHALF OF PRESIDENT SHIELDS, CHAIRPERSON OF THE COMMITTEE ON HEARINGS, PRESENTS

Bill No. Communication from Linda M. Johnson-Wasler, City Clerk, submitting the 1st quarter
[2008-0802](#) Travel Report for 2008, from various City Departments.

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

Bill No. Communication from Linda M. Johnson-Wasler, City Clerk, submitting the 2nd
[2008-0803](#) quarter Travel Report for 2008, from various City Departments.

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

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 October 2, 2008 with an Affirmative
[2008-0793](#) Recommendation.

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

Bill No. Resolution providing for the issuance of a Four Hundred and Twenty Five Thousand
[2008-0751](#) Dollar (\$425,000.00) warrant in favor of Norfolk Southern Railway Company c/o Brian H. Simmons, Esquire, Buchanan Ingersoll & Rooney, P.C., One Oxford Centre, 20th Floor, Pittsburgh, PA 15219-1410, in settlement of CA 04-1808 for damage to its railroad tracks and roadbed at Mile Post ML-4.3 from landslides involving property owned by the City of Pittsburgh.

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, Mr. Motznik, Ms. Payne and Mr. Peduto
Noes: 0
Abstentions: 0
Absent: 1 - Mr. Shields

MR. KRAUS PRESENTS COMMITTEE ON PUBLIC SAFETY SERVICES

Bill No. Report of the Committee on Public Safety Services for October 2, 2008 with an
[2008-0794](#) Affirmative Recommendation.

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

Bill No. Resolution authorizing the Mayor and the Directors of Public Safety and City Planning
[2008-0760](#) to enter into an agreement or agreements or contract or contracts with the University of Pittsburgh and the City University of New York for the purpose of designing and implementing the Pittsburgh Initiative to Reduce Crime, at a cost not to exceed \$200,000.

SPONSOR(S): REVEREND RICKY V. BURGESS

This Matter was Passed Finally on the Consent Agenda.

Bill No. Ordinance amending Ordinance No. 32, effective 1-8-2008, entitled, "An Ordinance
[2008-0785](#) Amending and Supplementing the City Code, Title VII Business Licensing, by adding Article X Rental of Residential Housing, Chapter 781 Residential Housing Rental Permit Program" so as to extend the implementation date.

SPONSOR(S): BRUCE A. KRAUS, REVEREND RICKY V. BURGESS, DAN DEASY, DARLENE HARRIS, JIM MOTZNIK, TONYA D. PAYNE, WILLIAM PEDUTO AND 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. Deasy, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Motznik, Ms. Payne and Mr. Peduto

Noes: 0

Abstentions: 0

Absent: 1 - Mr. Shields

MRS. HARRIS PRESENTS COMMITTEE ON PUBLIC WORKS

Bill No. Report of the Committee on Public Works for October 2, 2008 with an Affirmative
[2008-0795](#) Recommendation.

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

Bill No. .Resolution granting unto, Federal Reserve Bank of Cleveland, Pittsburgh Branch, 717
[2008-0753](#) Grant Street, Pittsburgh, PA 15219, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, bollards on the sidewalk area at 717 Grant Street and William Penn Place in the 2nd Ward, 6th Council District of the City of Pittsburgh.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution granting unto, United States General Services Administration,
[2008-0754](#) 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. Vacating Leeds Way from North Franklin Street to it's terminus in the 21st Ward, 6th
[2008-0755](#) 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, Mr. Motznik, Ms. Payne and Mr. Peduto
Noes: 0
Abstentions: 0
Absent: 1 - Mr. Shields

MS. PAYNE PRESENTS COMMITTEE ON HUMAN RESOURCES COMMITTEE

Bill No. Report of the Committee on Human Resources for October 2, 2008 with an
[2008-0796](#) Affirmative Recommendation.

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

Bill No. Resolution providing for a professional service agreement or agreements with Ceridian
[2008-0756](#) for the purpose of on-going payroll processing services, payroll tax filing services, application outsourcing services and related support services, at a cost not to exceed one million four hundred thousand dollars (\$1,400,000.00) over two years.

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, Mr. Motznik, Ms. Payne and Mr. Peduto
Noes: 0
Abstentions: 0
Absent: 1 - Mr. Shields

REV. BURGESS PRESENTS COMMITTEE ON LAND USE & ECONOMIC DEVELOPMENT

Bill No. Report of the Committee on Land Use and Economic Development for October 2,
[2008-0797](#) 2008 with an Affirmatiave Recommendation.

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

Bill No. Resolution amending Resolution No. 434, effective, August 15, 2008, entitled:
[2008-0783](#) 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 and further, authorizing various departments to enter into contract or contracts or use existing contract or contracts for the purchase of equipment and/or furniture at a cost not to exceed \$1,115,000.00, so as to reprogram funds in City Council from "District - 1 Initiatives" (-750) to "East Allegheny Community Council-Pumpkin Fest" (+750).

SPONSOR(S): DARLENE HARRIS

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution amending Resolution No. 435 effective August 15, 2008, entitled:
[2008-0784](#) Amending the Capital Budget and 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 2003 Community Development Block Grant Program; providing for the execution of grant contracts and for the filing of other data providing for required assurances; providing for execution of payment vouchers on letter of credit and for certification of authorized signature; the deposit of the funds in a bank account and providing for the payment of expenses within categories, so as to reprogram funds from City Council - "District 1 - Initiatives" (-750) and reprogram these funds to "East Allegheny Community Council - Pumpkin Fest" (+750).

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, Mr. Motzник, Ms. Payne and Mr. Peduto

Noes: 0

Abstentions: 0

Absent: 1 - Mr. Shields

MR. MOTZNIK PRESENTS COMMITTEE ON GENERAL & GOVERNMENT SERVICE

Bill No. Report of the Committee on General and Government Services for October 2, 2008
[2008-0798](#) with an Affirmative Recommendation.

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

Bill No. Resolution providing for the letting, for and during the calendar year 2009, of
[2008-0752](#) contracts and for the use of existing contracts for the maintenance, repair, rental and/or leasing, rehabilitation, renovation, inspection or servicing, including the furnishing of labor and materials necessary thereof; of personal property, and also for bonding, insurance, printing and any other related services, and for the maintenance and repair of buildings, structures or any other properties in the custody of the various Departments of the City of Pittsburgh, and for any miscellaneous services in and for any or all Departments of the City of Pittsburgh, and providing for the payment of the costs thereof.

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

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

MR. DEASY PRESENTS COMMITTEE ON INTERGOVERNMENTAL AFFAIRS

Bill No. Report of the Committee on Intergovernmental Affairs for October 2, 2008 with an
[2008-0799](#) Affirmative Recommendation.

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

Bill No. Resolution approving Execution of a Contract for Disposition by Sale of Land by and
[2008-0757](#) between the Urban Redevelopment Authority of Pittsburgh and East Liberty Development, Inc. (ELDI) for the Sale of Block 83-F, Lot 301, in the 11th Ward of the City of Pittsburgh - Council District No. 9 (514 N. St. Clair Street - Sideyard)

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution approving Execution of a Contract for Disposition by Sale of Land by and
[2008-0758](#) between the Urban Redevelopment Authority of Pittsburgh and Guy S. Mahaffey, III, for the Sale of Block 22-R, Lot 3, in the 21st Ward of the City of Pittsburgh - Council District No. 6 - 1237 Liverpool Street (sideyard).

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution approving execution of a Contract for Disposition by Sale of Land by and
[2008-0759](#) between the Urban Redevelopment Authority of Pittsburgh and Janitorial Resources, Inc. for the sale of Block 22-D, Lots 119, 132, 133, 134, 135, 136 and 137, in the

25th Ward of the City of Pittsburgh - Council District No. 6 - Flocker Way & 1904 Brighton Road (commercial development).

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, Mr. Motznik, Ms. Payne and Mr. Peduto

Noes: 0

Abstentions: 0

Absent: 1 - Mr. Shields

MOTIONS AND RESOLUTIONS

EXCUSE ABSENT MEMBERS

A motion was made to excuse the absent member(s)Mr. Shields 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.