

City of Pittsburgh

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



MEETING MINUTES

Proceedings of the Council of the City of Pittsburgh

Monday, September 24, 2012

10:00 AM

Council Chambers

City Council

**ONE-HUNDRED
THIRTY-SEVENTH COUNCIL**

Darlene M. Harris, President

**Council Members: Rev. Ricky V. Burgess, Patrick Dowd, Bruce A. Kraus, R. Daniel Lavelle,
Corey O'Connor, William Peduto, Natalia Rudiak, Theresa Kail-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. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

Bill No.

[2012-0769](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend the Zone 6/Special Deployment Division for helping to make Pittsburgh a most livable city; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Monday, September 24, 2012, to be "Zone 6 Day" in the City of Pittsburgh.

SPONSOR(S): THERESA SMITH AND ALL MEMBERS

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

Bill No.

[2012-0770](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend the Pittsburgh Police Bureau Zone 2, Zone 3, Zone 4, Zone 5 and the Major Crimes Unit; the FBI Safe Streets Task Force; The University of Pittsburgh Police; Brentwood Borough Police Department; Mt. Oliver Police, Allegheny County Police and the Allegheny County Emergency Operations for their commitment and expeditious work in solving this case; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Monday, September 24, 2012, to be "Public Safety Day" in the City of Pittsburgh.

SPONSOR(S): THERESA SMITH AND ALL MEMBERS

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

Bill No.

[2012-0771](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize Small Seeds Development, Inc. for their work in empowering families and building a better community; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare September 27, 2012 "Small Seeds Development 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.

[2012-0772](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize Paddle Without Pollution's low impact and high visibility cleanup events that empower volunteers to make a real and immediate difference in the health of our waterways; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare September 24, 2012 “Paddle Without Pollution 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.

[2012-0773](#)

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby recognize and honor the important work of the National Aviary for its dedicated efforts in inspiring respect for nature through an appreciation of birds; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby proclaim Friday, September 28, 2012, to be “National Aviary 60th Anniversary Day” in the City of Pittsburgh.

SPONSOR(S): DARLENE HARRIS, R. DANIEL LAVELLE AND ALL MEMBERS

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

Bill No.

[2012-0774](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby honor, the myriad contributions of the Association for the Study of African American Life and History,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare September 26-30, 2012, to be “Association for the Study of African American Life and History Week” 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.

[2012-0775](#)

NOW, THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does hereby recognize The Allegheny Conference on Community Development for stimulating business and job creation in our region, helping our communities reach their full potential, creating a perfect climate for local business to flourish and attract people of diverse cultures, and helping the City of Pittsburgh receive the award for one of the top must see places in the world; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh declares Tuesday, September 18, 2012, to be “The Allegheny Conference Best of the World Day” in the City of Pittsburgh.

SPONSOR(S): COREY O'CONNOR AND ALL MEMBERS

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

Bill No.

[2012-0776](#)

NOW, THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does hereby commend the UPMC Living-at-Home Program for recognizing the needs of the growing senior population who are aging in place and for providing important and relevant services for seniors to live independently and congratulates the Living-at-Home Program for 25 successful years; and,

BE IT FURTHER RESOLVED, , that the Council of the City of Pittsburgh does hereby declare Friday, September 28, 2012 to be "UPMC LIVING-AT-HOME PROGRAM DAY" in the City of Pittsburgh.

SPONSOR(S): COREY O'CONNOR AND ALL MEMBERS

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

Bill No.

[2012-0777](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize Mrs. Susie Marbury on her 90th birthday, with sincere congratulations and hope for many more happy years to come.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare September 26, 2012, to be "Susie Dell Burroughs Marbury Day" in the City of Pittsburgh.

SPONSOR(S): R. DANIEL LAVELLE AND ALL MEMBERS

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

PRESENTATION OF PAPERS

COUNCILMAN REV. RICKY V. BURGESS PRESENTS:

Bill No.

[2012-0768](#)

Resolution authorizing the Mayor and the Director of Public Safety to enter into an agreement or agreements or contract or contracts with Goodwill of Southwestern Pennsylvania and Youth Opportunities Development 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

Read and referred to Public Safety Services Committee

COUNCILMAN PATRICK DOWD PRESENTS:

Bill No.

[2012-0756](#)

Ordinance supplementing the Pittsburgh Code, Title Nine, Zoning Code, Article II, Base Zoning Districts with the addition of Chapter 905.04 "Mineral Extraction Districts."

SPONSOR(S): PATRICK DOWD

Read and referred to Land Use and Economic Development Committee

Bill No.

[2012-0757](#)

Ordinance supplementing the Pittsburgh Code, Title Nine, Zoning Code, Article VII, Review and Enforcement with the addition of Chapter 922.15 "Mineral Extraction Master Plan."

SPONSOR(S): PATRICK DOWD

Read and referred to Land Use and Economic Development Committee

Bill No.

[2012-0758](#)

Ordinance supplementing the Pittsburgh Code, Title Nine, Zoning Code, Article V, Use Table, Section 911.02, and Use Regulations, Section 911.04.A.101 with the addition of "Mineral Extraction."

SPONSOR(S): PATRICK DOWD

Read and referred to Land Use and Economic Development Committee

Bill No. Ordinance supplementing the Pittsburgh Code, Title Nine, Zoning Code, Article V, Use Table, Section 911.102, and Use Regulations, Section 911.04.A.102 with the addition of "Compressor Stations & Processing Plants."

[2012-0759](#)

SPONSOR(S): PATRICK DOWD

Read and referred to Land Use and Economic Development Committee

Bill No. Resolution adopting Plan Revision to the City of Pittsburgh's Official Sewage Facilities Plan for Il Pizzaiolo, 8 Market Square, Pittsburgh, PA 15222.

[2012-0766](#)

Read and referred to Intergovernmental Affairs Committee**COUNCILWOMAN THERESA KAIL-SMITH PRESENTS:**

Bill No. Resolution authorizing and directing the issuance of a warrant in favor of Galls, in the amount of Fifty Four Thousand Five Hundred Sixty One Dollars and Six Cents, (\$54,561.06), for costs incurred when the current uniform contract expired on March 31, 2012.

[2012-0760](#)

Read and referred to Finance and Law Committee

Bill No. Resolution authorizing the Department of Public Safety to enter into a contract or contracts, agreement or agreements, lease or leases, professional service agreements or the use of existing contracts, leases or agreements, and other services, along with other approved expenditures and for the payment of supplies, equipment, materials, rentals, and other services for portable radios to be used by Public Safety Bureaus at a cost not to exceed \$1,500.00.

[2012-0761](#)

Read and referred to Public Safety Services Committee

Bill No. Resolution providing for a Contract or Contracts, or the use of existing Contracts for the purchase of equipment needed for swift water rescue for the Department of Public Safety at a cost not to exceed Two Hundred Fifty Thousand Dollars (\$250,000.00) and providing for the payment thereof.

[2012-0762](#)

Read and referred to Public Safety Services Committee

Bill No. 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, software, maintenance, and services in connection with police facility security camera upgrades and providing for the payment of the costs thereof not to exceed One Hundred and Fifty Thousand Dollars (\$150,000) .

[2012-0763](#)

Read and referred to Public Safety Services Committee

Bill No. Resolution authorizing the Mayor to enter into a grant agreement with the Federal Emergency Management Agency (FEMA), Department of Homeland Security, to receive a FY 2011 Assistance to Firefighters Grant and further providing for an agreement or agreements for the purchase of radios and accessories in connection with the execution of said agreement.

[2012-0764](#)

Read and referred to Public Safety Services Committee

Bill No. Resolution authorizing the Mayor to enter into a grant agreement with the Federal
[2012-0765](#) Emergency Management Agency (FEMA), Department of Homeland Security, to receive a FY 2011 Assistance to Firefighters Grant and further providing for an agreement or agreements for the purchase of new computer equipment (MDT's) and personnel training costs in connection with the execution of said agreement.

Read and referred to Public Safety Services Committee

COUNCIL PRESIDENT DARLENE M. HARRIS PRESENTS:

Bill No. Resolution providing for the issuance of a warrant in favor of Granicus, Inc. in the
[2012-0767](#) amount of \$10,798.00 in payment for the annual maintenance agreement for the legislative tracking software used by the City Clerk's Office.

SPONSOR(S): DARLENE HARRIS

Read and referred to Finance and Law Committee

UNFINISHED BUSINESS

REPORTS OF COMMITTEE - FINAL ACTION

COUNCILMAN REV. RICKY V. BURGESS PRESENTS COMMITTEE ON FINANCE AND LAW

Bill No. Report of the Committee on Finance and Law for September 19, 2012 with an
[2012-0753](#) Affirmative Recommendation.

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

Bill No. Resolution providing for the filing of petitions for the sale of certain properties,
[2012-0715](#) acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.
ITEM A: Vinecliffe, 35 Vinecliff

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. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith
Noes: 0
Abstentions: 0

Bill No. Resolution providing for conveyance by the City of Pittsburgh of certain property,
[2012-0716](#) under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.
ITEMS A through D.
A: 1430, 1428 & 1426 N. Franklin, B: Timberland Lot 15, C: Timberland Lot 14,
D: 516 , 520 & 522 Climax.

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. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith
Noes: 0
Abstentions: 0

Bill No.

[2012-0717](#)

Resolution providing for the filing of petitions for the sale of certain properties, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.
ITEM A: 2543 Beelen, 2541 Beelen, 2539 Beelen, 2537 Beelen, 2529 Beelen.

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. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith
Noes: 0
Abstentions: 0

Bill No.

[2012-0718](#)

Resoluton providing for conveyance by the City of Pittsburgh of certain property.
ITEM A.
A: 2539 Beelen, 2537 Beelen, 2535 Beelen, 2525 Beelen, 2527 Beelen, 2523 Beelen, 340 Beelen, 366 Beelen.

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. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith
Noes: 0
Abstentions: 0

Bill No.

[2012-0719](#)

Resolution providing for the conveyance by the City of Pittsburgh of certain property, 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 Side Yard Program.
ITEMS A through P. A: 3403 Flavian, B: 4340 Tasso Street PART, C: 6600 Apple, D: 6338 Dean, E: Dean, F: 6519 Shetland, G: 7013 Idlewild, H: 7735 Susquehanna, Race .

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. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith
Noes: 0
Abstentions: 0

Bill No. [2012-0720](#) Resolution providing for the filing of petitions for the sale of certain properties, 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 X. A: 2233 Humber, [B: 2259 Webster] DELETED, C: 6040 Butler, D: 6036 Butler, E: 6350 & 6348 Dean, F: 6627 Tennis, G: 7245 Kelly H: 713 Sterrett, I: 15 S. Wheeler, J: 568 Rosedale, K: 6710 Simonton, L: 315 N. Dallas, M: 640 Lillian, N: 60 Wabash, O: 58 Wabash, P, 440 Wabash, [Q: 1420 Stedman] DELETED, R: 1418 Stedman, S: 1300 Chateau, T: 1409 Juniata, U: 1419 Juniata, [V: 1911, 1913 & 1915 N. Charles] DELETED, [W: 3208 & 3206 McClure] DELETED, X: 1207 Oxford.

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. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith
Noes: 0
Abstentions: 0

Bill No. [2012-0721](#) An Ordinance supplementing the Pittsburgh Code, Title One, Administrative, Article I: General Provisions, Article IX: Boards and Commissions, by adding a new section entitled Commission on City Archives.

SPONSOR(S): PATRICK DOWD, DARLENE HARRIS AND BRUCE A. KRAUS

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. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith
Noes: 0
Abstentions: 0

Bill No. [2012-0740](#) Resolution providing for the issuance of a warrant in favor of Patricia McGrail, LLC, Attorney, 1714 Lincoln Way, Pittsburgh, PA 15131, in the not to exceed \$7,500 in payment of professional legal services for City Council for the sole purpose of filing of an Amicus Brief as it relates to municipal oversight of zoning regulations/Act 13.

SPONSOR(S): DARLENE HARRIS

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. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith
Noes: 0
Abstentions: 0

COUNCILMAN BRUCE A. KRAUS PRESENTS COMMITTEE ON PUBLIC WORKS

Bill No.

[2012-0754](#)

Report of the Committee on Public Works for September 19, 2012 with an Affirmative Recommendation.

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

Bill No. Resolution authorizing the Mayor and/or the Director of the Department of Finance
[2012-0735](#) and/or the Director of the Department of Public Works, on behalf of the City of Pittsburgh, to submit a Financial Assistance Application to the Pennsylvania Infrastructure Investment Authority (PENNVEST) for the purpose of receiving grant funds that will be used for the initiation of storm water improvement projects in the Panther Hollow Watershed (Schenley Park) and to thereafter enter into an Agreement or Agreements with PENNVEST to accept any grant funds offered to the City.

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. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith
Noes: 0
Abstentions: 0

COUNCILMAN PATRICK DOWD PRESENTS COMMITTEE ON INTERGOVERNMENTAL AFFAIRS

Bill No. Report of the Committee on Intergovernmental Affairs for September 19, 2012 with
[2012-0755](#) an Affirmative Recommendation.

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

Bill No. Resolution adopting Plan Revision to the City of Pittsburgh's Official Sewage
[2012-0660](#) Facilities Plan for Highland Building Renovation, 121 South Highland Avenue, Pittsburgh, PA 15224.

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. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith
Noes: 0
Abstentions: 0

MOTIONS AND RESOLUTIONS

APPROVAL OF MINUTES

ADJOURNMENT

LEGISLATION PRESENTED BY SIGN LANGUAGE INTERPRETER