

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 15, 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

Councilman Peduto was present via telephone.

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. [2011-1532](#) NOW THEREFORE BE IT RESOLVED, that Pittsburgh City Council does hereby honor Melissa Murphy for her outstanding professional and personal achievements and her commitment to the community
BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby declare Tuesday, March 15, 2011, Melissa Murphy Day in the City of Pittsburgh.
SPONSOR(S): PATRICK DOWD AND ALL MEMBERS

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

Bill No. [2011-1533](#) NOW, THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does hereby recognize and commend the Panzi Hospital Foundation USA and the Pittsburgh Human Rights Network for their work to bring awareness to the human rights abuses taking place in the Democratic Republic of Congo; and
BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare March 18, 2011 to be "Help Healing in Congo 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. [2011-1534](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate The First Tee of Pittsburgh for ten years of programmatic success and for promoting positive values for youth through their Junior Golf Weekend; and,
BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare April 29 - May 1, 2011 to be "THE FIRST TEE OF PITTSBURGH JUNIOR GOLF WEEKEND" 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. [2011-1535](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby proclaim March 14-20, 2011 as Multiple Sclerosis Awareness Week 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. [2011-1536](#) NOW, THEREFORE BE IT RESOLVED the Council of the City of Pittsburgh does hereby congratulate the Master Builders Association of Western Pennsylvania for 125 years of service to the construction trades and unions industries of Western

Pennsylvania, always delivering a quality product we can all be proud to say it was made in America; and

BE IT FURTHER RESOLVED that Council hereby declares Saturday, March 19, 2011 to be "Master Builders' Association of Western Pennsylvania Day" in the City of Pittsburgh.

SPONSOR(S): DARLENE HARRIS, WILLIAM PEDUTO AND ALL MEMBERS

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

Bill No.

[2011-1537](#)

NOW THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize the work of the fifteen honorees and congratulates The Pittsburgh Business Times for its vision and commitment to honor them at an event at the Westin Convention Center Hotel on March 16, 2011; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Wednesday, March 16, 2011, to be "WOMEN IN BUSINESS AWARDS 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.

[2011-1538](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend the Saint Brigid Court Foundation and Commander Catherine Vallone McNeilly for continuing the spirit of the "Fighting Irish" by showing exemplary courage in the face of adversity.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Tuesday, March 15, 2011, to be "Commander McNeilly 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

COUNCILMAN REV. RICKY BURGESS PRESENTS:

Bill No.

[2011-1531](#)

Resolution amending Resolution No. 908, effective January 1, 2011 entitled "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 reducing various 2011 Community Development Block Grant budgeted line items.

SPONSOR(S): REVEREND RICKY V. BURGESS

Read and referred to Finance and Law Committee

COUNCILMAN PATRICK DOWD PRESENTS:

Bill No. Resolution amending Resolution No. 147, effective March 8, 2011, entitled
[2011-1525](#) “Resolution providing for the designation and transfer of certain public properties within the Morningside and Stanton Heights neighborhoods to become permanent, public, passive open space under the Greenways for Pittsburgh program” to officially name the project “ALLEGHENY RIVER GREENWAY.”

SPONSOR(S): PATRICK DOWD

Read and referred to Land Use and Economic Development Committee

COUNCILMAN BRUCE A. KRAUS PRESENTS:

Bill No. Resolution authorizing the Mayor and the Director of the Department of Public Works
[2011-1524](#) to enter into a License and Maintenance Agreement with Garfield Heights, LLC (“GHLLC”) to maintain a planting median strip on Fern Circle stretching from the intersection of Fern Circle and Fern Street to the south and Fern Circle and Schenley Avenue to the north.

Read and referred to Public Works Committee

COUNCILMAN DOUGLAS SHIELDS PRESENTS:

Bill No. Resolution providing for the designation and transfer of certain public properties
[2011-1523](#) within the South Oakland neighborhood to become permanent, public, passive open space under the Greenways for Pittsburgh program.

Read and referred to Land Use and Economic Development Committee

COUNCILWOMAN THERESA KAIL-SMITH PRESENTS:

Bill No. Resolution amending Resolution No. 96, effective February 21, 2011, entitled
[2011-1526](#) “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 “Windgap-Chartiers Athletic Assoc.” (- \$5,926.00); and District 1 Equipment (- \$5,000.00) and transfer these funds to the “Universal St. Academy Community Development” (+ \$5,926.00) and to Providence Connections (+ \$5,000.00).

SPONSOR(S): THERESA SMITH AND DARLENE HARRIS

Read and referred to Land Use and Economic Development Committee

Bill No. Resolution amending Resolution No. 97 , effective February 21, 2011 , entitled:
[2011-1527](#) 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: the “Windgap-Chartiers Athletic Assoc.” (- \$5,926.00); and District 1 Equipment (- \$5,000.00) and transfer these funds to the “Universal St. Academy Community Development” (+ \$5,926.00) and to Providence Connections (+ \$5,000.00).

SPONSOR(S): THERESA SMITH AND DARLENE HARRIS

Read and referred to Land Use and Economic Development Committee

Bill No.

[2011-1528](#)

Resolution amending Resolution No. 98, effective February 21, 2011 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; and for administrative/operational costs, maintenance, purchase of equipment, and/or rehabilitation of neighborhood facilities of various departmental programs/projects for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$800,000, so as to reallocate funds in City Council from “Windgap-Chartiers Athletic Assoc.” (- \$824.00) and transfer these funds to “Universal Street Academy Community Development” (+ \$824.00).

SPONSOR(S): THERESA SMITH

Read and referred to Land Use and Economic Development Committee

Bill No.

[2011-1529](#)

Resolution amending Resolution No. 99, effective February 21, 2011, entitled: 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 2009 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 reallocate funds in the City Council from “Windgap Chartiers Athletic Assoc.” (- \$824.00); and transfer these funds to the “Universal St. Academy Community Development” (+ \$824.00).

SPONSOR(S): THERESA SMITH

Read and referred to Land Use and Economic Development Committee

COUNCIL PRESIDENT DARLENE M. HARRIS PRESENTS:

Bill No.

[2011-1530](#)

Resolution amending Resolution No. 908, effective January 1, 2011 entitled “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 adding \$10,000 to Children's Museum of Pittsburgh, \$1,000 to Riverlife Task Force and \$5,000 to East Allegheny Community Council and by deleting \$5,000 from East Northside Action Committee and by reducing District 1 Equipment by \$10,999 in Council District One Community Development Block Grant Unspecified Local Option (ULO) projects.

SPONSOR(S): DARLENE HARRIS

Read and referred to Land Use and Economic Development Committee

UNFINISHED BUSINESS

REPORTS OF COMMITTEE - FINAL ACTION

COUNCILMAN PEDUTO PRESENTS COMMITTEE ON FINANCE AND LAW

Bill No. [2011-1519](#) Report of the Committee on Finance and Law for March 9, 2011 with an Affirmative Recommendation.

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

Bill No. [2011-1410](#) Resolution providing for the issuance of a \$3,500.00 warrant in favor of Chiacheng Lin, of 246 McKee Place, Apt. 7, Pittsburgh, PA 15213, in settlement of a claim for property damage to a vehicle from an accident with a City Public Works snow plow, on February 12, 2010.

This Matter was Passed Finally on the Consent Agenda.

Bill No. [2011-1411](#) Resolution providing for the issuance of a \$3,342.81 warrant in favor of John T. Fallock, of 115 Boro Vu Drive, Northhampton, PA 18067, in settlement of a claim for improper sale of his vehicle from the City's tow pound in the October 2009 vehicle auction.

This Matter was Passed Finally on the Consent Agenda.

Bill No. [2011-1474](#) Resolution authorizing the issuance of a warrant in favor of Bondholder Communications Group in the amount not to exceed \$24,926.49 (twenty four thousand nine hundred and twenty six dollars and forty nine cents) for services rendered to the Department of Finance.

This Matter was Passed Finally on the Consent Agenda.

Bill No. [2011-1475](#) Resolution authorizing the Mayor to execute a quit-claim deed to the Board of Public Education of the School District of the City of Pittsburgh for and in consideration of the sum of fifty thousand dollars (\$50,000) for the purpose of extinguishing the City's right of reversion in a parcel of real property located in the 3rd Ward of the City of Pittsburgh which is part of Block and Lot 9-R-194.

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

COUNCILWOMAN SMITH PRESENTS COMMITTEE ON PUBLIC SAFETY SERVICES

Bill No. [2011-1520](#) Report of the Committee on Public Safety Services for March 9, 2011 with an Affirmative Recommendation.

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

Bill No. [2011-1476](#) Resolution authorizing the Mayor and the Director of Public Safety to enter into an agreement or agreements with Dr. John Stepusin D/B/A Affordable Care Veterinary clinic for professional services in connection with providing sodium pentobarbital, syringes, and hypodermic needles for the euthanasia of wildlife and providing for the cost thereof. Cost not to exceed \$144,000.00, calculated at the rate of \$36,000.00 per year.

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 KRAUS PRESENTS COMMITTEE ON PUBLIC WORKS

Bill No. [2011-1521](#) Report of the Committee on Public Works for March 9, 2011 with an Affirmative Recommendation.

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

Bill No. [2011-1417](#) Resolution authorizing the Mayor and the Director of the Department Public Works to enter into an Agreement with the Commonwealth of Pennsylvania, Department of Transportation, for Winter Traffic Services, Five year agreement, for the period beginning October 15, 2011, and ending April 30, 2016.

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 SHIELDS PRESENTS COMMITTEE ON LAND USE & ECONOMIC DEVELOPMENT

Bill No. [2011-1522](#) Report of the Committee on Land Use and Economic Development for March 9, 2011 with an Affirmative Recommendation.

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

Bill No.

[2011-1263](#)

Resolution providing for the designation as a Historic Structure under Title 11 of the Code of Ordinances that certain structures known as the Nunnery Hill Inclined Plane Retaining Wall located on the northerly side of Henderson Street in the public right-of-way; and the former Nunnery Hill Inclined Plane Base Station, block and lot number 23-G-307, in the 25th Ward, City of Pittsburgh.

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

APPROVAL OF MINUTES

ADJOURNMENT

LEGISLATION PRESENTED BY SIGN LANGUAGE INTERPRETER