

# **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 25, 2005**

**10:00 AM**

**Council Chambers**

**City Council**

**ONE-HUNDRED  
THIRTY-THIRD COUNCIL**

**Gene Ricciardi, President**

**Council Members: Len Bodack, Twanda Carlisle,**

**Alan Hertzberg, 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. Hertzberg, Mr. Motznik, Mr. Peduto, Mr. Ravenstahl, Mr. Shields, Mr. Udin and Mr. Ricciardi

## PLEDGE OF ALLEGIANCE

*Led by 8 year old Jonathan Soisson, who is a 2nd grade student from Scared Heart Elementary School. (Council District #8)*

## PROCLAMATIONS

Bill No. [2005-1005](#) NOW, THEREFORE, BE IT RESOLVED, that the City of Pittsburgh commends and thanks the organizers, artists, sponsors, and supporters of Artists For Hope; and

BE IT FURTHER RESOLVED that the City of Pittsburgh hereby declares Sunday, January 30, 2005 Artists For Hope Day in the City of Pittsburgh.

**SPONSOR(S): WILLIAM PEDUTO**

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

Bill No. [2005-1006](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh acknowledge The Brother's Brother Foundation for its outstanding charitable commitment, donor dependency, fundraising efficiency, and overall dedication to humanity.

**SPONSOR(S): LUKE RAVENSTAHL**

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

Bill No. [2005-1007](#) NOW, THEREFORE BE IT RESOLVED, that Pittsburgh City Council proudly announces the opening of Kuntu Repertory Theatre's 2005 production of Bubbling Brown Sugar as it welcomes home and recognizes the significant contribution of Paris' New Josephine Baker, Vivian Reed, to Pittsburgh's greats and the genre of performing arts throughout the world.

**SPONSOR(S): SALA UDIN**

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

Bill No. [2005-1008](#) NOW THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh commends the American Heart Association for their work and dedication to the ongoing fight against heart disease and stroke.

BE IT FURTHER RESOLVED that February 4, 2004 be hereby declared "GO RED FOR WOMEN DAY" in the City of Pittsburgh.

Passed in Council Tuesday, January 25, 2005.

SPONSORED BY COUNCIL PRESIDENT GENE RICCIARDI

COUNCILMEMBERS TWANDA CARLISLE, LEN BODACK,  
ALAN HERTZBERG, JIM MOTZNIK, WILLIAM PEDUTO,  
LUKE RAVENSTAHL, DOUG SHIELDS AND SALA UDIN  
**SPONSOR(S): GENE RICCIARDI**

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

## **PUBLIC COMMENTS**

## **PRESENTATION OF PAPERS**

### **MS. CARLISLE PRESENTS COMMITTEE ON HOUSING, ECONOMIC DEVELOPMENT & PROMOTION**

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 District 9 Community Projects \$40,000 and by deleting the Bradahanna Project Homewood Bureau of Building Inspection \$40,000 in Council District 9.

[2005-1002](#)

**SPONSOR(S): TWANDA CARLISLE**

**Read and referred to Housing, Economic Development & Promotion Committee**

Bill No. 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 Bradahanna Project - BBI Homewood \$40,000 in Council District 9."

[2005-1003](#)

**SPONSOR(S): TWANDA CARLISLE**

**Read and referred to Housing, Economic Development & Promotion 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 changing the project name from Oakland PDC - Allies & Bates Sts. Project to Oakland PDC - Oakland Square/Co-cooperation Projects funding shall remain \$80,000, in Council District 3.

[2005-1004](#)

**SPONSOR(S): GENE RICCIARDI**

**Read and referred to Housing, Economic Development & Promotion Committee**

### **MR. HERTZBERG PRESENTS COMMITTEE ON FINANCE AND BUDGET**

Bill No. Resolution amending the Rules of Council , Rule VI, subsection c, by inserting  
[2005-0999](#) guidelines for Public Comment at City Council Regular, Committee and Special Meetings.

**SPONSOR(S): SALA UDIN AND TWANDA CARLISLE**

**Read and referred to Finance & Budget Committee**

Bill No. Resolution repealing Resolution No. 532, effective September 24, 1998, entitled  
[2005-1000](#) "Authorizing and directing the City Controller to deposit all proceeds received from the outdoor advertising on bus shelters into the "Shade Tree Trust Fund."  
(Public Hearing held on February 16, 2005)

**SPONSOR(S): LUKE RAVENSTAHL**

**Read and referred to Finance & Budget Committee**

Bill No. Resolution further amending Resolution No. 121 of 2003, effective March 14, 2003  
[2005-1001](#) 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 Bradahanna Project - BBI Homewood \$40,000.00 in Council District 9."

**SPONSOR(S): TWANDA CARLISLE**

**Read and referred to Finance & Budget Committee**

## **MR. RAVENSTAHL PRESENTS COMMITTEE ON PUBLIC WORKS & ENVIRONMENTAL SERVICES**

Bill No. Resolution providing for an Agreement or Agreements or for the use of existing  
[2005-0993](#) 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. Cost not to exceed \$722,000.00.

**Read and referred to Public Works & Environmental Services Committee**

## **MS. UDIN PRESENTS COMMITTEE ON PLANNING, ZONING & LAND USE**

Bill No. Ordinance amending the Pittsburgh Code, Title Nine, Zoning Article III, Section  
[2005-0994](#) 902.03 - Zoning Map by changing from RM-H/Residential Multi-Unit, High Density to LNC/Local Neighborhood Commercial certain properties having frontage along the north side of Centre Avenue east of Millvale Avenue and identified as Block and Lots #51-N-223, -225 and -227 in Allegheny Block and Lot system, 8th Ward, City of Pittsburgh.

**Read and referred to Planning, Zoning & Land Use Committee**

Bill No. Ordinance amending the Pittsburgh Code, Title Nine, Zoning Article III, Section  
[2005-0995](#) 902.03 - Zoning Map by changing from RP/Residential Planned Unit Development to CP/Commercial Planned Unit Development certain properties southwest of the intersection of Evergreen Road and Ivory Avenue and identified as Block and Lots

#163-K-059, -060, -150, -151, -170 and -248 and Block and Lot #163-L-005 in Allegheny Block and Lot system, 26th Ward, City of Pittsburgh.

**Read and referred to Planning, Zoning & Land Use Committee**

Bill No.

[2005-0996](#)

Resolution approving a Conditional Use under the Pittsburgh Code, Title Nine - Zoning, Article V, Section 911.04.A.28 and .29 to WPXI-TV for authorization to operate a Helicopter Landing Facility (Helipad) on property located near Evergreen Rd and US 19 North in the Summer Hill neighborhood and to be zoned CP / Commercial Planned Unit Development district, 26th Ward.

**Read and referred to Planning, Zoning & Land Use Committee**

## UNFINISHED BUSINESS

Bill No.

[2005-0997](#)

Communication from Mayor Tom Murphy submitting a Veto of Council Bill No. 2004-0936, entitled, "Resolution authorizing the City Clerk to enter into a professional services contract(s), or use of existing professional services contract(s) with a consultant or consultants to provide professional services to Pittsburgh City Council for the purpose of including, but not limited to technical, legal, clerical and or financial advisory services. Total amount not to exceed \$71,000.00.

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

Bill No.

[2004-0936](#)

Resolution authorizing the City Clerk to enter into a professional services contract(s), or use of existing professional services contract(s) with a consultant or consultants to provide professional services to Pittsburgh City Council for the purpose of including, but not limited to technical, legal, clerical and or financial advisory services. Total amount not to exceed \$71,000.00.

**SPONSOR(S): ALAN HERTZBERG**

**A motion was made to sustain the Mayor's veto. The motion carried by the following vote:**

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

Noes: 0

Abstentions: 0

## REPORTS OF COMMITTEE - FINAL ACTION

### MR. HERTZBERG PRESENTS COMMITTEE ON FINANCE & BUDGET

Bill No.

[2005-0990](#)

Report of the Committee on Finance and Budget for January 19, 2005.

**Read, Received and Filed**

Bill No.

[2005-0955](#)

Resolution providing for the issuance of a warrant in favor of Best Business Forms Company, 323 Stanton Avenue, Pittsburgh, PA 15209, in the amount of \$5,528.16 for payment for the manufacture of the 2005 City of Pittsburgh Dog License Applications,

Dog License Receipts, Outgoing and Return Mailing Envelopes for the same, Cashier Window Dog License Pocket Forms, and Imaging/Mailing Services for billing the 2005 City of Pittsburgh Dog License Applications, chargeable to and payable from Account 533400, Fund 8705, Organization 430000, Sub Class 600, Budget Year 2004, Animal Control/Animal Welfare Trust Fund.

**This Matter was Passed Finally on the Consent Agenda.**

Bill No.

[2005-0961](#)

Resolution providing that the City of Pittsburgh enter into a renewal of the professional services Contract or Contracts currently in place with ALLEGHENY GENERAL HOSPITAL (AGH) for the purposes of on-going medical care provided to City of Pittsburgh employees who require treatment for service related injuries and/or illnesses pursuant to the Pennsylvania Workers' Compensation Act and providing for the payment of the cost thereof. Cost not to exceed \$4,337,250, plus administrative costs not to exceed \$260,000.

**This Matter was Passed Finally on the Consent Agenda.**

Bill No.

[2005-0962](#)

Resolution providing that the City of Pittsburgh enter into a professional services Contract or Contracts with ACTEC SYSTEMS INC (Actec) for the purposes of providing in-take call services to City of Pittsburgh employees who need to report an on-the-job accident, injury or illness pursuant to the Pennsylvania Workers' Compensation Act and providing for the payment of the cost thereof. Cost not to exceed \$20,000.

**This Matter was Passed Finally on the Consent Agenda.**

Bill No.

[2005-0963](#)

Resolution providing that the City of Pittsburgh enter into a professional services Contract or Contracts with Frank Gates Service Company for the purposes of on-going claims management provided to City of Pittsburgh employees who file reports of on-the-job injuries and/or illnesses pursuant to the Pennsylvania Workers' Compensation Act and providing for the payment of the cost thereof. Cost not to exceed \$781,528.

**This Matter was Passed Finally on the Consent Agenda.**

Bill No.

[2005-0987](#)

Ordinance supplementing the Pittsburgh Code, Title Two, Fiscal; Article VII, Business Related Taxes; Chapter 258, PAYROLL TAX, by changing Section 258.01 Definitions, subsection (k).

**SPONSOR(S): GENE RICCIARDI**

**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. Hertzberg, Mr. Motznik, Mr. Peduto, Mr. Ravenstahl, Mr. Shields, Mr. Udin and Mr. Ricciardi  
Noes: 0  
Abstentions: 0

**MR. UDIN PRESENT COMMITTEE ON PLANNING, ZONING AND LAND USE**

Bill No. Report of the Committee on Planning, Zoning and Land Use for January 19, 2005.

[2005-0991](#)

**Read, Received and Filed**

Bill No. Resolution approving a conditional use exception under Section 911.04.A.64 of the  
[2004-0898](#) Pittsburgh Code, Title Nine, Zoning, Chapter 911 to the Third Presbyterian Church, Owner, and Kentucky Avenue School, Lessee for authorization to expand the existing elementary school located at 5701 Fifth Avenue and zoned "R2-L" Residential Two-Unit Low Density District, 7th ward.

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

Bill No. Resolution approving a conditional use exception under Section 911.04.A.64 of the  
[2004-0898](#) Pittsburgh Code, Title Nine, Zoning, Chapter 911 to the Third Presbyterian Church, Owner, and Kentucky Avenue School, Lessee for authorization to expand the existing elementary school located at 5701 Fifth Avenue and zoned "R2-L" Residential Two-Unit Low Density District, 7th ward.

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

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

Bill No. Ordinance amending the Pittsburgh Zoning Map by changing from R2-L/Residential  
[2004-0594](#) Two-Unit, Low Density to LNC/Local Neighborhood Commercial certain property identified as Block and Lot #4-F-127 in Allegheny Block and Lot system, 161 Virginia Avenue, 19th Ward, City of Pittsburgh.  
(Public Hearing held on Nov. 19, 2004)

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

**Votes:** Ayes: 5 - Mr. Hertzberg, Mr. Peduto, Mr. Ravenstahl, Mr. Shields and Mr. Ricciardi  
Noes: 4 - Mr. Bodack, Ms. Carlisle, Mr. Motznik and Mr. Udin  
Abstentions: 0

Bill No. Resolution approving a Conditional Use under Section 911.04.A.64 of the Pittsburgh  
[2004-0845](#) Code, Title Nine, Zoning, Article V Chapter 911 to the Board of Public Education for authorization to renovate Sunnyside Elementary School and to erect two 1-story extensions to the school totaling 26,800 sq. ft. on property located at 4801 Stanton Avenue and zoned "R1D-L" Residential Single Unit Detached Low Density District, 10th ward.

**This Matter was Passed Finally on the Consent Agenda.**

Bill No. Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article IX,  
[2004-0846](#) Measurements and Definitions, Chapter 926 Definitions, by changing the definition of development and adding definitions for preservation and conservation. (Public Hearing held on Jan. 12, 2005)

**This Matter was Passed Finally on the Consent Agenda.**

Bill No. Resolution providing for the implementation of the Residential Parking Permit  
[2005-0965](#) Program (RPPP) Area "CC" in the Oakhill community (Council District #6) pursuant to Pittsburgh Code Chapter 549.

**This Matter was Passed Finally on the Consent Agenda.**

Bill No. Resolution authorizing the Mayor and the Director of City Planning to enter into an  
[2005-0967](#) agreement or agreements with members of the Zoning Board of Adjustment, for payment of services for duties related to any and all activities of the Zoning Board of the City of Pittsburgh. Cost not to exceed \$13,000 each or \$39,000 total.

**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. Hertzberg, Mr. Motznik, Mr. Peduto, Mr. Ravenstahl, Mr. Shields, Mr. Udin and Mr. Ricciardi  
Noes: 0  
Abstentions: 0

### MR. MOTZNIK PRESENTS COMMITTEE ON PARKS, RECREATION & YOUTH POLICY

Bill No. Report of the Committee on Parks, Recreation and Youth Policy for January 19, 2005.  
[2005-0992](#)

#### Read, Received and Filed

Bill No. Resolution authorizing the Director of the Department of Parks and Recreation to  
[2005-0968](#) enter into agreements in individual amounts of Ten Thousand Dollars (\$10,000.00) or less with performers, instructors, artists and persons with specialized skills in connection with the Department's recreational and instructional programs, along with an agreement or agreements, contract or contracts and use of existing agreements and contracts in the event that the Mellon Park Tennis Trust Fund is insufficient for 2005.

**This Matter was Passed Finally on the Consent Agenda.**

Bill No. Resolution authorizing the Director of the Department of Parks and Recreation to  
[2005-0969](#) enter into agreement or agreements, contract or contracts and use of existing agreement or agreements, contract or contracts in individual amounts of Ten Thousand Dollars (\$10,000.00) or less with consultants in connection with the Department's recreational and park related services.



**This Matter was Passed Finally on the Consent Agenda.**

Bill No.

[2005-0970](#)

Resolution providing for the establishment of a newly created Allegheny Regional Asset District Trust Fund (ARADTF). The purpose of the Trust Fund is to hold in trust all monies collected from the Allegheny County Regional Asset District 1% sales tax revenue for the benefit of the Department of Parks and Recreation and the Department of Public Works.

**This Matter was Passed Finally on the Consent Agenda.**

Bill No.

[2005-0971](#)

Resolution providing for a contract or contracts, agreements or agreements, lease or leases, or the use of existing contracts, leases or agreements and other approved expenditures for the payment of supplies, equipment, materials, salaries, rentals, and other services required to provide center services for the HACP Seniors Program in an amount not to exceed \$700,000.00 for the Department of Parks and Recreation.

**This Matter was Passed Finally on the Consent Agenda.**

Bill No.

[2005-0972](#)

Resolution providing for an Agreement or Agreements with the Pittsburgh Board of Public Education for the purpose of providing meals in connection with the 2005 Summer Food Service Program in the Department of Parks and Recreation. The total cost shall not exceed Seven Hundred Seventy Thousand Dollars (\$770,000.00).

**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. Hertzberg, Mr. Motznik, Mr. Peduto, Mr. Ravenstahl, Mr. Shields, Mr. Udin and Mr. Ricciardi  
Noes: 0  
Abstentions: 0

**MOTIONS AND RESOLUTIONS**

*RICCIARDI: Welcoming Mayor's Youth Policy students to Council.*

*UDIN: Inform Council on introduction of amendment to Rules of Council: Guidelines for Public Comment; Referred to Committee.*

*UDIN: Concern of ICA'S interference regarding police/fire arbitration; Act 47 in place; ICA should be abolished.*

Bill No.

[2005-0998](#)

Resolution approving the Re-appointment of Councilman Sala Udin as a Board Member of the Urban Redevelopment Authority of Pittsburgh, for a term to expire January 31, 2010.

**Read, Received and Filed****REQUESTS****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.**