

# **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 11, 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 Byrd Graham who is a kindergarten student from the Holy Rosary School (Council District #6)--Grandson of our City Clerk Linda Johnson-Wasler*

## PROCLAMATIONS

Bill No. [2005-0977](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh congratulates Chuck Senft for receiving the USA Boxing National "Grassroots Award".

**SPONSOR(S): ALAN HERTZBERG**

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

Bill No. [2005-0978](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate Manny and Sylvia Gold on the occasion of Seventy Years of Marriage and convey to them our best wishes, good health and happiness, and;

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Saturday, January 8, 2005, to be "Manny and Sylvia Gold's 70th Anniversary Day" 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. [2005-0979](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate the Steel City Dragons on all of their accomplishments in dragon-boat competitions; and wish them much success in their endless pursuit of excellence and team work; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Tuesday January 11, 2005 as "Steel City Dragon 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.**

## PUBLIC COMMENTS

## PRESENTATION OF PAPERS

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

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.

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

Bill No.

[2005-0956](#)

Resolution further amending Resolution No. 150, effective March 14, 2003, entitled, "Resolution authorizing and directing the Mayor to enter into an Agreement or Agreements with qualified drug treatment programs and other related services, in connection with the City's Operation Weed and Seed Program, by increasing the total aggregate amount from \$5,075,000 to \$5,900,000.

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

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

Bill No.

[2005-0957](#)

Resolution further amending Resolution No. 302, effective July 9, 2004 entitled: Resolution authorizing and directing the Mayor to enter into an Agreement or Agreements with qualified drug treatment programs for drug treatment services and other related services with qualified non-profit agencies in connection with the City's Operation Weed and Seed program; by increasing the total aggregate amount from \$926,000 to \$1,316,000.

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

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

Bill No.

[2005-0958](#)

Resolution further amending Resolution No. 158 effective March 14, 2003 entitled Resolution adopting and approving the 2001 Capital Budget by increasing Operation Weed and Seed by \$825,000 from \$1,776,512.35 to \$2,601,512.35.

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

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

Bill No.

[2005-0959](#)

Resolution further amending Resolution No. 891 effective January 1, 2003 entitled "Resolution adopting and approving the 2003 Capital Budget" by decreasing "Operation Weed and Seed" by \$825,000 from \$825,000 to \$0.00.

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

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

Bill No.

[2005-0960](#)

Resolution further amending Resolution No. 891 effective January 1, 2003 entitled "Resolution adopting and approving the 2003 Capital Budget" by decreasing "Operation Weed and Seed" by \$825,000 from \$825,000 to \$0.00.

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

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

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.

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

Bill No.  
[2005-0962](#)

Resolution providing that the City of Pittsburgh enter into a professional services Contract or Contracts with ACTECSYSTEMS 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.

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

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.

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

Bill No.  
[2005-0975](#)

Ordinance amending the Pittsburgh Code, Title Two, Fiscal; Article VII, Business Related Taxes; by adjusting payments for year 2005 only, Chapter 258, PAYROLL TAX, Section 258.06 Returns.

**SPONSOR(S): GENE RICCIARDI AND JIM MOTZNIK**

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

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

Bill No.  
[2005-0976](#)

Resolution requesting that the City Administration revisit the issue of collection of the Emergency and Municipal Services Tax allowing businesses to identify those employees, such as part-time, temporary and interns whose earnings will be less than the \$12,000 exemption, so as to not deduct the full \$52 tax from the exempted employee's pay.

**SPONSOR(S): GENE RICCIARDI**

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

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

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

Bill No. [2005-0968](#) Resolution authorizing the Director of the Department of Parks and Recreation to 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.  
**Read and referred to Parks, Recreation & Youth Policy Committee**

Bill No. [2005-0969](#) Resolution authorizing the Director of the Department of Parks and Recreation to 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.  
**Read and referred to Parks, Recreation & Youth Policy Committee**

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.  
**Read and referred to Parks, Recreation & Youth Policy Committee**

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.  
**Read and referred to Parks, Recreation & Youth Policy Committee**

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).  
**Read and referred to Parks, Recreation & Youth Policy Committee**

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

Bill No. [2005-0964](#) Resolution authorizing the Mayor and the Director of the Department of Public Works to enter into an agreement or agreements with Davey Resource Group to conduct a tree inventory of the city's public street trees and to create a comprehensive management plan, at a cost not to exceed \$127,000.00

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

**Read and referred to Public Works & Environmental Services Committee****MS. UDIN PRESENTS COMMITTEE ON PLANNING, ZONING & LAND USE**

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

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

Bill No. Resolution providing for the implementation of the Residential Parking Permit Program (RPPP) Area "DD" in the Southside community (Council District #3) pursuant to Pittsburgh Code Chapter 549.  
[2005-0966](#)

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

Bill No. Resolution authorizing the Mayor and the Director of City Planning to enter into an 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.  
[2005-0967](#)

**Read and referred to Planning, Zoning & Land Use Committee****MR. RICCIARDI PRESENTS COMMITTEE ON HEARINGS**

Bill No. Communication from Tom Flaherty, City Controller submitting a Performance Audit of Environmental Services Refuse Division, conducted pursuant to the Controller's powers under Section 404(c) of the Pittsburgh Home Rule Charter.  
[2005-0973](#)

**Read, Received and Filed**

Bill No. Communication from Tom Flaherty, City Controller, submitting a Final Comprehensive Annual Financial Report for the year ended December 31, 2003  
[2005-0974](#)

**Read, Received and Filed****UNFINISHED BUSINESS**

*MOTZNIK: MOTION TO CABLCAST Public Hearing on Wednesday, February 9th at 11:30 a.m. Advertising on Park Property; APPROVED.*

**REPORTS OF COMMITTEE - FINAL ACTION****MR. HERTZBERG PRESENTS COMMITTEE ON FINANCE & BUDGET**

Bill No. Report of the Committee on Finance and Budget for January 5, 2005.  
[2005-0953](#)

**Read, Received and Filed**

Bill No. Resolution authorizing the City Controller to enter into a contract or contracts, agreement or agreements, or the use of existing contracts or agreements for CAFR related expenses at a cost not to exceed twenty-one thousand dollars (\$21,000) and providing for the payment of the cost thereof.  
[2004-0935](#)

**A motion was made by Council Member Peduto, seconded by Council Member Hertzberg, that this matter be RECOMMENDED to the Finance & Budget Committee. The motion failed by the following vote:**

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

**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. Hertzberg, Mr. Motznik, Mr. Peduto, Mr. Ravenstahl, Mr. Shields and Mr. Udin  
Noes: 1 - Mr. Ricciardi  
Abstentions: 0

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 that this matter be RECOMMENDED to the Finance & Budget Committee. The motion failed by the following vote:**

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

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

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

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.

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

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

Bill No. [2004-0928](#)  
Resolution further amending and supplementing Resolution No. 256, effective April 26, 2000, 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 9; and providing for the payment of the costs thereof," by adding "Bradahanna Project Homewood - BBI" \$40,000 and by reducing "Demolition/Boarding Vacant Structures" by \$40,000. Total of all projects is not to exceed \$932,000.

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

Bill No. [2004-0929](#)  
Resolution further amending and supplementing Resolution No. 180, effective April 5, 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 3; and providing for the payment of the costs thereof," By adding projects Public Safety Initiatives, Oakland Planning and Development \$4,000 and Public Safety Initiatives, St. Clair/Mt. Oliver Block Watch \$4,000, South Sides Slopes Neighborhood Association \$4,000, South Side Community Council \$4,000 and by reducing Knoxville Business Corridor Improvements by \$16,000 from \$33,515 to \$17,515 in Council District 3. Total cost of all projects is not to exceed \$970,000.

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

Bill No. [2005-0954](#)  
Report of the Committee on Public Works and Environmental Services for January 5, 2005.

#### **Read, Received and Filed**

Bill No. [2004-0930](#)  
Resolution granting unto the Pittsburgh Cultural Trust, 812-818 Liberty Avenue, Pittsburgh, PA 15222, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, two metal bollards on the



sidewalk area of Strawberry Way in the 2nd Ward, 6th Council District of the City of Pittsburgh.

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

Bill No.

[2004-0931](#)

Resolution vacating a portion of Musgrave Street and accepting the dedication of relocated Musgrave Street in the 15th Ward, 5th Council District, of the City of Pittsburgh.

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

Bill No.

[2004-0933](#)

Resolution vacating a 15' and 20' Unnamed Way in the 17th Ward, 3rd Council District, of the City of Pittsburgh.

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

Bill No.

[2004-0934](#)

Resolution vacating Sutherland Drive between Terrace Street and Allequippa Street in the 4th Ward, 8th Council District, of the City of Pittsburgh.

**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**

*CARLISLE: Parking Authority fees; Request legal opinion on conflict of interest; can they issue, collect and hold court: Formerly done by Magistrate Court; Judicating tickets vs. privatization slated for March.*

*CARLISLE: Request new flow chart for the City of Pittsburgh from City Administration.*

*CARLISLE: Request CABLECAST POST AGENDA on Landslide in District 9. TBA in late March 2005.*

*UDIN: New police hires in 2005; outreach for diversity of candidates. MOTZNIK: 60 college credit requirement a hindrance.*

*CARLISLE: Diversity on ICA; forward Resolution to House/Senate for replacement of Jim Roddy. Forward list of potential candidates.*

### **EXCUSE ABSENT MEMBERS**

### **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.**