

# **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 14, 2005**

**10:00 AM**

**Council Chambers**

**City Council**

**ONE-HUNDRED  
THIRTY-THIRD COUNCIL**

**Gene Ricciardi, President**

**Council Members: Len Bodack, Twanda Carlisle,  
Dan Deasy, 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. Deasy, Mr. Motznik, Mr. Peduto, Mr. Ravenstahl, Mr. Shields, Mr. Udin and Mr. Ricciardi

## PLEDGE OF ALLEGIANCE

*Led by the 5th & 4th Grade Student Council Representatives from The Phillip Murray Elementary School-- John Micklo, Rashea Scott Hyatt, Kendre Crawford-Blue, K'ari Lonesome, Samome Anthony, Breonna Brookins, Jacob Shawhan & Shontall Blue.*

## PROCLAMATIONS

Bill No. [2005-1885](#)  
NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh salutes the Pittsburgh Irish & Classical Theatre for enriching the Pittsburgh theater scene by providing high quality, affordable and accessible productions, offering strong community partnerships, and seeking talented local employees to perform, direct and design its productions.

**SPONSOR(S): WILLIAM PEDUTO**

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

Bill No. [2005-1886](#)  
BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh recommends that Allegheny County select new voting machines that use a voter-verified paper ballot.

**SPONSOR(S): WILLIAM PEDUTO**

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

Bill No. [2005-1887](#)  
NOW, THEREFORE, BE IT RESOLVED, the Council of the City of Pittsburgh hereby acknowledges and commends those involved in sustaining the transgender community's civil rights and who have fought against gender based violence and discrimination;

**SPONSOR(S): WILLIAM PEDUTO**

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

Bill No. [2005-1888](#)  
BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby proclaim Wednesday, November 16, 2005 as "The North Side Christian Health Center Day" in the City of Pittsburgh.

**SPONSOR(S): LUKE RAVENSTAHL**

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

Bill No. [2005-1889](#)  
BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby proclaim Tuesday, November 15, 2005 as "America Recycles Day" in the City of Pittsburgh.

**SPONSOR(S): LUKE RAVENSTAHL**

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

Bill No. BE IT FURTHER RESOLVED that Monday, November 14, 2005 be hereby declared  
[2005-1890](#) “Duquesne Light Day” in the City of Pittsburgh.

**SPONSOR(S): GENE RICCIARDI**

**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  
[2005-1891](#) recognizes this outstanding young man, Justin O'Toole of Troop 6 and commends him for his commitment to the betterment of his community and his great personal achievement.

**SPONSOR(S): JIM MOTZNIK**

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

Bill No. BE IT FURTHER RESOLVED that Monday, November 14, 2005 be hereby declared  
[2005-1892](#) “Saitama City Day” in the City of Pittsburgh.

**SPONSOR(S): GENE RICCIARDI**

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

Bill No. BE IT FURTHER RESOLVED that Saturday, November 5, 2005 be hereby declared  
[2005-1893](#) Slovak Catholic Sokol's Centennial Anniversary Day in the City of Pittsburgh.”

**SPONSOR(S): GENE RICCIARDI**

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

## **PRESENTATION OF PAPERS**

### **MR. BODACK PRESENTS COMMITTEE ON PUBLIC SAFETY SERVICES**

Bill No. Resolution authorizing the Mayor and the Chief of the Bureau of Police to enter into a  
[2005-1881](#) license agreement with InfoUSA to provide access to investigative tools/databases, cost not to exceed \$28,384.00.

**Read and referred to Public Safety Services Committee**

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

Bill No. Resolution authorizing a Cooperation Agreement or Agreements with the Urban  
[2005-1879](#) Redevelopment Authority of Pittsburgh in connection with URA's application for a \$350,000 Redevelopment Assistance Capital Program grant for the West Penn Hospital School of Nursing project. (Council District No. 7)

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

Bill No. Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an  
[2005-1880](#) Application to the Pennsylvania Office of the Budget for a Redevelopment Assistance Capital Program grant in the amount of \$350,000 for the West Penn Hospital School of Nursing project. (Council District No. 7)

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

Bill No.

[2005-1882](#)

Resolution amending Resolution No. 261, effective May 5, 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 transfer funds from City Council District 1 Equipment (-5,000) to Fineview Citizen's Council (+5,000).

**SPONSOR(S): TWANDA CARLISLE****A motion was made that this matter be Waived under Rule 8. The motion carried.****Read and referred to Housing, Economic Development & Promotion Committee**

Bill No.

[2005-1883](#)

Resolution amending Resolution No. 261, effective May 5, 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 transfer funds from The Department of Engineering & Construction - "Major Signal Upgrade" (-100,000) and Architectural Engineering (+100,000).

**SPONSOR(S): TWANDA CARLISLE****A motion was made that this matter be Waived under Rule 8. The motion carried.****Read and referred to Housing, Economic Development & Promotion Committee**

Bill No.

[2005-1884](#)

Resolution amending Resolution No. 261, effective May 5, 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 transfer funds from Traffic Signal Hardware Upgrade (-50,000) and Chateau/Juniata Traffic Signal (-20,000) to the Tree Removal Program (+70,000).

**SPONSOR(S): TWANDA CARLISLE****A motion was made that this matter be Waived under Rule 8. The motion carried.**

**Read and referred to Housing, Economic Development & Promotion Committee****MR. RAVENSTAHL PRESENTS COMMITTEE ON PUBLIC WORKS & ENVIRONMENTAL SERVICES**

Bill No. Resolution providing for a License Agreement with the Friends of the Riverfront to define their maintenance privileges along the City of Pittsburgh's riverfront trails  
[2005-1867](#)

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

Bill No. Resolution granting unto Julianne C. Milan and Michael P. Milan, 2100 Sarah Street, Pittsburgh, PA 15203, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a balcony/porch extending over the sidewalks area of S 21st Street for 2100 Sarah Street in the 16th Ward, 3rd Council District of City of Pittsburgh.  
[2005-1868](#)

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

Bill No. Resolution vacating Ayers Street from Lawn Street to its western terminus in the 4th Ward, 6th Council District, of the City of Pittsburgh.  
[2005-1869](#)

**Read and referred to Public Works & Environmental Services Committee****MR. SHIELDS PRESENTS COMMITTEE ON FINANCE & BUDGET**

Bill No. Resolution authorizing the Mayor and the City Solicitor to enter into an agreement or agreements for the hiring of Towers Perrin to assist with labor negotiations at a cost not to exceed \$25,000.00 (Twenty-Five Thousand Dollars).  
[2005-1860](#)

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

Bill No. Resolution authorizing the Mayor and the City Solicitor to enter into an agreement or agreements for the hiring of Klett Rooney Lieber & Schorling at a cost not to exceed \$25,000.00 (Twenty-Five Thousand Dollars).  
[2005-1861](#)

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

Bill No. Resolution authorizing the Mayor and the City Solicitor to enter into an agreement or agreements for the hiring of LHV Financial Advisors (David Volpe) an expert witness to testify on behalf of the City of Pittsburgh in a lawsuit with the City Controller at a cost not to exceed \$50,000.00 (Fifty Thousand Dollars).  
[2005-1862](#)

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

Bill No. Resolution providing that the City of Pittsburgh enter into a professional services Contract or Contracts 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 pursuant to the Pennsylvania Workers' Compensation Act and providing for the payment of the cost thereof, cost not to exceed \$4,307,436.  
[2005-1863](#)

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

Bill No. Resolution providing that the City of Pittsburgh enter into a professional services Contract or Contracts for the purposes of claims management provided to City of Pittsburgh employees who file reports of on-the-job injuries and/or illnesses pursuant  
[2005-1864](#)

to the Pennsylvania Workers' Compensation Act and providing for the payment of the cost thereof, cost not to exceed \$ 526,333.

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

Bill No.

[2005-1865](#)

Resolution providing that the City of Pittsburgh enter into a professional services Contract or Contracts for the purpose of providing professional nurse case management services in connection with the monitoring of certain worker's compensation claims and medical treatment toward a goal of returning injured employees to work as soon as they are medically able to return. Cost not to exceed \$ 125,000.

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

Bill No.

[2005-1866](#)

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 various new projects and by deleting two. Total cost of all projects is not to exceed \$970,000.

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

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

Bill No.

[2005-1870](#)

Ordinance amending the Pittsburgh Zoning Code, Title Nine, Article One, Section 902.03, Zoning District Maps No.10 and 11 of the Pittsburgh Code are hereby amended so as to change the following zoning district classifications by changing various zoning district classifications in the Lawrenceville neighborhood, 6th, 9th and 10th Wards.

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

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

Bill No.

[2005-1871](#)

Ordinance amending the Pittsburgh Code, Title Nine, Zoning Map by changing zoning district boundaries by extending the SP-4 district to S 1st St, extending the DR-C, GT-C and GT-B districts to the 16th St Bridge and creating the new GT-E district bounded by the Crosstown Expressway, Crawford St and Fifth Ave; and amending the Pittsburgh Code, Title Nine, Zoning with changes regarding Gaming Enterprises including amending text for the SP-4 district, adding text for the GT-E Subdistrict, adding Gaming Enterprise to the Use Table, amending the Use Standards for Adult Entertainment, Parking, Commercial, Firearm Business Establishment, Check Cashing and Pawn Shop uses, revising landscaping standards for surface parking, adding Site Plan Review criteria for large footprint buildings, amending the Project Development Plan, Preliminary Land Development Plan and Final Land Development Plan procedures and adding new definitions.

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

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

Bill No. Ordinance amending the Pittsburgh Zoning Code, Title Nine, Article One, Chapter  
[2005-1872](#) 902 Section 902.03, and Zoning District Map Nos. 7, 11, and 12 by changing various zoning district classifications in the Strip District neighborhood in accord with Map Pittsburgh: Zoning for your Neighborhood, the city's zoning re-mapping project relative to the city's new Urban Zoning Code.

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

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

Bill No. Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Chapter 911.02 (Use  
[2005-1873](#) Table) to provide a definition for the use of Controlled Substance Dispensation Facility and Chapter 911.04(Use Standards) to provide use standards for same.

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

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

Bill No. Resolution approving a Conditional Use exception under the Pittsburgh Code, Title  
[2005-1874](#) Nine, Zoning, Article V, Chapter 911, Section 911.04.A.64 to the Board of Public Education for authorization to expand Colfax Elementary School by installation of two modular structures with two classrooms each for use on a temporary basis from the fall of 2005 until the fall of 2007, located at 2332 Beechwood Boulevard on property zoned "R2-L", Residential Two-Unit, Low Density District, 14th Ward.

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

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

Bill No. Resolution further amending Resolution No. 590/2003 as amended by Resolution No.  
[2005-1875](#) 98/2001, as amended by Res. 634/2001, entitled "Resolution Providing for an Agreement/s, or Contract/s, with consultant, vendors and/or contractors for planning and/or implementing costs of the Trail Development Projects and related projects" by decreasing the allocation by \$110,000 for a total cost of \$1,198,374.

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

Bill No. Resolution amending Res. 554 effective November 30, 2004, as amended entitled  
[2005-1876](#) "Providing for an Agreement or Agreements, or Contract, or use of existing Agreement(s) or Contract(s) with consultant, vendors and/or contractors for the purpose of planning and/or implementing costs of the Trail Development Projects" by increasing the allocation by \$57,725 for a total cost of \$730,725.

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

Bill No. Resolution further amending Resolution No. 881/2001, entitled "Adopting and  
[2005-1877](#) approving the 2001 Capital Budget and the 2001 Community Development Block Grant Program; and approving the 2001 through 2006 Capital Improvement Program", and last amended in Resolution No. 596/2003, by decreasing Trail Development by

\$110,000 from \$1,562,374 to \$1,452,374.

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

Bill No.

[2005-1878](#)

Resolution amending Resolution No. 565, effective November 30, 2004, as amended, entitled: "Adopting and approving the 2002 Capital Budget and the 2002 Community Development Block Grant Program; and approving the 2002 through 2007 Capital Improvement Program by adjusting various line items in conformance with City Council's 2002 Capital Budget amendments" to adjust the amount allowed for receipts from various outside agencies regarding the City's Trail Development Program.

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

## REPORTS OF COMMITTEE - FINAL ACTION

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

Bill No.

[2005-1857](#)

Report of the Committee on Finance and Budget for November 9, 2005.

**Read, Received and Filed**

Bill No.

[2005-1801](#)

Resolution authorizing the Mayor and the City Solicitor to enter into contracts for professional services to assist in the representation of the City of Pittsburgh at a cost not to exceed \$100,000.00 (One Hundred Thousand Dollars).

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

**Votes:** Ayes: 9 - Mr. Bodack, Ms. Carlisle, Mr. Deasy, 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.

[2005-1858](#)

Report of the Committee on Public Works and Environmental Services for November 9, 2005.

**Read, Received and Filed**

Bill No.

[2005-1826](#)

Resolution designating City property to be used as the site for the erection of the Allegheny County World War II Memorial and authorizing a license and Cooperation Agreement by and between the City of Pittsburgh and the World War II Veterans of Allegheny County Memorial Fund, Inc. In connection with the installation, donation, and transfer of the Allegheny County World War II Memorial and thereafter authorizing a separate Perpetual Care and Maintenance Agreement for the memorial.

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

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

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

Bill No. Report of the Committee on Planning, Zoning and Land Use for November 9, 2005.

[2005-1859](#)

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

Bill No. Resolution renewing an approved Conditional Use application, Resolution No. 542/2004, entitled, approving a Conditional Use under Section 911.04.A.64 of the Pittsburgh Code, Title Nine, Zoning, Article V Chapter 911 as amended, to the Board of Public Education of Pittsburgh for authorization to construct a 2-story extension to the easterly side of Sterrett Classical Academy with classrooms, gymnasium, cafeteria and library at 7100 Reynolds Street on property zoned "R1D-L" Residential Single Unit Detached Low Density District, 14th Ward." in accordance with guidelines set forth in Section 922.06.I.3, Renewal in the Event of Lapse.

[2005-1849](#)

**SPONSOR(S): TWANDA CARLISLE**

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

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

### **RECESSED**

**A motion was made to recess the meeting and reconvene on Tuesday, November 15th at 1:00p.m. for the Mayor's Budget Presentation. The motion carried.**

### **RECONVENED MEETING - HELD NOVEMBER 15, 2005**

*Formal Presentation by Mayor Tom Murphy, outlining the 2006 Capital Budget and Operating Budget for the City of Pittsburgh*

**MOTION TO APPROVE THE MINUTES.**

**MOTION TO ADJOURN.**