

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, November 17, 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.

[2009-1968](#)

NOW THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh congratulates Claire O'Leary on her 80th birthday and commends her for her years of dedication to her husband, her children, her grandchildren, and the City of Pittsburgh; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh proclaims that Sunday, November 15th, 2009 be hereby declared as "Claire O'Leary Day" in the City of Pittsburgh.

SPONSOR(S): JIM MOTZNIK AND ALL MEMBERS

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

Bill No.

[2009-1969](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby wholeheartedly thanks the Colcom Foundation for its generosity and Family Communications, Inc. for its passion and dedication to children and their families; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Tuesday, November 17th to be a "Tribute to Children" day in the City of Pittsburgh.

SPONSOR(S): DOUGLAS SHIELDS, THERESA SMITH AND ALL MEMBERS

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

Bill No.

[2009-1970](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate Corey Wagner, Spencer Mellon and Coach Corey O'Connor on their personal and team achievements; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Tuesday, November 10, 2009, to be "COREY WAGNER AND SPENCER MELLON 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.

[2009-1971](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh hereby congratulates AcoustiCafe on the launch of its first compilation CD and thanks its members for ten years of promoting Pittsburgh musicians; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh hereby

declares November 20, 2009, "AcoustiCafe 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.

[2009-1972](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh hereby recognizes and commends Susan Davis for her 30 years of service and dedication in the fields of special education and child advocacy; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh hereby declares November 17, 2009, "Susan Davis 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.

[2009-1973](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend BIG league Sports and all of its sponsors for the exceptional work they do with children ; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Tuesday, November 17, 2009, to be "BIG League Sports 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.

PUBLIC COMMENTS

PRESENTATION OF PAPERS

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

MOTION OF COUNCIL

Councilman Rev. Burgess motioned to Waive the Rules of Council on Council Bills 2009-1959, 1960, 1961 and 1962 so that they will be referred directly to the Planning Commission for a Public Hearing and Report and Recommendation. The motion was approved.

Bill No.

[2009-1959](#)

Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article I, Section 902.03 Zoning Map, by changing from RM-M, Residential Multi-Unit Moderate Density District; R1D-VL, Residential Single-Unit Detached Very Low Density District; and R1D-L, Residential Single-Unit Detached Low Density District; to EMI, Educational/Medical Institution District, certain property roughly bounded by Fifth Avenue, Murray Hill Avenue, Wilkins Avenue, and Woodland Road and identified as follows: Block Number 85-B, Lots Numbered 8 and 12; Block Number 85-F, Lots Numbered 103, 105, 107, 112, 142, 147, 148, 149, 150, 153, 155, 159, 249, and 250; Block Number 85-K, Lots Numbered 229, 232, 234, and 236; Block Number 85-L, Lot Numbered 200; Block Number 85-P, Lot Numbered 281; Block Number 85-R,

Lot Numbered 124; all in the Allegheny County Block and Lot System, 14th Ward.

SPONSOR(S): REVEREND RICKY V. BURGESS

Read and referred to Planning Commission

Bill No.

[2009-1960](#)

Ordinance amending the Pittsburgh Code, Title Nine - Zoning, Article V, Section 911.02 - Use Table, Section 911.04 - Use Standards - by changing use types and review procedures regarding GI, General Industrial districts, City of Pittsburgh.

SPONSOR(S): REVEREND RICKY V. BURGESS

Read and referred to Planning Commission

Bill No.

[2009-1961](#)

Ordinance amending the Pittsburgh Code, Title Nine - Zoning, Article V, Section 911.02 - Use Table, Section 911.04 - Use Standards - by changing use types and review procedures regarding UI, Urban Industrial districts, City of Pittsburgh.

SPONSOR(S): REVEREND RICKY V. BURGESS

Read and referred to Planning Commission

Bill No.

[2009-1962](#)

Ordinance amending the Pittsburgh Code, Title Nine - Zoning, Article V, Section 911.02 - Use Table, Section 911.04 - Use Standards - by changing use types and review procedures regarding EMI, Educational/Medical Institute districts, City of Pittsburgh.

SPONSOR(S): REVEREND RICKY V. BURGESS

Read and referred to Planning Commission

Bill No.

[2009-1954](#)

Ordinance amending the Pittsburgh Zoning Code, Title Nine, Article One, Chapter 902 Section 902.03, Zoning District Map No. 5 by changing various zoning district classifications in the Summer Hill neighborhood in accord with Map Pittsburgh: Zoning for your Neighborhood, the city's zoning re-mapping project relative to the city's new Urban Zoning Code.

Read and referred to Land Use and Economic Development Committee

Bill No.

[2009-1955](#)

Resolution providing for an Agreement or Agreements or Contract or Contracts, or the use of existing Agreements or Contract, with a Vendor or Vendors, for the purpose of purchasing a monochrome all-in-one large format Print/Copy/Scan system at a cost not to exceed \$14,000.

Read and referred to Land Use and Economic Development Committee

Bill No.

[2009-1956](#)

Resolution amending Resolution No. 763 approved December 31, 1998, entitled "Amending Resolution No. 221 approved April 15, 1997, entitled amending Resolution No. 578, approved July 31, 1996, entitled amending Resolution No. 206, approved April 11, 1996, entitled providing for implementation of a Residential Parking Permit Program (RPPP) Area "Y" in the Shadyside community (Council District #8) pursuant to Pittsburgh Code Chapter 549", so as to amend streets included in Area "Y".

Read and referred to Land Use and Economic Development Committee

Bill No.

[2009-1957](#)

Resolution amending Resolution No. 220, approved 1997, entitled "Amending Resolution No. 579 approved July 31, 1996, entitled Amending Resolution No. 121,

approved March 12, 1996, entitled providing for the implementation of Residential Parking Permit Program (RPPP) Area "X" in the Shadyside community (Council District #8) pursuant to Pittsburgh Code Chapter 549," so as to amend streets included in Area "X".

Read and referred to Land Use and Economic Development Committee

Bill No. Ordinance amending the Pittsburgh Code, Title IX, Zoning, Article VII, Review and Enforcement, Chapter 922, Development Review Procedures, Section 922.01.A Applications and Fees, by changing language from City Planning Director to City Council.

[2009-1963](#)

SPONSOR(S): REVEREND RICKY V. BURGESS

Read and referred to Land Use and Economic Development Committee

Bill No. Ordinance supplementing the Pittsburgh Code of Ordinances, Title One, Administrative, Article Three, Organization, Chapter 121 by adding new language.

[2009-1964](#)

SPONSOR(S): REVEREND RICKY V. BURGESS

A motion was made that this matter be Waived under Rule 8. The motion carried.

Read and referred to Finance and Law Committee

Bill No. Resolution authorizing the Mayor, the Director of Finance and the City Solicitor to enter into agreement or agreements with institutions of purely public charities for the purposes of collecting payments in lieu of taxes.

[2009-1965](#)

SPONSOR(S): REVEREND RICKY V. BURGESS

A motion was made that this matter be Waived under Rule 8. The motion carried.

Read and referred to Finance and Law Committee

Bill No. Resolution authorizing the Director of Finance and the City Solicitor to request that the County Board of Assessors begin the reassessment of property located in the City of Pittsburgh and additionally determine the true fair market value of property owned or held by tax-exempt institutions and organizations on or before January 4, 2010.

[2009-1966](#)

SPONSOR(S): REVEREND RICKY V. BURGESS

A motion was made that this matter be Waived under Rule 8. The motion carried.

Read and referred to Finance and Law Committee

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

Bill No. Resolution authorizing the City of Pittsburgh to dedicate, as right of way for a public highway, a portion of the City owned Eliza Furnace Trail, Part of Block and Lot 11-S-95, in the South Oakland Neighborhood of the Council District No. 6, for the widening of Bates Street, Pennsylvania Highway Route No. 885, at the intersection with Second Avenue.

[2009-1953](#)

Read and referred to Public Works Committee**MR. PEDUTO, CHAIRPERSON OF THE COMMITTEE ON FINANCE AND LAW, PRESENTS**

Bill No. Resolution providing for 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.

[2009-1950](#)

ITEMS A through C.

A: 1119 Brabec; B: 2150 Whited; C: 1021 Chestnut.

Read and referred to Finance and Law Committee

Bill No. 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/City Source Associates Sideyard Program.

[2009-1951](#)

ITEMS A through E. A: 77 Edenvale; B: 10 Ogden; C: 1731 McCullough and 1730 Brighton; D: 2236 Dellrose; E: 2249 McClaren.

Read and referred to Finance and Law Committee

Bill No. 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.

[2009-1952](#)

ITEMS A through D. A: 5272 Carnegie; B: 1612 Westfield; C: 1386 Paulson; D: 5513 Dunkirk.

Read and referred to Finance and Law Committee**MR. SHIELDS, PRESIDENT OF COUNCIL AND CHAIRPERSON OF THE COMMITTEE ON HEARINGS, PRESENTS**

Bill No. Communication from Mayor Luke Ravenstahl submitting the appoint of Daniel D. Regan as City Solicitor. Said appointment shall be effective as of date of confirmation by Council.

[2009-1958](#)

A motion was made that this matter be Held, Pending Interview to the Hearings Committee. The motion carried.

Bill No. Amending the Pittsburgh Code, Title I-Administrative Chapter 161-Contracts, to require contractors who provide building service and food services to the City of Pittsburgh to pay prevailing wages to employees employed pursuant to such contracts, and to require that building service, food service, grocery, and hotel employees employed on projects receiving City subsidies be paid prevailing wages.

[2009-1967](#)

SPONSOR(S): DOUGLAS SHIELDS, DARLENE HARRIS, BRUCE A. KRAUS, JIM MOTZNIK, TONYA D. PAYNE, WILLIAM PEDUTO AND THERESA SMITH

Read and referred to Finance and Law Committee

UNFINISHED BUSINESS

REPORTS OF COMMITTEE - FINAL ACTION

MR. PEDUTO PRESENTS COMMITTEE ON FINANCE AND LAW

Bill No. [2009-1948](#) Report of the Committee on Finance and Law for November 12, 2009 with an Affirmative Recommendation.

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

Bill No. [2009-1925](#) Resolution authorizing the Mayor to enter into a grant agreement with the County of Allegheny and the Allegheny County Health Department to receive funds allocated through a 2009 American Recovery and Reinvestment Act State Clean Diesel Grant received from the Pennsylvania Department of Environmental Protection and further providing for an Agreement or Agreements for professional services in connection with the execution of said grant agreement. Cost not to exceed \$401,000.00.

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

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

MRS. HARRIS PRESENTS COMMITTEE ON PUBLIC WORKS

Bill No. [2009-1949](#) Report of the Committee on Public Works for November 12, 2009 with an Affirmative Recommendation.

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

Bill No. [2009-1926](#) Resolution authorizing the Mayor and the Directors of the Department of Parks and Recreation and the Department of Public Works to enter into a Project and License Agreement with the Mount Washington Community Development Corporation to benefit Grandview Scenic Byway Park, by providing capital improvements in the form of view and habitat restoration signs.

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

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

MOTIONS AND RESOLUTIONS

EXCUSE ABSENT MEMBERS

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.