

# **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, January 11, 2011**

**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.

[2011-1294](#)

NOW, THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does hereby recognize and honor Office Kevin Carey for his steadfast dedication to the Pittsburgh Police Bureau and commends him for his commitment to creating a healthier and safer environment for the people of Pittsburgh ; and,

BE IT FURTHER RESOLVED, , that the Council of the City of Pittsburgh does hereby declare Tuesday, January 11, 2011, to be "OFFICER KEVIN CAREY 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.

[2011-1295](#)

NOW, THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh takes this opportunity to recognize the Pittsburgh Police Bureau's K-9 Unit, a division of the Bureau with exceptional dedication from its officers and dogs, an efficient addition to law enforcement and with extraordinary outcomes and at this time recognizes the commitment of Officer Casey Lockard to his dog Ben and to his work in the Pittsburgh Police Bureau ; and,

BE IT FURTHER RESOLVED, , that the Council of the City of Pittsburgh does hereby declare Tuesday, January 11, 2011, to be "OFFICER CASEY LOCKARD AND BEN 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.

[2011-1296](#)

THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does, hereby, thank these two brave men for acting without regard for their own safety to come to the aid of their neighbors and commends them for their heroic deeds on that cold Tuesday morning.

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

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

Bill No.

[2011-1297](#)

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby commend Bill Strickland for being chosen one in 25 of President Obama's White House Council for Community Solutions; and for his courage and foresight building programs that guide our children and adults toward achieving a better life and a higher purpose; and

BE IT FURTHER RESOLVED that Tuesday, January 11, 2011, is hereby declared "Bill Strickland 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.**

## **PUBLIC COMMENTS**

## **PRESENTATION OF PAPERS**

### **COUNCILMAN REV. RICKY BURGESS PRESENTS:**

Bill No.

[2011-1293](#)

Ordinance Directing the Allegheny County Board of Elections to place before the qualified voters of the City of Pittsburgh at the 2011 May Primary Election a referendum question "Shall the Pittsburgh Home Rule Charter, Article Five, Budget and Fiscal Matters, be amended by amending Sections 203 - Election and Term of the Mayor and 304 - Terms of Council Members?"

**SPONSOR(S): REVEREND RICKY V. BURGESS**

**Read and referred to Finance and Law Committee**

### **COUNCILMAN PATRICK DOWD PRESENTS:**

Bill No.

[2011-1285](#)

Resolution authorizing a cooperation agreement or agreements with the Urban Redevelopment Authority of Pittsburgh for administration and implementation of a Neighborhood Stabilization Program 3 grant of up to \$1,500,000 from the Pennsylvania Housing Finance Agency and/or the Pennsylvania Department of Community and Economic Development. (Council Districts 1, 2, 3, 4, 6, 7, 8 and 9)

**Read and referred to Intergovernmental Affairs Committee**

Bill No.

[2011-1286](#)

Resolution authorizing the submission of an application to the Pennsylvania Housing Finance Agency and/or the Pennsylvania Department of Community and Economic Development for a Neighborhood Stabilization Program 3 grant of up to \$1,500,000. (Council Districts 1, 2, 3, 4, 6, 7, 8 and 9)

**Read and referred to Intergovernmental Affairs Committee**

Bill No.

[2011-1291](#)

Ordinance amending and supplementing the Pittsburgh Code, Title Nine, Zoning Code, Article V, Use Regulations, Chapter 911, Use Table changing language to make Restaurants (limited) in LNC Districts an Administrator Exception.

**SPONSOR(S): PATRICK DOWD**

**Read and referred to Land Use and Economic Development Committee**

Bill No.

[2011-1292](#)

Ordinance amending the Pittsburgh Code, Title Nine, Zoning Code, Article V, Use Regulations, Chapter 911, Use Standards adding language requiring parking demand analysis and site plan review for Restaurants (limited) in LNC Districts.

**SPONSOR(S): PATRICK DOWD**

**Read and referred to Land Use and Economic Development Committee**

### **COUNCILMAN BRUCE A. KRAUS PRESENTS:**

Bill No.  
[2011-1283](#)

Resolution amending Resolution No. 49, approved February 17, 2010, effective February 22, 2010, entitled "Providing for an Agreement or Agreements or for the use of existing Agreements, providing for a Contract or Contracts or for the use of existing Contracts, and providing for the purchase of materials, supplies and equipment in connection with the rehabilitation and reconstruction of various park facilities; and further providing for the payment of the costs thereof;" by increasing the total project allocation by \$60,113.00 from \$750,000.00 to \$810,113.00; and providing for the payment of the costs thereof.

**Read and referred to Public Works Committee**

Bill No.  
[2011-1284](#)

Resolution further amending Resolution No.768, effective, January 1, 2010, 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 increasing the "Park Reconstruction" line item by \$60,113.00, from \$750,000.00 to \$810,113.00.

**Read and referred to Public Works Committee**

**COUNCILMAN WILLIAM PEDUTO PRESENTS:**

Bill No.  
[2011-1281](#)

Resolution authorizing the issuance of a warrant in the sum of \$150,000 to Leonard Thomas Hamler and Gerald O'Brien, Esquire, 1911 Pennsylvania Avenue, Irwin PA 15642, in full and final settlement of an action filed at 2:08-cv-1185 in the United States District Court for the Western District of Pennsylvania, and arising from alleged injuries as a result of an alleged violation of 4th and 14th Amendment rights on January 19, 2008 on Second Avenue in the City of Pittsburgh.

**Read and referred to Finance and Law Committee**

Bill No.  
[2011-1282](#)

Resolution providing for the issuance of a Sixty-Five Thousand Dollar (\$65,000.00) warrant in favor of Robert L. Patterson and Michelle A. Patterson c/o William P. Bresnahan, Esquire, Hollinshead, Mendelson, Bresnahan & Nixon, 2901 Grant Building, 330 Grant Street, Pittsburgh, PA 15219, in settlement of an action filed in the Court of Common Pleas of Allegheny County, Pennsylvania at GD 09-7959 for damages arising by reason of the condemnation and de facto taking of the property located at 2704 Bridgeley Way, 20th Ward of the City of Pittsburgh, being designated Lot and Block 42-S-60.

**Read and referred to Finance and Law Committee**

Bill No.  
[2011-1287](#)

Resolution providing for an agreement, or agreements, or use of existing agreements, for consulting, auditing, accounting, and or technical services for the City Controller's Office at a cost not to exceed One Hundred Thousand Dollars (\$100,000.00). These funds are an allocation to the City Controller from the ICA for Cities of the Second Class, intended for said services.

**Read and referred to Finance and Law Committee**

**COUNCILMAN DOUGLAS SHIELDS PRESENTS:**

Bill No. 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 Architectural Engineering Services \$3,000 and Riverview Towers Sewer Repair \$10,000 and by adjusting various other projects in Council District 5. Total cost of all projects is not to exceed \$1,000,000.

[2011-1289](#)

**SPONSOR(S): DOUGLAS SHIELDS**

**Read and referred to Finance and Law Committee**

Bill No. 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 Architectural Engineering Services \$3,000 and Riverview Towers Sewer Repair \$10,000 and by adjusting various other projects in Council District 5.

[2011-1290](#)

**SPONSOR(S): DOUGLAS SHIELDS**

**Read and referred to Land Use and Economic Development Committee**

**COUNCIL PRESIDENT DARLENE M. HARRIS PRESENTS:**

Bill No. Petition from the residents of the City of Pittsburgh requesting a public hearing before City Council relative to the state of private security. (Petition is Valid)

[2011-1288](#)

**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 January 5, 2011 with an Affirmative Recommendation.

[2011-1280](#)

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

Bill No. Resolution authorizing the Controller of the City of Pittsburgh to establish a present value calculation of the future revenue pledged by the City of Pittsburgh to the Pittsburgh Comprehensive Municipal Pension Trust Fund

[2010-1116](#)

**SPONSOR(S): DARLENE HARRIS, NATALIA RUDIAK AND PATRICK DOWD**

**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.

[2011-1298](#)

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby recognizes the Pittsburgh Camerata to be a civic and/or service organization within the context of the Pennsylvania Small Games of Chance Act, as amended.

**SPONSOR(S): WILLIAM PEDUTO**

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

## **APPROVAL OF MINUTES**

## **ADJOURNMENT**

## **LEGISLATION PRESENTED BY SIGN LANGUAGE INTERPRETER**