

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 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

*led by the 3rd & 4th grade students from the Thaddeus Stevens Elementary School.
(Council District #2)*

PROCLAMATIONS

Bill No. [2005-1072](#) NOW THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh commends Working Hearts Coalition and its partners for their work and dedication to women's health issues.

BE IT FURTHER RESOLVED that February 2005 be declared "Women's Heart Month", and February 18, 2005, as "Working Heart's Day" in the City of Pittsburgh.

SPONSOR(S): GENE RICCIARDI

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

Bill No. [2005-1073](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend this year's retirees for their dedication and commitment to protecting and serving the people of the City of Pittsburgh; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Friday, February 18, 2005, to be "Fraternal Order of Police Fort Pitt Lodge # 1 Day" in the City of Pittsburgh.

SPONSOR(S): LEN BODACK

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

Bill No. [2005-1074](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh, does hereby recognize Maurice Lamar Walker for the positive attitude that he has shared with friends and family, and tenacity in coping with asthma.

SPONSOR(S): TWANDA CARLISLE

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

Bill No. [2005-1075](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh, does hereby recognize and commend LaMont Jones for his active roll and dedicated service to the Community and the City of Pittsburgh.

SPONSOR(S): TWANDA CARLISLE

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

Bill No. [2005-1076](#) NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh Congratulates those involved with the Caring Habit of the Month Program in the Mt. Washington, Duquesne Heights Neighborhoods and wishes them much success with the Caring Habit of the Month Adventure Program "It Takes Our Whole Community"

Project.

SPONSOR(S): ALAN HERTZBERG

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

Bill No.

[2005-1077](#)

NOW THEREFORE BE IT RESOLVED, that the council of the city of Pittsburgh joins with the Pittsburgh police academy to thank Mrs. Uva for her generosity of spirit.

SPONSOR(S): JIM MOTZNIK AND ALL MEMBERS

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

Bill No.

[2005-1078](#)

NOW THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend the Komen Pittsburgh Race® for the Cure and National Council of Jewish Women, Pittsburgh Section, for their significant contributions to the Pittsburgh Community; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Tuesday, February 17, 2005 to be "Komen Pittsburgh Race for the Cure Day" here in the City of Pittsburgh.

SPONSOR(S): ALAN HERTZBERG

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

Bill No.

[2005-1079](#)

NOW, THEREFORE BE IT RESOLVED, that Pittsburgh City Council gives accolade to Intervention Ministries on its 1st Annual Fundraiser Dinner and supports its mission to help prevent violent crimes, assist in solving violent crimes and to provide outreach services to families who are deeply affected by the loss of loved ones to homicide and other violent crimes; and

NOW, THEREFORE BE IT FURTHER RESOLVED, that Friday, February 18, 2005 be declared "Divine Intervention Ministries Day" in the City of Pittsburgh.

SPONSOR(S): SALA UDIN AND ALL MEMBERS

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.

[2005-1067](#)

Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an Application for Financial Assistance in the amount of up to \$6,000,000 to the Commonwealth of Pennsylvania Department of Community and Economic Development for the operation and administration of certain programs in FY 2004-2005. (Council Districts: All).

Read and referred to Housing, Economic Development & Promotion Committee

Bill No. [2005-1068](#) Resolution authorizing a 2004-2005 Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh providing for the designation of the local matching share for a grant applied for in a Single Application for Assistance filed with the Pennsylvania Department of Community and Economic Development (DCED) under the Communities of Opportunity Program. (Council Districts: All).
Read and referred to Housing, Economic Development & Promotion Committee

Bill No. [2005-1071](#) Resolution creating an Executive Committee on Community Based Organizations for the purpose of making awards from City Council for the distribution of the City's Community Development Block Grant (CDBG) funds earmarked for operating support for community based organizations.
SPONSOR(S): LEN BODACK, GENE RICCIARDI, TWANDA CARLISLE, JIM MOTZNIK AND LUKE RAVENSTAHL
Read and referred to Housing, Economic Development & Promotion Committee

MR. HERTZBERG PRESENTS COMMITTEE ON FINANCE & BUDGET

Bill No. [2005-1054](#) Resolution authorizing the Citizen Police Review Board to enter into an Agreement(s) or contract(s) with Thieman and Ward for professional services to assist in the legal representation of the Citizen Police Review Board and providing for the payment thereof, not to exceed \$50,000 (Fifty Thousand Dollars).
Read and referred to Finance & Budget Committee

Bill No. [2005-1069](#) 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.
Read and referred to Finance & Budget Committee

MR. RAVENSTAHL PRESENTS COMMITTEE ON PUBLIC WORKS & ENVIRONMENTAL SERVICES

Bill No. [2005-1055](#) Resolution providing for an Agreement or Agreements, or the use of existing Agreements for the furnishing of professional services for Vacant lot cleanup services beginning April 1, 2005 and providing for the payment of the cost thereof, not to exceed \$400,000.00.
Read and referred to Public Works & Environmental Services Committee

Bill No. [2005-1056](#) 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 Ballfield Lighting Replacement; and further providing for the payment of the costs thereof, cost not to exceed \$247,971.00.
Read and referred to Public Works & Environmental Services Committee

Bill No. [2005-1057](#) 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 providing for repairs, maintenance, improvements, emergencies and/or the purchase of equipment, materials and supplies in connection with the Rehabilitation and Repairs of Various Swimming Pools; and further providing for the payment of the costs thereof, cost not to exceed \$100,000.00.

Read and referred to Public Works & Environmental Services Committee

Bill No. [2005-1058](#) 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 South Side Market House; and further providing for the payment of the costs thereof, cost not to exceed \$300,000.00.

Read and referred to Public Works & Environmental Services Committee

Bill No. [2005-1059](#) 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; providing for repairs, improvements, emergencies and/or the purchase of materials, equipment and supplies in connection with the Renovation of Various Play Areas; and further providing for the payment of the costs thereof, cost not to exceed \$50,000.00.

Read and referred to Public Works & Environmental Services Committee

Bill No. [2005-1060](#) 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 West End Senior Center; and further providing for the payment of the costs thereof, cost not to exceed \$60,000.00.

Read and referred to Public Works & Environmental Services Committee

Bill No. [2005-1061](#) 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, salaries for city crews, 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 \$2,600,000.00.

Read and referred to Public Works & Environmental Services Committee

Bill No. [2005-1062](#) Resolution providing for a Contract or Contracts, or the use of existing Contracts for the Vacant Lot Cleanup and Maintenance Program, beginning January 1, 2005 and providing for the payment of the cost thereof, at a cost not to exceed \$150,000.00.

Read and referred to Public Works & Environmental Services Committee

Bill No. [2005-1063](#) Resolution providing for a Contract or Contracts, or the use of existing Contracts for the repairs, maintenance, improvements and emergencies at various parks and park facilities in CDBG areas throughout the City of Pittsburgh, and providing for the

payment of the cost thereof, at a cost not to exceed \$195,000.00.

Read and referred to Public Works & Environmental Services Committee

Bill No.

[2005-1064](#)

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 \$190,000.00.

Read and referred to Public Works & Environmental Services Committee

Bill No.

[2005-1065](#)

Resolution granting unto the University of Pittsburgh, 124 Cathedral of Learning, 4200 Fifth Avenue, Pittsburgh, PA 15260, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a decorative planting area extending onto Bigelow Boulevard in the 4th Ward, 8th Council District of the City of Pittsburgh.

Read and referred to Public Works & Environmental Services Committee

Bill No.

[2005-1066](#)

Resolution vacating a portion of Station Street in the 11th Ward, 9th Council District, of the City of Pittsburgh.

Read and referred to Public Works & Environmental Services Committee

Bill No.

[2005-1070](#)

Resolution authorizing and directing the Mayor, the Director of the Public Works Department and Chief of the Bureau of Building Inspection, to create six temporary (6) on-street vending permit areas on Thackeray Street, between Fifth Avenue and O'Hara Street, to provide space for legally permitted vendors to operate during construction of the Schenley Plaza, for the period of March 1 through June 30, 2005.

SPONSOR(S): WILLIAM PEDUTO

Read and referred to Public Works & Environmental Services 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 February 9, 2005.

[2005-1049](#)

Read, Received and Filed

Bill No.

[2005-1011](#)

Resolution further amending and supplementing Resolution No. 256, 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 9; and providing for the payment of the costs thereof," by deleting "Bradahanna Project Homewood - BBI" \$40,000 and by adding the same amount to "District 9 Community Projects". Total of all projects is not to exceed \$932,000.

This Matter was Passed Finally on the Consent Agenda.

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

Bill No. [2005-1012](#)
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 changing the name only of an existing project from "Allies & Bates St. Project - Oakland PDC" to "Oakland PDC - Oakland Square/Co-cooperation Projects". Total cost of all projects is not to exceed \$970,000.

This Matter was Passed Finally on the Consent Agenda.

Bill No. [2005-1020](#)
Resolution amending Resolution No. 446 of 2004 entitled "Resolution terminating the Neighborhood Improvement District in the western neighborhoods of Pittsburgh known as the West End Home Assurance Value (WE HAV) program" by changing Section 5.

SPONSOR(S): ALAN HERTZBERG

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. Hertzberg, Mr. Motznik, Mr. Peduto, Mr. Ravenstahl, Mr. Shields and Mr. Ricciardi

Noes: 0

Abstentions: 0

Out of Room: 1 - Mr. Udin

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

Bill No. Report of the Committee on Planning, Zoning and Land Use for February 9, 2005.

[2005-1050](#)

Read, Received and Filed

Bill No. [2004-0744](#)
Resolution approving a Conditional Use under Section 911.04.A.64 of the Pittsburgh Code, Title Nine, Zoning, Article V Chapter 911 as amended to Winchester Thurston School for authorization to construct a 3-story secondary school and renovate the existing building and grounds located at 555 Morewood Avenue for grades kindergarten through 8 and with 97 parking stalls on property zoned "R2-L" Residential Two-Unit Low Density District, 7th ward.

A motion was made that this matter be Passed Finally. 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
[2005-1051](#) February 9, 2005.

Read, Received and Filed

Bill No. Resolution amending and supplementing Resolution No. 861, effective January 1,
[2005-1021](#) 2000, as amended, entitled: "Adopting and approving the 2000 Capital; 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 Spring Garden Neighborhood Council's Grocery Store Project in Council District 1.

SPONSOR(S): LUKE RAVENSTAHL

A motion was made that this matter be Passed Finally. 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

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

Bill No. Report of the Committee on Parks, Recreation and Youth Policy for February 9, 2005.
[2005-1052](#)

Read, Received and Filed

Bill No. Resolution amending and supplementing Resolution No. 861, effective January 1,
[2005-1013](#) 2000, as amended, entitled: "Adopting and approving the 2000 Capital; 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 Spring Garden Neighborhood Council's Grocery Store Project in Council District 1.

A motion was made that this matter be Passed Finally. 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

MR. BODACK PRESENTS COMMITTEE ON PUBLIC SAFETY SERVICES

Bill No. Report of the Committee on Public Safety Services for February 9, 2005.

[2005-1053](#)

Read, Received and Filed

Bill No. Ordinance amending the Pittsburgh Code, by adding Title SIX - CONDUCT Chapter VII: NUISANCE PROPERTIES

[2004-0044](#)

SPONSOR(S): GENE RICCIARDI, JIM MOTZNIK, DOUGLAS SHIELDS, LEN BODACK AND LUKE RAVENSTAHL

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution providing for a Contract or Contracts or Agreement or Agreements; or the use of existing Contracts or Agreements for the purchase of City issued tasers, holsters, and related accessories for the Bureau of Police at a cost not to exceed Thirty Thousand (\$30,000.00) Dollars and providing for the payment thereof.

[2005-1014](#)

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

UDIN: Request CABLECAST POST AGENDA; city regulations for erecting signs; permits & inspection; public safety issues.

UDIN: Encourage minority/women recruitment for Police Officers; hiring thru March 4, 2005.

CARLISLE: Double lines on Black Street; DPW street painting division must rectify.

SHIELDS: Follow-up report; Brueau of E&C/PennDot will develop traffic management plan for Mon Wharf; altering the retaining wall to handle flooding is not an option at this time.

SHIELDS: Request CABLECAST POST AGENDA; Bush Adm's proposed cuts to CDBG; HUD dismantling.

EXCUSE ABSENT MEMBERS

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.