

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, September 7, 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. [2010-0911](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh hereby declares September 2010 as "Infant Mortality Awareness Month" in the City of Pittsburgh and commends organizations such as Healthy Start, Inc. for their important role in addressing this public health issue.

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

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

Bill No. [2010-0912](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby declare September 7, 2010 to be Bishop E. M. Thorpe Day in the City of Pittsburgh for his lasting contributions and dedicated service to the community.

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

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

Bill No. [2010-0913](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend the Pittsburgh Irish Festival for fulfilling its mission to raise awareness in the region of Irish culture and for celebrating 20 years of bringing Pittsburghers together to celebrate their Irish heritage.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Friday, Saturday and Sunday, September 10, 11 and 12, 2010, to be "PITTSBURGH IRISH FESTIVAL DAYS" 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. [2010-0914](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh is honored to support politically-minded men and women from all Pittsburgh institutions of higher education as well as the efforts the institutions have taken to connect the students to the city in which they live.

AND BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare September Student Civic Engagement Month in the City of Pittsburgh.

SPONSOR(S): DARLENE HARRIS, PATRICK DOWD AND ALL MEMBERS

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

Bill No. [2010-0915](#) NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Pittsburgh does here by extend its thanks for the extraordinary accomplishments of Scott Bilyeu, Jerry Bremer, Van Brinson, Stuart Constant, Joshua Davis, Marc Esposito, Eric Frazier, Christopher Frost, Andrew Hartzell, Chad Jukes, Bob Mangus, Nicholette Maroulis, Rory McCarthy, David Moulton, Coree Pelko, Brian Petras,

Clayton Rankin and Kevin Sullivan who pushed themselves to their limits traveling, by bicycle, 60 to 100 miles per day, who kept us safe through their military experience, who are changing the perceptions of athletes, the disabled and the disabled athlete and, who, through this ride, honor those still in the U.S. Military surviving incredible odds everyday.

SPONSOR(S): DARLENE HARRIS AND ALL MEMBERS

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

PUBLIC COMMENTS

PRESENTATION OF PAPERS

COUNCILMAN PATRICK DOWD PRESENTS:

Bill No. Resolution approving execution of a Contract for Disposition by Sale of Land by and
[2010-0897](#) between the Urban Redevelopment Authority of Pittsburgh and Bloomfield-Garfield Corporation, or an entity to be formed, in connection with the sale of Block 50-L, Lot 73, in the 10th Ward of the City of Pittsburgh Council District No. 9 - 5139 Kincaid Street.

Read and referred to Intergovernmental Affairs Committee

Bill No. Resolution approving execution of a Contract for Disposition by Sale of Land by and
[2010-0898](#) between the Urban Redevelopment Authority of Pittsburgh and Central Real Estate Holdings, LLC for the sale of Block 48-S, Lots 212, 213, 213-1, 216, and 217 in the 6th Ward of the City of Pittsburgh, 3403-3411 Butler Street -- Council District No.7 (residential construction).

Read and referred to Intergovernmental Affairs Committee

Bill No. Resolution approving execution of a Contract for Disposition by Sale of Land by and
[2010-0899](#) between the Urban Redevelopment Authority of Pittsburgh and PNC Financial Services Group, Inc., or an entity to be formed, for the sale of Block 1-D, Lot 181 in the 2nd Ward of the City of Pittsburgh, 600 Liberty Avenue -- Council District No. 6 (Commercial Rehabilitation).

Read and referred to Intergovernmental Affairs Committee

Bill No. Resolution approving Execution of a Deed by and between the Urban Redevelopment
[2010-0900](#) Authority of Pittsburgh and the City of Pittsburgh for the Sale of Block 128-N, Lots 97 and part of 108, in the 14th Ward of the City of Pittsburgh - Council District No. 5 - Fernwald Road and Anita Avenue (Greenway)

Read and referred to Intergovernmental Affairs Committee

Bill No. Resolution approving execution of a Deed by and between the Urban Redevelopment
[2010-0901](#) Authority of Pittsburgh and the City of Pittsburgh for the sale of Block 45-J, Lot 280, in the 27th Ward of the City of Pittsburgh, in the Marshall Shadeland Neighborhood - Superior Avenue - Council District No. 1 (Washburn Square Park).

Read and referred to Intergovernmental Affairs Committee

Bill No.
[2010-0902](#) Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 13th Ward of the City of Pittsburgh owned by the Estate of Hattie Bean and designated as Block 174-N, Lot 198, in the Deed Registry Office of Allegheny, under the Residential Land Reserve Fund (Council District No. 9 - 570 North Homewood Avenue).

Read and referred to Intergovernmental Affairs Committee

Bill No.
[2010-0903](#) Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's Right, Title and Interest, if any, in and to the following Publicly-Owned properties in the 25th Ward of the City of Pittsburgh (California-Kirkbride) - Council District No. 6 - Site Assemblage for Development.

Read and referred to Intergovernmental Affairs Committee

Bill No.
[2010-0904](#) Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's Right, Title and Interest, if any, in and to the following Publicly-Owned properties in the 3rd Ward of the City of Pittsburgh (South Crawford) -- Council District No. 6 - Site Assemblage for Residential Development):

Read and referred to Intergovernmental Affairs Committee

Bill No.
[2010-0905](#) Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the following publicly-owned properties known as Block 11-A, Lots 187 and 201 in the 3rd Ward of the City of Pittsburgh (262 and 273 Dinwiddie Street) - Council District No. 6 - Site Assemblage

Read and referred to Intergovernmental Affairs Committee

Bill No.
[2010-0906](#) Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to pursue a tax increment financing proposal for portions of the Lower Strip District Redevelopment Area (pending certification). (Council District 6).

Read and referred to Intergovernmental Affairs Committee

Bill No.
[2010-0907](#) Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to pursue a tax increment financing proposal for portions of the Summerset at Frick Park Redevelopment Area (pending certification). (Council District 5).

Read and referred to Intergovernmental Affairs Committee

COUNCILMAN BRUCE A. KRAUS PRESENTS:

Bill No.
[2010-0892](#) Resolution repealing Resolution No. 51, effective February 22, 2010, entitled "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, and providing for repairs, maintenance, improvements, emergencies and/or the purchase of equipment, materials and supplies in connection with the Rehabilitation and repairs of various swimming pools; and further providing for the payment of the costs thereof. Cost not to exceed \$100,000.00," by repealing it in its entirety.

Read and referred to Public Works Committee

Bill No. [2010-0893](#) Resolution amending Resolution No. 56, effective February 17, 2010 entitled, "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, equipment and supplies in connection with the renovation of various play areas; and further providing for the payment of the costs thereof, at a cost not to exceed \$100,000.00, by decreasing the project allocation by \$50,000.00 from \$100,000.00 to \$50,000.00

Read and referred to Public Works Committee

Bill No. [2010-0894](#) Resolution amending Resolution No. 53, effective February 17, 2010, entitled "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 at a cost not to exceed \$375,000.00 by increasing the project allocation by \$150,000.00 from \$375,000.00 to \$525,000.00."

Read and referred to Public Works Committee

Bill No. [2010-0895](#) Resolution further amending Resolution No.768, effective December 31, 2009, 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 \$100,000.00 from the "Pool Rehabilitation" line item and \$50,000 from the "Play Area Improvements" line item to the "Building Maintenance" line item in the amount of \$150,000.00.

Read and referred to Public Works Committee

COUNCILMAN WILLIAM PEDUTO PRESENTS:

Bill No. [2010-0910](#) Resolution transferring the amount of \$1,900 from Account 511000, Sub-Class 010 Salaries, Fund 1000, Organization 101100, Budget Year 2010, City Council, to Account 526125, Sub-Class 150 Miscellaneous Services, Fund 1000, Organization 101280, Budget Year 2010, City Clerk's Office. (Council District #8)

SPONSOR(S): WILLIAM PEDUTO

Read and referred to Finance and Law Committee

COUNCILMAN DOUGLAS SHIELDS PRESENTS:

Bill No. [2010-0896](#) Resolution authorizing the Mayor or the Director of City Planning, to apply for and enter into a Reimbursement Agreement with the Commonwealth of Pennsylvania, Department of Transportation to receive \$280,000.00 in reimbursement funding. Additional project funding is being provided in the amount of \$70,000.00 from the Department of City Planning Capital Budget. The funds will be used for a land use and transportation sustainability model to forecast roadway and revitalization improvements in the Strip District neighborhood of the City of Pittsburgh. Resolution providing for an Agreement or Agreements or Contract or Contracts, or for use of existing Agreements or Contracts, with a Consultant or Consultants, or Vendor or Vendors, for the purpose of preparing the "Strip District Transportation and Land Use

Sustainability Model” and related activities in support of such plan, at a cost not to exceed \$280,000.00.

Read and referred to Land Use and Economic Development Committee

Bill No. Ordinance supplementing the Pittsburgh Code, Title Six, Conduct, Article 1 Regulated
[2010-0909](#) Rights and actions, by adding Chapter 618 entitled Marcellus Shale Natural Gas Drilling.

SPONSOR(S): DOUGLAS SHIELDS AND DARLENE HARRIS

Read and referred to Public Safety Services Committee

COUNCIL PRESIDENT DARLENE M. HARRIS, PRESENTS:

Bill No. Petition from the residents of the City of Pittsburgh requesting a public hearing before
[2010-0908](#) City Council relative to an update on the need to establish a Neighborhood Improvement District in the East Liberty Market Area.

Read and referred to Hearings Committee

UNFINISHED BUSINESS

REPORTS OF COMMITTEE - FINAL ACTION

COUNCILMAN PEDUTO PRESENTS COMMITTEE ON FINANCE AND LAW

Bill No. Report of the Committee on Finance and Law for September 1, 2010 with an
[2010-0887](#) Affirmative Recommendation.

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

Bill No. Resolution providing for the conveyance by the City of Pittsburgh of certain property,
[2010-0818](#) 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 K. A: 1519 & 1521 Meirsch; A: 1519 & 1521 Meirsch; B: 323 N. Fairmount; C: 419 Nansen; D: 1227 Reddour; E: 116 Mansion; F: 7816 Bennett; G: 2808 Shadeland; G: 2808 Shadeland, H: 1311 & 1313 Itin (DELETED); I: 3856 East; I: 3856 East; J: 1432 byle; K: 16 Jenkins.

A motion was made that this matter be AMENDED. 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

A motion was made that this matter be Passed Finally, As Amended. 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 authorizing the Finance Department, to enter into an agreement with Penn
[2010-0744](#) Credit Corporation, in a form approved by the City Solicitor, for the purpose of performing collection of delinquent taxes, fines, penalties and interest for 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
[2010-0786](#) Square in an amount not to exceed twelve thousand one hundred forty eight dollars and forty cents (\$12,148.40), for the Citiparks Seniors Program Volunteer Recognition Gala; and providing for the payment thereof. (Presented by Mr. Lavelle)

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution providing for the filing of petitions for the sale of certain properties,
[2010-0815](#) 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: 5242 Natrona; B: 1813 Federal; C: 1805 Federal; D: 1809 & 1811 Federal.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution providing for the filing of petitions for the sale of certain properties,
[2010-0816](#) 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 M.

A: 2409 Glenarm; B: 3157 Griffith; C: 8201 Bricelyn; D: 7608-10 Frankstown; E: 2312 Beelen; F: 7010 Wiltsie; G: 1307 & 1309 Reddour; H: 1021 Elkton; I: 1649 Mt. Joseph; J: 618 Edgemont; K: 720 Greenfield; L: 1217 & 1219 North Franklin; M: 1035 Yetta. (DELETED)

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution repealing items in Resolutions approved on various dates, authorizing the
[2010-0817](#) 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 through H. A: 437 Michigan; B: 120 N. Evaline; C: 524 Fairywood;

D: 845 Excelsior; E: 112, 114 & 116 Ireland; F: 174 Wabash; G: 2149 Holyoke; H: 1936 Noblestown.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution providing for conveyance by the City of Pittsburgh of certain property.
[2010-0819](#) ITEM A.

A: 634 Haverhill.

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2010-0820](#)

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: 6417 Dean; B: 3627 & 3629 Mexico. (DELETED)

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2010-0849](#)

Resolution further amending and supplementing Resolution No. 229 effective April 19, 2000, entitled "Providing for an Agreement or Agreements, or use of existing Agreements and/or a Contract or Contracts, or use of existing Contracts, and for the purchase of materials, supplies, equipment, and/or services for various projects in connection with the Neighborhood Needs Program; and providing for the payment of the costs thereof," by adding "Davis Park Security Lighting" \$2,400 and by reducing the "Squirrel Hill Sewer Line" project by the same amount in Council District 5. Total cost of all projects is not to exceed \$1,000,000.

SPONSOR(S): DOUGLAS SHIELDS**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

COUNCILMAN KRAUS PRESENTS COMMITTEE ON PUBLIC WORKS

Bill No.

[2010-0888](#)

Report of the Committee on Public Works for September 1, 2010 with an Affirmative Recommendation.

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

Bill No.

[2010-0785](#)

Resolution amending resolution 337-10, effective June 4, 2010, regarding the 2010 CDBG Street Resurfacing Program, by increasing the total by \$381,200.00, from \$2,318,800.00, to \$2,700,000.00.

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2010-0821](#)

Resolution providing for an Agreement between the City of Pittsburgh and the Borough of Dormont in connection with the paving of Potomac Avenue and providing for the payment of the costs thereof, by the Borough to the City, of the costs associated with the paving of the Borough's portion of Potomac Avenue. The estimated cost of preparation and completion of work is Six Thousand Seven Hundred Fifty Eighty

Dollars and Thirty-Three Cents (\$6,758.33).

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

COUNCILMAN SHIELDS PRESENTS COMMITTEE ON LAND USE & ECONOMIC DEVELOPMENT

Bill No. [2010-0889](#) Report of the Committee on Land Use and Economic Development for September 1, 2010 with an Affirmative Recommendation.

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

Bill No. [2010-0850](#) Resolution amending and supplementing Resolution No. 861, effective January 1, 2000, as amended, entitled: "Adopting and approving the 2000 Capital Budget and the 2000 Community Development Block Grant Program; and approving the 2000 through 2005 Capital Improvement Program, by adjusting various line items in conformance with City Council's 2000 Capital Budget amendments," by adding "Davis Park Security Lighting" \$2,400 and by reducing the "Squirrel Hill Sewer Line" project by the same amount in Council District 5.

SPONSOR(S): DOUGLAS SHIELDS

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 LAVELLE PRESENTS COMMITTEE ON URBAN RECREATION

Bill No. [2010-0890](#) Report of the Committee on Urban Recreation for September 1, 2010 with an Affirmative Recommendation.

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

Bill No. [2010-0787](#) Resolution authorizing the Department of Parks and Recreation to enter into a contract or contracts, agreement or agreements, or the use of existing contracts or agreements and other approved expenditures for the construction of Splash Zones, aquatic

playground facilities. Cost not to exceed \$200,000.00.

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2010-0788](#)

Resolution authorizing the Department of Parks and Recreation to enter into a contract or contracts, agreement or agreements, or the use of existing contracts or agreements and other approved expenditures for the maintenance of City swimming pools. Cost not to exceed \$50,000.00.

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2010-0789](#)

Resolution providing for a contract or contracts, agreements or agreements, lease or leases, or the use of existing contracts, leases or agreements and other approved expenditures for the payment of supplies, equipment, materials, salaries, rentals, and other services required to provide center services for the HACP Senior Community Program in an amount not to exceed \$700,000.00 for the Department of Parks and Recreation.

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2010-0790](#)

Resolution authorizing the Department of Parks and Recreation to enter into a contract or contracts, agreement or agreements, or the use of existing contracts or agreements and other approved expenditures for the maintenance and enhancement of City recreation and senior centers. Cost not to exceed \$50,000.00.

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2010-0791](#)

Resolution providing for the acceptance by the City of Pittsburgh from Geary Caliguiri for property in the 19th Ward for addition to the Duquesne Heights Greenway; Martin S. Berger for property in the 19th Ward for addition to Mount Washington Park; both for public purposes at no cost to the City of Pittsburgh.

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

COUNCILMAN DOWD PRESENTS COMMITTEE ON INTERGOVERNMENTAL AFFAIRS

Bill No.

[2010-0891](#)

Report of the Committee on Intergovernmental Affairs for September 1, 2010 with an Affirmative Recommendation.

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

Bill No. [2010-0822](#) Resolution approving an Amendment to the Articles of Incorporation of the Allegheny County Sanitation Authority to extend its term of existence to a date that is fifty (50) years from the date of the approval of the Amendment to Articles of Incorporation by the Secretary of the Commonwealth of Pennsylvania.

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

MOTIONS AND RESOLUTIONS

APPROVAL OF MINUTES

ADJOURNMENT

LEGISLATION PRESENTED BY SIGN LANGUAGE INTERPRETER