

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 1, 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

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

Bill No. [2011-2246](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize and commend the Federation of War Veterans Societies, Incorporated for their continued dedication and hard work in making each year's Veteran's Day parade a success; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare November 11, 2011, to be "FEDERATION OF WAR VETERANS' SOCIETIES, INCORPORATED 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. [2011-2247](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize and commend Jack Bogut for his career in service to the Pittsburgh region; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare November 1, 2011 to be "Jack Bogut 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. [2011-2248](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize the tenth anniversary of the Sprout Fund, and their commitment to the development and enrichment of the region through innovation and citizen engagement; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare November 1, 2011 "Sprout Fund 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. [2011-2249](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize that the good health and well-being of the residents of Pittsburgh are enhanced as a direct result of increased awareness about pancreatic cancer and research in early detection, causes and treatments; and,
BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare November 2011, to be "PANCREATIC CANCER AWARENESS MONTH" 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.

[2011-2250](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh celebrates the 63,000 women business owners in the Pittsburgh region and recognizes the importance of the National Association of Women Business Owners, Pittsburgh Chapter; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Friday, November 4, 2011, to be "NAWBO 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.

[2011-2251](#)

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh congratulates Pittsburgh CAPA and the Children's Museum for creating a unique, positive, and community building partnership in our city and schools; and

SPONSOR(S): NATALIA RUDIAK AND ALL MEMBERS

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

Bill No.

[2011-2252](#)

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby endorse the Power of 32 Vision for a Thriving Future by 2025, and vows to continue to work in coalition with our partners across the region to achieve the vision; and be it

FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby proclaim a job well done and an indelible mark made by the Power of 32 on our region.

SPONSOR(S): DARLENE HARRIS AND ALL MEMBERS

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

Bill No.

[2011-2253](#)

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby recognize and honor Jan Moreland for the beautification project of Venture Street as an excellent example for citizens across District 1, and does hereby declare Tuesday, November 1, 2011, to be "Jan Moreland 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.

Bill No.

[2011-2254](#)

NOW, THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does hereby recognize and commend the Rosamond C. Kay Jr. Family for their commitment to remain as a pillar in the community, and more importantly as a indispensable force within the City of Pittsburgh; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby proclaim Sunday, November 6, 2011 as the "Annual Rosamond C. Kay Jr. Dinner" 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.

[2011-2255](#)

NOW, THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does hereby recognize and commend the Monumental Baptist Church for its commitment to remain as a pillar for the community, and more importantly as a staple in the City of Pittsburgh; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby proclaim Saturday, November 5, 2011 as the "Monumental Baptist Church" 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.

[2011-2256](#)

NOW, THEREFORE, BE IT RESOLVED that Pittsburgh City Council celebrates Mrs. Amman's 100th Birthday by declaring November 21, 2011 to be Madeline Suzanne Amman Day in the City of Pittsburgh.

SPONSOR(S): NATALIA RUDIAK AND ALL MEMBERS

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

Bill No.

[2011-2257](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend the Allderdice Alumni Association for annually recognizing accomplished alumni and further congratulates the inductees on lifetime achievements and dedication to Allderdice High School; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Thursday, November 3, 2011, to be "ALLDERDICE ALUMNI ASSOCIATION HALL OF FAME 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.

PUBLIC COMMENTS

PRESENTATION OF PAPERS

COUNCILMAN BRUCE A. KRAUS PRESENTS:

Bill No.

[2011-2241](#)

Resolution vacating a portion of Leath Way in the 14th, Ward, 5th Council District of the City of Pittsburgh.

(Letter of Opposition received - Public Hearing Required)

Read and referred to Public Works Committee

COUNCILMAN R. DANIEL LAVELLE PRESENTS:

Bill No. Ordinance amending the Pittsburgh Code, Title Six Conduct, Article I Regulated
[2011-2244](#) Rights and Actions, Chapter 619, Refuse Collection and Recycling, Section 619.18;
Refuse Collection Times in Residential Zones.

SPONSOR(S): R. DANIEL LAVELLE

Read and referred to Public Works Committee

COUNCILMAN WILLIAM PEDUTO PRESENTS:

Bill No. Ordinance supplementing the Pittsburgh City Code Title Two-Fiscal, Article
[2011-2245](#) I-Administration by adding Chapter 202-Debt Management Policy to ensure
responsible issuance and management of City debt.

SPONSOR(S): WILLIAM PEDUTO

Read and referred to Finance and Law Committee

COUNCILWOMAN THERESA KAIL-SMITH PRESENTS:

Bill No. Resolution authorizing the City Controller to transfer the sum of \$237,000 from the
[2011-2239](#) Confiscated Narcotics Proceeds Trust Fund to the Equipment Leasing Authority for
the purchase of four specialty vehicles for the Bureau of Police. Funds will be
transferred from organization code: 230000, fund: 2416, account: 543000, sub: 600,
budget year: 2011, Department of Public Safety - Bureau of Police.

Read and referred to Finance and Law Committee

Bill No. Resolution authorizing the Director of Public Safety and the Chief of Police to enter
[2011-2240](#) into a grant agreement with the United States Department of Justice, Office of Justice
Programs, Bureau of Justice Assistance (DOJ) to receive monies from the 2011 Justice
Assistance Grant Program, and further authorizing legitimate expenditures by the
Department of Public Safety, Bureau of Police for purchases authorized by the Grant
Agreement and for the execution of agreement(s), or contract(s) for any equipment or
services required in connection with the execution of said Grant Agreement. Said
agreement(s) or contract(w) shall not exceed \$231,698.00; account 600000, fund 2445,
organization code 230000, subcode 600, budget year 2011, Department of Public
Safety - Bureau of Police.

Read and referred to Public Safety Services Committee

UNFINISHED BUSINESS

Bill No. Resolution submitting the appointments by City Council Members to the City Council
[2011-2177](#) Re-apportionment Committee.

District 1 Barbara Burns
District 2 Gabe Mazefsky
District 3 Ken Wolfe
District 4 Ashleigh Deemer
District 5 Kevin Acklin
District 6 Daniel Wood
District 7 Jon Pushinsky

District 8 Matt Merriman-Preston
District 9 Marita Bradley

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

Bill No. Resolution authorizing the appointment of the following individuals to the newly
[2011-2202](#) constituted Propel Pittsburgh Commission for terms expiring on August 31, 2014.

Ximena Marinero of 316 S Highland Ave
Maya Wilkerson of 922 Chislett St

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

REPORTS OF COMMITTEE - FINAL ACTION

COUNCILMAN PEDUTO PRESENTS COMMITTEE ON FINANCE AND LAW

Bill No. Report of the Committee on Finance and Law for October 26, 2011 with an
[2011-2235](#) Affirmative 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 favor of Jon B. Tucker, M.D. c/o
[2011-2134](#) Tucker Independent Medical Experts, Inc., 1082 Bower Hill Road, Suite 100, Pittsburgh, PA 15243, in an amount not to exceed Two Thousand Six Hundred Dollars (\$2,600.00) for professional services rendered in connection with the William H. Burgess v. City of Pittsburgh litigation filed in the Allegheny County Court of Common Pleas, Pennsylvania, GD 08-002999.

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. Lavelle, Mr. Peduto, Ms. Rudiak, Mr. Shields and Mrs. Smith

Noes: 0

Abstentions: 1 - Rev. Burgess

COUNCILWOMAN SMITH PRESENTS COMMITTEE ON PUBLIC SAFETY SERVICES

Bill No. Report of the Committee on Public Safety Services for October 26, 2011 with an
[2011-2236](#) 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
[2011-2143](#) to enter into an agreement or agreements or contract or contracts with Goodwill of Southwestern Pennsylvania Industries Inc. and One Vision, One Life Inc. 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

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

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

COUNCILMAN KRAUS PRESENTS COMMITTEE ON PUBLIC WORKS

Bill No. Report of the Committee on Public Works for October 26, 2011 with an Affirmative Recommendation.
[2011-2237](#)

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

Bill No. Resolution further amending Resolution No.768, effective, January 1, 2010, as amended, entitled "Adopting and approving the 2010 Capital Budget and the 2010 Community Development Block Grant Program; and approving the 2010 through 2014 Capital Improvement Program," by transferring \$26,560.25 CITY funds from the "Bridge Repairs" line item and creating the "Greenfield Bridge" line item (\$424,964 FHWA/\$79,680.75 SHW/\$26,560.25 CITY).
[2011-2220](#)

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 providing for an Agreement or Agreements or the use of existing Agreements, with a Consultant or Consultants, for the design of the rehabilitation or replacement of the Greenfield Bridge; providing for a Reimbursement Agreement with the Commonwealth of Pennsylvania, Department of Transportation; and further providing for the payment of the costs thereof. Cost not to exceed \$531,205.
[2011-2221](#)

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 SHIELDS PRESENTS COMMITTEE ON LAND USE & ECONOMIC DEVELOPMENT

Bill No. Report of the Committee on Land Use and Economic Development for October 26,
[2011-2238](#) 2011 with an Affirmative Recommendation.

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

Bill No. Resolution amending Resolution No. 908, effective January 1, 2011 entitled
[2011-2223](#) "Adopting and approving the 2011 Capital Budget and the 2011 Community Development Block Grant Program; and approving the 2011 through 2016 Capital Improvement Program," by deleting the line item entitled "Community Based Organizations" \$500,000 and adding that amount to the ACCBO board-approved organizations as follows: Amani Christian CDC - ACCBO \$9,872.40; Bloomfield-Garfield Corp. - ACCBO \$42,310.30; Brightwood Civic Group - ACCBO \$28,206.87; Building United of Southwestern PA - ACCBO, \$22,565.49; Central Northside Neighborhood Council - ACCBO \$42,310.30; Community Alliance Spring Garden East Deutschtown - ACCBO \$16,500.00; East Liberty Development - ACCBO \$45,000.00; Fineview Citizens Council - ACCBO \$28,206.87; Hazelwood Initiative - ACCBO \$25,386.18; Hilltop Alliance - ACCBO \$19,744.81; Kingsley Association - ACCBO \$22,000.00; Lawrenceville Corp. - ACCBO \$42,310.30; Lawrenceville United - ACCBO \$42,310.30; Manchester Citizens Corp. - ACCBO \$42,310.30, Mt. Washington CDC - ACCBO \$42,310.30; Neighbors in the Strip - ACCBO \$28,206.87; Northside Leadership Conference - ACCBO \$35,258.58; Oakland Planning & Development - ACCBO \$40,000.00; Polish Hill Civic Asso. - ACCBO \$28,206.87; South Side LDC - ACCBO \$40,899.96; Troy Hill Citizens Council - ACCBO \$21,500.00 and Uptown Partners of Pittsburgh - ACCBO \$23,975.84.

SPONSOR(S): DARLENE HARRIS

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

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

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

MOTIONS AND RESOLUTIONS

APPROVAL OF MINUTES

ADJOURNMENT

LEGISLATION PRESENTED BY SIGN LANGUAGE INTERPRETER