

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, September 26, 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: 7 - Mr. Bodack, Ms. Carlisle, Mr. Deasy, Mr. Koch, Mr. Motznik, Ms. Payne and Mr. Peduto
Absent: 1 - Mr. Shields

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

Bill No. [2006-0797](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes Robert O. Agbede for his leadership and congratulates him, his Board of Directors, Management Team and Staff.

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh declares today, Tuesday, September 26, 2006, as Robert O. Agbede and Chester Engineers Day in this Great City of Pittsburgh.

SPONSOR(S): LEN BODACK

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

Bill No. [2006-0798](#) NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize September 30, 2006 as the "World Wide Day of Play" in the City of Pittsburgh and urges youth and families to engage in healthy behaviors such as walking, playing games, hiking, and cooking healthy meals.

SPONSOR(S): TWANDA CARLISLE

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

Bill No. [2006-0799](#) NOW, THEREFORE, BE IT RESOLVED, that the Council in the City of Pittsburgh does recognize and commend the current membership of the NAACP as being champions of social justice, fighting to make sure all voices are heard.

BE IT FUTHER RESOLVED, that the Council in the City of Pittsburgh does hereby declare September 29, 2006 NAACP Membership Drive Day in the City of Pittsburgh.

SPONSOR(S): TWANDA CARLISLE

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

Bill No. [2006-0800](#) NOW THEREFORE BE IT RESOLVED, the Council of City of Pittsburgh does herby join the citizens of Pittsburgh and Allegheny County to express congratulations and gratitude to Chief Lamonte E. Wilson on the occasion of his retirement.

BE FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby declare September 26, 2006 "Lamonte E. Wilson" Day in the City of Pittsburgh.

SPONSOR(S): TWANDA CARLISLE

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

Bill No. [2006-0801](#) NOW THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh recognizes the Veterans Business Outreach Center at Robert Morris University for its service to our Veterans and our country.

SPONSOR(S): JIM MOTZNIK AND ALL MEMBERS

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

Bill No. [2006-0802](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend Pittsburgh Brewing Company for its longevity and extends heartiest congratulations on this milestone anniversary.

SPONSOR(S): LEN BODACK

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

Bill No. [2006-0803](#) NOW THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh commends The Mt. Ararat Baptist Church for their service to the community, continued support of African-American leadership, and for recognizing these leaders for their continued dedication to making Pittsburgh a better place.

SPONSOR(S): TWANDA CARLISLE

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

PUBLIC COMMENTS

PRESENTATION OF PAPERS

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

Bill No. [2006-0790](#) Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 13th Ward of the City of Pittsburgh owned by Quinlin Berger and designated as Block 174-P, Lot 369, in the Deed Registry Office of Allegheny, under the Residential Land Reserve Fund (Council District No. 9 - 7358 Fleury Way-residential structure).

Read and referred to Housing, Economic Development & Promotion Committee

MR. DEASY PRESENTS COMMITTEE ON FINANCE, LAW AND PURCHASING

Bill No. [2006-0796](#) 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

Read and referred to Finance, Law and Purchasing Committee

MR. KOCH PRESENTS COMMITTEE ON ENGINEERING, FLEET AND FORESTRY

Bill No.
[2006-0785](#)

Resolution providing for an Agreement or Agreements or for the use of existing Agreements with a Consultant or Consultants for the design of upgraded traffic signals and traffic control throughout the Central Business District; providing for a Reimbursement Agreement with the Pennsylvania Department of Transportation; and providing for the payment of the costs thereof, at a cost not to exceed \$125,000.00.

Read and referred to Engineering, Fleet and Forestry Committee

Bill No.
[2006-0786](#)

Resolution providing for an Agreement or Agreements or for the use of existing Agreements with a Consultant or Consultants, for design services in connection with the reconstruction of Penn Avenue from 34th Street to Negley Avenue, including Project Management Services; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania; and further providing for the payment of the costs thereof, at a cost not to exceed \$2,140,000.00.

Read and referred to Engineering, Fleet and Forestry Committee

Bill No.
[2006-0787](#)

Resolution providing for an Agreement or Agreements or for the use of existing Agreements, with a Consultant or Consultants, for design services and for project management services, in connection with the transformation of Penn Circle into a two-way traffic flow system; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania; and further providing for the payment of the costs thereof, at a cost not to exceed \$1,345,000.00.

Read and referred to Engineering, Fleet and Forestry Committee

Bill No.
[2006-0788](#)

Resolution providing for an Agreement or Agreements, or use of existing Agreements, in connection with the preliminary engineering for the reconstruction of Wenzell Avenue from Banksville Road to Broadway Avenue; providing for a Reimbursement Agreement or Agreements with the Pennsylvania Department of Transportation; providing for a Cooperation Agreement with the Borough of Dormont; and providing for the payment of the costs thereof, at a cost not to exceed \$500,000.00.

Read and referred to Engineering, Fleet and Forestry Committee

Bill No.
[2006-0789](#)

Resolution providing for an Agreement or Agreements or for the use of existing Agreements, providing for a Contract or Contracts or for the use of existing Contracts, and providing for the purchase of materials and supplies in connection with the construction of sidewalks along Forbes Avenue including barrier sidewalks and railing improvements; providing for a Reimbursement Agreement with the Commonwealth of Pennsylvania, Department of Transportation; and further providing for the payment of the costs thereof, at a cost not to exceed \$107,000.00.

Read and referred to Engineering, Fleet and Forestry Committee

MR. MOTZNIK PRESENTS COMMITTEE ON PARKS, RECREATION & YOUTH POLICY

Bill No.
[2006-0769](#)

Resolution providing for the designation and transfer of certain properties to become permanent public passive open space under the City of Pittsburgh Greenways for Pittsburgh Program.

Read and referred to Parks, Recreation & Youth Policy Committee

Bill No. Resolution providing for the designation and transfer to the Department of Parks and Recreation the attached lists of certain City owned properties to become permanent additions to seven (7) existing City of Pittsburgh established parks.

[2006-0770](#)

Read and referred to Parks, Recreation & Youth Policy Committee

MS. PAYNE, PRESIDENT PRO-TEM, PRESENTS COMMITTEE ON HEARINGS

Bill No. Communication from Acting City Controller Anthony Pokora submitting a Fiscal and Performance Audit entitled, "Cost Savings Analysis and Operational Efficiency Evaluation of Outsourcing Fleet Management."

[2006-0795](#)

A motion was made that this matter be Read, Received and Filed. 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 September 20, 2006.

[2006-0791](#)

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

Bill No. Resolution authorizing the Mayor to enter into an Agreement with Counseling Centers, Inc. to provide consulting and training services in program design and curricula for at risk youth and adults at a cost not to exceed \$37,620.

[2006-0736](#)

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

Noes: 0

Abstentions: 0

Absent: 1 - Mr. Shields

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

Bill No. Report of the Committee on Planning, Zoning and Land Use for September 20, 2006.

[2006-0792](#)

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

Bill No. Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Chapter 909.01.J.2 (Regulations applicable to the entire SP-5 District) to increase allowable exceptions to the base District height limitation. (South Side Works)

[2006-0671](#)

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

Votes: Ayes: 6 - Mr. Bodack, Ms. Carlisle, Mr. Deasy, Mr. Koch, Ms. Payne and Mr. Peduto
Noes: 1 - Mr. Motznik
Abstentions: 0
Absent: 1 - Mr. Shields

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

Bill No. Report of the Committee on Housing, Economic Development and Promotion for
[2006-0793](#) September 20, 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 acquire
[2006-0737](#) all of the City's Right, Title, and Interest, if any, in and to Publicly-Owned Property known as Block 11-E, Lots 292, 293, 294, 295 in the 3rd Ward of the City of Pittsburgh (Council District No. 6, 203-205-207-209 Dinwiddie Street, Residential Construction)

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution approving execution of a Deed by and between the Urban Redevelopment
[2006-0738](#) Authority of Pittsburgh and the City of Pittsburgh for the sale of part of Disposition Parcel 3, Block 115-K, Lot 114 in the 26th Ward of the City of Pittsburgh, in Redevelopment Area No. 35 - Council District No.1 (Right-of-Way).

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire
[2006-0739](#) all of the City's Right, Title, and Interest, if any, in and to Publicly-Owned Property known as Block 1-D, Lot 148, in the 1st Ward of the City of Pittsburgh (Council District No. 6, 439 Market Street, Commercial and Residential Development)

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
[2006-0740](#) between the Urban Redevelopment Authority of Pittsburgh and Landmarks Development Corporation, for the sale of Block 1-D, Lots 148, 149, 149A and 150, in the 1st Ward of the City of Pittsburgh, 439-441 Market Street and 130 Fifth Avenue -- Council District No. 6 (Commercial and Residential Rehabilitation).

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution amending Resolution No. 163, effective April 5, 2006 entitled: Resolution
[2006-0743](#) 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 2005 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 reprogram funds in City Council from "District 9 - Equipment" (- 4,000) to the "Sickle Cell Society" (+ 1,000) and to the "Allegheny County Midget Football League" (+ 3,000).

SPONSOR(S): TWANDA CARLISLE

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2006-0744](#)

Resolution amending Resolution No. 164, effective April 5, 2006 entitled: The Mayor and the Director of the Department of City Planning of the City of Pittsburgh are hereby authorized to enter into an Agreement or Agreements, in a form approved by the City Solicitor, with the following 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(s) or use existing contract(s) for street paving and other related costs, for the purchase of equipment and/or furniture and installation thereof, at a cost not to exceed \$1,000,000.00 chargeable to and payable from the 2005 Community Development Block Grant Program "City Council" so as to reprogram funds in City Council from "District 9 - Equipment" (- 4,000) to the "Sickle Cell Society" (+1,000) and to the "Allegheny County Midget Football League" (+ 3,000).

SPONSOR(S): TWANDA CARLISLE

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2006-0745](#)

Resolution amending Resolution No. 521. effective August 15, 2006, 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 2006 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 add amend line items in City Council: (District 2), (District 3), (District 5) and (District 9) and reprogram these funds to various line items in City Council.

SPONSOR(S): TWANDA CARLISLE, JEFFREY S. KOCH, DOUGLAS SHIELDS AND DAN DEASY

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

Bill No.

[2006-0745](#)

Resolution amending Resolution No. 521. effective August 15, 2006, 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 2006 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 add amend line items in City Council: (District 2), (District 3), (District 5) and (District 9) and reprogram these funds to various line items in City Council.

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2006-0746](#)

Amending Resolution No. 505, effective August 15, 2006 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 and the benefit of residents of the City of Pittsburgh; and further, authorizing various City Departments to enter into contract or contracts or use existing contract or contracts for street paving, the purchase of equipment and/or furniture and other related costs at a costs not to exceed 950,000.00" so as to amend line items in City Council: (District 2), (District 3), (District 5) and (District 9) and reprogram these funds to various Council line items.

SPONSOR(S): TWANDA CARLISLE, JEFFREY S. KOCH, DOUGLAS SHIELDS AND DAN DEASY

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

Bill No.

[2006-0746](#)

Amending Resolution No. 505, effective August 15, 2006 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 and the benefit of residents of the City of Pittsburgh; and further, authorizing various City Departments to enter into contract or contracts or use existing contract or contracts for street paving, the purchase of equipment and/or furniture and other related costs at a costs not to exceed 950,000.00" so as to amend line items in City Council: (District 2), (District 3), (District 5) and (District 9) and reprogram these funds to various Council line items.

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: 7 - Mr. Bodack, Ms. Carlisle, Mr. Deasy, Mr. Koch, Mr. Motzник, Ms. Payne and Mr. Peduto

Noes: 0

Abstentions: 0

Absent: 1 - Mr. Shields

MR. MOTZNIK PRESENTS COMMITTEE ON PARKS, RECREATION & YOUTH POLICY

Bill No.

[2006-0794](#)

Report of the Committee on Parks, Recreation and Youth Policy for September 20, 2006.

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

Bill No.

[2006-0768](#)

Resolution providing for a contract or contracts, agreement or agreements, lease or leases, or the use of existing contracts, leases or agreements and other approved expenditures for the payment of supplies, equipment, materials, rentals, and other services for the construction and purchase of a rubberized track at the Schenley Oval into an all-weather, 400 meter international standard facility in an amount not to exceed \$120,000.00 for the Department of Parks and Recreation.

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. Koch, Mr. Motznic, Ms. Payne and Mr. Peduto

Noes: 0

Abstentions: 0

Absent: 1 - Mr. Shields

MOTIONS AND RESOLUTIONS

EXCUSE ABSENT MEMBER

A motion was made to excuse the absent member(s) Mr. Shields. The motion carried.

APPROVAL OF MINUTES

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

RECESS

A motion was made to Recess the meeting and Reconvene following the Sept. 27th Standing Committees Meeting discussion of Council Bill 435: An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, by changing the classification from Residential Two Family Dwelling to Commerical, property along Penn Avenue, South Braddock Avenue and East End Avenue, in the Park Place community. The motion carried.

RECONVENED MEETING

The Meeting was Re-convened. President Pro-Tem Tonya Payne made the following statement on behalf of Council: "A compromise was reached by both parties on Bill 435, and a request was made for a 2 week continuance so that the information can be brought to the community. Therefore, no formal action will be taken at the Regular Meeting."

ADJOURNMENT

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