

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 2, 2010

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.

[2010-0196](#)

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby congratulate the Children's Museum of Pittsburgh on receiving the 2009 National Medal for Museum and Library Services, and does commend the Children's Museum for being such a good neighbor.

CO-SPONSORED BY COUNCIL MEMBERS:

RICKY V. BURGESS, PATRICK DOWD, BRUCE A. KRAUS,
R. DANIEL LAVELLE, WILLIAM PEDUTO, NATALIA RUDIAK,
DOUGLAS SHIELDS, and THERESA KAIL-SMITH

SPONSOR(S): DARLENE HARRIS AND ALL MEMBERS

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

Bill No.

[2010-0197](#)

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby commend and congratulate Robin Rosemary Miller on her tenth anniversary as executive director of the NorthSide/NorthShore Chamber of Commerce, and does hereby declare March 4, 2010, to be "Robin Rosemary Miller 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.

[2010-0198](#)

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby commend the Council on American-Islamic Relations, Pittsburgh Chapter, on its work in our City; and it is

RESOLVED FURTHER that the Council hereby declares March 6, 2010, to be "CAIR Pittsburgh Day of Justice, Tolerance, and Service" 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.

[2010-0199](#)

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby commend Bonnie DeCarlo, JoAnn Forrester, and Judy Bannon on their dedication to our community, and the babies of Pennsylvania; and it is

RESOLVED FURTHER that the Council hereby declares March 3, 2010, to be "CELEBRATE & SHARE DAY" and "CRIBS FOR KIDS 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.

[2010-0200](#)

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby commend and congratulate Marie A. Scotty on her dedication to her community, her work, and the entire City of Pittsburgh; and it is

RESOLVED FURTHER that the Council hereby wishes Marie A. Scotty the best of luck in her retirement.

SPONSOR(S): DARLENE HARRIS AND ALL MEMBERS

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

Bill No.

[2010-0201](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend and congratulate Rachel J. Poole on her diverse accomplishments in the field of nursing, her contribution to the Civil Rights movement, and the publication of her book The Girl with Green Bean Hair.

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

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

Bill No.

[2010-0202](#)

NOW, THEREFORE, BE IT RESOLVED, that Council of the City of Pittsburgh commends the Associated Artists of Pittsburgh for its work in fostering the fine arts and recognizes the 100 year anniversary of the organization; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh hereby declares March 4, 2010, "Associated Artists of Pittsburgh 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.

[2010-0203](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize and commends each and every Animal Control Officer for their service and respectfully asks all citizens, Public Safety, Health and Public Service Personnel alike to join in expressing their sincere thanks and appreciation for the many long hours of service these individuals provide throughout the year to assure the safety and welfare of all; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Tuesday, March 2, 2010, to be "Animal Control 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**

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

Bill No. Ordinance supplementing the Pittsburgh Code, Title Four - Public Places and
[2010-0168](#) Property, by adding a new Article XIV- Public Buildings, Chapter 490 - Energy
Sustainability.

SPONSOR(S): WILLIAM PEDUTO

Read and referred to Finance and Law Committee

Bill No. Ordinance amending the Pittsburgh City Code Title Six, Conduct, Article I: Regulated
[2010-0177](#) Rights and Actions, Chapter 619: Refuse Collection and Recycling, by deleting
§619.10 City Procurement of Recycled Products and at Title One, Administrative,
Article XII: Procedures, Chapter 161: Contracts, by adding § 161.38 Environmentally
Preferred Purchases.

Read and referred to Finance and Law Committee

Bill No. Ordinance Supplementing the Pittsburgh Code, Title Nine - Zoning, Article V - Use
[2010-0188](#) Regulations, Chapter 912 - Accessory Uses and Structures, by adding language to
permit extensive green roofs and intensive green roofs in various zoning districts.

SPONSOR(S): WILLIAM PEDUTO

Read and referred to Land Use and Economic Development Committee

**MR. SHEILDS, CHAIRPERSON OF THE COMMITTEE ON LAND USE AND
ECONOMIC DEVELOPMENT, PRESENTS**

Bill No. Resolution providing for an Agreement or Agreements with a Consultant or
[2010-0179](#) Consultants or with a Vendor or Vendors for the purchase and installation of materials
and supplies necessary for the "Planning Commission Room Acoustics
Improvements," at a cost not to exceed \$30,000.00.

Read and referred to Land Use and Economic Development Committee

Bill No. Resolution further amending and supplementing Resolution No. 311, effective January
[2010-0180](#) 1, 1996, as amended, entitled: "Adopting and approving the 1996 Capital Budget and
the 1996 Community Development Block Grant Program; and approving the 1996
through 2000 Capital Improvement Program," by adjusting various line items in
accordance with Comprehensive Capital Budget Amendments.

Read and referred to Land Use and Economic Development Committee

Bill No. Resolution further amending and supplementing Resolution No. 461, effective January
[2010-0181](#) 1, 1997, as amended, entitled: "Adopting and approving the 1997 Capital Budget and
the 1997 Community Development Block Grant Program; and approving the 1997
through 2001 Capital Improvement Program," by adjusting various line items in
accordance with comprehensive capital budget amendments.

Read and referred to Land Use and Economic Development Committee

Bill No. Resolution further amending and supplementing Resolution No. 881, effective January
[2010-0182](#) 1, 2000, as amended, entitled: "Adopting and approving the 2001 Capital Budget and

the 2001 Community Development Block Grant Program; and approving the 2001 through 2004 Capital Improvement Program,” by adjusting various line items in accordance with Comprehensive Capital Budget Amendments.

Read and referred to Land Use and Economic Development Committee

Bill No.

[2010-0183](#)

Resolution further amending and supplementing Resolution No. 488, effective January 1, 2002, as amended, entitled: “Adopting and approving the 2002 Capital Budget and the 2002 Community Development Block Grant Program; and approving the 2002 through 2006 Capital Improvement Program,” by adjusting various line items in accordance with comprehensive capital budget amendments.

Read and referred to Land Use and Economic Development Committee

**REV. BURGESS, CHAIRPERSON OF THE COMMITTEE ON HUMAN RESOURCES,
PRESENTS**

Bill No.

[2010-0184](#)

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 Land Use and Economic Development Committee

Bill No.

[2010-0185](#)

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 Land Use and Economic Development Committee

Bill No.

[2010-0186](#)

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 Land Use and Economic Development Committee

Bill No.

[2010-0187](#)

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 Land Use and Economic Development Committee

Bill No. Resolution supplementing the Rules of Council, Rule XVII by adding language.

[2010-0192](#)

SPONSOR(S): REVEREND RICKY V. BURGESS

Read and referred to Finance and Law Committee

Bill No. Ordinance supplementing the Pittsburgh Code, Title One, Administrative, Article VII, Procedures, by adding language in Section 161.27 Reports on City Council Grants.

[2010-0193](#)

SPONSOR(S): REVEREND RICKY V. BURGESS

Read and referred to Finance and Law Committee

Bill No. An Ordinance supplementing the Pittsburgh Code, Title One, Administrative, Article VII, Procedures, by adding Chapter 164, entitled Use of Community Development Block Grant (CDBG) funds

[2010-0194](#)

SPONSOR(S): REVEREND RICKY V. BURGESS

Read and referred to Finance and Law Committee**MRS. SMITH, CHAIRPERSON OF THE COMMITTEE ON PUBLIC SAFETY SERVICES, PRESENTS**

Bill No. Resolution authorizing the Mayor and the Director of Public Safety to enter 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 2009 Recovery Act Edward Byrne Memorial Competitive 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(s) shall not exceed one million, nine hundred fourteen thousand, three hundred and sixteen dollars (\$1,914,316.00). Stimulus Trust Fund: account 450500, fund 2950, organization code 230000, project ST10003, subcode 600, budget year 2010, Department of Public Safety - Bureau of Police.

[2010-0178](#)

Read and referred to Public Safety Services Committee**MRS. HARRIS, PRESIDENT OF COUNCIL AND CHAIRPERSON OF THE COMMITTEE ON HEARINGS, PRESENTS**

Bill No. An Ordinance supplementing the Pittsburgh Code, Title Four, Public Places and Property, Article I, Public Rights-of-Way, Chapter 413 Construction and Repair, and Chapter 415 Openings and Excavations, by adding language to ensure careful planning of asphalt paving, reconstruction or resurfacing with relationship to street excavations by public utility corporations, authorities, or other entities.

[2010-0189](#)

SPONSOR(S): DARLENE HARRIS

Read and referred to Public Works Committee

Bill No. Petition from the residents of the City of Pittsburgh requesting a public hearing before
[2010-0190](#) City Council relative to the extension of the time limit under public comment from three minutes to five minutes. The petition is Valid.

Read and referred to Hearings Committee

Bill No. Petition from the residents of the City of Pittsburgh requesting a public hearing before
[2010-0191](#) City Council relative to the Zoning Use Application and resulting court action on Marquise Investment Adult Club. The Petition is Valid.

Read and referred to Hearings Committee

UNFINISHED BUSINESS

Bill No. Resolution informing City Council of the reappointment of Michael Jasper, 610
[2010-0016](#) Manilla Street, Pittsburgh, PA 15219 , as a member of the Pittsburgh Parking Authority with a term to expire April 30, 2013.

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

REPORTS OF COMMITTEE - FINAL ACTION

MR. PEDUTO PRESENTS COMMITTEE ON FINANCE AND LAW

Bill No. Report of the Committee on Finance and Law for February 24, 2010 with an
[2010-0175](#) 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 the sum of \$3,500.00 to Barbara
[2010-0152](#) Thompkins c/o David J. Watson, Esquire, 3303 Grant Building, 310 Grant Street, Pittsburgh, PA 15219, in full and final settlement of an action filed at GD 09-008320, and arising from alleged injuries as a result of a deteriorated curb in the east-bound curb lane of East North Avenue, in front of Allegheny General Hospital, in the City of Pittsburgh.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution authorizing the Mayor and the City Solicitor to enter into a two year
[2010-0153](#) agreement or agreements for the hiring of Cycom Data Systems, Inc., to maintain and upgrade the CityLaw Computer program on the City of Pittsburgh Department of Law's computer system at a cost not to exceed \$21,000.00 (Twenty-One Thousand Dollars and No Cents).

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution authorizing the Mayor and the Director of Finance to enter into a Lease
[2010-0163](#) Agreement with 133 Penn Circle West, LLC to permit temporary use of the City facility located at 133 Penn Circle West (former Zone 5 Police Station) as a parole office.

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. Lavelle, Mr. Peduto, Ms. Rudiak, Mr. Shields and Mrs. Smith
Noes: 0
Abstentions: 0

MR. KRAUS PRESENTS COMMITTEE ON PUBLIC WORKS

Bill No. Report of the Committee on Public Works for February 24, 2010 with an Affirmative Recommendation.
[2010-0176](#)

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

Bill No. Adopting Official Sewage Facilities Plan for Sweetbriar Village Development, Private Sanitary Sewer System.
[2010-0143](#)

SPONSOR(S): THERESA SMITH

This Matter was Passed Finally on the Consent Agenda.

Bill No. Ordinance amending the Pittsburgh City Code, Title I, Administrative, Article VII: Procedures, Chapter 161: Contracts, by adding Section 161.13, entitled Special Requirements for City Contracts Competitively Bid and Managed through the PENNDOT ECMS.
[2010-0164](#)

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. Lavelle, Mr. Peduto, Ms. Rudiak, Mr. Shields and Mrs. Smith
Noes: 0
Abstentions: 0

MOTIONS AND RESOLUTIONS

Bill No. Whereas: the City of Pittsburgh is home to thousands of talented, dedicated and hard working men and women; and
[2010-0195](#)

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

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

APPROVAL OF MINUTES

ADJOURNMENT

LEGISLATION PRESENTED BY SIGN INTERPRETATOR