

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 7, 2006

10:00 AM

Council Chambers

City Council

**ONE-HUNDRED
THIRTY-FOURTH COUNCIL**

Luke Ravenstahl, President

**Council Members: Len Bodack, Twanda Carlisle,
Dan Deasy, Jim Motznik, Tonya D. Payne, William Peduto, Douglas Shields**

Linda M. Johnson-Wasler, City Clerk

Mary Beth Doheny, Deputy City Clerk

ROLL CALL

Present: 8 - Mr. Bodack, Ms. Carlisle, Mr. Deasy, Ms. Payne, Mr. Motznik, Mr. Peduto, Mr. Shields and Mr. Ravenstahl

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

Bill No.

[2006-0192](#)

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh, congratulates the American Cancer Society's Greater Pittsburgh Unit on being named NUMBER ONE IN THE NATION for the year 2005 Daffodil Days campaign, and wishes it even greater success with the 2006 campaign; and

BE IT FURTHER RESOLVED, that March 20 to 26, 2006 be declared "DAFFODIL DAYS" in the City of Pittsburgh

SPONSOR(S): DAN DEASY

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

Bill No.

[2006-0193](#)

NOW THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh recognize and commends Monty Meza-Clay for showing us the true heart of a champion and we wish him nothing but success in all of his future endeavors.

SPONSOR(S): TWANDA CARLISLE AND ALL MEMBERS

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

Bill No.

[2006-0194](#)

NOW, THEREFORE BE IT RESOLVED, that the Pittsburgh City Council commends and recognizes the honorees of the 2006 Black Extravaganza: Black Trailblazers Awards, the Cecile M. Springer Womanpower Awardee, the KDKA-TV Lift Up Award recipients, and the Renaissance Young Achievers for their tremendous contributions to the City of Pittsburgh. In addition, we also extend our appreciation to Renaissance Publications for its efforts in highlighting and profiling the achievements of the awardees.

SPONSOR(S): TONYA D. PAYNE AND ALL MEMBERS

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

Bill No.

[2006-0195](#)

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 6-11, 2006, to be "St. Patrick's Week" in the City of Pittsburgh.

SPONSOR(S): TWANDA CARLISLE

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

Bill No. NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby congratulates Eagle Scout Neal Schubert on his recent accomplishment and commends him for his outstanding achievement of attaining the rank of EAGLE SCOUT.

[2006-0196](#)

SPONSOR(S): DAN DEASY 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 PLANNING, ZONING AND LAND USE

Bill No. Resolution (denying) approving a Conditional Use exception under the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 911, Section 911.04.A.22 to Michael Facchiano Contracting on behalf of Community Specialists Corporation, property owner, for authorization to place approximately 88,000 cubic yards of fill on property located at 900 Agnew Road, zoned "UI", Urban Industrial District, 31st Ward.

[2006-0173](#)

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 \$39,000.

[2006-0174](#)

Read and referred to Planning, Zoning & Land Use Committee

MS. PAYNE PRESENTS COMMITTEE ON HOUSING, ECONOMIC DEVELOPMENT AND PROMTION

Bill No. Resolution adopting the Fifth and Market Tax Increment Financing Plan presented by the Urban Redevelopment Authority of Pittsburgh, repealing LERTA exemptions and making certain findings. (Council District 6).

[2006-0175](#)

Read and referred to Housing, Economic Development & Promotion Committee

Bill No. Resolution authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh, the County of Allegheny and the School District of Pittsburgh providing for the financing, monitoring, implementation and termination of the Fifth and Market Tax Increment Financing District. (Council District 6).

[2006-0176](#)

Read and referred to Housing, Economic Development & Promotion Committee

Bill No. Resolution amending Resolution No. 794, effective December 31, 2005 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 street paving and other related costs

[2006-0178](#)

the purchase of equipment and/or furniture at a cost not to exceed \$972,000.00; so as to reprogram funds in City Council from "Central Baptist Church Central Development Corp." (-14,000) to the "Arch Street Senior High Rise" (+2,500), and to the "Millones Manor High Rise" (+2,500); and to the "Central Out Reach Resource & Referral Center" (+9,000).

SPONSOR(S): TONYA D. PAYNE

Read and referred to Housing, Economic Development & Promotion Committee

Bill No.

[2006-0179](#)

Resolution Amending Resolution No. 793, effective December 31, 2005 entitled: 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 City Council from "Central Baptist Church Central Development Corp." (-1,174.74) and "Schenley Heights Development Corp." (-2,225.26) to the "Dinwiddie Community Alliance (+1,900) and to the "Corporate Collections (aka "Dress for Success")" (+1,500).

SPONSOR(S): TONYA D. PAYNE

Read and referred to Housing, Economic Development & Promotion Committee

Bill No.

[2006-0180](#)

Resolution amending Resolution No. 792, effective December 31, 2005 entitled: The Mayor and the Director of the Department of City Planning of the City of Pittsburgh are hereby authorized to enter into an Agreement or Agreements, in a form approved by the City Solicitor, with the following 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(s) or use existing contract(s) for street paving and other related costs, for the purchase of equipment and/or furniture and installation thereof, at a cost not to exceed \$1,000,000.00 chargeable to and payable from the 2005 Community Development Block Grant Program "City Council" so as to reprogram funds in City Council from "Schenley Heights Development Corp." (-2,225.26) and from the "Central Baptist Church Central Development Corp." (-1,174.74) and reallocate these funds to the "Dinwiddie Community Alliance" (+1,900) and to "Corporate Collections (aka "Dress For Success")" (+1,500).

SPONSOR(S): TONYA D. PAYNE

Read and referred to Housing, Economic Development & Promotion Committee

Bill No.

[2006-0181](#)

Resolution amending Resolution No. 791, effective December 31, 2005 entitled: "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 1997 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 City Council from the "Schenley Heights Community Development Corporation" (-4,000) to "Gwen's Girls" (+1,500) and to the "Pittsburgh Community Services" (+2,500).

SPONSOR(S): TONYA D. PAYNE

Read and referred to Housing, Economic Development & Promotion Committee

Bill No.

[2006-0182](#)

Resolution amending Resolution No. 41, effective February 14, 2006, as entitled, "Providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of HUD for a grant in connection with the 2000 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 City Council from "Schenley Heights C.D.C." (-2,960) and reallocate these funds to the "Uptown Community Action Group" (+2,960).

SPONSOR(S): TONYA D. PAYNE

Read and referred to Housing, Economic Development & Promotion Committee

Bill No.

[2006-0183](#)

Resolution amending Resolution No. 40 effective February 14, 2006, 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 furniture at a cost not to exceed \$1,440,896.62" so as to transfer funds from City Council, "Schenley Heights C.D.C." (-2,960) and reallocate these funds to the "Uptown Community Action Group" (+ 2,960).

SPONSOR(S): TONYA D. PAYNE

Read and referred to Housing, Economic Development & Promotion Committee

Bill No.

[2006-0184](#)

Resolution Amending Resolution No. 801, effective December 31, 2005, entitled, "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 2001 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 City Council from "Schenley Heights Community Development Corporation" (-5,638) to the "Central Outreach Resource & Referral Center" (+5,638); and from "District 1 Equipment" (-1,000) to the "North Shore Community Alliance" (+1,000).

SPONSOR(S): TONYA D. PAYNE

Read and referred to Housing, Economic Development & Promotion Committee

Bill No.

[2006-0185](#)

Resolution amending Resolution No. 800, effective December 31, 2005, which presently reads as follows: The Mayor and the Director of the Department of City Planning of the City of Pittsburgh are hereby authorized to enter into an Agreement or Agreements, in a form approved by the City Solicitor, with the following 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(s) or use existing contract(s) for the purchase of equipment and/or furniture and installation thereof, at a cost not to exceed \$1,153,750.00, chargeable to and payable from the 2001 Community Development Block Grant Program "City Council", so as to reprogram funds in City Council from the "Schenley Heights Community Development Corp." (-5,638) to the "Central Outreach Resource & Referral Center" (+5,638) and from "District 1 Equipment" (-1,000) to the "North Shore Community Alliance" (+1,000).

SPONSOR(S): TONYA D. PAYNE

Read and referred to Housing, Economic Development & Promotion Committee

Bill No.

[2006-0186](#)

Resolution amending Resolution No. 797, effective December 31, 2005, entitled "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 1999 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 transfer funds in City Council from "Schenley Heights Community Development Corp." (-5,176.74) to the "Fineview Citizens Council" (+5,176.74).

SPONSOR(S): TONYA D. PAYNE

Read and referred to Housing, Economic Development & Promotion Committee

Bill No.

[2006-0187](#)

Resolution amending Resolution No. 795, effective December 31, 2005, entitled: 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 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 City Council from "Central Baptist Church Central Development Corp." (-14,000) to the "Arch Street Senior High rise" (+2,500); and to the "Millones Manor High Rise" (+2,500); and to the "Central Outreach Resource & Referral Center" (+9,000).

SPONSOR(S): TONYA D. PAYNE

Read and referred to Housing, Economic Development & Promotion Committee

Bill No.

[2006-0188](#)

Resolution amending No. 796, effective December 31, 2005 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 furniture at a cost not to exceed \$1,129,744.64, "so as to reprogram funds in City Council from "Schenley Heights Community Development Corp." (-5,176.74) to the "Fineview Citizens Council" (+5,176.74).

SPONSOR(S): TONYA D. PAYNE**Read and referred to Housing, Economic Development & Promotion Committee**

Bill No.

[2006-0189](#)

Resolution amending Resolution No.790 effective December 31, 2005, entitled: "Resolution 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, at a cost not to exceed \$1,076,844.90, chargeable to and payable from the 1997 Community Development Block Grant Program" so as to reprogram funds in City Council from "Schenley Heights Community Development Corporation" (-4,000) to the "Gwen's Girls" (+1,500); and to the "Pittsburgh Community Services" (+2,500).

SPONSOR(S): TONYA D. PAYNE**Read and referred to Housing, Economic Development & Promotion Committee**

Bill No.

[2006-0190](#)

Resolution amending and supplementing Resolution No. 861, effective January 1, 2000, as amended, entitled: "Adopting and approving the 2000 Capital; 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 of Brighton Duplex Project to Brighton Heights Citizens Federation and increasing the amount from \$10,000 to 20,000 and by adding Spring Garden Street Lighting \$1,200 and Perry Athletic Association Equipment \$4,000 in Council District 1.

SPONSOR(S): LUKE RAVENSTAHL**Read and referred to Housing, Economic Development & Promotion Committee****MR. SHIELDS PRESENTS COMMITTEE ON FINANCE & BUDGET**

Bill No.

[2006-0172](#)

Resolution providing that the City of Pittsburgh enter into an agreement or agreements for maintaining equipment necessary for the processing and administration of Personnel and Civil Service applications and examinations and providing for the payment of the cost thereof. Cost not to exceed \$13,000.00.

Read and referred to Finance & Budget Committee

Bill No.

[2006-0191](#)

Resolution further amending and supplementing Resolution No. 258, 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 1; and providing for the payment of the costs thereof," by changing the project name of Brighton Duplex Project to Brighton Heights Citizens Federation and increasing the amount from \$10,000 to 20,000 and by adding Spring Garden Street Lighting \$1,200 and Perry Athletic Association Equipment \$4,000 in Council District 1. Total amount of all projects not to exceed \$824,095.42.

SPONSOR(S): LUKE RAVENSTAHL

Read and referred to Finance & Budget Committee

MR. RAVENSTAHL, THE CHAIR PRESENTS COMMITTEE ON HEARINGS

DOES NOT REQUIRE CONFIRMATION

Bill No.

[2006-0177](#)

Resolution informing Council of the appointment by Councilwoman Tonya Payne (District 6) of Oscar J. Petite, Jr., as a Member of the Pittsburgh Cable Advisory Committee, for a term to expire December 31, 2009

Read, Received and Filed

UNFINISHED BUSINESS

Bill No.

[2006-0096](#)

Resolution authorizing the appointment of Barbara K. Mistick as a Member of the Planning Commission. Ms. Mistick shall succeed John Martine. In order to realign Planning Commission positions with the requirements of staggered terms per Section 923.01A of the City Code, Ms. Mistick's term shall extend to January 2, 2012.

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

Votes: Ayes: 8 - Mr. Bodack, Ms. Carlisle, Mr. Deasy, Ms. Payne, Mr. Motznik, Mr. Peduto, Mr. Shields and Mr. Ravenstahl

Noes: 0

Abstentions: 0

REPORTS OF COMMITTEE - FINAL ACTION

MR. SHIELDS PRESENTS COMMITTEE ON FINANCE & BUDGET

Bill No.

[2006-0168](#)

Report of the Committee on Finance and Budget for March 1, 2006.

Read, Received and Filed

Bill No.

[2006-0091](#)

Requesting the approval of an inter-municipal transfer of a restaurant liquor license, License No. R-18761, which rescinds approval of Resolution No. 650 of 2002, from Freddy's Restaurant and Lounge, Inc., secured creditor National Builders and

Acceptance Corp. c/o Liquor Control Board, to Applicant, Fratelli's Pizzeria and Company, c/o Rosina Sciulli, 12 Virgila Place, Pittsburgh, PA 15213, for premises at 109-111 Market Street, Pittsburgh, PA 15222, known as MILANO'S PIZZA, pursuant to amended Pennsylvania Liquor Code, §4-461.
(Presented by Mr. Shields and Ms. Carlisle)

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, Ms. Payne, Mr. Motznik, Mr. Peduto, Mr. Shields and Mr. Ravenstahl
Noes: 0
Abstentions: 0

MR. DEASY PRESENTS COMMITTEE ON PUBLIC WORKS & ENVIRONMENTAL SERVICES

Bill No. Report of the Committee on Public Works and Environmental Services for March 1, 2006.
[2006-0169](#)

Read, Received and Filed

Bill No. Resolution providing for the closing of the Asphalt Reimbursement Trust Fund (Fund 8710), and for the creation of the Public Works Reimbursement Trust Fund, and providing for the deposit and expenditure of reimbursements received from other Governmental agencies, for Public Works related activities.
[2006-0085](#)

A motion was made that this matter be RECOMMITTED to the Public Works & Environmental Services Department. The motion carried by the following vote:

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

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

Bill No. Report of the Committee on Planning, Zoning and Land Use for March 1, 2006.
[2006-0170](#)

Read, Received and Filed

Bill No. Resolution providing for the City of Pittsburgh's consent to the Public Parking Authority of the City of Pittsburgh authorizing the Riverlife Task Force to enter upon the Monongahela Wharf and make certain improvements thereon, and to assure continued public access to the Monongahela Wharf.
[2006-0131](#)

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, Ms. Payne, Mr. Motznik, Mr. Peduto,
Mr. Shields and Mr. Ravenstahl

Noes: 0

Abstentions: 0

MOTIONS AND RESOLUTIONS

APPROVAL OF MINUTES

ADJOURNMENT