

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 29, 2005

10:00 AM

Council Chambers

City Council

**ONE-HUNDRED
THIRTY-THIRD COUNCIL**

Gene Ricciardi, President

**Council Members: Len Bodack, Twanda Carlisle,
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: 8 - Mr. Bodack, Ms. Carlisle, Mr. Motznik, Mr. Peduto, Mr. Ravenstahl, Mr. Shields, Mr. Udin and Mr. Ricciardi

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

Bill No. [2005-1214](#) NOW, THEREFORE, BE IT RESOLVED, that the City of Pittsburgh congratulates the Oakland Catholic High School's girls basketball team on a successful season and state championship title; and

BE IT FURTHER RESOLVED that the City of Pittsburgh hereby declares Tuesday, March 29, 2005 "Oakland Catholic High School Girls Basketball Team 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. [2005-1215](#) NOW, THEREFORE, BE IT RESOLVED, that the City of Pittsburgh commends and thanks Green Light Pittsburgh for their continued commitment to educating the lighting and electrical community regarding the latest sustainable design practices, and wishes the organization the best of luck at their conference today.

BE IT FURTHER RESOLVED that the City of Pittsburgh hereby declares Tuesday, March 29, 2005 "Green Light Pittsburgh 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. [2005-1216](#) NOW THEREFORE BE IT RESOLVED that The Council of the City of Pittsburgh does hereby declare the first day of April, 2005 to be "Don't Be Fooled By Predatory Lenders Day" in the City of Pittsburgh and encourages all residents to participate in the day-long Consumer Finance Awareness activities offered from 10 a.m. until 3 p.m. in the lobby area of the City-County Building at 414 Grant Street in Downtown Pittsburgh by initiative of State Senator Jim Ferlo.

SPONSOR(S): GENE RICCIARDI AND ALL MEMBERS

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

Bill No. [2005-1217](#) NOW THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh congratulates Breachmenders Ministries on its 25th Anniversary and commends it for providing 25 years of work, help, dedication and community service to the residents of West Oakland.

BE IT FURTHER RESOLVED THAT April 2, 2005 be hereby declared "Breachmenders Ministries 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.

[2005-1218](#)

NOW THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does hereby recognize the Pittsburgh History and Landmarks Foundation, Phillips Elementary, Arlington Elementary, Bishop Leonard Catholic and Philip Murray Elementary schools, South Side Local Development Company, Comcast Pittsburgh, Lowe's and The History Channel for their many contributions to the historic preservation of our city.

BE IT FURTHER RESOLVED that April 7, 2005 be hereby proclaimed "Save Our History Day" in the City of Pittsburgh.

SPONSOR(S): GENE RICCIARDI

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

Bill No.

[2005-1219](#)

NOW THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate the YMCA of Pittsburgh on 150 years of service to the community; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Saturday April 2, 2004 to be "Healthy Kids Day" here 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.

[2005-1220](#)

NOW, THEREFORE BE IT FURTHER RESOLVED, that Pittsburgh City Council commends The Seven Project, Inc. for its humanitarian initiatives in the African-American community and throughout the city in prevention of HIV/AIDS and outreach for those who have contracted HIV/AIDS; thereby, in the words of your motto, we encourage Pittsburghers to: "Take A Stand. Make A Difference."

SPONSOR(S): SALA UDIN AND ALL MEMBERS

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 AND PROMOTION

Bill No.

[2005-1211](#)

Resolution approving Execution of a Contract for Disposition by Sale of Land by and between the Urban Redevelopment Authority of Pittsburgh and Robert A. and Grace S. Vargo, for the Sale of Block 56-D, Lots 131 (part) and 164, in the 15th Ward of the City of Pittsburgh - Council District No. 5 - 479 Kilbourne Street/Flowers Avenue (sideyard).

Read and referred to Housing, Economic Development & Promotion Committee

Bill No. Resolution approving execution of a Contract for Disposition by Sale of Land by and
[2005-1212](#) between the Urban Redevelopment Authority of Pittsburgh and AC/DC Electrical
Technology Group, Inc., or an entity to be formed, for the sale of Block 56-F, Lot 109,
in the 15th Ward of the City of Pittsburgh, in Redevelopment Area No. 40 - 4831
Second Avenue --Council District No. 5 (commercial/residential rehabilitation).
Read and referred to Housing, Economic Development & Promotion Committee

MR. UDIN PRESENTS COMMITTEE ON PLANNING, ZONING & LAND USE

Bill No. Ordinance amending the Pittsburgh Code, Title Nine, Zoning Article IIIV, Section
[2005-1207](#) 922.03 - Zoning Certificates by adding section 922.03.F - Transfer of Property without
Notice, City of Pittsburgh.
Read and referred to Planning, Zoning & Land Use Committee

Bill No. Resolution approving a Conditional Use under the Pittsburgh Code, Title Nine -
[2005-1208](#) Zoning, Article V, Section 911.04.A.23 to Duquesne University for authorization to
operate a Dormitory on property located at the northwest corner of Locust Street and
McAnulty Drive in the Uptown neighborhood and to be zoned EMI /
Educational-Medical Institute, 1st Ward.
Read and referred to Parks, Recreation & Youth Policy Committee

Bill No. Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Chapters 902.03 Zoning
[2005-1209](#) District Map #7 by changing zoning district classifications from AP/Mixed Use
Planned Unit Development, UNC/Urban Neighborhood Commercial and UI/Urban
Industrial to EMI/Educational-Medical Institute properties proximate to Duquesne
University, 1st Ward, City of Pittsburgh.
Read and referred to Planning, Zoning & Land Use Committee

Bill No. Resolution approving under the Pittsburgh Code, Title Nine - Zoning, Articles II and
[2005-1210](#) VII, Sections 905.03.D and 922.12 for Duquesne University an Institutional Master
Plan entitled "Duquesne University Master Plan" dated February 2004, and "Duquesne
University Master Plan Supplement" dated December 2004 for Duquesne University
and zoned EMI / Educational-Medical Institution, 1st Ward, Uptown, City of
Pittsburgh.
Read and referred to Planning, Zoning & Land Use Committee

MR. RICCIARDI, CHAIRMAN, PRESENTS COMMITTEE ON HEARINGS:

Bill No. Communication from City Controller Tom Flaherty submitting a Fiscal Audit of the
[2005-1213](#) Department of General Services' Warehouse Inventory as of October 19, 2004.
Read, Received and Filed

UNFINISHED BUSINESS

*RICCIARDI: Request Finance Chairman to investigate Non-Profit contributions to
City; status report.*

REPORTS OF COMMITTEE - FINAL ACTION

MR. SHIELDS PRESENTS COMMITTEE ON FINANCE & BUDGET

Bill No. Report of the Committee on Finance and Budget for March 23, 2005.

[2005-1203](#)

Read, Received and Filed

Bill No. Ordinance repealing the City of Pittsburgh Code Section 503.19 Traffic and
[2005-1167](#) renumbering City Code Sections 503.20 and 503.21 to new City Code Sections 503.19 and 503.20, respectively.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution providing for the issuance of a warrant in an amount not to exceed
[2005-1168](#) \$7,122.89 in favor of the Community Justice Project c/o Donald Driscoll, Esquire, 1705 Allegheny Building, 429 Forbes Avenue, Pittsburgh, PA 15219, in full and final settlement of a claim for counsel fees and costs incurred as the result of a Class Action which was filed to challenge the rates of interest and penalty collected by the City of Pittsburgh and School District of Pittsburgh on delinquent real estate taxes in the Court of Common Pleas of Allegheny County at No. GD 03-7130.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution authorizing the Mayor and the City Solicitor to enter into an agreement or
[2005-1169](#) agreements for the hiring of outside legal counsel and consultants to represent the City of Pittsburgh in connection with the conduct of labor negotiations and certain litigation matters at a cost not to exceed \$100,000.00 (One Hundred Thousand Dollars).

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution further amending Resolution No. 654, effective October 25, 2001, entitled,
[2005-1177](#) 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 Oakland Planning and Development - Dumpster Project \$932 in District 3.

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: 8 - Mr. Bodack, Ms. Carlisle, 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. Report of the Committee on Public Works and Environmental Services for March 23, 2005.
[2005-1204](#)

Read, Received and Filed

Bill No. 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 in connection with the design and construction of handicap ramps and sidewalks at various city-owned locations throughout the City of Pittsburgh; and further providing for the payment of the costs thereof. Cost not to exceed \$150,000.00.
[2005-1170](#)

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

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

Bill No. Report of the Committee on Housing, Economic Development and Promotion for March 23, 2005.
[2005-1205](#)

Read, Received and Filed

Bill No. 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 \$1,128,892.00 from Grant/Liberty to City Clerk's Office Modernization" by adding Oakland Planning and Development - Dumpster Project \$932, in Council District 3.
[2005-1178](#)

SPONSOR(S): GENE RICCIARDI

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution amending Resolution No. 531, effective November 17, 2004 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 for the benefit of residents of the City of Pittsburgh and further, authorizing various departments to enter into contract or contracts or use existing contract or contracts for the purchase of equipment and/or
[2005-1179](#)

furniture at a cost not to exceed \$1,488,500.00", so as to add to City Council Funds (+4,000) to Spring Garden Neighborhood Council

SPONSOR(S): LUKE RAVENSTAHL

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, Mr. Motznik, Mr. Peduto, Mr. Ravenstahl, Mr. Shields, Mr. Udin and Mr. Ricciardi

Noes: 0

Abstentions: 0

MR. BODACK PRESENTS COMMITTEE ON PUBLIC SAFETY SERVICES

Bill No. Report of the Committee on Public Safety Services for March 23, 2005.

[2005-1206](#)

Read, Received and Filed

Bill No. 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 \$1,301,000.

[2005-1174](#)

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution amending Resolution No. 327, effective July 21, 2004, 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 and payment of supplies, equipment, personnel costs, travel and/or training services, and all eligible expenses in conjunction with the Project Safe Neighborhood grant and providing for the costs thereof," by increasing the total project allocation by \$90,000.00 from \$88,000.00 to \$178,000.00.

[2005-1175](#)

This Matter was Passed Finally on the Consent Agenda.

Bill No. 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 \$90,000 of Pennsylvania Commission on Crime and Delinquency funds to the Police Bureau Budget.

[2005-1176](#)

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

MOTIONS AND RESOLUTIONS

Bill No.

[2005-1221](#)

NOW THEREFORE BE IT RESOLVED that the Mayor and the Council of the City of Pittsburgh hereby recognize the Pittsburgh International Council for Visitors to be civic and/or services organization within the context of the Pennsylvania Small Games of Chance Act, as amended.

SPONSOR(S): SALA UDIN

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

Votes: Ayes: 8 - Mr. Bodack, Ms. Carlisle, Mr. Motznik, Mr. Peduto, Mr. Ravenstahl, Mr. Shields, Mr. Udin and Mr. Ricciardi
Noes: 0
Abstentions: 0

Bill No.

[2005-1222](#)

WHEREAS, buildings are responsible for 36% of total energy use and 30% of greenhouse gas emissions in this country; and

WHEREAS, green buildings have a significant impact on the economy, environment, health, and well-being of our community; and

WHEREAS, green buildings improve air and water quality, reduce solid waste, conserve natural resources, reduce operating costs, optimize life-cycle economic performance, and minimize the strain on local infrastructure; and

WHEREAS, Cities around the world have enacted legislation that promotes the design, construction, and operation of buildings that are environmentally responsible; and

WHEREAS, Pittsburgh has long been a leader in environmental innovation in areas such as brownfield remediation and materials research; and

WHEREAS, providing developers with incentives for green building construction will help to attract progressive, environmentally friendly business to Pittsburgh.

SPONSOR(S): WILLIAM PEDUTO

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

Votes: Ayes: 8 - Mr. Bodack, Ms. Carlisle, Mr. Motznik, Mr. Peduto, Mr. Ravenstahl, Mr. Shields, Mr. Udin and Mr. Ricciardi
Noes: 0
Abstentions: 0

CARLISLE: Acknowledging black representation on ICA: Reverend Jim Simms has been appointed.

RICCIARDI: Acknowledge contributions of ICA member Jim Smith; resignation made way for minority representation.

MOTZNIK: Comments on pending resignation of Jim Roddey; potential to appoint female representation.

UDIN: Comments on remarks made during public comment regarding racism; unfortunate and inaccurate.

PEDUTO: Motion to cablecast PH of April 12th on "No Scalping Zones."

MOTZNIK: Comments on State Rep. Mike Diven's success with funding \$50,000 grant for policing in Beechview.

RICCIARDI: Comments on passage of Nuisance Property legislation; spurring interest with responsible Landlords.

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.