

City of Pittsburgh

*510 City-County Building
414 Grant Street
Pittsburgh, PA 15219*



MEETING MINUTES

Proceedings of the Council of the City of Pittsburgh

Monday, November 6, 2006

10:00 AM

Council Chambers

City Council

**ONE-HUNDRED
THIRTY-FOURTH COUNCIL**

Douglas Shields, President

**Council Members: Len Bodack, Twanda Carlisle,
Dan Deasy, 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: 8 - Mr. Bodack, Ms. Carlisle, Mr. Deasy, Mr. Koch, Mr. Motznik, Ms. Payne, Mr. Peduto and Mr. Shields

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

Bill No.

2006-0919

WHEREAS, employees of the City of Pittsburgh have been in the service of their country in active duty, reserve units and as veterans in all branches of the Armed Forces; and,

WHEREAS, the City of Pittsburgh acknowledges the commitment, dedication and sacrifice of its city employees who serve the Armed Forces; and,

WHEREAS, many of the City of Pittsburgh's employees have served on active duty over this past year; and

WHEREAS, the City of Pittsburgh acknowledges the sacrifice of the families of each employee who serves in the Armed Forces; and

WHEREAS, the City of Pittsburgh recognizes US Air Force ROTC Detachment 730, who today accept this proclamation while representing and symbolizing all of the Armed Forces; and

WHEREAS, patriotism, commitment and exemplary service are the benchmark of the City's dedicated workforce.

SPONSOR(S): DOUGLAS SHIELDS, DAN DEASY, JEFFREY S. KOCH, JIM MOTZNIK, TONYA D. PAYNE, LEN BODACK, WILLIAM PEDUTO AND TWANDA CARLISLE

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

Bill No.

2006-0920

NOW THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend The Federation of War Veterans Societies' Inc for all the hard work that has been done over the years; and

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh proclaims that Saturday November 11th, 2006 be hereby declared as "The Federation of War Veterans Societies' Day"!

SPONSOR(S): JIM MOTZNIK, DOUGLAS SHIELDS, WILLIAM PEDUTO, LEN BODACK, TWANDA CARLISLE, DAN DEASY, JEFFREY S. KOCH AND TONYA D. PAYNE

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

Bill No.

2006-0921

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby commends and thanks PUMP and congratulates the recipients of the 40 under 40 awards; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh hereby declares November 10, 2006 "40 Under 40 Day" in the City of Pittsburgh.

**SPONSOR(S): WILLIAM PEDUTO, DOUGLAS SHIELDS, LEN BODACK,
TWANDA CARLISLE, DAN DEASY, JEFFREY S. KOCH,
JIM MOTZNIK AND TONYA D. PAYNE**

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

Bill No.

2006-0922

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby commends and thanks the members of Attack Theatre for their contribution to the Arts; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh hereby declares Monday, November 10, 2006 "Attack Theatre Day" in the City of Pittsburgh.

**SPONSOR(S): WILLIAM PEDUTO, DOUGLAS SHIELDS, LEN BODACK,
TWANDA CARLISLE, DAN DEASY AND JEFFREY S. KOCH**

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

Bill No.

2006-0923

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby commends and thanks the members of the National Runaway Switchboard for their efforts to aid young people; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh hereby declares November 2006 "Runaway Prevention Month" in the City of Pittsburgh.

**SPONSOR(S): WILLIAM PEDUTO, DOUGLAS SHIELDS, LEN BODACK,
TWANDA CARLISLE, DAN DEASY AND JEFFREY S. KOCH**

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

Bill No.

2006-0924

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby commends and thanks the participants in 412: Creative Nonfiction Festival for their contribution to the Arts.

**SPONSOR(S): WILLIAM PEDUTO, DOUGLAS SHIELDS, LEN BODACK,
TWANDA CARLISLE, DAN DEASY AND JIM MOTZNIK**

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

Bill No.

2006-0925

Now, therefore, be it resolved, that the Council of the City of Pittsburgh recognizes The Frick Art Museum for its dedication and cultural enrichment and enhancement of the City of Pittsburgh through its many exhibitions and historical presentations.

SPONSOR(S): DOUGLAS SHIELDS AND ALL MEMBERS

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

Bill No.

2006-0926

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby recognizes the Oncology Nursing Society and welcomes its members and thanks them for promoting excellence in nursing and displaying dedication to providing the highest quality of care.

BE IT FURTHER RESOLVED, that the City of Pittsburgh urges all the residents to observe Oncology Nursing Day on November 10, 2006.

SPONSOR(S): DOUGLAS SHIELDS AND WILLIAM PEDUTO

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

PUBLIC COMMENTS

PRESENTATION OF PAPERS

MR. DEASY PRESENTS COMMITTEE ON FINANCE, LAW AND PURCHASING

Bill No.

2006-0910

Resolution authorizing the issuance of a warrant in the sum of \$35,500.00 to Tammy Beck-Buckner c/o Carlyle J. Engel, Esquire, One Oxford Centre, Suite 2501, Pittsburgh, PA 15219, in full and final settlement of an action filed at SA 06-000715, arising from damages allegedly caused by the roots of a City-owned street tree at 1356 Kinmount Street, Pittsburgh, PA 15205 in the City of Pittsburgh.

Read and referred to Finance, Law and Purchasing Committee

Bill No.

2006-0911

Resolution amending Resolution No. 242, effective April 28, 2006 entitled "Resolution amending Resolution No. 730, effective December 14, 2005, entitled, "Resolution providing that the City of Pittsburgh enter into a professional services Contract/s for the purposes of insuring that on-going medical care is provided to City of Pittsburgh employees who require treatment for service related injuries and/or illnesses under the Pennsylvania Workers' Compensation Act, plus Administrative Costs for Year 1 of service," so as to increase the amount by \$81,000, from \$4,676,330 to \$4,757,330.

Read and referred to Finance, Law and Purchasing Committee

Bill No.

2006-0912

Resolution authorizing the Mayor and the Director of the Department of Finance to enter into an agreement or agreements with the Commonwealth of Pennsylvania Department of Environmental Protection ("DEP") granting to the DEP and its agents, employees or contractors, leave to enter upon certain property of the City in the 5th Ward, located between 816 and 824 Herron Hill Avenue, for the purpose of conducting a subsurface investigation of an abandoned coal mine and if necessary to install a drainage system.

Read and referred to Finance, Law and Purchasing Committee

Bill No.

2006-0915

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 three new projects and by

deleting various other projects. Total cost of all projects is not to exceed \$954,594.76.

SPONSOR(S): JEFFREY S. KOCH

Read and referred to Finance, Law and Purchasing Committee

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

Bill No.

[2006-0914](#)

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 Caliguri Senior Center \$1,000, Urban Mountain Gathering Place, \$2,500, and South Side Slopes Neighborhood Association \$2,500, and by decreasing amounts in various other projects in Council District 3.

SPONSOR(S): JEFFREY S. KOCH

Read and referred to Housing, Economic Development & Promotion Committee

MR. KOCH PRESENTS COMMITTEE ON PUBLIC WORKS AND ENVIRONMENTAL SERVICES

Bill No.

[2006-0913](#)

Resolution amending Resolution No. 536, effective July 11, 2003, entitled, "Resolution providing for an Agreement or Agreement(s) or Contract or Contract(s) or use of existing Agreements or Contracts with a Consultant or Consultant(s) or Vendor or Vendor(s) for the purpose of staffing, planning, marketing and undertaking technical assistance and needed studies such as an on street tree inventory and related support for the Pittsburgh Shade Tree Commission at a cost not to exceed \$75,000.00, so as to add language for tree removal.

Read and referred to Public Works & Environmental Services Committee

MR. SHIELDS PRESENTS COMMITTEE ON HEARINGS

Bill No.

[2006-0916](#)

Resolution authorizing the appointment of Mayor Luke Ravenstahl as a member of the Board of Trustees of the Comprehensive Municipal Pension Trust Fund.

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

Bill No.

[2006-0917](#)

Resolution authorizing the appointment of George R. Specter, 1422 Inverness Avenue, Pittsburgh, PA 15217, as a member of the Comprehensive Municipal Pension Trust Fund Board of the City of Pittsburgh.

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

Bill No.

[2006-0918](#)

Resolution authorizing the appointment of Michael H. Huss, 1100 Liberty Avenue, Pittsburgh, PA 15222, as a member of the Comprehensive Municipal Pension Trust Fund Board of the City of Pittsburgh.

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

UNFINISHED BUSINESS

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 November 1, 2006.

2006-0907

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

Bill No. Providing for the continued designation of a Downtown Pittsburgh Business Improvement District for the area shown on Exhibit "A" at the behest of the Pittsburgh Downtown Partnership, a coalition of property owners, business leaders, retailers, civic organizations, and residents.

(PUBLIC HEARING HELD NOVEMBER 25, 2006)

SPONSOR(S): TONYA D. PAYNE

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

Votes: Ayes: 7 - Mr. Bodack, Ms. Carlisle, Mr. Deasy, Mr. Motznik, Ms. Payne, Mr. Peduto and Mr. Shields

Noes: 1 - Mr. Koch

Abstentions: 0

Bill No. 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 three new projects and by deleting various other projects. Total cost of all projects is not to exceed \$954,594.76.

SPONSOR(S): JEFFREY S. KOCH

Read and referred to Finance, Law and Purchasing Committee

MR. KOCH PRESENTS COMMITTEE ON PUBLIC WORKS & ENVIRONMENTAL SERVICES

Bill No. Report of the Committee on Public Works and Environmental Services for November 1, 2006.

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

Bill No. Resolution authorizing the transfer of a portion of Wickline's Lane from the Commonwealth of Pennsylvania to the City of Pittsburgh in the 24th Ward, 1st 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, Mr. Deasy, Mr. Koch, Mr. Motznik, Ms. Payne, Mr. Peduto and Mr. Shields

Noes: 0

Abstentions: 0

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

Bill No. [Report of the Committee on Housing, Economic Development and Promotion for November 1, 2006.](#)

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

Bill No. [Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to pursue a tax increment financing proposal for portions of the 5th & Penn Redevelopment Area \(pending certification\) - Larimer Neighborhood. \(Council District 9\).](#)

This Matter was Passed Finally on the Consent Agenda.

Bill No. [Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an Application to the Pennsylvania Office of the Budget for a Redevelopment Assistance Capital Program grant in the amount of \\$1,125,000 for the National Aviary project. \(Council District No. 6\)](#)

This Matter was Passed Finally on the Consent Agenda.

Bill No. [Resolution authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh in connection with URA's application for a \\$1,125,000 Redevelopment Assistance Capital Program grant for the National Aviary project. \(Council District No. 6\)](#)

This Matter was Passed Finally on the Consent Agenda.

Bill No. [Resolution further amending Resolution No 540, effective September 27, 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 \\$1,108,517.10, chargeable to and payable from the 1994 Community Development Block Grant Program" so as to transfer funds from City Council, "District 7 Equipment" \(-9,000\) to "Neighbors in the Strip" \(+5,000\); and to the "Lawrenceville Corporation" \(+4,000\).](#)

SPONSOR(S): LEN BODACK

This Matter was Passed Finally on the Consent Agenda.

Bill No. [Resolution further amending Resolution No. 548, effective September 27, 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 1994 Community Development Block Grant Program" so as to transfer funds in City Council from "District 7 Equipment" (-9,000) to "Neighbors In The Strip" (+5,000); and to the "Lawrenceville Corporation" (+ 4,000).

SPONSOR(S): LEN BODACK

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. Deasy, Mr. Koch, Mr. Motznik, Ms. Payne, Mr. Peduto and Mr. Shields

Noes: 0

Abstentions: 0

MOTIONS AND RESOLUTIONS

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.