

# **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 15, 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

## PROCLAMATIONS

Bill No. [2005-1180](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh thanks Chief Micheli for his forty-one years of dedicated service to the City of Pittsburgh.

AND, BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh extends best wishes to Chief Peter Micheli for a happy, healthy retirement and hereby declares March 21, 2005 as "Chief Peter J. Micheli Day" in the City of Pittsburgh.

**SPONSOR(S): LEN BODACK AND ALL MEMBERS**

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

Bill No. [2005-1181](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh declares March 15, 2005 as "Barbara Combs Day" in the City of.

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

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

Bill No. [2005-1182](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby thank and commend the Under Authority Theater Group for providing the history and challenges set fourth before these courageous African American woman.

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

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

Bill No. [2005-1183](#) NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh Congratulates and Commends the PNA and the West End Pulaski Society for keeping the Polish language and traditions alive for all these many years; and

BE IT FURTHER RESOLVED, that Sunday, March 13, 2005 is declared "POLISH NATIONAL ALLIANCE DAY" in the City of Pittsburgh.

**SPONSOR(S): ALAN HERTZBERG**

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

Bill No. [2005-1184](#) NOW THEREFORE, BE IT RESOLVED, that Pittsburgh City Council salutes the Negro Education Emergency Drive for its vision to sustain the academic thirst of so many youth in their pursuit of higher education--a gift from NEED that improves the quality of life in the City Pittsburgh and beyond.

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

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

Bill No. [2005-1185](#) NOW THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh recognizes and commends Earl Jones for promoting peace and acknowledges Erin Dougherty as "Little Miss Peace on Earth".

BE IT FURTHER RESOLVED that March 2005 be hereby declared "Erin Dougherty Day" in the City of Pittsburgh.

**SPONSOR(S): GENE RICCIARDI AND ALL MEMBERS**

**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. [2005-1174](#) Resolution providing for a contract or contracts from time to time in connection with demolition and removal of condemned buildings and providing for the payment of the costs thereof. Cost not to exceed \$1,301,000.

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

Bill No. [2005-1175](#) Resolution amending Resolution No. 327, effective July 21, 2004, 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 and payment of supplies, equipment, personnel costs, travel and/or training services, and all eligible expenses in conjunction with the Project Safe Neighborhood grant and providing for the costs thereof," by increasing the total project allocation by \$90,000.00 from \$88,000.00 to \$178,000.00.

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

Bill No. [2005-1176](#) Resolution further amending Resolution No. 948, effective January 1, 2004, as amended, entitled: "Adopting and approving the 2004 Capital Budget and the 2004 Community Development Block Grant Program; and approving the 2004 through 2009 Capital Improvement Program", by adding \$90,000 of Pennsylvania Commission on Crime and Delinquency funds to the Police Bureau Budget.

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

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

Bill No. [2005-1165](#) Ordinance amending the City of Pittsburgh Code of Ordinances, Article III, Chapter 521: Scofflaws, By Amending Section 521.04: Release Of Vehicle; Hearings, due to the elimination of The Pittsburgh Magistrates Court Pursuant to The Supreme Court Of Pennsylvania's Order Dated November 29, 2004.

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

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

Bill No. [2005-1166](#) Ordinance repealing the Pittsburgh Code of Ordinances, Article III, Chapter 523 Tow Pounds, by repealing Section 523.05(C)(1)(2)(3): Release Of Vehicle; Storage Fee; Hearings, Section 523.06: Payment Under Protest, and Section 523.07: Protest

Hearing, due to the elimination of the Pittsburgh Magistrates Court, pursuant to the Supreme Court of Pennsylvania's Order dated November 29, 2004.

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

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

Bill No.

[2005-1167](#)

Ordinance repealing the City of Pittsburgh Code Section 503.19 Traffic and renumbering City Code Sections 503.20 and 503.21 to new City Code Sections 503.19 and 503.20, respectively.

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

Bill No.

[2005-1168](#)

Resolution providing for the issuance of a warrant in an amount not to exceed \$7,122.89 in favor of the Community Justice Project c/o Donald Driscoll, Esquire, 1705 Allegheny Building, 429 Forbes Avenue, Pittsburgh, PA 15219, in full and final settlement of a claim for counsel fees and costs incurred as the result of a Class Action which was filed to challenge the rates of interest and penalty collected by the City of Pittsburgh and School District of Pittsburgh on delinquent real estate taxes in the Court of Common Pleas of Allegheny County at No. GD 03-7130.

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

Bill No.

[2005-1169](#)

Resolution authorizing the Mayor and the City Solicitor to enter into an agreement or agreements for the hiring of outside legal counsel and consultants to represent the City of Pittsburgh in connection with the conduct of labor negotiations and certain litigation matters at a cost not to exceed \$100,000.00 (One Hundred Thousand Dollars).

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

Bill No.

[2005-1177](#)

Resolution further amending Resolution No. 654, effective October 25, 2001, 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 2001 Neighborhood Needs Supplement Program; and providing for the payment of the costs thereof," by adding Oakland Planning and Development - Dumpster Project \$932 in District 3.

**SPONSOR(S): GENE RICCIARDI**

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

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

Bill No.

[2005-1170](#)

Resolution providing for a Contract or Contracts or the use of existing Contracts; providing for an Agreement or Agreements or for the use of existing Agreements; providing for repairs, maintenance, improvements, emergencies and/or the purchase of materials, equipment and supplies in connection with the design and construction of handicap ramps and sidewalks at various city-owned locations throughout the City of Pittsburgh; and further providing for the payment of the costs thereof. Cost not to exceed \$150,000.00.

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

Bill No. Resolution vacating a 40 foot Unnamed Way between Warrington Avenue and Sharon Street in the 17th Ward, 3rd Council District, of the City of Pittsburgh.  
[2005-1171](#)

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

Bill No. An Ordinance amending the Pittsburgh Zoning Code, Title Nine, Article One, Chapter 902 Section 902.03, Zoning District Maps No. 7, 8 and 13 by changing various zoning district classifications in the South Side Slopes 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.  
[2005-1172](#)

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

Bill No. Ordinance amending the Pittsburgh Zoning Code, Title Nine, Zoning, Article 1, Chapter 902, Section 902.03, Zoning District Maps No. 12 and 13 by changing various zoning district classifications in the Hazelwood neighborhood in accord with Map Pittsburgh: Zoning for your Neighborhood, the city's zoning remapping project relative to the city's new Urban Zoning Code.  
[2005-1173](#)

**Read and referred to Planning, Zoning & Land Use Committee****MS. CARLISLE PRESENTS COMMITTEE ON HOUSING, ECONOMIC DEVELOPMENT AND PROMOTION**

Bill No. Resolution further Amending Resolution No. 424 of 2001, effective June 19, 2001, entitled "Further amending Resolution No. 976 effective January 1, 1996, as amended, Adopting and Approving the 1996 Capital Budget and the 1996 Community Development Block Grant by creating a new line item, City Clerk Office Modernization Project Grant # 2271000 for the purpose of augmenting neighborhood needs programs and/or the District Improvement Fund, and transferring \$1,128,892.00 from Grant/Liberty to City Clerk's Office Modernization" by adding Oakland Planning and Development - Dumpster Project \$932, in Council District 3.  
[2005-1178](#)

**SPONSOR(S): GENE RICCIARDI**

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

Bill No. Resolution amending Resolution No. 531, effective November 17, 2004 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 \$1,488,500.00", so as to add to City Council Funds (+4,000) to Spring Garden Neighborhood Council  
[2005-1179](#)

**SPONSOR(S): LUKE RAVENSTAHL**

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

## UNFINISHED BUSINESS

### REPORTS OF COMMITTEE - FINAL ACTION

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

Bill No. Report of the Committee on Finance and Budget for March 9, 2005.

[2005-1162](#)

**Read, Received and Filed**

Bill No. Resolution requesting the approval of an inter-municipal transfer of a restaurant liquor license, License No. R-19333, from Gypsy, Inc, 2760 Saw Mill Run Boulevard, Pittsburgh, PA 15227 to D.AAA, LLC, 333 Middlegate Drive, Bethel, Park, PA 15102 for Mill Site Tavern, located at 2512 East Carson Street, Pittsburgh, PA 15203, pursuant to amended Pennsylvania Liquor Code, §4-461.

[2005-1069](#)

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

Bill No. Resolution requesting the approval of an inter-municipal transfer of a restaurant liquor license, License No. R-7577, from A & W Restaurant and Lounge, Inc, 102 Brownsville Road, Mt. Oliver, PA 15210 to Russell & Donna Beam, 1007 Glass Run Road, Pittsburgh, PA 15236 for 2546 Brownsville Road, Pittsburgh, PA 15210, pursuant to amended Pennsylvania Liquor Code, §4-461.

[2005-1099](#)

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

Bill No. 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 "Brighton Road Duplex Project" \$10,000 and "Perry Athletic Association Security System" \$5,000. Total amount of all projects not to exceed \$756,720.42.

[2005-1115](#)

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

Bill No. Authorizing the Mayor and the City Solicitor to enter into an agreement or agreements for professional consulting services in connection with real estate tax assessment matters, including, but not limited to, tax assessment appeals filed by property owners and/or the City including appeals from over assessments of residential property or other taxing jurisdictions in regard to commercial, industrial and residential real property in the City of Pittsburgh at a cost not to exceed \$62,490 (Sixty-Two Thousand Four Hundred Ninety Dollars).

[2005-1116](#)

**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

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

Bill No. Report of the Committee on Public Works and Environmental Services for March 9, 2005.  
[2005-1163](#)

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

Bill No. Resolution providing for a Contract or Contracts, or the use of existing Contracts for the repairs, maintenance, improvements and emergencies in connection with the Wall, Step, and Fence Program, in CDBG areas throughout the City of Pittsburgh, and providing for the payment of the cost thereof, at a cost not to exceed \$250,000.00.  
[2005-1117](#)

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

Bill No. Resolution providing for a Contract or Contracts, or the use of existing Contracts for street resurfacing programs to include, but not limited to, hot mix asphalt, crack sealing, equipment purchases, sawing and sealing, asphalt milling, truck rental, brick and blockstone repairs, handicap ramps, concrete slab replacement and parks related asphalt work in CDBG areas throughout the City of Pittsburgh, and providing for the payment of the cost thereof, at a cost not to exceed \$250,000.00.  
[2005-1118](#)

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

Bill No. Resolution granting unto Lincoln Property Company, 35 Highland Road, Suite 1104, Bethel Park, PA 15201, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, various building enhancements at 100 Seventh Street and Fort Duquesne Boulevard in the 2nd Ward, 6th Council District of the City of Pittsburgh.  
[2005-1119](#)

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

Bill No. Resolution granting unto the Carnegie Library of Pittsburgh, 5801 Forbes Avenue, Pittsburgh, PA 15217, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, roof, stairs, building, and sign at 5801 Forbes Avenue, Murray Avenue, and Marlborough Avenue in the 14th Ward, 5th Council District of the City of Pittsburgh.  
[2005-1120](#)

### **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  
[2005-1164](#) March 9, 2005.

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

Bill No. Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire  
[2005-1121](#) all of the City's Right, Title and Interest, if any, in and to the following Publicly-Owned Property in the City of Pittsburgh (Centre Avenue Corridor -- Council District No. 6 - Site Assemblage for Residential/Commercial Development). (3rd ward, Block 11-A-181, 307 Dinwiddie Street, 2050 square feet.)

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

Bill No. Resolution approving Execution of a Contract for Disposition by Sale of Land by and  
[2005-1122](#) between the Urban Redevelopment Authority of Pittsburgh and Black Mountain Development, LLC for the Sale of Lots 2, 8A, 8B, 9A, and 9B, in the Third Ward of the City of Pittsburgh - Council District No. 6 - in Crawford Roberts Project. (residential construction)

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

Bill No. Resolution approving Execution of a Contract for Disposition by Sale of Land by and  
[2005-1123](#) between the Urban Redevelopment Authority of Pittsburgh and the Pittsburgh Housing Development Corporation for the Sale of Block 83-N, Lots 313 & 318, in the 11th Ward of the City of Pittsburgh - Council District No. 9 - (sideyard).

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

Bill No. Resolution approving Execution of a Contract for Disposition by Sale of Land by and  
[2005-1124](#) between the Urban Redevelopment Authority of Pittsburgh and Pieter Maris and Joy Sabl for the Sale of Block 33-B, Lot 86, in the 30th Ward of the City of Pittsburgh - Council District No. 3 - 121 Redlyn Street (sideyard).

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

Bill No. Resolution approving Execution of a Contract for Disposition by Sale of Land by and  
[2005-1125](#) between the Urban Redevelopment Authority of Pittsburgh and Dennis L. Mays for the Sale of Block 22-E, Lot 300, in the 21st Ward of the City of Pittsburgh - Council District No. 6 - in Redevelopment Area No. 27 (sideyard).

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

Bill No. Resolution approving execution of a Contract for Disposition by Sale of Land by and  
[2005-1126](#) between the Urban Redevelopment Authority of Pittsburgh and Louise Powe for the



sale of Parcel 44 in the 5th Ward of the City of Pittsburgh, in Redevelopment Area No. 32, Block 10H Lots 105 and 106, 19 & 21 Watt Street --Council District No. 6 (sideyard).

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

Bill No.

[2005-1127](#)

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 \$6,000,000 for the LTV Hazelwood project. (Council District No. 5)

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

Bill No.

[2005-1128](#)

Resolution authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh in connection with URA's application for a \$6,000,000 Redevelopment Assistance Capital Program grant for the LTV Hazelwood project. (Council District No. 5)

**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: Congratulate new East Side Shop-N-Save Supermarket, East Liberty/Shadyside.*

*CARLISLE: Congratulate Mr. Hertzberg; Governor's appointment as Judge to Court of Common Pleas confirmed.*

*SHIELDS: Comments on HUD funding; Federal budget restraints; Will reschedule Post Agenda with officials.*

*COUNCIL: Comments on Firefighters Contract & Legal opinion; Request clarification; amendment request.*

### APPROVAL OF MINUTES

**A motion was made to approve the minutes. The motion carried.**

### RECESS

**A motion was made to recess the meeting. The motion carried.**

### COUNCIL'S REGULAR MEETING-RECONVENED

Bill No. Report of the Committee on Finance and Budget for March 15, 2005.

[2005-1186](#)

**Read, Received and Filed**

**Roll Call:** Present: 9 - Mr. Bodack, Ms. Carlisle, Mr. Hertzberg, Mr. Motznik, Mr. Peduto, Mr. Ravenstahl, Mr. Shields, Mr. Udin and Mr. Ricciardi

Bill No. Ordinance amending the current Act 47 Plan and authorizing the Mayor and the City Solicitor to enter into an Agreement with the IAFF Local #1.

[2005-1142](#)

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

**Votes:** Ayes: 7 - Mr. Bodack, Ms. Carlisle, Mr. Hertzberg, Mr. Motznik, Mr. Peduto, Mr. Udin and Mr. Ricciardi  
Noes: 2 - Mr. Ravenstahl and Mr. Shields  
Abstentions: 0

**A motion was made to adjourn the meeting. The motion carried.**