

# **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, October 18, 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

*Council President Harris attended by phone*

## PLEDGE OF ALLEGIANCE

## PROCLAMATIONS

Bill No.

[2011-2205](#)

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby recognize the important work of the Animal Rescue League of Western Pennsylvania, and encourages residents of the City of Pittsburgh to assist Pittsburgh's homeless animals by going online to [www.animalrescue.org](http://www.animalrescue.org)

<<http://www.animalrescue.org>> from October 17 to October 31, 2011, and vote in the 2011 ASPCA \$100K Challenge; and

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby declare the month of October to be "Animal Rescue League of Western Pennsylvania - 2011 ASPCA \$100K Challenge Month" 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.

[2011-2206](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize Pittsburgh Community Television's 25th anniversary, and their commitment to free speech and the continuing conversation between residents and community leaders; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare October 18th, 2011 "Pittsburgh Community Television 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.

[2011-2207](#)

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize Pittsburgh Cares for their incredible commitment to service and their contributions to the City's future through their mission of inspiration through action; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare the week of October 16th through October 22nd, 2011 "Make a Difference Week" 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.

[2011-2208](#)

Now, therefore be it resolved that the Council of the City of Pittsburgh honors the enterprising efforts of Mike Capsambelis and Matt Gaston and the other Awesome Trustees for recognizing Pittsburgh's awesomeness; and,

Be it further resolved, that the Council of the City of Pittsburgh does hereby declare Tuesday, October 18, 2011, Awesome Pittsburgh 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.

[2011-2209](#)

NOW THEREFORE BE IT RESOLVED, that it is the will of the Council of the City of Pittsburgh to urge the federal government to reject without consideration any recommendation to reduce Social Security or Medicare benefits or pass on increasing costs to states for Medicaid beneficiaries; and

BE IT FURTHER RESOLVED, that it is the will of the Council of the City of Pittsburgh to remind the federal government that if Social Security, Medicare, and Medicaid benefits are cut, irreparable harm will be done to beneficiaries in Pennsylvania, hardworking Americans who have contributed from their wages and rightfully expect that they will receive benefits based on their contributions by the program.

**SPONSOR(S): DARLENE HARRIS, NATALIA RUDIAK AND ALL MEMBERS**

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

Bill No.

[2011-2210](#)

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby recognize and honor the film My Tale of Two Cities as an inspiration for how we can make a difference, and does hereby declare Friday, October 21, 2011, to be "My Tale of Two Cities 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.

[2011-2211](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend David and Melissa Rohm for establishing an organization to help keep our rivers clean; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Tuesday, October 18, 2011, to be "Paddle without Pollution 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.

[2011-2212](#)

NOW, THEREFORE, BE IT RESOLVED that the City Council of Pittsburgh petitions President Barack Obama and the U.S. Congress to end both combat and occupation operations in Afghanistan and Iraq, and remove U.S. troops and private security forces from those countries immediately; and

BE IT FURTHER RESOLVED that the City Council of Pittsburgh petitions the U.S.

Congress, especially Senators Casey and Toomey, and Congressmen Doyle and Murphy, that all monies saved by ending these conflicts will be used first and foremost to support and expand those social programs which serve the most vulnerable members of our society, and to invest in infrastructure, job creation, social services, and the meeting of human needs.

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

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

Bill No.

[2011-2213](#)

Now, therefore be it resolved that the Council of the City of Pittsburgh wishes to honor the Dialogue and Resolution Center for creating a unique celebration of Conflict Resolution Day in Southwestern Pennsylvania which brings attention to international Conflict Resolution Day in our community while increasing capacity for collaboration, conflict resolution, and peace; and,

Be it further resolved, that the Council of the City of Pittsburgh does hereby declare Thursday, October 20, 2011, Conflict Resolution 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.

[2011-2214](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize the 150th anniversary of the unification of Italy and welcomes the Consul General of Italy to our city; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Monday, October 17th "Italy Then and Now 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.**

## **PUBLIC COMMENTS**

## **PRESENTATION OF PAPERS**

### **COUNCILMAN WILLIAM PEDUTO PRESENTS:**

Bill No.

[2011-2201](#)

Resolution authorizing the Mayor and the Department of Finance to enter into a grant agreement with the Pennsylvania Energy Development Authority for an American Recovery and Reinvestment Act (ARRA) grant in the amount of \$500,000 that will be used to purchase natural gas powered refuse trucks.

**A motion was made that this matter be Waived under Rule 8. The motion carried.**

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

**COUNCILWOMAN NATALIA RUDIAK PRESENTS:**

Bill No. Ordinance supplementing the Pittsburgh Code, Title One, Administrative, Article XI,  
[2011-2203](#) Personnel, by adding a new Chapter 198 entitled, "Campaign Finance Regulations."

**SPONSOR(S): WILLIAM PEDUTO AND NATALIA RUDIAK**

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

Bill No. Ordinance supplementing the Pittsburgh Code Title One, Administrative; Article XI,  
[2011-2204](#) Personnel; by creating Chapter 196, Limitations on Use of Franking and adding language to regulate and limit the use of franking in City government.

**SPONSOR(S): NATALIA RUDIAK AND WILLIAM PEDUTO**

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

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

Bill No. Resolution authorizing the appointment of the following individuals to the newly  
[2011-2202](#) constituted Propel Pittsburgh Commission for terms expiring on August 31, 2014.

Ximena Marinero of 316 S Highland Ave (Interview 10-26)

Maya Wilkerson of 922 Chislett St (Interview 10-19)

**Held, Pending Interview 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 October 12, 2011, with an  
[2011-2197](#) Affirmative Recommendation.

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

Bill No. Resolution authorizing the issuance of two warrants in the total sum of \$62,290 to  
[2011-2106](#) Robert Rucker and Kelly Scanlon Graham, Esquire, 2300 Lawyers Building, Pittsburgh, PA 15219, in full and final settlement of an action filed at 2:08-cv-1213 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 Amendment rights on September 3, 2006 in the 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

Bill No.

[2011-2107](#)

Resolution authorizing the issuance of a warrant in the sum of \$6,000 to John J. McAleavey, Jr. and Gianni Floro, Esquire, 935 Beaver Grade Road, Suite 6, Moon Township, PA 15108, in full and final settlement of an action filed at 2:10 cv 1034 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 Amendment rights on September 5, 2008, on the 31st Street bridge in the 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

Bill No.

[2011-2141](#)

Resolution Further amending Resolution No. 654, effective October 25, 2001, entitled, "Resolution 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 City Council's 2001 Neighborhood Needs Supplement Program; and providing for the payment of the costs thereof," by adding "Southside Sabres" \$1,220.38 and by reducing "Quarry Field" by the same amount, in Council District 3.

**SPONSOR(S): BRUCE A. KRAUS**

**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

## **COUNCILWOMAN SMITH PRESENTS COMMITTEE ON PUBLIC SAFETY SERVICES**

Bill No.

[2011-2198](#)

Report of the Committee on Public Safety Services for October 12, 2011 with an Affirmative Recommendation.

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

Bill No.

[2011-2135](#)

Resolution providing for a contract or contracts from time to time in connection with demolition and removal of condemned buildings and providing for the payment of the costs thereof. Cost not to exceed \$500,000.00.

**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.

[2011-2199](#)

Report of the Committee on Land Use and Economic Development for October 12, 2011 with an Affirmative Recommendation.

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

Bill No.

[2011-2138](#)

Resolution amending Resolution No. 1048, approved November 6, 2000 entitled "Resolution amending Resolution No. 838, approved October 26, 1994 which amended Resolution 53 approved February 5, 1991 entitled amending Resolution #60, approved February 7, 1989 entitled amending Resolution #637 approved July 27, 1989, entitled providing for the implementation of a Residential Parking Permit Program in portions of the West Oakland community pursuant to Pittsburgh Code Chapter 549 so as to amending the streets included in Area 'C' so as to have one block of Halket Street in Council District #6 included in Area 'C' to add two addresses to Area 'C'" to add the south side of Allequippa Street between Robinson Street and Darragh Street.

**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

Bill No.

[2011-2142](#)

Resolution Further Amending Resolution No. 424 of 2001, effective June 19, 2001, entitled "Further amending Resolution No. 976 effective January 1, 1996, as amended, Adopting and Approving the 1996 Capital Budget and the 1996 Community Development Block Grant by creating a new line item, City Clerk Office Modernization Project Grant # 2271000 for the purpose of augmenting neighborhood needs programs and/or the District Improvement Fund, and transferring \$1,128,888.00 from Grant/Liberty to City Clerk's Office Modernization" by adding "Southside Sabres" \$1,220.38 and by reducing "Quarry Field" by the same amount, in Council District 3 Neighborhood Needs.

**SPONSOR(S): BRUCE A. KRAUS**

**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 DOWD PRESENTS COMMITTEE ON INTERGOVERNMENTAL AFFAIRS**

Bill No.

[2011-2200](#)

Report of the Committee on Intergovernmental Affairs for October 12, 2011 with an Affirmative Recommendation.

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

Bill No.

[2011-2139](#)

Resolution authorizing the filing of an application for federal assistance with the U.S. Department of Transportation Federal Railroad Administration for a \$1,044,869.00 Rail Line Relocation and Improvement Project Capital Grant for the planning, engineering and construction of rail improvements to the Allegheny Valley Railroad rail line to support passenger rail service and the establishment of the Allegheny Riverfront Green Boulevard. (Council Districts 6 and 7)

**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

Bill No.

[2011-2140](#)

Resolution authorizing a Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh designating URA as the City's agent for administration of a Rail Line Relocation and Improvement Project Capital Grant in the amount of \$1,044,869.00 from the U.S. Department of Transportation Federal Railroad Administration for the planning, engineering and construction of rail improvements to the Allegheny Valley Railroad rail line to support passenger rail service and the establishment of the Allegheny Riverfront Green Boulevard. (Council Districts 6 and 7)

**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**