

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, June 30, 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.

[2009-1589](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend Royal Bank of Scotland, Citizens Bank and Charter One for this important program , recognizes The First Tee of Pittsburgh for making a difference in the lives of its participants and congratulates Donnie Ray Black for this outstanding achievement; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Tuesday, July 7, 2009, to be “ DONNIE BLACK 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.

[2009-1590](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend the Kiwanis Club of Sheraden for sponsoring an Aktion Club to recognize the value of citizens living with disabilities; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare the Kiwanis Club of Sheraden to be an organization that recognizes the value of human life.

SPONSOR(S): THERESA SMITH AND ALL MEMBERS

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

Bill No.

[2009-1591](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does, hereby, commend the caring and dedicated staff of the Western PA Humane Society for all that they do for all of the animals in their care and for going that extra mile with Duncan and all dogs like him.

SPONSOR(S): BRUCE A. KRAUS AND ALL MEMBERS

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

Bill No.

[2009-1592](#)

NOW, THEREFORE, BE IT RESOLVED that the Mayor and the Council of the City of Pittsburgh do hereby declare the Hilltop Economic Development Corporation to be a civic and/or service association within the context of the Pennsylvania Small Games of Chance Act.

SPONSOR(S): BRUCE A. KRAUS

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

Bill No.

[2009-1593](#)

NOW, THEREFORE, BE IT RESOLVED THAT, the Council of the City of Pittsburgh recommends that the Board of Health of the Allegheny County Health

Department support the proposed revisions to the Air Toxics Guidelines and requests that the revisions to the Air Toxics Guidelines be enacted as the official policy of the Air Quality Program of the Allegheny County Health Department; and
BE IT FURTHER RESOLVED, that a copy of this resolution shall be transmitted to all members of the Board of Health of the Allegheny County Health Department.

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

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

Bill No.

[2009-1595](#)

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh recognizes the honor brought to the City of Pittsburgh by our star players participating in international tournaments on the world's stage, and to express pride in Steve Gregory, John Rethage and all the Team Pittsburgh players, board members and volunteers, does hereby declare Tuesday, June 30, 2009, to be "Steve Gregory and John Rethage Day" in the City of Pittsburgh.

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.

[2009-1584](#)

Resolution amending Resolution No. 347, effective June 16, 2009, 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 2008 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 in the Public Works Department from "Ballfield Lighting" (-460,000) to "Bridge Repairs" (+277,500) and to "Neighborhood Street Improvements" (+120,000); and to Disabled and Public Sidewalk Program" (+62,500).

Read and referred to Land Use and Economic Development Committee

Bill No.

[2009-1585](#)

Resolution amending Resolution No. 348, effective June 16, 2009, entitled: 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 2009 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 increase the amount allocated from \$16,647,702 to \$16,682,767 (+ \$35,065) to the following project: "Street Resurfacing" (+ 35,065).

Read and referred to Land Use and Economic Development Committee**MRS. HARRIS, CHAIRPERSON OF THE COMMITTEE ON PUBLIC WORKS,
PRESENTS**

Bill No. [2009-1582](#) 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 renovations and maintenance of various public buildings, and further providing for the payment of the costs thereof. Cost not to exceed \$750,000.00.

Read and referred to Public Works Committee

Bill No. [2009-1583](#) Resolution granting to Equitable Gas Company a permanent pipeline easement and a temporary construction easement through designated City of Pittsburgh property bounded by lands within Sheridan Park.

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

Bill No. [2009-1581](#) Resolution authorizing and directing the City Controller to create a special trust fund designated as the "Stimulus Trust Fund", for the purpose of depositing funds received through the American Recovery and Reinvestment Act of 2009 (Stimulus) to be used for purposes as set forth in approved agreements. Creation of this trust fund will keep the City of Pittsburgh compliant with ARRA requirements stipulating all funds received from the act must be isolated.

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

Bill No. [2009-1586](#) Resolution authorizing the appointment of Patrick J. Beck, 5342 Pocusset Street, Pittsburgh, PA 15217, as a member of the Shade Tree Commission for a term to expire on December 31, 2012.

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

Bill No. [2009-1587](#) Resolution authorizing the appointment of Lisa Ceoffe, 5715 McCandless Avenue, Pittsburgh, PA 15201, as a member of the Shade Tree Commission for a term to expire on December 31, 2012.

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

Bill No. [2009-1588](#) Resolution authorizing the reappointment of Maribeth Hook, 511 S. Lang Avenue, Pittsburgh, PA 15208, as a member of the Shade Tree Commission for a term to expire on December 31, 2012.

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

Bill No. Communication from Micheal E. Lamb, City Controller submitting a Comprehensive
[2009-1594](#) Annual Financial Report for the year ended December 31, 2008.

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 June 24, 2009 with an Affirmative
[2009-1578](#) Recommendation.

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

Bill No. Ordinance adopting and approving the implementation of the Amended Recovery
[2009-1423](#) Plan, dated May 20, 2009, prepared by the Recovery Plan Coordinator pursuant to the Municipalities Financial Recovery Act and authorizing and instructing the City Solicitor and/or City Clerk to prepare for enactment, adoption and execution any Ordinances, Resolutions, Agreements and other documents necessary for the implementation of The Amended Recovery Plan.

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

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

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

Votes: Ayes: 6 - Rev. Burgess, Mr. Kraus, Mr. Motznik, Ms. Payne, Mr. Peduto and Mrs. Smith
Noes: 3 - Mr. Dowd, Mrs. Harris and Mr. Shields
Abstentions: 0

Bill No. Resolution providing for the issuance of a Four Thousand Six Hundred Sixty-Five
[2009-1506](#) Dollar and Sixty-Six Cent (\$4,665.66) warrant in favor of Maureen Jensen-Woodward c/o G. Christopher Apossos, Esquire, Ainsman, Levine & Drexler, LLC, 330 Grant Street, Suite 2201, Pittsburgh, PA 15219, in settlement of an action filed in the Court of Common Pleas of Allegheny County, Pennsylvania at GD 06-019506 for personal injuries and damages arising from a trip and fall on or about February 10, 2005, at or near 1506 East Carson Street, in the City of Pittsburgh.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution authorizing the issuance of a warrant in favor of the Sheraton Hotel Station Square in an amount not to exceed ten thousand dollars, for the Citiparks Seniors Program Volunteer Recognition Gala; and providing for the payment thereof.
[2009-1507](#)

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

MRS. HARRIS PRESENTS COMMITTEE ON PUBLIC WORKS

Bill No. Report of the Committee on Public Works for June 24, 2009 with an Affirmative Recommendation.
[2009-1579](#)

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

Bill No. Resolution authorizing the Mayor and the Director of the Department of Public Works to enter into a License and Maintenance Agreement with the Central Northside Neighborhood Council to maintain a planting median strip stretching from the intersection of Federal Street and Hemlock to Federal Street and Alpine Avenue.
[2009-1509](#)

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution authorizing the Mayor and the Director of the Department of Public Works to enter into a License and Maintenance Agreement with the Friends of the Riverfront to construct and maintain a canoe/kayak rack and launch facility along the left bank of the Ohio River at the end of Westhall Street.
[2009-1510](#)

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution granting unto Friendship Development Associates, Inc., 5530 Penn Avenue, Pittsburgh, PA 15206, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, private sewer laterals at 103, 109 and 115 Gross Street in the 8th Ward, 7th Council District of the City of Pittsburgh.
[2009-1535](#)

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. Motznic, Ms. Payne, Mr. Peduto, Mrs. Smith and Mr. Shields

Noes: 0

Abstentions: 0

MS. PAYNE PRESENTS COMMITTEE ON HUMAN RESOURCES

Bill No. [2009-1580](#) Report of the Committee on Human Resources for June 24, 2009 with an Affirmative Recommendation.

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

Bill No. [2009-1536](#) Resolution providing that the City enter into a temporary professional services agreement for the purpose of providing an excess workers' compensation insurance policy, cost not to exceed \$431,798.

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. Motznic, Ms. Payne, Mr. Peduto, Mrs. Smith and Mr. Shields

Noes: 0

Abstentions: 0

MOTIONS AND RESOLUTIONS

APPROVAL OF MINUTES

A motion was made to approve the minutes. The motion carried by the following vote:

Votes: Ayes: 9 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Motznic, Ms. Payne, Mr. Peduto, Mrs. Smith and Mr. Shields

Noes: 0

Abstentions: 0

ADJOURNMENT

A motion was made to adjourn the meeting. The motion carried by the following vote:

Votes: Ayes: 9 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Motznic, Ms. Payne, Mr. Peduto, Mrs. Smith and Mr. Shields

Noes: 0

Abstentions: 0