

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 20, 2005

10:00 AM

Council Chambers

City Council

**ONE-HUNDRED
THIRTY-THIRD COUNCIL**

Gene Ricciardi, President

**Council Members: Len Bodack, Twanda Carlisle,
Dan Deasy, Jim Motznik, William Peduto, Luke Ravenstahl, Douglas Shields, Sala Udin**

Linda M. Johnson-Wasler, City Clerk

Mary Beth Doheny, Deputy City Clerk

ROLL CALL

Present: 9 - Mr. Bodack, Ms. Carlisle, Mr. Deasy, Mr. Motznik, Mr. Peduto, Mr. Ravenstahl, Mr. Shields, Mr. Udin and Mr. Ricciardi

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

Bill No. [2005-1714](#) NOW, THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh recognizes and commends Mr. Malik Bankston, Dr. Shirley Biggs, Mr. Glenn Mahone and Ms. Winifred Torbert, these four community leaders for their continuing dedication to make Pittsburgh a better place.

SPONSOR(S): TWANDA CARLISLE

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

Bill No. [2005-1715](#) NOW THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh commends, acknowledges, and remembers Albert Fondy for his years of work and his support for and dedication to Labor and Education in the Pittsburgh Public School System and the City of Pittsburgh.

BE IT FURTHER RESOLVED that September 18, 2005, be hereby declared "Al Fondy Day" in the City of Pittsburgh.

SPONSOR(S): GENE RICCIARDI AND ALL MEMBERS

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

Bill No. [2005-1716](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh, does hereby recognize and commend KQV News Radio for bringing news and entertainment to the City of Pittsburgh.

SPONSOR(S): TWANDA CARLISLE

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

Bill No. [2005-1717](#) NOW, THEREFORE, BE IT RESOLVED, that the Council in the City of Pittsburgh recognizes and commends the Children's Sickle Cell Foundation, for focusing on the needs of the children, their families, and remembering that education is the key to prevention.

SPONSOR(S): TWANDA CARLISLE

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

Bill No. [2005-1718](#) NOW, THEREFORE, BE IT RESOLVED, that the Council in the City of Pittsburgh recognizes and commends the Pittsburgh Glass Center for their contribution to the world of art in the unique glass making industry.

SPONSOR(S): TWANDA CARLISLE

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

Bill No. [2005-1719](#) NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh salutes P.L.E.A.S.E., the American Red Cross, the musicians and Pittsburgh celebrities, and all of the supporters of the fabulous benefit concert scheduled for September 23, 2005 at the Mellon Arena.

SPONSOR(S): WILLIAM PEDUTO AND ALL MEMBERS

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

Bill No. [2005-1720](#) NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh thanks Boris Weinstein for his commitment to creating a clean Pittsburgh; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh hereby declares Tuesday, September 20, 2005, "Pittsburghers Clean-Up Day" in the City of Pittsburgh.

SPONSOR(S): WILLIAM PEDUTO

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

Bill No. [2005-1721](#) NOW, THEREFORE BE IT RESOLVED THAT, Pittsburgh City Council congratulates and acknowledges the superior team work of the Hertz Gateway Center management team in solving and completing restoration after the August 17, 2005 water main break in the City of Pittsburgh—restoring an essential place of business in our city.

NOW THEREFORE, BE IT FURTHER BE RESOLVED THAT, Tuesday, September 20, 2005 be declared "Gateway Center Day" in the City of Pittsburgh.

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

Bill No. [2005-1722](#) NOW, THEREFORE, Pittsburgh City Council commends the initiatives of the Pittsburgh Darfur Emergency Coalition that heighten the awareness and garner the help needed to the protect our brothers and sisters in Darfur, Africa, specifically the Thursday, October 6, 2005 midday Fast for Darfur; and

NOW, THEREFORE, BE IT FURTHER RESOLVED THAT, Thursday, October 6, 2005 is declared "Darfur Awareness Day" in the City of Pittsburgh.

SPONSOR(S): SALA UDIN AND ALL MEMBERS

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

PRESENTATION OF PAPERS

MS. CARLISLE PRESENTS COMMITTEE ON HOUSING, ECONOMIC DEVELOPMENT AND PROMOTION

Bill No. [2005-1705](#) Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to pursue a tax increment financing proposal for portions of Redevelopment Area #50 - J & L Second Avenue. (Council District 6).

Read and referred to Housing, Economic Development & Promotion Committee

Bill No. [2005-1712](#) 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 creating new line items District 3 Landslides \$4,000.00 and various District 3 Projects \$76,475.44 and by making adjustments to various line items to reflect actual expenditures, in Council District 3.

SPONSOR(S): GENE RICCIARDI

Read and referred to Housing, Economic Development & Promotion Committee

Bill No. [2005-1713](#) Resolution amending and supplementing Resolution No. 891, effective January 1, 2003, as amended, entitled: Adopting and approving the 2003 Capital Budget and the 2003 Community Development Block Grant Program; and approving the 2003 through 2008 Capital Improvement Program, by adjusting various line items in conformance with City Council's 2003 Capital Budget amendments. by adding District 3 Various Projects \$10,269.35 and by eliminating Monongahela Parking (\$8,000) and by reducing line items Tree Planting, Duquesne Light Frontage on Sarah Street and Henry Kaufmann Center/Arlington Gym Sidewalk Repairs to reflect actual expenditures in Council District 3.

SPONSOR(S): GENE RICCIARDI

Read and referred to Housing, Economic Development & Promotion Committee

MR. RAVENSTAHL PRESENTS COMMITTEE ON PUBLIC WORKS & ENVIRONMENTAL SERVICES

Bill No. [2005-1711](#) Resolution authorizing and directing the Mayor, the Director of the Department of Public Works and the Chief of the Bureau of Building Inspection to create four (4) on-street vending permit areas on Bigelow Boulevard, between Fifth Avenue and Bigelow Boulevard, to provide space for legally permitted vendors to operate.

SPONSOR(S): WILLIAM PEDUTO

Read and referred to Public Works & Environmental Services Committee

MR. SHIELDS PRESENTS COMMITTEE ON FINANCE & BUDGET

Bill No. [2005-1703](#) Ordinance supplementing the Pittsburgh Code, Title Two, Fiscal; Article VII, Business Related Taxes; Chapter 255, Realty Transfer Tax, so as to comply with the Requirements of Act 40 of 2005 Concerning Transfers Which are Taxable, Authorizing the Pennsylvania Department of Revenue to Collect and Enforce the Tax When Necessary, and Authorizing the Treasurer to Share Information with the Department of Revenue.

Read and referred to Finance & Budget Committee

Bill No. [2005-1704](#) Ordinance supplementing the Pittsburgh Code, Title Two, Fiscal; Article VII, Business Related Taxes; Chapter 256, Home Rule Realty Transfer Tax, so as to comply with the Requirements of Act 40 of 2005 Concerning Transfers Which are Taxable, Authorizing the Pennsylvania Department of Revenue to Collect and Enforce the Tax

When Necessary, and Authorizing the Treasurer to Share Information with the Department of Revenue.

Read and referred to Finance & Budget Committee

Bill No. [2005-1706](#)
Resolution requesting the approval of an inter-municipal transfer of a restaurant liquor license, License No. R-13225, from Aldente Inc., 8 Hattan Drive, Coraopolis, PA 15108 to PijShantz Holdings LLC c/o Michael Pijanowski, 2106 Penn Avenue, Pittsburgh, PA 15222, for the premises, located at 900 Penn Avenue, Pittsburgh, PA 15222, pursuant to amended Pennsylvania Liquor Code, §4-461.

Read and referred to Finance & Budget Committee

Bill No. [2005-1707](#)
Resolution requesting the approval of an inter-municipal transfer of a restaurant liquor license, License No. R-07064, from Johnny K's Foods Inc. 9th & Ohio Streets, Glassport, PA 15045 and/or 115 Old Suffolk Drive, Monroeville, PA 15146 to Circuit Center & Ballroom c/o Lee Deiseroth, 144 North Drive, Pittsburgh, PA 15238 for the premises, located at #5 Hot Metal Street, Pittsburgh, PA 15203, pursuant to amended Pennsylvania Liquor Code, §4-461.

Read and referred to Finance & Budget Committee

Bill No. [2005-1708](#)
Resolution amending Resolution No. 446 of 2004, with an effective date of September 21, 2004, which reads, "Terminating the Neighborhood Improvement District in the western neighborhoods of Pittsburgh known as the West End Home Assurance Value ("WE HAV") program" by changing the refund amount from \$17.75 to \$20.00.

SPONSOR(S): DAN DEASY

Read and referred to Finance & Budget Committee

Bill No. [2005-1709](#)
Resolution further amending Resolution No. 121 of 2003, effective March 14, 2003 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 2003 Community Needs Program; and providing for the payment of the costs thereof," by adding District 3 Various Projects \$10,269.35 and by eliminating Monongahela Parking (\$8,000) and by reducing line items Tree Planting, Duquesne Light Frontage on Sarah Street and Henry Kaufmann Center/Arlington Gym Sidewalk Repairs to reflect actual expenditures in Council District 3.

SPONSOR(S): GENE RICCIARDI

Read and referred to Finance & Budget Committee

Bill No. [2005-1710](#)
Resolution authorizing and directing the Controller of the City of Pittsburgh to perform a Fiscal and Performance Audit to determine the true savings of the Department of General Service's Bureau of Fleet Management under the current Act 47 required private management.

SPONSOR(S): GENE RICCIARDI

Read and referred to Finance & Budget Committee

MR. RICCIARDI, THE CHAIR, PRESENTS COMMITTEE ON HEARINGS

Bill No. Petition from the residents of the City of Pittsburgh requesting a public hearing in regards to Bill Nos. 2005-1641 through 2005-1658 and Community Development Block Grants.

[2005-1702](#)

Read and referred to Housing, Economic Development & Promotion Committee

REPORTS OF COMMITTEE - FINAL ACTION

MR. SHIELDS PRESENTS COMMITTEE ON FINANCE & BUDGET

Bill No. Report of the Committee on Finance and Budget for September 14, 2005.

[2005-1698](#)

Read, Received and Filed

Bill No. Resolution authorizing the transfer of a total of Thirty Thousand (\$30,000.00) Dollars from the Office of Municipal Investigation's Miscellaneous Services Account to the Department of Public Works Environmental Services Miscellaneous Services Account.

[2005-1686](#)

SPONSOR(S): DOUGLAS SHIELDS, GENE RICCIARDI, LUKE RAVENSTAHL, WILLIAM PEDUTO, JIM MOTZNIK AND DAN DEASY

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

Votes: Ayes: 6 - Ms. Carlisle, Mr. Deasy, Mr. Peduto, Mr. Ravenstahl, Mr. Shields and Mr. Ricciardi
Noes: 0
Abstentions: 3 - Mr. Bodack, Mr. Motzник and Mr. Udin

Bill No. Resolution directing and authorizing the Mayor and City Solicitor to develop a competitive proposal to submit to the Pennsylvania Gaming Commission seeking to procure a license to operate a slots only parlor within the City to benefit the residents of the City of Pittsburgh.

[2005-1673](#)

SPONSOR(S): GENE RICCIARDI, JIM MOTZNIK AND LUKE RAVENSTAHL

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

Votes: Ayes: 7 - Mr. Bodack, Mr. Deasy, Mr. Motzник, Mr. Peduto, Mr. Ravenstahl, Mr. Shields and Mr. Ricciardi
Noes: 1 - Mr. Udin
Abstentions: 1 - Ms. Carlisle

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 Act", effective December 11, 1984.

[2005-1633](#)

ITEM A thru B. A: 126 Meadow; B (Deleted)

This Matter was Passed Finally on the Consent Agenda.

Bill No. [2005-1668](#) Resolution further amending Resolution No. 231, 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 in Council District 8; and providing for the payment of the costs thereof," by adding EthicsWorks - Economic Development Conference \$2,500.00, Ellsworth Avenue Business Association - Street Banners \$4,500, Attack Theatre \$2,000 and by decreasing District 8 Various Projects by \$9,000 in Council District 8. Total cost of all projects not to exceed \$914,429.00

This Matter was Passed Finally on the Consent Agenda.

Bill No. [2005-1672](#) Resolution providing for the issuance of a warrant in favor of Daystar Computer Systems, Inc. in the amount of \$9,881.55 in payment for the annual maintenance agreement for the legislative tracking software used by the City Clerk's Office.

SPONSOR(S): GENE RICCIARDI

This Matter was Passed Finally on the Consent Agenda.

Bill No. [2005-1685](#) Resolution authorizing the City of Pittsburgh ("City") to accept a no-interest loan, for a term not to exceed Three (3) years, in an amount not to exceed Seventy-Five Thousand Dollars (\$75,000.00) from the Pittsburgh History & Landmarks Foundation, the proceeds to be used to make certain repairs to City property at 439 Market Street, 1st Ward, and to enter into an Agreement or Agreements to effectuate such loan, and permit the City to grant a historic preservation easement to protect the front façade of such building.

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 - Mr. Bodack, Ms. Carlisle, Mr. Deasy, Mr. Motznik, Mr. Peduto, Mr. Ravenstahl, Mr. Shields, Mr. Udin and Mr. Ricciardi
Noes: 0
Abstentions: 0

MR. RAVENSTAHL PRESENTS COMMITTEE ON PUBLIC WORKS & ENVIRONMENTAL SERVICES

Bill No. [2005-1699](#) Report of the Committee on Public Works and Environmental Services for September 14, 2005.

Read, Received and Filed

Bill No. [2005-1687](#) Resolution authorizing and directing the Director of the Department of Public Works to enter into a enter into a professional services agreement or agreements, contract or

contracts to provide Rodent Control services to the residents of the City of Pittsburgh and providing for the payment of the cost thereof, not to exceed Thirty Thousand Dollars (\$30,000).

SPONSOR(S): DOUGLAS SHIELDS, GENE RICCIARDI, LUKE RAVENSTAHL, WILLIAM PEDUTO, JIM MOTZNIK AND DAN DEASY

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

Votes: Ayes: 6 - Ms. Carlisle, Mr. Deasy, Mr. Peduto, Mr. Ravenstahl, Mr. Shields and Mr. Ricciardi
Noes: 0
Abstentions: 3 - Mr. Bodack, Mr. Motznik and Mr. Udin

Bill No.

[2005-1639](#)

Resolution vacating Ogle Way between Liberty Avenue and William Penn Place in the 2nd Ward, 6th Council District, of the City of Pittsburgh

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

Votes: Ayes: 9 - Mr. Bodack, Ms. Carlisle, Mr. Deasy, Mr. Motznik, Mr. Peduto, Mr. Ravenstahl, Mr. Shields, Mr. Udin and Mr. Ricciardi
Noes: 0
Abstentions: 0

MR. PEDUTO PRESENTS COMMITTEE ON GENERAL SERVICES, TECHNOLOGY & THE ARTS

Bill No.

[2005-1700](#)

Report of the Committee on General Services, Technology and the Arts for September 14, 2005.

Read, Received and Filed

Bill No.

[2005-1688](#)

Resolution authorizing the Department of General Services to contract for rodent control services for the City of Pittsburgh and directing the mayor to immediately implement a rodent control program citywide and to provide for a rodent control program in the 2006 budget.

SPONSOR(S): DOUGLAS SHIELDS, GENE RICCIARDI, LUKE RAVENSTAHL, WILLIAM PEDUTO, JIM MOTZNIK AND DAN DEASY

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

Votes: Ayes: 6 - Ms. Carlisle, Mr. Deasy, Mr. Peduto, Mr. Ravenstahl, Mr. Shields and Mr. Ricciardi
Noes: 0
Abstentions: 3 - Mr. Bodack, Mr. Motznik and Mr. Udin

MR. BODACK PRESENTS COMMITTEE ON PUBLIC SAFETY SERVICES

Bill No. Report of the Committee on Public Safety Services for September 14, 2005.

[2005-1701](#)

Read, Received and Filed

Bill No. Resolution amending Resolution No. 138-2004, approved April 15, 2004 entitled
[2005-1670](#) “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” so as to increase the amount appropriated from \$535,000 to \$535,500.

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

Votes: Ayes: 9 - Mr. Bodack, Ms. Carlisle, Mr. Deasy, Mr. Motznik, Mr. Peduto, Mr. Ravenstahl, Mr. Shields, Mr. Udin and Mr. Ricciardi

Noes: 0

Abstentions: 0

MOTIONS AND RESOLUTIONS

UDIN: Request legal opinion on Bill 1673--Slots; in accordance with PA Constitution and the Home Rule Charter.

PEDUTO: Comments on recent problems involving counterfeit money being circulated in Pittsburgh Community.

APPROVAL OF MINUTES

A motion was made to approve the minutes. The motion carried.

ADJOURNMENT

A motion was made to adjourn the meeting. The motion carried.