

City of Pittsburgh

*510 City-County Building
414 Grant Street
Pittsburgh, PA 15219*



MEETING MINUTES

Proceedings of the Council of the City of Pittsburgh

Wednesday, December 27, 2006

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: 8 - Mr. Bodack, Ms. Carlisle, Mr. Deasy, Mrs. Harris, Mr. Koch, Mr. Motznik, Mr. Peduto and Mr. Shields
Absent: 1 - Ms. Payne

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

Bill No. [2006-1072](#) NOW THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize and congratulates Mrs. Elinor Mann on her many acts of generosity and wish her many blessings on her ninetieth birthday.

SPONSOR(S): TWANDA CARLISLE

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

Bill No. [2006-1073](#) Now, therefore, be it resolved, that the Council of the City of Pittsburgh does hereby commend the Tree of Hope for its significant contribution to the assistance of children of victims of violent crimes in the City of Pittsburgh, and

Be it further resolved that the Council of the City of Pittsburgh does hereby declare Friday, December 22, 2006, to be Tree of Hope Day here in the city of Pittsburgh.

SPONSOR(S): DOUGLAS SHIELDS

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

PUBLIC COMMENTS

PRESENTATION OF PAPERS

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 December 19, 2006.

[2006-1068](#)

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

Bill No. Resolution providing for the issuance of a \$3,225.00 warrant in favor of BFI Landfill, 980 & Boggs Road, P.O. Box 47, Imperial, PA 15126, in settlement of a claim for a damaged utility pole due to a City Environmental Services vehicle on January 3, 2006.

[2006-1038](#)

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution authorizing the issuance of a warrant in the sum of \$3,500.00 to Sharon L. Myers c/o Anthony J. Lalama, Esquire, 538 Madison Avenue, Pittsburgh, PA 15202, in full and final settlement of an action filed at AR 06-000398, arising from personal injuries allegedly caused by a poorly maintained crosswalk at the corner of Smithfield Street and Fifth Avenue in the City of Pittsburgh.

[2006-1039](#)

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution providing for an issuance of a warrant in favor of Don's Catering Service in the amount of \$9,262.50 in payment of services provided to the joint operations center for the events leading up to and inclusive of the 2006 Major League Baseball All-Star Game.

[2006-1040](#)

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution designating Banks and Lending Institutions to act as Depositories for the year 2007 in accordance with the Pittsburgh Code, Title Two, Fiscal, Article III, Depositories.

[2006-1043](#)

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution authorizing the City Clerk to enter into a professional services contract(s), or use of existing professional services contract(s) with a consultant or consultants to provide professional services to Pittsburgh City Council for the purpose of including, but not limited to financial advisory, legal, writing, research, stenography or other services, in an amount not to exceed \$40,000.00.

[2006-1054](#)

SPONSOR(S): DAN DEASY

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution further amending Resolution No. 403, 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 6; and providing for the payment of the costs thereof," by amending various line items in Council District 6. Total cost of all projects not to exceed \$1,000,000.

[2006-1065](#)

SPONSOR(S): TONYA D. PAYNE

This Matter was AMENDED on the Consent Agenda.

A motion was made that this matter be Passed Finally, As Amended. The motion carried.

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, Mrs. Harris, Mr. Koch, Mr. Motznik, Mr. Peduto and Mr. Shields
Noes: 0
Abstentions: 0
Absent: 1 - Ms. Payne

MR. KOCH PRESENTS COMMITTEE ON PUBLIC WORKS & ENVIRONMENTAL SERVICES

Bill No. Report of the Committee on Public Works and Environmental Services for December
[2006-1069](#) 19, 2006.

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

Bill No. Resolution granting unto PNC Bank Corp. 620 Liberty Avenue, Pittsburgh, PA 15222,
[2006-1044](#) their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a portion of a garage, retaining walls, tiebacks and caissons on Fifth Avenue and Market Street in the 2nd Ward, 6th Council District of the City of Pittsburgh.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution granting unto SHUBH Hotels Pittsburgh, 600 Commonwealth Place,
[2006-1045](#) Pittsburgh, PA 15222 (Hilton Pittsburgh), their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a building addition over the sidewalk area at 600 Commonwealth Place in the 2nd Ward, 6th Council District of the City of Pittsburgh.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution granting unto University of Pittsburgh 3400 Forbes Avenue, Pittsburgh, PA
[2006-1046](#) 15260 their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, utilities at the right-of-ways of Aliquippa, Darragh and Terrace Streets in the 4th & 5th Ward, 6th & 8th Council District of the City of Pittsburgh.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution granting unto Fresenius Medical Care, N.A. 5124 Liberty Avenue,
[2006-1047](#) Pittsburgh, PA 15224, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a hydraulic scissors dock lift on the sidewalk area at 5124 Liberty Avenue in the 8th Ward, 8th Council District of the City of Pittsburgh.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution granting unto Frank Malta, 146 44th Street Pittsburgh, PA 15201, his
[2006-1048](#) successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense, a roof and handicap ramp at 146 44th Street, Pittsburgh, PA 15201 in the 9th Ward, 7th Council District of the City of Pittsburgh.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution vacating a portion of S 4th Street between E. Carson Street and Cabot Way
[2006-1049](#) in the 17th Ward, 3rd Council District, of the City of Pittsburgh.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution vacating a portion of Rust Way and accepting the dedication of 30'
[2006-1050](#) right-of-way across City of Pittsburgh property in the 6th Ward, 7th Council District,
of the City of Pittsburgh.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution vacating a portion of Horning Street between Sanderson Avenue and a 10'
[2006-1051](#) Unnamed Way in the 29th & 32nd Ward, 4th Council District, 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, Mr. Deasy, Mrs. Harris, Mr. Koch, Mr. Motznik,
Mr. Peduto and Mr. Shields
Noes: 0
Abstentions: 0
Absent: 1 - Ms. Payne

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

Bill No. Report of the Committee on Planning, Zoning and Land Use for December 19, 2006.
[2006-1070](#)

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, Article I, Section
[2006-0435](#) 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 Passed Finally. The motion carried by the following vote:

Votes: Ayes: 8 - Mr. Bodack, Ms. Carlisle, Mr. Deasy, Mrs. Harris, Mr. Koch, Mr. Motznik, Mr. Peduto and Mr. Shields
Noes: 0
Abstentions: 0
Absent: 1 - Ms. Payne

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

Bill No. Report of the Committee on Housing, Economic Development and Promotion for
[2006-1071](#) December 19, 2006.

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

Bill No. Resolution amending and supplementing Resolution No. 861, effective January 1,
[2006-1064](#) 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 amending various line items in Council District 6.

SPONSOR(S): TONYA D. PAYNE

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

Bill No. Resolution amending and supplementing Resolution No. 861, effective January 1,
[2006-1064](#) 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 amending various line items in Council District 6.

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

Votes: Ayes: 8 - Mr. Bodack, Ms. Carlisle, Mr. Deasy, Mrs. Harris, Mr. Koch, Mr. Motznik, Mr. Peduto and Mr. Shields
Noes: 0
Abstentions: 0
Absent: 1 - Ms. Payne

MOTIONS AND RESOLUTIONS

EXCUSE ABSENT MEMBERS

A motion was made to excuse the absent member(s)Ms. Payne. 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.