

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, October 23, 2007

10:00 AM

Council Chambers

City Council

**ONE-HUNDRED
THIRTY-FOURTH COUNCIL**

Douglas Shields, President

Council Members: Len Bodack, Twanda Carlisle,

Dan Deasy, Darlene M. Harris, 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: 9 - Mr. Bodack, Ms. Carlisle, Mr. Deasy, Mrs. Harris, Mr. Koch, Mr. Motznik, Ms. Payne, Mr. Peduto and Mr. Shields

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

Bill No.

[2007-1872](#)

NOW THEREFORE, BE IT RESOLVED that the council of the City of Pittsburgh congratulates and commends the Pittsburgh South Hills Middle School principal, Student Service Coordinator, parents, and students for bringing this effort and awareness to the public of the South Hills communities.

AND BE IT FURTHER RESOLVED that the council of the City of Pittsburgh does hereby declare that Tuesday, October 23, 2007 to be "South Hills Middle School Red Ribbon Day" in the City of Pittsburgh.

SPONSOR(S): JIM MOTZNIK, DOUGLAS SHIELDS, WILLIAM PEDUTO, LEN BODACK, TWANDA CARLISLE, DAN DEASY, JEFFREY S. KOCH, DARLENE HARRIS AND TONYA D. PAYNE

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

Bill No.

[2007-1873](#)

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes the contribution that the Italian Heritage Society of America makes to our community through the promotion and recognition of excellence in both the academic and professional spheres; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh hereby declares October 27, 2007 "Italian Heritage Society of America Day" in the City of Pittsburgh.

SPONSOR(S): WILLIAM PEDUTO, DOUGLAS SHIELDS, LEN BODACK, TWANDA CARLISLE, DAN DEASY, DARLENE HARRIS, JEFFREY S. KOCH, JIM MOTZNIK AND TONYA D. PAYNE

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

Bill No.

[2007-1874](#)

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes the importance of emphasizing environmental conservation, and commends the SCA and their volunteers for their positive impact on the community; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh hereby declares October 25, 2007 "Student Conservation Association Day" in the City of Pittsburgh.

SPONSOR(S): WILLIAM PEDUTO, DOUGLAS SHIELDS, LEN BODACK, TWANDA CARLISLE, DAN DEASY, DARLENE HARRIS, JEFFREY S. KOCH, JIM MOTZNIK AND TONYA D. PAYNE

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

Bill No.

[2007-1875](#)

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh thanks Mr. Pietro and Ms. Larus for their years of service to the Bloomfield community; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh hereby declares September 28, 2007, "Bloomfield 2007 Awards Day" in the City of Pittsburgh.

SPONSOR(S): WILLIAM PEDUTO, DOUGLAS SHIELDS, LEN BODACK, TWANDA CARLISLE, DAN DEASY, DARLENE HARRIS, JEFFREY S. KOCH, JIM MOTZNIK AND TONYA D. PAYNE

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

Bill No.

[2007-1876](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend and congratulate Bicky Goldszer, Dr. Raul Valdez-Perez and David Miles for being recognized and honored as the Squirrel Hill Urban Coalition's Citizens of the Year for their commitment to their respective work and to their community; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Thursday, October 25, 2007, to be "SQUIRREL HILL URBAN COALITION DAY" in the City of Pittsburgh.

SPONSOR(S): DOUGLAS SHIELDS, LEN BODACK, TWANDA CARLISLE, DAN DEASY, DARLENE HARRIS, JEFFREY S. KOCH, JIM MOTZNIK, TONYA D. PAYNE AND WILLIAM PEDUTO

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.

[2007-1867](#)

Resolution Further amending Resolution No.204, effective April 12, 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 7; and providing for the payment of the costs thereof," by adding DPW Doughboy Monument \$15,000 and by reducing District 7 Community Organizational Support by the same amount. Total cost of all projects should not exceed \$1,000,000.

SPONSOR(S): LEN BODACK

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

Read and referred to Finance, Law and Purchasing Committee

Bill No. 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 DPW Doughboy Monument \$15,000 and by reducing District 7 Community Organizational Support by the same amount.

[2007-1868](#)

SPONSOR(S): LLEN BODACK

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

Read and referred to Housing, Economic Development & Promotion Committee

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

Bill No. Resolution amending Resolution No. 641, effective October 24, 2006, entitled "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 \$4,500,000 for the Children's Home of Pittsburgh project" by increasing the grant to \$5,500,000. (Council District No. 7)

[2007-1861](#)

Read and referred to Housing, Economic Development & Promotion Committee

Bill No. Resolution amending Resolution No. 632, effective October 24, 2006, entitled "Authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh in connection with URA's application for a \$4,500,000 Redevelopment Assistance Capital Program grant for the Children's Home of Pittsburgh project" by increasing the amount of the grant to \$5,500,000. (Council District No. 7)

[2007-1862](#)

Read and referred to Housing, Economic Development & Promotion Committee

Bill No. 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 \$1,000,000 for the Jewish Community Center of Greater Pittsburgh project. (Council District No. 5)

[2007-1863](#)

Read and referred to Housing, Economic Development & Promotion Committee

Bill No. Resolution authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh in connection with URA's application for a \$1,000,000 Redevelopment Assistance Capital Program grant for the Jewish Community Center of Greater Pittsburgh project. (Council District No. 5)

[2007-1864](#)

Read and referred to Housing, Economic Development & Promotion Committee

Bill No. Resolution providing for the execution of a License and Maintenance Agreement between the City of Pittsburgh, Pittsburgh History and Landmarks Foundation and Urban Redevelopment Authority of Pittsburgh providing for the installation and

[2007-1865](#)

maintenance of accent lighting on the Hot Metal Bridge. (Council Districts 3 and 6).

Read and referred to Housing, Economic Development & Promotion Committee

MR. KOCH PRESENTS COMMITTEE ON PUBLIC WORKS AND ENVIRONMENTAL SERVICES

Bill No. [2007-1858](#) Resolution granting unto Folino's Ristorante, 1715-1721 E. Carson Street, Pittsburgh, PA 15203, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, decorative steel fencing on the sidewalk area of 1717-1721 E. Carson Street in the 17th Ward, 3rd Council District of the City of Pittsburgh.

Read and referred to Public Works & Environmental Services Committee

Bill No. [2007-1859](#) Resolution vacating a portion of Sassafras Way in the 6th Ward, 7th Council District, of the City of Pittsburgh.

Read and referred to Public Works & Environmental Services Committee

Bill No. [2007-1860](#) Resolution vacating a portion of 10' Unnamed Way between Republic Street and Seward Street in the 19th Ward, 2nd Council District, of the City of Pittsburgh.

Read and referred to Public Works & Environmental Services Committee

MR. PEDUTO PRESENTS COMMITTEE ON FACILITIES, TECHNOLOGY AND THE ARTS

Bill No. [2007-1869](#) Ordinance supplementing the Pittsburgh Code, Title Nine, Zoning, Section 905.03, EMI Educational/Medical Institution District, by clarifying existing language in the EMI Educational Medical Institution section as it relates to Institutional Master Plans.

SPONSOR(S): WILLIAM PEDUTO

Read and referred to Planning, Zoning & Land Use Committee

Bill No. [2007-1870](#) Resolution further amending Resolution No. 231, effective April 19, 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 8; and providing for the payment of the costs thereof," by adding \$18,000 to Bloomfield Miscellaneous Projects and by adjusting various other projects in Council District 8. Total cost of all projects not to exceed \$1,000,000.

SPONSOR(S): WILLIAM PEDUTO

Read and referred to Finance, Law and Purchasing Committee

Bill No. [2007-1871](#) 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 \$18,000 to Bloomfield Miscellaneous Projects and by adjusting various other projects

in Council District 8.

SPONSOR(S): WILLIAM PEDUTO

Read and referred to Housing, Economic Development & Promotion Committee

MR. SHIELDS, PRESIDENT OF COUNCIL, PRESENTS COMMITTEE ON HEARINGS

Bill No. [2007-1866](#) Communication from Anthony J. Pokora, Deputy City Controller, submitting the Performance Audit on Payment in Lieu of Taxes II.

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

UNFINISHED BUSINESS

Bill No. [2007-1853](#) Communication from Mayor Luke Ravenstahl submitting a Veto of Council Bill No. 2007-1796, entitled, "Ordinance amending and supplementing the Pittsburgh Code, Title Two, Fiscal, Article VII, Business Related Taxes, Chapter 253 Parking Tax, Subsection 253.02 Levy and Rate, by freezing the rate of taxation at 45% for Budget Year 2008 and directing that funds be earmarked and deposited equally into the Debt Service Reserve Fund and the Comprehensive Municipal Pension Trust Fund."

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

Votes: Ayes: 8 - Mr. Bodack, Ms. Carlisle, Mrs. Harris, Mr. Koch, Mr. Motznik, Ms. Payne, Mr. Peduto and Mr. Shields

Noes: 0

Abstentions: 0

Out of Room: 1 - Mr. Deasy

REPORTS OF COMMITTEE - FINAL ACTION

MR. DEASY PRESENTS COMMITTEE ON FINANCE, LAW AND PURCHASING

Bill No. [2007-1854](#) Report of the Committee on Finance, Law and Purchasing for October 17, 2007.

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

Bill No. [2007-1826](#) Resolution repealing items in Resolutions approved on various dates, authorizing the sale of properties in various wards of the City of Pittsburgh, in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act.
Item A: 700 N. Aiken

This Matter was Passed Finally on the Consent Agenda.

Bill No. [2007-1827](#) 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. ITEM A. A: 234 Platt.

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2007-1828](#)

Resolution 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.

ITEMS A through C. A: 2606 Brownsville; B: 1227 Mutual; C: 1623 Rankin.

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2007-1829](#)

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 G: A: 5222 Natrona; B: 5220 Natrona; C: 215 Beltzhoover; D: 201 Estella; E: 1707 Meadville; F: 839-845 W. North; G: 5645 Rural.

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2007-1830](#)

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: 2341 Atmore; B: 1409 Arch; C: 4463 Valley View; D: 200 St. Thomas; E: 40-42 Welsh; F: 120 Verna; G: 1438 Woodland; H: 346 Shaler; I: 805 Fernhill; J: 5109 Holmes.

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, Mrs. Harris, Mr. Koch, Mr. Motznik, Ms. Payne, Mr. Peduto and Mr. Shields

Noes: 0

Abstentions: 0

Out of Room: 1 - Mr. Deasy

MRS. HARRIS PRESENTS COMMITTEE ON ENGINEERING, FLEET AND FORESTRY

Bill No.

[2007-1855](#)

Report of the Committee on Engineering and Construction for October 17, 2007.

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

Bill No.

[2007-1787](#)

Resolution authorizing the Mayor and the Director of the Department of Public Works, on behalf of the City of Pittsburgh, to enter into a maintenance agreement or

agreements with the Commonwealth of Pennsylvania Department of Transportation (“PennDOT”) in connection with the bridge replacement and improvements by PennDOT of State Route 885 at the juncture of Forbes Avenue and the Boulevard of the Allies, said project to be known as the “Boulevard of the Allies Bridge Replacement Project”.

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2007-1831](#)

Resolution authorizing the Mayor and the Director of the Department of Public Works to enter into an agreement or agreements with the Commonwealth of Pennsylvania, Department of Transportation (“PennDOT”), and/or the Oakland Transportation Management Association (“OTMA”), and/ or the University of Pittsburgh of the Commonwealth System of Higher Education (the “University”), including but not limited to agreements for cooperation, access, inspection and reimbursement, regarding the implementation and management of a Pedestrian Safety and Mobility Project for certain intersections on Forbes and Fifth Avenues in the Oakland portion of the City of Pittsburgh.

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, Mrs. Harris, Mr. Koch, Mr. Motznik, Ms. Payne, Mr. Peduto and Mr. Shields
 Noes: 0
 Abstentions: 0
 Out of Room: 1 - Mr. Deasy

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

Bill No.

[2007-1856](#)

Report of the Committee on Housing, Economic Development and Promotion for October 17, 2007.

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

Bill No.

[2007-1841](#)

Resolution Amending Resolution No. 441, effective August 16, 2007 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 "Lawrenceville United" (-30,000) to the "Lawrenceville Corp." (+30,000.00).

SPONSOR(S): LEN BODACK

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2007-1842](#)

Resolution Amending Resolution No. 445, effective August 16, 2007 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 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 "Lawrenceville United" (-30,000) to the "Lawrenceville Corp" (+30,000).

SPONSOR(S): LEN BODACK

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, Mrs. Harris, Mr. Koch, Mr. Motznic, Ms. Payne, Mr. Peduto and Mr. Shields

Noes: 0

Abstentions: 0

Out of Room: 1 - Mr. Deasy

MR. BODACK PRESENTS COMMITTEE ON PUBLIC SAFETY SERVICES

Bill No.

Report of the Committee on Public Safety Services for October 17, 2007.

[2007-1857](#)

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

Bill No.

[2007-1832](#)

Ordinance adopting and amending the International Property Maintenance Code, 2006 edition, Title Ten, Building Code, the Uniform Construction Code contained in 34 Pa. Code, Chapters 401 - 405.

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2007-1833](#)

Resolution authorizing the City to enter into a Grant Agreement with the U.S. Department of Transportation, Federal Motor Carrier Safety Administration.

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, Mrs. Harris, Mr. Koch, Mr. Motznik, Ms. Payne, Mr. Peduto and Mr. Shields

Noes: 0

Abstentions: 0

Out of Room: 1 - Mr. Deasy

MOTIONS AND RESOLUTIONS

Bill No.

[2007-1877](#)

NOW, THEREFORE, BE IT RESOLVED that the Mayor and the Council of the City of Pittsburgh do hereby declare Allegheny Conference on Community Development to be a civic and/or service association within the context of the Pennsylvania Small Games of Chance Act, as amended.

SPONSOR(S): TONYA D. PAYNE

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

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.