

# **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, February 8, 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 Nicholas Tunstall, Shawn Tunstall & Joey Staudenmaire they are members of the Brighton Heights Deck Hockey Association. (District 1)*

## PROCLAMATIONS

Bill No.

[2005-1043](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize and commend Dr. John W. Thompson and his work with the Pittsburgh Public School System and for his true devotion and compassion of our Children.

BE IT FURTHER RESOLVED, that the Council in the City of Pittsburgh declare Tuesday, February 8, 2005, as "Dr. John Thompson Day"

**SPONSOR(S): TWANDA CARLISLE AND ALL MEMBERS**

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

Bill No.

[2005-1044](#)

NOW, THEREFORE, BE IT RESOLVED, that the Council in the City of Pittsburgh recognizes and commends the Sickle Cell Society, Inc. for continuing to educate and advocate the community on the Sickle Cell Disease. Remembering education is the key to prevention.

**SPONSOR(S): TWANDA CARLISLE AND ALL MEMBERS**

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

Bill No.

[2005-1045](#)

NOW, THEREFORE, BE IT RESOLVED, that the Council in the City of Pittsburgh declares, Tuesday, February 8, 2005 as the First Annual "NAACP Membership Drive" Day.

**SPONSOR(S): TWANDA CARLISLE AND ALL MEMBERS**

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

Bill No.

[2005-1046](#)

NOW, THEREFORE BE IT RESOLVED, that Pittsburgh City Council congratulates Scoutmaster Brian R. Foltz on being a recipient of the 2005 Whitney M. Young, Jr. Service Award, and thereby joins the Greater Pittsburgh Council of the Boy Scouts of America in saluting Mr. Foltz's exceptional commitment to Troop 678 in his pledge to ameliorate the social and civic development of male youth in the City of Pittsburgh.

**SPONSOR(S): SALA UDIN AND ALL MEMBERS**

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

Bill No.

[2005-1047](#)

NOW, THEREFORE BE IT RESOLVED, the City of Pittsburgh does hereby proclaim the week of February 13-19, 2005, AS CHILD PASSENGER SAFETY WEEK

And call upon all the residents to join with us in supporting the efforts and activities of

the Team Educators for CHild Safety (TECHS) to prevent childhood injury and death due to motor vehicle crashes.

**SPONSOR(S): LEN BODACK**

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

Bill No.

[2005-1048](#)

NOW THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh commends the Shrine of North America for its philanthropy and commends Shriners everywhere for their dedication and contributions to the health and well-being of children and their continued support and care for young burn victims.

BE IT FURTHER RESOLVED that February 6 through 12, 2005 be hereby declared "Shriners Hospital Burn Awareness Week" in the City of Pittsburgh.

**SPONSOR(S): LEN BODACK 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 PUBLIC SAFETY SERVICES**

Bill No.

[2005-1040](#)

Ordinance supplementing the Pittsburgh Code, Title Six - Conduct, Article 1 - Regulated Rights and Actions, Chapter 601 - Public Order - by adding Section 601.19 entitled "LOITERING FOR THE PURPOSE OF ENGAGING IN DRUG-RELATED ACTIVITY.

**SPONSOR(S): GENE RICCIARDI**

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

Bill No.

[2005-1041](#)

Ordinance supplementing the Pittsburgh Code, Title Ten, Buildings, by adding chapter 1017, Nuisance Abatement.

**SPONSOR(S): GENE RICCIARDI**

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

Bill No.

[2005-1042](#)

Ordinance supplementing the Pittsburgh Code, Title Ten, Buildings, by adding Chapter 1018, Action for Possession of Rental Unit as a Drug Haven.

**SPONSOR(S): GENE RICCIARDI**

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

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

Bill No.

[2005-1027](#)

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 adding "Spring Garden Neighborhood Council Grocery Store Project" \$50,000. Total amount of all projects not to exceed \$741,720.42.

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

Bill No.

[2005-1028](#)

Resolution amending Resolution #960 of 2003 effective December 31, 2003, entitled Resolution providing for a professional services agreement or agreements with KPMG Peat Marwick, LLP for the performance of the City's Financial Statement including Single Audit for the year ending December 31, 2003 at a total cost not to exceed One Hundred Ninty-Seven Thousand Seven Hundred Dollars (\$197,700.00) for one year."

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

Bill No.

[2005-1029](#)

Resolution providing for a professional services agreement or agreements with Maher Duessel for the performance of the City's Financial Statement including Single Audit for the years ending December 31, 2004 through December 31, 2006, at a total cost not to exceed Five Hundred Ninety-Nine Thousand, Two Hundred - Eighty Dollars (\$599,280.00) over three years, chargeable to and payable from Miscellaneous Services, Department of Finance, Account 526120, Fund 1000, Organization 107000, Sub-Class 150, Budget Year 2005 through Budget Year 2007.

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

Bill No.

[2005-1030](#)

Resolution providing for the conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984, having been placed for sale to adjoining property owners in conjunction with the City of Pittsburgh/City Source Associates Sideyard Program. ITEMS A thru D. A: 1619 Chelton; B: 129 Sebring (part A); .C: 129 Sebring (part B) D: 1912 Baldauf.

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

Bill No.

[2005-1031](#)

providing for conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984. ITEM A. 6812 & 6816 Simonton.

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

Bill No.

[2005-1032](#)

Resolution providing for the filing of petitions for the sale of certain properties, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984. ITEMS A thru J. A: 2021 Dartmore; B: 2226 Park Hill; C: 6728, 6726 & 6730 Simonton; D: 200-aka 202 Estella; E: 515 53rd; F: 175 Banner. G: 235 Mathews; H: 1927 St. Paul; I: 4280 McCaslin; J: 1838 Tonapah.

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

Bill No.

[2005-1036](#)

Resolution providing for an agreement with Dickie McCamey & Chilcote, P.C. for professional services for the City Controller. Cost not to exceed \$100,000.

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

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

Bill No. [2005-1033](#) Resolution granting unto the Carnegie Library, 612 Smithfield Street, Pittsburgh, PA 15222, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, an identification sign over the sidewalk area at 612 Smithfield Street in the 2nd Ward, 6th Council District of the City of Pittsburgh.  
**Read and referred to Public Works & Environmental Services Committee**

Bill No. [2005-1034](#) Resolution vacating North Canal Street between Chestnut and Heinz Streets in the 23rd Ward, 1st Council District, of the City of Pittsburgh.

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

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

Bill No. [2005-1035](#) Resolution amending Resolution No. 331, effective May 25, 2000, entitled, Resolution providing for an Agreement or Agreements or Contract or Contracts, or use of existing Agreements for Contracts, with a Consultant or Consultants, or Vendor or Vendors, for the purpose of conducting planning and management studies, and related activities in support of such studies including the purchase of data and data analysis equipment at a cost not to exceed \$125,000.00”, so as to add language for future expenditures.

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

Bill No. [2005-1039](#) Ordinance amending certain portions of the Pittsburgh Code of Ordinances, Title Nine, Zoning, Chapter 902.03 (Zoning Map) to change the Zoning Classification from R1A-VH / Residential Single-Unit Attached, Very High Density to LNC / Local Neighborhood Commercial all certain properties bounded by Block and Lot #24-K-81 in the Allegheny County block and lot system, Foreland St, Block and Lot #24-K-89 in the aforesaid system, Emlin Way and Block and Lots 24-K-78 and 79 in the aforesaid system, 23rd Ward. (Council District 1)

**SPONSOR(S): LUKE RAVENSTAHL**

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

## UNFINISHED BUSINESS

Bill No. [2005-1037](#) Communication from Mayor Tom Murphy submitting a Veto of Council Bill No. 594 of 2004, an Ordinance amending the Pittsburgh Zoning Map by changing from R2-L/Residential Two Unit, Low Density to LNC/Local Neighborhood Commercial certain property identified as Block and Lot #4-F-127 in Allegheny Block and Lot property at 161 Virginia Avenue in the 19th Ward.

**A motion was made by Council Member Hertzberg, seconded by Council Member Peduto, to override the Mayor's veto.**

**The veto was sustained.. The motion failed by the following vote:**

**Votes:** Ayes: 5 - Mr. Hertzberg, Mr. Peduto, Mr. Ravenstahl, Mr. Shields and Mr. Ricciardi  
Noes: 4 - Mr. Bodack, Ms. Carlisle, Mr. Motznik and Mr. Udin  
Abstentions: 0

## REPORTS OF COMMITTEE - FINAL ACTION

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

Bill No. Report of the Committee on Finance and Budget for February 2, 2005.

[2005-1024](#)

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

Bill No. Resolution further amending Resolution No. 121 of 2003, effective March 14, 2003 entitled, "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 2003 Community Needs Program; and providing for the payment of the costs thereof," by adding Bradahanna Project - BBI Homewood \$40,000.00 in Council District 9."

[2005-1001](#)

**SPONSOR(S): TWANDA CARLISLE**

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

Bill No. Resolution amending Resolution No. 59, effective February 21, 2003, as further amended, entitled, "Providing for the continued designation of a Downtown Pittsburgh Business Improvement District," by increasing the millage rate from 3.87 to 3.92 to coincide with decreased property values in the Business Improvement District.

[2005-1018](#)

**SPONSOR(S): SALA UDIN**

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

**Votes:** Ayes: 5 - Mr. Bodack, Ms. Carlisle, Mr. Motznic, Mr. Peduto and Mr. Udin  
Noes: 3 - Mr. Hertzberg, Mr. Ravenstahl and Mr. Ricciardi  
Abstentions: 1 - Mr. Shields

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

Bill No. Report of the Committee on Public Works and Environmental Services for February 2, 2005.

[2005-1025](#)

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

Bill No. Resolution providing for an Agreement or Agreements or for the use of existing  
[2005-0993](#) Agreements, providing for a Contract or Contracts or for the use of existing Contracts,  
and providing for the purchase of materials, supplies and equipment in connection  
with the Rehabilitation and Reconstruction of Various Park Facilities; and further  
providing for the payment of the costs thereof. Cost not to exceed \$722,000.00.

**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

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

Bill No. Report of the Committee on Housing, Economic Development and Promotion for  
[2005-1026](#) February 2, 2005.

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

Bill No. Resolution amending and supplementing Resolution No. 861, effective January 1,  
[2005-1002](#) 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 District 9 Community Projects \$40,000 and by deleting the Bradahanna Project Homewood Bureau of Building Inspection \$40,000 in Council District 9.

**SPONSOR(S): TWANDA CARLISLE**

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

Bill No. Resolution amending and supplementing Resolution No. 891, effective January 1,  
[2005-1003](#) 2003, as amended, entitled: "Adopting and approving the 2003 Capital Budget and the 2003 Community Development Block Grant Program; and approving the 2003 through 2008 Capital Improvement Program, by adjusting various line items in conformance with City Council's 2003 Capital Budget amendments." by adding Bradahanna Project - BBI Homewood \$40,000 in Council District 9."

**SPONSOR(S): TWANDA CARLISLE**

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

Bill No. Resolution amending and supplementing Resolution No. 861, effective January 1,  
[2005-1004](#) 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 changing the project name from Oakland PDC - Allies & Bates Sts. Project to Oakland PDC - Oakland Square/Co-cooperation Projects funding shall remain \$80,000, in Council 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: 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**

Bill No.

[2005-1038](#)

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

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

*CARLISLE: First Annual NAACP Membership Drive.*

*UDIN: New Police Recruitment; encourages minorities to sign up.*

### **REQUESTS**

### **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.**