

# **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, March 10, 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: 9 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Motznik, Ms. Payne, Mr. Peduto, Mrs. Smith and Mr. Shields

## PLEDGE OF ALLEGIANCE

## PROCLAMATIONS

Bill No.

[2009-1180](#)

NOW THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh, congratulates the American Cancer Society's Greater Pittsburgh Unit on its ongoing success with the Daffodil Days campaign, and wishes it even greater success with the 2009 campaign; and

BE IT FURTHER RESOLVED, that March 16 through 22, 2009 is hereby declared "DAFFODIL DAYS" in 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.

[2009-1181](#)

NOW THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does hereby wish to recognize the following community leaders and organizations for their commitment to the Core Series 2008-09 Program:

- Carmen R. Randall, Second East Hills Residents Preservation and Development Corporation
- Donna A. Murrell, Maple Ridge Apartments Residents Community Initiative
- Dorrie Smith-Richie, Observatory Hill, Inc.
- Gail Mitchell Hall, DiDache Solutions
- Glenn E. Miller, Observatory Hill, Inc.
- Greg Whitted, Pittsburgh Housing Development Association, Inc.
- Helen Renee Owens, Second East Hills Residents Preservation and Development Corporation
- Joyce Lovelle Woods, Second East Hills Residents Preservation and Development Corporation
- Kate Thomes, Carrick Community Council
- Lenore E. Williams, Friendship Development Associates
- Lois White, Pittsburgh Housing Development Association, Inc.
- Lora Woodward, Venture Outdoors
- Louise Colvin, Second East Hills Residents Preservation and Development Corporation
- Lynn Colvin, Second East Hills Residents Preservation and Development Corporation
- Marcy L. Morse, Pittsburgh Housing Development Association, Inc.
- Maurice Smith, Second East Hills Residents Preservation and Development Corporation
- Misti McKeehen, Coro Center for Civic Leadership
- Monique C. Shorter, Second East Hills Residents Preservation and Development Corporation
- Rhonda Carson, Leach, Urban Youth Action, Inc.

-Sandra Nelson, Second East Hills Residents Preservation and Development Corporation

-Walt Spak, Fineview Citizens Council

-Yolanda Phillips, Maple Ridge Apartments Residents Community Initiative

AND BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby wish to congratulate these individuals and organizations for their completion of CTAC's Core Series 2008-09 Program, while also commending them on their impressive level of dedication and hard work within the City of Pittsburgh and Greater Pittsburgh area.

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

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

Bill No.

[2009-1182](#)

NOW THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend all of the organizers of and participants in the Annual St. Patrick's Day Parade; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does, in honor of Pittsburgh's Irish community, hereby declares the week of March 10-17, 2009, to be "ST. PATRICK'S WEEK" 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.

[2009-1183](#)

NOW THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend Conan O'Brien for his contributions to entertainment and comedy; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh hereby declares Monday, June 1st, 2009, to be "CONAN O'BRIEN 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.

[2009-1184](#)

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes and thanks the Coro Center for Civic Leadership for its commitment to creating ethical and effective leaders; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh hereby declares March 13, 2009, "the Fellows Program in Public Affairs 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.**

## **PUBLIC COMMENTS**

## **PRESENTATION OF PAPERS**

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

Bill No. [2009-1174](#) Resolution amending Resolution No. 436, effective August 15, 2008, entitled: 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 street paving and other related costs the purchase of equipment and/or furniture at a cost not to exceed \$972,000.00; so as to reprogram funds from "Oakland Planning & Development/Center Craig Plan"(-5,000) to the "Oakland Community Council" (+5,000).

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

Bill No. [2009-1175](#) Resolution amending Resolution No. 437 effective August 15, 2008, entitled: Resolution 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 2004 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 - "Oakland Planning & Development/Center Craig Plan"(-5,000) to the "Oakland Community Council" (+5,000) and transfer funds in the Department Engineering & Construction from "Braddock/Penn intersection Improvements" (-50,000) to the "Traffic Signals Hardware Upgrade" (+50,000).

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

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

Bill No. [2009-1177](#) Resolution authorizing cooperation agreement or agreements, providing for the transfer of funds not to exceed Five Million One Hundred Thousand (\$5,100,000) dollars to the City of Pittsburgh Equipment Leasing Authority for the purchase of vehicles, radios and equipment for use by the City of Pittsburgh Departments and Authorities.

**Read and referred to Intergovernmental Affairs Committee**

Bill No. [2009-1179](#) Ordinance Amending the Pittsburgh Code, Title Two, Fiscal, Article 9, Property Taxes, Chapter 263, Real Property Tax and Exemption, Section 263.23 City Treasurer Duties, by adding language to provide for a continuous designation of Act 77 Exemptions for eligible senior citizens.

**SPONSOR(S): PATRICK DOWD**

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

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

Bill No. [2009-1135](#) Resolution providing for an Agreement or Agreements or for the use of existing Agreements, providing for a Contract or Contracts or for the use of existing Contracts, and providing for the purchase of materials, supplies and equipment in connection with the rehabilitation and reconstruction of various park facilities; and further providing for the payment of the costs thereof. Cost not to exceed \$300,000.00.

**Read and referred to Public Works Committee**

Bill No. [2009-1136](#) Resolution providing for a Contract or Contracts or for the use of existing Contracts, providing for an Agreement or Agreements or for the use of existing Agreements, and providing for repairs, maintenance, improvements, emergencies and/or the purchase of equipment, materials and supplies in connection with the Rehabilitation and repairs of various swimming pools; and further providing for the payment of the costs thereof. Cost not to exceed \$100,000.00.

**Read and referred to Public Works Committee**

Bill No. [2009-1137](#) Resolution providing for a Contract or Contracts or the use of existing Contracts; 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 in connection with Ballfield Lighting Replacement; and further providing for the payment of the costs thereof. Cost not to exceed \$150,000.00.

**Read and referred to Public Works Committee**

Bill No. [2009-1138](#) Resolution providing for a Contract or Contracts or for the use of existing Contracts; providing for an Agreement or Agreements or for the use of existing Agreements; providing for the purchase of materials, equipment and supplies in connection with the renovation of various play areas; and further providing for the payment of the costs thereof. Cost not to exceed \$200,000.00.

**Read and referred to Public Works Committee**

Bill No. [2009-1171](#) Resolution providing for a Contract or Contracts or for the use of existing Contracts, providing for an Agreement or Agreements or for the use of existing Agreements, providing for the purchase of materials and supplies in connection with the Tree Maintenance Program throughout the City of Pittsburgh, and further providing for the payment of the costs thereof. Cost not to exceed \$100,000.00.

**Read and referred to Public Works Committee**

Bill No. [2009-1172](#) Resolution providing for a Contract or Contracts, or for the use of existing Contracts, for the installation and maintenance of traffic signal hardware throughout the City; and providing for the payment of the costs thereof. Cost not to exceed \$50,000.00.

**Read and referred to Public Works Committee**

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

Bill No. [2009-1170](#) Resolution authorizing the Mayor to enter into a grant agreement with the Commonwealth of Pennsylvania, Department of Economic Development to receive \$30,000 under the Local Government Municipal Resource and Development Program

for the West Pittsburgh Weed and Seed Program and further providing for an Agreement or Agreements for professional services in connection with the execution of said grant agreement.

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

**MR. MOTZNIK, CHAIRPERSON OF THE COMMITTEE ON GENERAL AND GOVERNMENT SERVICES, PRESENTS**

Bill No. Resolution authorizing the Mayor and the Director of City Information Systems to enter into a grant agreement with the Commonwealth of Pennsylvania, Department of Community and Economic Development, to receive \$127,500 in funding to support the City's Energy & Utilities Manager position and programs in connection with the execution of said grant agreement.

[2009-1176](#)

**Read and referred to General and Government Services Committee**

**MS. PAYNE, CHAIRPERSON OF THE COMMITTEE ON HUMAN RESOURCES, PRESENTS**

Bill No. Resolution providing that the City of Pittsburgh enter into Professional Service Agreement(s) and/or Contracts with consultants and/or service providers for professional services in connection with Civil Service and MPOETC required assessment and evaluation of Public Safety candidates (Police Officer Recruits, Paramedics), and providing for payment of the cost thereof, not to exceed \$20,150.00.

[2009-1173](#)

**Read and referred to Human Resources Committee**

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

Bill No. Resolution providing for the transfer to the Equipment Leasing Authority, the sum of \$70,000.00, representing The Department of Public Works portion of the cost for the purchase of three Recycling Mini Packers, and all related accessories, for the Bureau of Environmental Services.

[2009-1129](#)

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

Bill No. Resolution authorizing the issuance of a warrant in the sum of \$21,000.00 (Twenty-one Thousand dollars) to Eileen Hawthorne c/o James A. Dattilo, Esquire, 100 Ross Street, Suite 103, Pittsburgh, PA 15219, in full and final settlement of an action filed at GD 07-004485, and arising from alleged injuries as a result of a trip and fall at the intersection of Chatham Sq. & Watson St. in the City of Pittsburgh.

[2009-1169](#)

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

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

Bill No. Resolution informing City Council of the appointment of Michael J. Healey, 6316 Douglass Street, Pittsburgh, PA 15217, as a District 5 member of the Pittsburgh Cable Communications Advisory Committee with a term to expire December 31, 2011.

[2009-1178](#)

**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 March 4, 2009 with an Affirmative  
[2009-1166](#) Recommendation.

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

Bill No. Resolution authorizing the issuance of a warrant in the sum of \$9,599.56 to Patberg,  
[2009-1026](#) Carmody, Ging & Philippi and James P. Grilli, c/o Sean J. Carmody, Esquire, of Patberg, Carmody, Ging & Philippi, Deutschtown Center, 801 Vinial Street, Third Floor, Pittsburgh, Pennsylvania 15212, and a warrant in the sum of \$400.44 to the Treasurer of the City of Pittsburgh for outstanding taxes, for a total payment of \$10,000.00, in full and final settlement of an action filed in the Court of Common Pleas of Allegheny County, Pennsylvania at GD-04-018739.

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

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

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

Bill No. Report of the Committee on Public Works for March 4, 2009 with an Affirmative  
[2009-1167](#) Recommendation.

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

Bill No. Authorizing and directing the Mayor to begin the process of converting all City street  
[2008-0994](#) lights to LEDs by issuing an RFP and submitting an application with the Commonwealth for a Guaranteed Energy Savings Agreement.

**SPONSOR(S): WILLIAM PEDUTO, DARLENE HARRIS, BRUCE A. KRAUS, PATRICK DOWD, DOUGLAS SHIELDS, JIM MOTZNIK AND THERESA SMITH**

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

Bill No. Resolution providing for a Contract or Contracts, or the use of existing Contracts for  
[2009-1119](#) Construction Division Materials at various locations throughout the City of Pittsburgh, and providing for the payment thereof, at a cost not to exceed 100,000.00.

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

Bill No.

[2009-1120](#)

Resolution providing for a Contract or Contracts, or the use of existing Contracts for street resurfacing programs to include, hot mix asphalt, crack sealing, equipment purchases, sawing and sealing, asphalt milling, truck rental, brick and blockstone repairs, handicap ramps, concrete slab replacement and parks related asphalt work at various locations throughout the City of Pittsburgh, and providing for the payment of the cost thereof, at a cost not to exceed \$7,000,000.00.

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

Bill No.

[2009-1121](#)

Resolution providing for a Contract or Contracts, or the use of existing Contracts for flexible beam guiderail maintenance and repair at various locations throughout the City of Pittsburgh, and providing for the payment thereof, at a cost not to exceed \$50,000.00.

**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: 9 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Motznik, Ms. Payne, Mr. Peduto, Mrs. Smith and Mr. Shields

Noes: 0

Abstentions: 0

**MS. PAYNE PRESENTS COMMITTEE ON HUMAN RESOURCES**

Bill No.

[2009-1168](#)

Report of the Committee on Human Resources for March 4, 2009 with an Affirmative Recommendation.

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

Bill No.

[2009-1122](#)

Resolution providing for an agreement to enter into a contract with the Fair Housing Partnership of Greater Pittsburgh in order to facilitate a partnership agreement required by the U.S. Department of Housing & Urban Development for specific and varied education and outreach services. Cost not to exceed \$15,000.00.

**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. Motznik, Ms. Payne, Mr. Peduto, Mrs. Smith and Mr. Shields

Noes: 0

Abstentions: 0

**MOTIONS AND RESOLUTIONS****COUNCILMAN KRAUS PRESENTS:**



Bill No. [2009-1185](#) THEREFORE, BE IT RESOLVED that Pittsburgh City Council calls upon the Pittsburgh delegation to the Pennsylvania General Assembly to support the passage of HB 300 at the earliest opportunity; and  
BE IT FURTHER RESOLVED that a copy of this resolution shall be transmitted to the Mayor of Pittsburgh, to all members of the Pennsylvania General Assembly, and to the Governor of Pennsylvania.  
**SPONSOR(S): BRUCE A. KRAUS, PATRICK DOWD, DARLENE HARRIS, JIM MOTZNIK, TONYA D. PAYNE, WILLIAM PEDUTO, DOUGLAS SHIELDS AND THERESA SMITH**

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

#### **COUNCILMAN PEDUTO PRESENTS:**

Bill No. [2009-1186](#) NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh calls on all members of Pennsylvania's Congressional Delegation to co-sponsor the Youth PROMISE of 2009; and  
  
BE IT FURTHER RESOLVED, that a copy of this resolution shall be transmitted to all members of the Pennsylvania Congressional Delegation.  
**SPONSOR(S): WILLIAM PEDUTO AND ALL MEMBERS**

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

#### **RECESS**

**A motion was made to recess the meeting. The motion carried.**

#### **RECONVENED MEETING**

*Reconvened meeting was held on Wednesday, March 11th.*

#### **REVEREND BURGESS PRESENTS COMMITTEE ON LAND USE AND ECONOMIC DEVELOPMENT:**

Bill No. [2009-1187](#) Report of the Committee on Land Use and Economic Development for March 10, 2009 with an Affirmative Recommendation.

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

Bill No. [2008-0196](#) Resolution providing for the designation as a Historic Structure under Title 11 of the Code of Ordinances that certain structure known as the former Workingmen' Savings Bank, located at 800 E Ohio Street, block and lot number 24-N-142, in the 23rd Ward, City of Pittsburgh.

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

**Votes:** Ayes: 7 - Mr. Dowd, Mrs. Harris, Mr. Kraus, Ms. Payne, Mr. Peduto, Mrs. Smith and Mr. Shields  
Noes: 2 - Rev. Burgess and Mr. Motznik  
Abstentions: 0

## **APPROVAL OF MINUTES**

**A motion was made to approve the minutes. The motion carried.**

## **ADJOURN**

**A motion was made to adjourn the meeting. The motion carried.**