

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 13, 2007

10:00 AM

Council Chambers

City Council

**ONE-HUNDRED
THIRTY-FOURTH COUNCIL**

Douglas Shields, President

Council Members: Len Bodack, Twanda Carlisle,

Dan Deasy, Darlene M. Harris, Jeffrey S. Koch, Jim Motznik, Tonya D. Payne, William Peduto

Linda M. Johnson-Wasler, City Clerk

Mary Beth Doheny, Deputy City Clerk

ROLL CALL

Present: 9 - Mr. Bodack, Ms. Carlisle, Mr. Deasy, Mrs. Harris, Mr. Koch, Mr. Motznik, Ms. Payne, Mr. Peduto and Mr. Shields

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

Bill No. [2007-1278](#) NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Pittsburgh does hereby recognize and commend The Steel City Derby Demons efforts to provide entertaining events and promote charitable giving:

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby proclaim Tuesday, March 14th, 2007 as "Steel City Derby Demons" in the City of Pittsburgh.

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

Bill No. [2007-1279](#) NOW THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does hereby wish to congratulate and commend NEED for its vision and its achievements, both of which have assisted thousands of local, African American, young people in attaining their greatest potential, thereby enhancing not only their quality of life but also the economic and social wellbeing of the region.

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

Bill No. [2007-1280](#) NOW THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does hereby wish to commend Allegheny General Hospital, its Auxiliary organization, the Northside Leadership Conference, and local, elementary and high school students, along with their teachers, for their commitment to educating local youth and making their lives safer through the Stranger Danger Awareness Program.

SPONSOR(S): TONYA D. PAYNE

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

Bill No. [2007-1281](#) NOW THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh recognizes this outstanding young man, Russell Faust of Troop 6 and commends him for his commitment to the betterment of his community and his great personal achievement.

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh congratulates Russell for ascending to the rank of Eagle Scout.

SPONSOR(S): JIM MOTZNIK

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

Bill No. [2007-1282](#) NOW THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend all of the organizers of and participants in the Annual St. Patrick's Day Parade; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does, in the spirit of Pittsburgh's Irish community hereby declare the week of March 11-17, 2007, to be "St. Patrick's Week" in the City of Pittsburgh.

SPONSOR(S): DOUGLAS SHIELDS AND ALL MEMBERS

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

PUBLIC COMMENTS

PRESENTATION OF PAPERS

MR. BODACK PRESENTS COMMITTEE ON PUBLIC SAFETY SERVICES

Bill No. Resolution providing for a contract or contracts from time to time in connection with
[2007-1271](#) demolition and removal of condemned buildings and providing for the payment of the costs thereof, cost not to exceed \$500,000.00.

Read and referred to Public Safety Services Committee

Bill No. Resolution providing for a contract or contracts from time to time in connection with
[2007-1272](#) demolition and removal of condemned buildings and providing for the payment of the costs thereof, cost not to exceed \$1,000,000.00.

Read and referred to Public Safety Services Committee

Bill No. Resolution providing for the letting of a contract or contracts or use of existing
[2007-1273](#) contracts for the furnishing and delivery of hand held computers and associated software for the Bureau of Building Inspection, Department of Public Safety, cost not to exceed \$200,000.00.

Read and referred to Public Safety Services Committee

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

Bill No. Resolution amending Resolution No. 591, effective October 10, 2006 entitled:
[2007-1269](#) 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 2005 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 Public Works from "Ridge Avenue Bridge" (- 23,000) to Bridge Repairs (+ 23,000).

Read and referred to Housing, Economic Development & Promotion Committee

Bill No. Resolution amending Resolution No. 169, effective April 5, 2006, entitled: Resolution
[2007-1270](#) 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 2004 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 Public Works from "West Ohio Street Bridge" (- 50,000) to "Bridge Repairs" (+ 50,000).

Read and referred to Housing, Economic Development & Promotion Committee

Bill No. [2007-1275](#) 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 "Oakland Business Improvement District", \$1,000 and by amending various line items in Council District 6.

SPONSOR(S): TONYA D. PAYNE

Read and referred to Housing, Economic Development & Promotion Committee

MR. DEASY PRESENTS COMMITTEE ON FINANCE, LAW AND PURCHASING

Bill No. [2007-1254](#) Resolution authorizing the issuance of a warrant in the sum of \$45,000.00 to Karole A. Kunig, Personal Representative of the Estate of Shirley Kuhl, Deceased, 9 Lacona Street, Pittsburgh, PA 15210 and acceptance by the City of a Deed from said Estate, in full and final settlement of acquisition of property in the 32nd Ward of the City of Pittsburgh located at 28 Ansonia Place, Pittsburgh, PA 15210.

Read and referred to Finance, Law and Purchasing Committee

Bill No. [2007-1274](#) Resolution authorizing the Mayor and the Director of the Department of Finance to enter into an agreement or agreements with Active Network to provide Market-Based Revenue Opportunity consulting for the City of Pittsburgh. Cost not to exceed \$75,000.00.

Read and referred to Finance, Law and Purchasing Committee

Bill No. [2007-1276](#) Resolution further amending Resolution No. 403, as amended, 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 6; and providing for the payment of the costs thereof," by amending various line items in Council District 6. Total cost of all projects not to exceed \$1,000,000.

SPONSOR(S): TONYA D. PAYNE

Read and referred to Finance, Law and Purchasing Committee

MRS. HARRIS PRESENTS COMMITTEE ON ENGINEERING, FLEET AND FORESTRY

Bill No. [2007-1267](#) Resolution authorizing the Mayor and the Director of Public Works to enter into an agreement or agreements with Davey Resources Group for a multi-year subscription to

Treekeeper 7.5, at a cost not to exceed \$6,250.00

Read and referred to Engineering, Fleet and Forestry Committee

MR. KOCH PRESENTS COMMITTEE ON PUBLIC WORKS AND ENVIRONMENTAL SERVICES

Bill No. [2007-1255](#) Resolution repealing Resolution No. 397, effective July 7, 2006, 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; for the purpose of planning and/or implementing costs of the Trail Development Projects and related costs in support of this project, at a cost not to exceed \$50,000.00," by repealing it in its entirety.

Read and referred to Public Works & Environmental Services Committee

Bill No. [2007-1256](#) Resolution Amending Resolution No. 309, effective July 9, 2004, entitled "Providing for an Agreement or Agreements, or for the use of existing Agreements, with a Consultant or Consultants, for design services in connection with the replacement of the West Ohio Street/Ridge Avenue Bridges; providing for a Reimbursement Agreement with the Commonwealth of Pennsylvania, Department of Transportation, and further providing for the costs thereof, at a cost not to exceed \$300,000.00," by decreasing the total project allocation by \$100,000.00 from \$300,000.00 to \$200,000.00 and adding Federal Highway funding.

Read and referred to Public Works & Environmental Services Committee

Bill No. [2007-1257](#) Resolution amending Resolution No. 310, effective July 9, 2004, entitled "Providing for a Contract or Contracts or for the use of existing Contracts, and providing for an Agreement or Agreements or for the use of existing Agreements, in connection with the Bridge Repairs program; and further providing for the payment of the costs thereof," by increasing the project allocation by \$50,000 from \$300,000 to \$350,000.

Read and referred to Public Works & Environmental Services Committee

Bill No. [2007-1258](#) Resolution providing for a Contract or Contracts or for the use of existing Contracts; providing for an Agreement or Agreements or for the use of existing Agreements; providing for the purchase of materials, equipment and supplies in connection with the Renovation of Various Play Areas; and further providing for the payment of the costs thereof, cost not to exceed \$250,000.00.

Read and referred to Public Works & Environmental Services Committee

Bill No. [2007-1259](#) Resolution providing for a Contract or Contracts or for the use of existing Contracts, providing for an Agreement or Agreements or for the use of existing Agreements, and providing for the purchase of materials and supplies in connection with the Bridge Repairs program; and further providing for the payment of the cost thereof, cost not to exceed \$400,000.00.

Read and referred to Public Works & Environmental Services Committee

Bill No. [2007-1260](#) Resolution providing for a Contract or Contracts or for the use of existing Contracts, providing for an Agreement or Agreements or for the use of existing Agreements, and providing for the purchase of materials and supplies in connection with the

Neighborhood Street Improvements; and further providing for the payment of the costs thereof, cost not to exceed \$300,000.00.

Read and referred to Public Works & Environmental Services Committee

Bill No.

[2007-1261](#)

Resolution 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, providing for repairs, maintenance, improvements, emergencies and/or the purchase of materials, equipment and supplies in connection with the investigation, design, and construction of CBD (Central Business District) Signal Upgrades throughout the City; and providing for the payment of the costs thereof, cost not to exceed \$750,000.00.

Read and referred to Public Works & Environmental Services Committee

Bill No.

[2007-1262](#)

Resolution providing for a Contract or Contracts, or use of existing Contracts, and for the purchase of materials, equipment and supplies in connection with the rehabilitation of the West Ohio Street/Ridge Avenue Bridges; providing for a Reimbursement Agreement with the Commonwealth of Pennsylvania, Department of Transportation; and further providing for the payment of the costs thereof, cost not to exceed \$200,000.00.

Read and referred to Public Works & Environmental Services Committee

Bill No.

[2007-1263](#)

Resolution providing for a Contract or Contracts or for the use of existing Contracts, providing for an Agreement or Agreements or for the use of existing Agreements, and providing for the purchase of materials and supplies in connection with the Bridge Repairs program; and further providing for the payment of the cost thereof, cost not to exceed \$23,000.00.

Read and referred to Public Works & Environmental Services Committee

Bill No.

[2007-1264](#)

Resolution providing for a Contract or Contracts or the use of existing Contracts; providing for an Agreement or Agreements or for the use of existing Agreements; providing for repairs, maintenance, improvements, emergencies and/or the purchase of materials, equipment and supplies, and providing for a Reimbursement Agreement with the Commonwealth of Pennsylvania, Department of Transportation, in connection with Brown's Hill Road; and further providing for the payment of the costs thereof, cost not to exceed \$375,000.00.

Read and referred to Public Works & Environmental Services Committee

Bill No.

[2007-1265](#)

Resolution further amending Resolution No. 948, effective January 1, 2004, as amended, entitled "Adopting and approving the 2004 Capital Budget and the 2004 Community Development Block Grant Program; and approving the 2004 through 2009 Capital Improvement Program," by adding Federal Highway funding (\$160,000.00), decreasing State Highway funding (\$240,000.00 to \$30,000.00), and reducing the CDBG funding (\$60,000.00 to \$10,000.00) to the "West Ohio St. Bridge" line item and increasing the "Bridge Repairs" line item in the amount of \$50,000.00 from \$300,000.00 to \$350,000.00.

Read and referred to Public Works & Environmental Services Committee

Bill No. Resolution further amending Resolution No. 619, effective January 1, 2005, as amended, entitled "Adopting and approving the 2005 Capital Budget and the 2005 Community Development Block Grant Program; and approving the 2005 through 2010 Capital Improvement Program," by eliminating the "Ridge Avenue Bridge" line item in the amount of \$451,000.00 (\$360,575.00 FHWA, \$67,425.00 SHW, \$23,000 CDBG) and creating a line item entitled "Bridge Repairs" in the amount of \$23,000.00 CDBG.

[2007-1266](#)

Read and referred to Public Works & Environmental Services Committee

MS. PAYNE PRESENTS COMMITTEE ON PLANNING, ZONING AND LAND USE

Bill No. Resolution authorizing the Mayor and Director of City Planning to receive grant funding to support the "Natural Areas Study" being conducted in the City's four regional parks and further providing for an Agreement or Agreements for professional services in support of the "Natural Areas Study". Agreement not to exceed \$114,509.00.

[2007-1268](#)

Read and referred to Public Works & Environmental Services Committee

UNFINISHED BUSINESS

Bill No. Resolution authorizing the appointment of Jane Haskell, 5023 Frew Street, Apt. 6AD Pittsburgh, Pennsylvania 15213, as a member of the Art Commission of the City of Pittsburgh for a term that shall coincide with the term of the Mayor. Jane Haskell succeeds Diane Samuels.

[2007-1240](#)

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

REPORTS OF COMMITTEE - FINAL ACTION

MR. DEASY PRESENTS COMMITTEE ON FINANCE, LAW AND PURCHASING

Bill No. Report of the Committee on Finance, Law and Purchasing for March 7, 2007.

[2007-1249](#)

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

Bill No. Resolution authorizing the issuance of a warrant in the sum of \$200,000.00 to Deven W. Werling, c/o Timothy P. O'Brien, Esquire, 1705 Allegheny Building, 429 Forbes Avenue, Pittsburgh, PA 15219, in full and final settlement of an action filed in the United States District Court, Western District of Pennsylvania to No. 05CV-0898.

[2007-1220](#)

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

Votes: Ayes: 8 - Mr. Bodack, Ms. Carlisle, Mr. Deasy, Mrs. Harris, Mr. Koch, Mr. Motznik, Ms. Payne and Mr. Shields

Noes: 1 - Mr. Peduto

Abstentions: 0

MR. KOCH PRESENTS COMMITTEE ON PUBLIC WORKS & ENVIRONMENTAL SERVICES

Bill No. [2007-1250](#) Report of the Committee on Public Works and Environmental Services for March 7, 2007.

Bill No. [2007-1222](#) Resolution granting unto Rita's Water and Ice Real Estate Company, 1525 Ford Road, P.O. Box 1147 Bensalem, PA 19020, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, steps with landing on the sidewalk area at 2429 E. Carson Street in the 16th Ward, 3rd 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: 8 - Mr. Bodack, Ms. Carlisle, Mrs. Harris, Mr. Koch, Mr. Motznik, Ms. Payne, Mr. Peduto and Mr. Shields
Noes: 0
Abstentions: 0
Out of Room: 1 - Mr. Deasy

MS. PAYNE PRESENTS COMMITTEE ON PLANNING, ZONING AND LAND USE

Bill No. [2007-1251](#) Report of the Committee on Planning, Zoning and Land Use for March 7, 2007.

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

Bill No. [2007-1102](#) Ordinance amending the Pittsburgh Zoning Code, Title Nine, Article One, Chapter 902 Section 902.03, Zoning District Map No. 9 by changing various zoning district classifications in the Overbrook neighborhood in accord with Map Pittsburgh: Zoning for your Neighborhood, the city's zoning re-mapping project relative to the city's new Urban Zoning Code.

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

Votes: Ayes: 8 - Mr. Bodack, Ms. Carlisle, Mrs. Harris, Mr. Koch, Mr. Motznik, Ms. Payne, Mr. Peduto and Mr. Shields
Noes: 0
Abstentions: 0
Out of Room: 1 - Mr. Deasy

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

Bill No. [2007-1252](#) Report of the Committee on Housing, Economic Development and Promotion for March 7, 2007.

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

Bill No.

[2007-1223](#)

Resolution authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh providing for the transfer to URA of \$2,255,000 for projects in various City neighborhoods. (Council Districts: All)

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

Votes: Ayes: 8 - Mr. Bodack, Ms. Carlisle, Mrs. Harris, Mr. Koch, Mr. Motznik, Ms. Payne, Mr. Peduto and Mr. Shields

Noes: 0

Abstentions: 0

Out of Room: 1 - Mr. Deasy

MR. BODACK PRESENTS COMMITTEE ON PUBLIC SAFETY SERVICES

Bill No.

[2007-1253](#)

Report of the Committee on Public Safety Services for March 7, 2007.

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

Bill No.

[2007-1224](#)

Resolution providing for a contract or contracts or the use of existing contract or contracts; or agreement or agreements for the purchase of computers, mobile data computers, warranties, mounting equipment and accessories at a cost not to exceed One Hundred Thousand Dollars (\$100,000.00) and providing for the payment of the costs thereof.

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2007-1225](#)

Resolution providing for a Contract or Contracts or Agreement or Agreements; or the use of existing Contracts or Agreements for the purchase of City issued tasers, holsters, batteries, cartridges and other related accessories for the Bureau of Police at a cost not to exceed Fifty Thousand (\$50,000.00) Dollars and providing for the payment thereof.

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2007-1226](#)

Resolution amending and supplementing Resolution No. 759 of 2006, effective January 1, 2007, entitled: "Adopting and approving the 2007 Capital Budget and the 2007 Community Development Block Grant Program: and approving the 2007 through 2012 Capital Improvement Program," by adding Tasers \$50,000 and by decreasing Mobile Data Computers \$50,000, within the Bureau of Police.

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: 8 - Mr. Bodack, Ms. Carlisle, Mrs. Harris, Mr. Koch, Mr. Motznik, Ms. Payne, Mr. Peduto and Mr. Shields

Noes: 0

Abstentions: 0

Out of Room: 1 - Mr. Deasy

MOTIONS AND RESOLUTIONS

Bill No.

[2007-1277](#)

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

SPONSOR(S): JEFFREY S. KOCH

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

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.