

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, December 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.

[2010-1191](#)

NOW, THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does hereby commend and celebrate the outstanding achievements of Alberto Adam Altshuler, congratulates him on his advancement to the rank of Eagle Scout, and does declare December 11, 2010, to be "Alberto Adam Altshuler 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.

[2010-1192](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize the innovative and creative talents of Gregg Gillis and thanks him for continuing to make his home in Pittsburgh; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare December 7, 2010 "Gregg Gillis 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.

[2010-1193](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize and commend Amnesty International USA Local Group 39 for its remarkable work to promote human rights and supports the Write-a Thon and Candle Lighting on December 9. and,

SPONSOR(S): DOUGLAS SHIELDS AND ALL MEMBERS

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

Bill No.

[2010-1194](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize and commend the Big Brothers Big Sisters of Greater Pittsburgh staff, board, and coalition group members for their efforts to provide positive role models and programming to young people in the Pittsburgh region; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare December 20, 2010 "Big Brothers Big Sisters of Greater 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.

[2010-1195](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend the Pittsburgh Urban Magnet Project and the work they do in giving young and young-thinking people a voice in our community; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Tuesday, December 7, 2010, to be "PUMP 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.

[2010-1196](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize and commend players, coaches, parents and fans that make up the 2010 SSYFL Champion Brookline Knights and the glory they have brought through their hard work, dedication and sportsmanship to the City of Pittsburgh.

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh proclaims that Tuesday, December 7, 2010 be hereby declared the Brookline Knights 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.

[2010-1197](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize and commend the South Brook Titans Boys Volleyball Team for their drive, energy, and teamwork, and congratulates them on their achievements as the and 2009 and 2010 City Champions in the City of Pittsburgh.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the City of Pittsburgh does hereby proclaim Tuesday, December 7, 2010 "South Brook Titans 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.

[2010-1198](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize and commend the South Brook Titans Girls Softball Team for their drive, energy, and teamwork, and congratulates them on their achievement on the diamond as the 2010 City League Champions in the City of Pittsburgh.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the City of Pittsburgh does hereby proclaim Tuesday, December 7, 2010 "South Brook Titans 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.

[2010-1199](#)

Now, Therefore, be it resolved, that the Council of the City of Pittsburgh does hereby recognize the POISE Foundation and all of its members assisting the Pittsburgh Region's Black community, its passion for humanity and dedication to improving the

overall quality of life; and

Be It Further Resolved, that the Council of the City of Pittsburgh does hereby proclaim Thursday, December 9, 2010 as the "POISE Foundation 30th Anniversary" 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.

[2010-1200](#)

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby express our heartiest congratulations to Collin Louis DeWitt on the celebration of his Bar Mitzvah, and extends to this fine citizen our very best wishes for his continuing spiritual fulfillment and future success. Mazel Tov!

SPONSOR(S): DARLENE HARRIS AND ALL MEMBERS

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

Bill No.

[2010-1201](#)

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh congratulate Rick Sebak on receiving the prestigious David L. Lawrence Public Service Award for excellence in Community Service and Leadership from Amen Corner;

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh thanks Rick Sebak for his years of making Pittsburgh and other locales so exciting and does hereby declare Thursday, December 9, 2010, to be "Rick Sebak 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.

[2010-1202](#)

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh commends Ray Amelio for his hard work and commitment to Amen Corner and does hereby declare Thursday, December 9, 2010 to be "Ray Amelio 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.

[2010-1203](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does, hereby, commend all of those who gave their time to learn about the valuable work that the officers of the City of Pittsburgh Bureau of Police do for the visitors and residents of America's Most Livable City.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Wednesday, December 8, 2010, Citizen's Police Academy Class 2010-02 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. NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend the Jewish Residential Services for their extraordinary efforts to improve the quality of life for individuals with disabilities and congratulates Jewish Residential Services as it celebrates its Hanukkah Open House.

[2010-1204](#)

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 R. DANIEL LAVELLE PRESENTS:

Bill No. Resolution approving the form of the Lease Agreement between the Pittsburgh Parks Conservancy and Eat N' Park Hospitality Group, Inc. for the operation of a restaurant in Schenley Plaza.

[2010-1190](#)

SPONSOR(S): R. DANIEL LAVELLE

Read and referred to Urban Recreation Committee

COUNCILMAN WILLIAM PEDUTO PRESENTS:

Bill No. Ordinance amending the Pittsburgh Code, Title Two, Fiscal; Article IX, Property Taxes; Chapter 263, Real Property Tax and Exemption, Section 263.01, Levy and Rate on Lands and Buildings, by fixing the rate of taxation effective as of January 1, 2011.

[2010-1181](#)

Read and referred to Finance and Law Committee

Bill No. Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business Related Taxes, Chapter 246, Home Rule Tax, by fixing the rate of interest on certain delinquent Earned Income Taxes for [2010] 2011.

[2010-1182](#)

Read and referred to Finance and Law Committee

Bill No. Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business Related Taxes, Chapter 245, Earned Income Tax, by fixing the rate of interest on certain delinquent Earned Income Tax for [2010] 2011.

[2010-1183](#)

Read and referred to Finance and Law Committee

Bill No. 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 K. A: 6812 Simonton; B: 14 Forrester; C: 5313 Second; D: 2307 Spring; E: 2931 Mary; F: 733 McClain; G: 934 Manton; H: 1531 Belasco; I: 1301 Voskamp; J: 3411 Reub

[2010-1184](#)

Read and referred to Finance and Law Committee

Bill No. 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

[2010-1185](#)

Act”, effective December 11, 1984.

ITEMS A through C.

A: 120 N. Evaline; B: 5034 Ampere; C: 6821 & 6823 McPherson.

Read and referred to Finance and Law Committee

Bill No.

[2010-1186](#)

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 M. A: 4245 Gladstone; B: 4545 Chatsworth; C: 115 Kenova; D: 425 Sweetbriar; E: 814 Walbridge; F: 2529 Tole; G: 1318 & 1320 Sigel; H: 1324 Sigel; I: 828 Suismon; J: 1812 Rhine; K: 1416 Claim; L: 938 Oranmore; M: 4434 Coleridge.

Read and referred to Finance and Law Committee

Bill No.

[2010-1187](#)

Resolution making Appropriations to pay the expenses of conducting the Public Business of the City of Pittsburgh and for meeting the debt charges thereof for the Fiscal Year, beginning January 1, 2011.

Read and referred to Finance and Law Committee

Bill No.

[2010-1188](#)

Resolution fixing the number of officers and employees of the City of Pittsburgh, and the rate of compensation thereof, and setting minimum levels for designated positions.

Read and referred to Finance and Law Committee

Bill No.

[2010-1189](#)

Resolution 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 adjusting various line items in conformance with City Council's 2011 Capital Budget amendments.

Read and referred to Finance and Law Committee

UNFINISHED BUSINESS

REPORTS OF COMMITTEE - FINAL ACTION

COUNCILMAN PEDUTO PRESENTS COMMITTEE ON FINANCE AND LAW

Bill No.

[2010-1177](#)

Report of the Committee on Finance and Law for December 1, 2010 with an Affirmative Recommendation.

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

Bill No.

[2010-1140](#)

Ordinance supplementing the Pittsburgh Code, Title I-Administrative, Article VII, Procedures, Chapter 161-Contracts, by adding a new section 161.40, Veteran-Owned Small Business.

SPONSOR(S): THERESA SMITH, REVEREND RICKY V. BURGESS, PATRICK DOWD, DARLENE HARRIS, BRUCE A. KRAUS, R. DANIEL LAVELLE, WILLIAM PEDUTO, NATALIA RUDIAK AND DOUGLAS SHIELDS

A motion was made that this matter be RECOMMENDED to the Finance and Law Committee. The motion carried.

Bill No.

[2010-1097](#)

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. ITEM A: 1538 Hubbard.

(A)

Norman Burns and Patricia Burns

PURCHASE PRICE: \$250.00

Side Yard and Garage

LOT: 51.55 X 101.19

LOCATION: 1538 Hubbard Street

ACQUIRED: July 11, 2002 / TS# 334

WARD: 27 BLOCK & LOT: 75-G-311

COUNCIL DISTRICT # 1

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2010-1136](#)

Resolution authorizing the City of Pittsburgh to enter into an agreement with the Pittsburgh Foundation to document a voluntary commitment from community nonprofit organizations to provide financial assistance to the City for the years 2010 and 2011.

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2010-1137](#)

Resolution authorizing the issuance of a warrant in favor of the Richard S. Caliguiri Amyloidosis Foundation in an amount not to exceed fourteen thousand dollars, in connection with the 2010 Great Race in the Department of Parks and Recreation, without previous authority of law; and providing for the payment thereof.

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2010-1139](#)

Resolution providing for a professional services agreement or agreements or existing agreements for consulting services, but not limited to auditing, accounting, and technical services for the City Controller's Office at a cost not to exceed \$7,000.00.

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. Report of the Committee on Public Works for December 1, 2010 with an Affirmative
[2010-1178](#) Recommendation.

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

Bill No. Ordinance amending the Pittsburgh City Code, Title IV, Public Places and Property,
[2010-1138](#) Article I: Public Rights of Way, Chapter 416: Obstructions by temporarily amending the current regulations during the NHL Winter Classic Activity Period.

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 REV. BURGESS PRESENTS COMMITTEE ON HUMAN RESOURCES

Bill No. Report of the Committee on Human Resources for December 1, 2010 with an
[2010-1179](#) Affirmative Recommendation.

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

Bill No. Resolution providing for a professional service agreement or agreements with Aon
[2010-1048](#) Consulting for the purpose of health and welfare benefits consulting and related support services. Cost not to exceed \$980,000.00 over four years.

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

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

COUNCILMAN SHIELDS PRESENTS COMMITTEE ON LAND USE & ECONOMIC DEVELOPMENT

Bill No. Report of the Committee on Land Use and Economic Development for December 1,
[2010-1180](#) 2010 with an Affirmative Recommendation.

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

Bill No. Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article I, Section
[2010-0870](#) 902.03 Zoning Map, by changing from RM-H, Residential Multi-Unit, High Density District, to RM-VH, Residential Multi-Unit, Very High Density District, certain

property identified as Block No. 52-J, Lots No. 114 and 116 in the Allegheny County Block and Lot System; 14th Ward.

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

MOTIONS AND RESOLUTIONS

Bill No.

[2010-1205](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh conveys to the Board of Trustees of the Carnegie Institute this Will of Council in order to implore them to reject any and all offers of shale gas exploration and extraction. The Council also wishes the Trustees to know that it will support them in any and all actions necessary to preserve the natural integrity of Powdermill Nature Reserve and encroachments that would destroy the inherent nature of Powdermill. We exhort the Trustees to stay true to its mission and the vision of M. Graham Netting and the thousands of people who have contributed financially and scientifically to the preservation of this most special place in Pennsylvania.

BE IT FURTHER RESOLVED, the Council conveys to the Board of Trustees the words of Rachael Carson to consider as it is confronted with this decision: "The most alarming of all man's assaults upon the environment is the contamination of air, earth, rivers, and sea with dangerous and even lethal materials. This pollution is for the most part irrecoverable; the chain of evil it initiates not only in the world that must support life but in living tissues is for the most part irreversible. In this now universal contamination of the environment, chemicals are the sinister and little-recognized partners of radiation in changing the very nature of the world - the very nature of its life."

SPONSOR(S): DOUGLAS SHIELDS AND ALL MEMBERS

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

APPROVAL OF MINUTES

ADJOURNMENT

LEGISLATION PRESENTED BY SIGN LANGUAGE INTERPRETER