

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, April 6, 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: 8 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. Peduto, Ms. Rudiak and Mrs. Smith
Absent: 1 - Mr. Shields

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

Bill No. [2010-0295](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend Strong Women Strong Girls for the critical impact it is making in Pittsburgh's future by supporting girls and women in our region and for hosting the "Jump into Spring!" event on April 10, 2010.

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

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

Bill No. [2010-0296](#) NOW, THEREFORE, BE IT RESOLVED, that Council of the City of Pittsburgh recognizes the nominees for excelling in their industry and thanks them for using their skills to support organizations in the Pittsburgh region; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh hereby declares April 8, 2010, "CIO of the Year 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. [2010-0297](#) Now, Therefore, be it resolved that the Council of the City of Pittsburgh does hereby commend:

Lois Boehm
Mary Ann Dugan
Mary Gedeon
Shirley Gedman
Frances Hess
Kay Holzworth
Ray Kramer
Elizabeth Kuader
Mathilda Lopisnki
Ruth Mandrier
Ida Popko
Cecelia Regec
Ron Tuttle
Florence Walsh
Josephine Whipkey
Mary Wittmer
Carol Zeybel

Ralph Siller

and Elder-Ado Inc., for their tireless work to better lives of our City's seniors.

SPONSOR(S): NATALIA RUDIAK AND ALL MEMBERS

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

Bill No.

[2010-0298](#)

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh, does hereby commend and congratulate Mrs. Daniher on her 80th birthday and 60th wedding anniversary and does hereby declare Wednesday,

April 7, 2010 to be "Theresa Daniher Day" in the City of Pittsburgh.

SPONSOR(S): DOUGLAS SHIELDS, PATRICK DOWD AND ALL MEMBERS

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

Bill No.

[2010-0299](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend A Child's Place at Mercy and their experienced staff for their commitment to abolishing child abuse and hereby declares the month of April as "Child Abuse Prevention Month"; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Tuesday, April 6, 2010, to be "A Child's Place" 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.

[2010-0300](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend the Watchful Shepherd for providing such a unique and useful system of watching over our most valuable possessions: our children; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Tuesday, April 6, 2010, to be "Watchful Shepherd 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.

[2010-0301](#)

THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh, does, hereby, congratulate and commend Captain James Dolan for his 42 years of dedicated service with the Pittsburgh Bureau of Fire and wish him a safe, healthy and restful retirement.

NOW, THEREFORE BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh, does, hereby, declare, Tuesday, March 30, 2010 to be "Captain James Dolan Day" in the City of Pittsburgh.

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

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

Bill No.

[2010-0302](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize and honor Paul Martha for his noteworthy achievements and remarkable career; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Thursday, April 8, 2010, to be "PAUL MARTHA DAY" in the City of Pittsburgh.

SPONSOR(S): DOUGLAS SHIELDS, WILLIAM PEDUTO AND ALL MEMBERS

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

Bill No.

[2010-0303](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize the Pittsburgh Action Against Rape for 38 years of providing crucial and necessary services to victims of sexual violence and for becoming the premier agency dedicated to prevention of sexual violence and to education and advocacy in Western Pennsylvania ; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby celebrate with Pittsburgh Action Against Rape in its Celebration of Survivors Event to honor those survivors of sexual violence who they themselves demonstrate courage , healing and trust.

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 REV. RICKY V. BURGESS PRESENTS:

Bill No.

[2010-0294](#)

Resolution authorizing the Mayor and the Directors of Public Safety and City Planning to enter into an agreement or agreements or contract or contracts with the University of Pittsburgh and Professor David Kennedy 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.

[2010-0290](#)

Resolution amending Resolution No. 122, effective March 20, 2007, entitled "Authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh providing for the transfer to URA of \$2,255,000 for projects in various City neighborhoods" by decreasing the Major Development line item by \$300,000 and increasing the Neighborhood Business and Economic Development line item by the same amount. (Council Districts: All).

Read and referred to Intergovernmental Affairs Committee

Bill No. [2010-0291](#) Resolution further amending resolution No. 759 of 2006 entitled “Adopting and Approving the 2007 Capital Budget and the 2007 Community Development Block Grant Program and approving the 2007 through 2012 Capital Improvement Program” by reducing the Major Development line item by \$300,000 and increasing the Neighborhood Business and Economic Development Line Item by the same amount. (Council Districts: All)

Read and referred to Intergovernmental Affairs Committee

Bill No. [2010-0292](#) Resolution providing for the execution of a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for the administration of certain projects and programs, and providing for the payment of the cost thereof, not to exceed \$2,250,000. (Council Districts: All).

Read and referred to Intergovernmental Affairs Committee

COUNCILMAN BRUCE A. KRAUS PRESENTS:

Bill No. [2010-0259](#) Resolution granting unto Young Women's Christian Association of Pittsburgh, 305 Wood Street, Pittsburgh, PA 15222,, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a handicap ramp with handrail on Third Avenue and a concrete landing with handrail at 305 Wood Street in the 1st Ward, Council District of the City of Pittsburgh.

Read and referred to Public Works Committee

Bill No. [2010-0260](#) Resolution granting unto YMCA of Greater Pittsburgh, 420 Fort Duquesne Blvd., Suite 625, Pittsburgh, PA 15222, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a canopy over the sidewalk area at 2114 Centre Avenue. in the 5th Ward, 6th Council District of the City of Pittsburgh.

Read and referred to Public Works Committee

Bill No. [2010-0261](#) Resolution vacating a portion of Unnamed Way, and a portion of Saline Street in the 14th and 15th Ward, 5th Council District of the City of Pittsburgh.

Read and referred to Public Works Committee

COUNCILMAN R. DANIEL LAVELLE PRESENTS:

Bill No. [2010-0274](#) Resolution adopting official sewage facilities plan for the CONSOL ENGERGY CENTER at 1001 5th Avenue, (Sports and Exhibition Authority).

SPONSOR(S): R. DANIEL LAVELLE

Read and referred to Public Works Committee

Bill No. [2010-0275](#) Resolution amending Resolution No. 613, effective October 28, 2009 entitled “Resolution providing for an Agreement or Agreements with various community organizations for operational/administrative expenses, maintenance, purchase of equipment and/or rehabilitation of neighborhood facilities and the benefit of residents of the City of Pittsburgh; and further, authorizing various City Departments to enter

into contact or contracts or use existing contract or contracts for street paving, the purchase of equipment and/or furniture and other related costs at a costs not to exceed 800,000.00”, so as to reprogram funds in City Council from the “Salvation Army” (-\$2,000), and from the “Three Rivers Employment Services, Inc.” (-\$1,500); and transfer these funds to the “Perry Hilltop citizens Council” (+\$3,500).

SPONSOR(S): R. DANIEL LAVELLE

Read and referred to Land Use and Economic Development Committee

Bill No.

[2010-0276](#)

Resolution amending Resolution No. 65, effective February 22, 2010, 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 City Council from “Salvation Army” (-\$2,000.00) and from the “Three Rivers Employment Services, Inc” (-\$1,500) and transfer these funds to the “Perry Hilltop Citizens Council” (+\$3,500).

SPONSOR(S): R. DANIEL LAVELLE

Read and referred to Land Use and Economic Development Committee

Bill No.

[2010-0277](#)

Resolution Amending Resolution No. 617, effective October 28, 2009, entitled: "providing for an Agreement or Agreements with various community organizations for operational/administrative expenses, maintenance, purchase of equipment and/or rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh; and further, authorizing various City departments to enter into a contract or contracts or use existing contracts for street paving, the purchase of equipment and/or furniture and other related costs, at a cost not to exceed \$800,000.00, so as to reprogram funds in City Council from: "Breachmenders Ministries" (-\$5,000), and from "Mercy Hospital of Pgh.-Children's Medical Center" (-\$4,500), and from "Hill District Dodgers Baseball League" (-\$1,000), and from "New Hill District Business Association" (-\$2,500), and from "Small Seeds Development, Inc." (-\$2,500); and transfer these funds to "Community Human Services" (+\$3,000), and to "Reading is Fundamental" (+\$5,000), and to "Northside Coalition on Fair Housing" (+5,000) and to the "Young Men and Women's African Heritage Association" (+2,500).

SPONSOR(S): R. DANIEL LAVELLE

Read and referred to Land Use and Economic Development Committee

Bill No.

[2010-0278](#)

Resolution amending Resolution No. 623, effective November 21, 2008 entitled: by 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 2007 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 City Council from the "Breachmenders Ministries" (-\$5,000), and from "Mercy Hospital of Pgh.-Children's Medical Center" (-\$4,500), and from "Hill District Dodgers Baseball Team" (-\$1,000), and from "New Hill District Business Association" (-\$2,500), and from "Small Seeds Development" (-\$2,500); and transfer these funds to "Community Human Services" (+\$3,000), and to "Reading is Fundamental" (+\$5,000); and to "Northside Coalition on Fair Housing" (+5,000) and to the Young Men & Women's African Heritage Association (+2,500).

SPONSOR(S): R. DANIEL LAVELLE

Read and referred to Land Use and Economic Development Committee

Bill No.

[2010-0279](#)

Resolution Repealing Resolution No. 773, effective December 31, 2009 entitled "Resolution providing for an Agreement or Agreements with various community organizations for operational/administrative expenses, maintenance, purchase of equipment and/or rehabilitation of neighborhood facilities and the benefit of residents of the City of Pittsburgh; and further, authorizing various City Departments to enter into contact or contracts or use existing contract or contracts for street paving, the purchase of equipment and/or furniture and other related costs at a costs not to exceed 800,000.00", so as to reprogram funds in City Council from the "Salvation Army" (-\$2,000), and from the "Three Rivers Employment Services, Inc." (-\$1,500); and transfer these funds to the "Bethlehem Haven" (+\$3,500).

SPONSOR(S): R. DANIEL LAVELLE

Read and referred to Land Use and Economic Development Committee

Bill No.

[2010-0280](#)

Resolution Repealing Resolution No. 775, effective December 31, 2009 entitled: by 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 2007 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 City Council from the "Breachmenders Ministries" (-\$5,000), and from "Mercy Hospital of Pgh.-Children's Medical Center" (-\$4,500), and from "Hill District Dodgers Baseball Team" (-\$1,000), and from "New Hill District Business Association" (-\$2,500), and from "Small Seeds Development" (-\$2,500); and transfer these funds to "Community Human Services" (+\$10,500), and to "Reading is Fundamental" (+\$5,000).

SPONSOR(S): R. DANIEL LAVELLE

Read and referred to Land Use and Economic Development Committee

COUNCILMAN WILLIAM PEDUTO PRESENTS:

Bill No.

[2010-0283](#)

Resolution providing for a professional services agreement or agreements for accounting, auditing and consulting services to the City related to tax collection, internal controls, financial reporting, performance and fiscal auditing, and financial

systems implementation. Cost not to exceed \$250,000.00.

Read and referred to Finance and Law Committee

Bill No.

[2010-0284](#)

Resolution repealing items in Resolutions approved on various dates, authorizing the sale of properties in various wards of the City of Pittsburgh, in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984. Items A and B: A: 405 Tabor; B: 59 Welsh.

Read and referred to Finance and Law Committee

Bill No.

[2010-0285](#)

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 T. A: 1417 Adams; B: 5230 Keystone; C: 2619 Perrysville; D: 294 Journal; E: 1600 Lowrie; F: 2627 Perrysville; G: 1422 Gardner; H: 3269 Bainton; I: 5223 Gertrude; J: 2112 Lappe; K: 2331 Fifth; L: 513 Grace; M: 5167 Dearborn; N: 1426 Sandusky; O: 2333 Fifth; P: 826 thru 828, 830 thru 832, 836 & 838 E Ohio; Q: 843 Phineas; R: 54 Rostock; S: 836 Concord; T: 840 thru 842, 844 thru 846 Concord.

Read and referred to Finance and Law Committee

Bill No.

[2010-0286](#)

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.
ITEMS A and B.

A: 213-215 Henderson; B: 2328 Valera.

Read and referred to Finance and Law Committee

Bill No.

[2010-0287](#)

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. ITEMS A through I. A: 2329 Fifth Ave; B: 5458 Rosetta St; C: 221 Meadows St; D: 5138 Chaplain St; E: 3215 Josephine St; F: 926 Excelsior St; G: 201 Hallock St; H: Rustic Ave; I: 1130 Lakewood Ave.

Read and referred to Finance and Law Committee

Bill No.

[2010-0288](#)

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 D.

A: 6046 Jackson; B: 1134 Woodland; C: 350 Enright; D: 4 Noblestown.

Read and referred to Finance and Law Committee

COUNCILWOMAN THERESA KAIL-SMITH PRESENTS:

Bill No.

[2010-0289](#)

Resolution providing that the City of Pittsburgh enter into a professional services agreement or agreements with the Animal Rescue League, a Pennsylvania non-profit corporation, for professional services in connection with the detention, care and/or

euthanasia of domestic animals, and providing for the payment of the cost thereof.
 Cost not to exceed \$1,140,000, subject to annual appropriation by Council.

Read and referred to Public Safety Services Committee

Bill No.

[2010-0293](#)

Ordinance amending the Pittsburgh Code, Title 6, Conduct, Article VII Disruptive Properties, Chapter 670: Disruptive Property Abatement, by changing the timeframe for declaration of a nuisance for three separate violations occurring within a 60 day period to a timeframe of 180 days.

SPONSOR(S): THERESA SMITH

Read and referred to Public Safety Services Committee

COUNCIL PRESIDENT DARLENE M. HARRIS PRESENTS:

Bill No.

[2010-0282](#)

Petition from the residents of the City of Pittsburgh requesting a public hearing before City Council relative to the following:

1. Police Protocols and Practices on Patrolling and improving Police Community Relations.
2. Mandatory Police Training to include Cultural Competency.
3. Legislative changes to City Charter that specifically will prohibit the reinstatement of Police Officers who have been dismissed because of misconduct or brutality on citizens including those reinstated through the arbitration process.
4. Release and Publish the data of the automated early warning system as deemed appropriate under Paragraph 12, 15, 16, and 17 of the City of Pittsburgh Consent Decree. This would provide data regarding Total number of people who were stopped and frisked by police, of that total the race of those individuals stopped and the crime determined during the stop.
5. Amendments to the City Charter regarding the appointment process for members to the Civilian Police Review Board.
6. Performance Accountability for Elected Officials, Police Management, Police Force, complaint investigative force, police trainers, and discipline arbitrators involving police.

Read and referred to Hearings Committee

UNFINISHED BUSINESS

REPORTS OF COMMITTEE - FINAL ACTION

COUNCILWOMAN SMITH PRESENTS COMMITTEE ON PUBLIC SAFETY SERVICES

Bill No.

[2010-0272](#)

Report of the Committee on Public Safety Services for March 29, 2010 with an Affirmative Recommendation.

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

Bill No. [2010-0171](#) An Ordinance Amending the City Code at Title Seven: Business Licensing; Article V: Trade Occupations Service Businesses, By Adding A New Chapter At 780, Towing Business Licensing Setting Forth Requirements For Towing Business Registration, Tow Truck Driver Registration and General Requirements Related to Non-consensual Towing of vehicles within the City of Pittsburgh

SPONSOR(S): DOUGLAS SHIELDS

A motion was made that this matter be RECOMMENDED to the Public Safety Services Committee. The motion carried by the following vote:

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

Noes: 0

Abstentions: 0

Absent: 1 - Mr. Shields

Bill No. [2010-0246](#) Resolution providing for a Contract or Contracts, or the use of existing Contracts for the purchase of fire nozzles and other firefighting equipment for the Fire Bureau at a cost not to exceed Two hundred thousand dollars (\$200,000.00) and providing for the payment thereof.

This Matter was Passed Finally on the Consent Agenda.

Bill No. [2010-0247](#) Resolution providing for a Contract or Contracts, or the use of existing Contracts for the purchase of protective clothing and other related equipment for the Fire Bureau at a cost not to exceed Two hundred thousand dollars (\$200,000.00) and providing for the payment thereof.

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: 8 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. Peduto, Ms. Rudiak and Mrs. Smith

Noes: 0

Abstentions: 0

Absent: 1 - Mr. Shields

COUNCILMAN LAVELLE PRESENTS COMMITTEE ON URBAN RECREATION

Bill No. [2010-0273](#) Report of the Committee on Urban Recreation for March 29, 2010 with an Affirmative Recommendation.

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

Bill No. [2010-0264](#) Resolution naming the baseball field within the Charles F. Dinan Memorial Playground, situated east of Hawthorne Street, south of Farmington Street and north of

Sunnyside School, in the 10th ward of the City of Pittsburgh, as the OFFICER ERIC G. KELLY FIELD.

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

Noes: 0

Abstentions: 0

Absent: 1 - Mr. Shields

MOTIONS AND RESOLUTIONS

EXCUSE ABSENT MEMBERS

A motion was made to excuse the absent member(s) Mr. Shields. The motion carried.

APPROVAL OF MINUTES

ADJOURNMENT

LEGISLATION PRESENTED BY SIGN LANGUAGE INTERPRETER