

# **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 20, 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.

[2006-0959](#)

NOW THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does hereby wish to thank the Southwestern Pennsylvania AIDS Planning Coalition for all of its efforts to increase awareness and understanding of the HIV/AIDS epidemic, both globally and locally.

AND BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby declare Friday, December 1st, 2006, as World AIDS Day in the City of Pittsburgh.

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

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

Bill No.

[2006-0960](#)

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby commends and thanks the Greater Pennsylvania Chapter of the Alzheimer's Association for all its dedicated work for people affected by Alzheimer's and related dementias; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh hereby declares November 2006 "Alzheimer's Awareness Month" in the City of Pittsburgh.

**SPONSOR(S): WILLIAM PEDUTO AND ALL MEMBERS**

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

Bill No.

[2006-0961](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh hereby congratulates Eagle Scout Joseph Karas on his recent achievements and commends him for all of his accomplishments.

**SPONSOR(S): DAN DEASY**

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

Bill No.

[2006-0962](#)

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby thanks the Greater Pittsburgh Council of the Boy Scouts of America for organizing the Hike and commends them for promoting tolerance and understanding in the community.

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

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

Bill No.

[2006-0963](#)

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby recognize the critical role that the Greenfield Organization has played in

the community and commends all the volunteers in Greenfield who have contributed so much time and talent to community efforts and to the betterment of their community, and

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby declare Saturday, November 18, 2006, to be GREENFIELD DAY in the City of Pittsburgh.

**SPONSOR(S): DOUGLAS SHIELDS**

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

Bill No.

[2006-0964](#)

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby recognizes Dan Ickert for his leadership of the Amen Corner.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Wednesday, November 29, 2006, as Don Ickert Day in the City of Pittsburgh.

**SPONSOR(S): DOUGLAS SHIELDS**

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

Bill No.

[2006-0965](#)

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby recognizes Ralph Papa as he receives the Fred E. Obley Award for Business Leadership and Excellence; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Wednesday, November 29, 2006, as Ralph Papa Day in the City of Pittsburgh.

**SPONSOR(S): DOUGLAS SHIELDS**

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

Bill No.

[2006-0966](#)

WHEREAS, the Saint Clair Athletic Associations Senior Citizens is a non-profit organization that provides social services to senior residents of the community; and

WHEREAS, they provide a safe, clean and healthy environment for the members of the area to gather for recreation, meetings and companionship; and

WHEREAS, Saint Clair Athletic Associations Senior Citizens desires to be more self sufficient so it can fund the programs and activities it provides to it's members and visitors to improve their quality of life.

**SPONSOR(S): JEFFREY S. KOCH**

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

Bill No.

[2006-0967](#)

NOW THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh hereby urges the Pittsburgh Public Parking Authority and all private parking entities to decrease the cost of parking in their lots by 5% in conjunction with the mayor's proposal to decrease the tax on their lots by 5%.

**SPONSOR(S): JIM MOTZNIK AND ALL MEMBERS**

**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. Resolution providing for the issuance of a \$2,589.55 warrant in favor of Pamela J. Hartnett, 51 Southern Avenue, Pittsburgh, PA 15211, in settlement of a claim for vehicle damage due to a City Environmental Services vehicle on June 9, 2006.

[2006-0949](#)

**Read and referred to Finance, Law and Purchasing Committee**

Bill No. Resolution providing for the issuance of a warrant in favor of Beech Construction, Inc., c/o Michael Yablonski, Esquire, of Meyer, Unkovic & Scott, LLP, for full and final settlement of the action filed at GD04-029082 relating to the City of Pittsburgh as a result of a contractual dispute arising from the McArdle Roadway Viaduct No. 2 Rehabilitation project, in the amount of \$43,663.98; and providing for the payment of the costs thereof.

[2006-0950](#)

**Read and referred to Finance, Law and Purchasing Committee**

Bill No. 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 through L: A. 269 38th; B: 212 Alpine; C: 215 Carrington; D: 214 Alpine; E: 248 Alpine; F: 216 Alpine; G: 213 Carrington; H: 439-41 Climax; I: 516 Climax; J: 520 Climax; K: 521 Climax; L: 522 Climax.

[2006-0951](#)

**Read and referred to Finance, Law and Purchasing Committee**

Bill No.

[2006-0952](#)

**Read and referred to Finance, Law and Purchasing Committee**

Bill No. 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 B: A: 3447 Spring; B: 220 Mathilda.

[2006-0953](#)

**Read and referred to Finance, Law and Purchasing Committee**

**MR. KOCH PRESENTS COMMITTEE ON ENGINEERING, FLEET AND FORESTRY**

Bill No. [2006-0954](#) Resolution further amending Resolution No. 891, effective January 1, 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 deleting the "Brookline Memorial Park Field Complex" line item in the amount of \$200,000.00 and decreasing the "Renovation of Rec and Senior Centers" line item in the amount of \$50,000.00 from \$158,000.00 to \$108,000.00.

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

**Read and referred to Engineering, Fleet and Forestry Committee**

Bill No. [2006-0955](#) Resolution repealing Resolution No. 456, effective June 25, 2003, entitled "Resolution providing for a Contract or Contracts or for the use of existing Contracts, providing for an Agreement or Agreements or for the use of existing Agreements, and proving for the purchase of materials and supplies in connection with the Brookline Memorial Park Field Complex; at a cost not to exceed \$200,000.00," by repealing it in its entirety.

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

**Read and referred to Engineering, Fleet and Forestry Committee**

Bill No. [2006-0956](#) Resolution amending Resolution No. 454, effective June 25, 2003, entitled "Providing for a Contract or Contracts or for the use of existing Contracts, providing for an Agreement or Agreements or for the use of existing Agreements, and providing for the purchase of materials and supplies in connection with the Renovation of Recreation and Senior Centers; at a cost not to exceed \$58,000.00," by decreasing the total project allocation by \$50,000.00 from \$158,000.00 to \$108,000.00.

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

**Read and referred to Engineering, Fleet and Forestry Committee**

**MR. SHIELDS PRESENTS COMMITTEE ON HEARINGS**

Bill No. [2006-0957](#) Resolution authorizing the appointment of Dennis Astorino, 1117 Tall Trees Drive, Pittsburgh, Pennsylvania 15241, as a member of the Art Commission of the City of Pittsburgh. The Term shall be concurrent with that of the Mayor.

**A motion was made that this matter be Held, Pending Interview to the Hearings Committee. The motion carried.**

Bill No. [2006-0958](#) Resolution authorizing the appointment of Joe Serrao, 1120 N. St. Clair Street, Pittsburgh, Pennsylvania 15206, as a member of the Art Commission of the City of Pittsburgh. The Term shall be concurrent with that of the Mayor.

**A motion was made that this matter be Held, Pending Interview to the Hearings Committee. The motion carried.**

## UNFINISHED BUSINESS

Bill No. Resolution appointing Scott W. Kunka, as Director of the City of Pittsburgh,  
[2006-0933](#) Department of Finance. Said appointment shall be effective as of date confirmed by Council.

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

Bill No. Resolution appointing Barbara L. Trant, as Director of the City of Pittsburgh,  
[2006-0934](#) Department of Personnel and Civil Service Commission.  
Said appointment shall be effective as of date confirmed by Council.

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

## 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 15, 2006.  
[2006-0944](#)

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

Bill No. Resolution authorizing the issuance of a warrant in the sum of \$35,500.00 to Tammy  
[2006-0910](#) 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.

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

Bill No. Resolution amending Resolution No. 242, effective April 28, 2006 entitled  
[2006-0911](#) "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.

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

Bill No. Resolution authorizing the Mayor and the Director of the Department of Finance to  
[2006-0912](#) 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.

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

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**

**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

**MR. PEDUTO PRESENTS COMMITTEE ON FACILITIES, TECHNOLOGY & THE ARTS**

Bill No.

[2006-0945](#)

Report of the Committee on Facilities, Technology and the Arts for November 15, 2006.

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

Bill No.

[2006-0879](#)

Ordinance amending the Pittsburgh City Code to eliminate the Department of General Services and to transfer current Department of General Services responsibilities and functions into other existing City Departments.

**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

**MR. KOCH PRESENTS COMMITTEE ON ENGINEERING, FLEET AND FORESTRY**

Bill No.

[2006-0946](#)

Report of the Committee on Engineering, Fleet and Forestry for November 15, 2006.

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

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.

**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. PAYNE PRESENTS COMMITTEE ON PLANNING, ZONING AND LAND USE**

Bill No.

[2006-0947](#)

Report of the Committee on Planning, Zoning and Land Use for November 15, 2006.

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

Bill No.

[2006-0435](#)

Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article I, Section 902.03 Zoning Map, by changing from R2-L, Residential Two-Unit Low Density District to LNC, Local Neighborhood Commercial District, property located at 103 South Braddock Avenue and identified in the Allegheny County Block and Lot System as Block No.175-K, Lot Number 24; and a 15 foot portion of property parallel to the northerly property line of the property located at 100 East End Avenue and identified in the aforesaid system as Block No. 175-K, Lot No. 41; and the residentially zoned portion of property located at 7600 Penn Avenue and identified in the aforesaid system as Block No. 175-K, Lot No. 26; 14th Ward.

**A motion was made that this matter be RECOMMITTED to the Planning, Zoning & Land Use Committee. The motion carried.**

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

Bill No.

[2006-0948](#)

Report of the Committee on Housing, Economic Development and Promotion for November 15, 2006.

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



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 Caliguiri 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**

**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

## **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.**