

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, July 26, 2005

10:00 AM

Council Chambers

City Council

**ONE-HUNDRED
THIRTY-THIRD COUNCIL**

Gene Ricciardi, President

Council Members: Len Bodack, Twanda Carlisle,

Dan Deasy, 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: 7 - Ms. Carlisle, Mr. Deasy, Mr. Motznik, Mr. Peduto, Mr. Ravenstahl, Mr. Shields and Mr. Udin

Absent: 2 - Mr. Bodack and Mr. Ricciardi

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

Bill No.

[2005-1599](#)

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh commends Brandon Collins, Sean Barringer, Ed Hirzel and Andy Redlinger for their quick action and heroism in apprehending a potentially dangerous thief.

BET IT FURTHER RESOLVED that the Council of the City of Pittsburgh declares Tuesday, July 26, 2005 "BRANDON COLLINS, SEAN BARRINGER, ED HIRZEL AND ANDY REDLINGER DAY" in the city of Pittsburgh.

SPONSOR(S): GENE RICCIARDI

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

Bill No.

[2005-1600](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize and commend The Shadow Lounge for its contribution to our city, our region, and the performing arts.

SPONSOR(S): TWANDA CARLISLE AND ALL MEMBERS

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

Bill No.

[2005-1601](#)

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends the Three Rivers Center for Independent Living for consistently working to strengthen the rights and voices of people with disabilities; and

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh declares July 26, 2005 "Disability Pride in Youth Day" 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.

[2005-1602](#)

NOW THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh acknowledges the runners for their work toward peace and harmony and extends its appreciation to Operation Weed & Seed, National City Bank and Earl Jones, Sr. for their support and coordination of The World Harmony Run in the City of Pittsburgh.

BE IT FURTHER RESOLVED that August 1, 2005 be hereby declared "World Harmony Run Day" in the City of Pittsburgh.

SPONSOR(S): GENE RICCIARDI AND ALL MEMBERS

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

Bill No.

[2005-1603](#)

NOW THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh commends Slovak Catholic Sokol for their work and dedication for the benefit all fraternal members and their families, congratulates Slovak Catholic Sokol on its 100th Anniversary and congratulates all the athletes as they performed their best at Slovak Catholic Sokol's 42nd International Slet.

BE IT FURTHER RESOLVED that July 19-24th, 2005 be hereby declared "Slovak Catholic Sokol's 42nd International Slet days" in the City of Pittsburgh.

SPONSOR(S): GENE RICCIARDI AND ALL MEMBERS

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

Bill No.

[2005-1604](#)

NOW THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh congratulates and commends Michael Komichak for 55 years of service as host of the Ukrainian-American Radio Program and commends and thanks the Ukrainian-American community for its support and dedication to its Ukrainian heritage.

NOW THEREFORE BE IT FURTHER RESOLVED that Sunday July 31, 2005 is hereby declared "Michael Komichak Day" throughout the City of Pittsburgh.

SPONSOR(S): GENE RICCIARDI

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

PRESENTATION OF PAPERS

MR. BODACK PRESENTS COMMITTEE ON PUBLIC SAFETY SERVICES

Bill No.

[2005-1598](#)

Ordinance amending the Pittsburgh Code, Title Six - Conduct, Article I - Regulated Rights and Actions, Chapter 602 - Solicitation, by repealing the current language in its entirety and replacing the Chapter with new language as it relates to panhandling.

Read and referred to Public Safety Services Committee

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

Bill No.

[2005-1593](#)

Resolution authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh in connection with URA's application for a \$500,000 Redevelopment Assistance Capital Program grant for the Armstrong Cork seawall project. (Council District No. 6)

Read and referred to Housing, Economic Development & Promotion Committee

Bill No.

[2005-1594](#)

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 \$500,000 for the Armstrong Cork seawall project. (Council District No. 6)

Read and referred to Housing, Economic Development & Promotion Committee

Bill No.
[2005-1595](#) Resolution approving Execution of a Contract for Disposition by Sale of Land by and between the Urban Redevelopment Authority of Pittsburgh and the African American Cultural Center of Greater Pittsburgh for the Sale of Block 9N Lots 5, 8, 18, 19, 20, 21, 22, 23, 24 and 25, in the Second Ward of the City of Pittsburgh – 946-974 Liberty Avenue – Council District No. 6 – in Convention Center Project (construction of African American Cultural Center)

Read and referred to Housing, Economic Development & Promotion Committee

Bill No.
[2005-1596](#) Resolution authorizing the Mayor and the Director of the Commission on Human Relations to enter into an agreement or agreements for the hiring of legal counsel to provide representation to complainants in fair housing cases who have elected to proceed through the Court of Common Pleas or require legal representation at public hearings before the commission. Cost not to exceed \$25,000.

Read and referred to Housing, Economic Development & Promotion Committee

Bill No.
[2005-1597](#) Resolution providing for an agreement to enter into a contract with an individual attorney or law firm to provide legal representation as the Solicitor of the Commission on Human Relations, and providing for the payment of the costs thereof. Cost not to exceed \$20,000.

Read and referred to Housing, Economic Development & Promotion Committee

Bill No.
[2005-1605](#) Resolution amending and supplementing 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 adjusting various line items in conformance with City Council's 2003 Capital Budget amendments.” by adding Grandview Park Tree Pruning 10,269.35 and by reducing various other projects to reflect actual spending in Council District 3.”

SPONSOR(S): GENE RICCIARDI

Read and referred to Housing, Economic Development & Promotion Committee

Bill No.
[2005-1606](#) 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 adding Friendship Community Master Plan \$50,000, Sq. Hill BP Association Forbes and Murray Improvement Plan \$22,000, Bloomfield Business Association Liberty Ave Improvement Plan \$20,000, Homewood Arts District \$2,500, Urban Ecological Collaborative \$5,000, District 8 Various Projects \$10,293.46 and by making various reductions to reflect actual expenditures in Council District 8.

SPONSOR(S): WILLIAM PEDUTO

Read and referred to Housing, Economic Development & Promotion Committee

MR. RAVENSTAHL PRESENTS COMMITTEE ON PUBLIC WORKS & ENVIRONMENTAL SERVICES

Bill No. Resolution authorizing the Mayor and the Director of the Department of Public Works to enter into as Agreement with Eastside Limited Partnership II ("Eastside") and the Urban Redevelopment Authority of Pittsburgh ("URA") and acceptance from the URA in connection with the construction of a new pedestrian bridge in the 7th Ward, 8th Council District.

[2005-1589](#)

Read and referred to Public Works & Environmental Services Committee

Bill No. Resolution granting unto Eastside Limited Partnership II, 2425 Henry W. Oliver Bldg, 535 Smithfield Street, Pittsburgh, PA 15222, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, signs, canopies, flagpoles, sunshade and a balcony over the sidewalk areas at 5932-5956 Penn Circle South in the 7th Ward, 8th Council District of the City of Pittsburgh.

[2005-1590](#)

Read and referred to Public Works & Environmental Services Committee

Bill No. Resolution granting unto The Berry Patch, 2757 East Carson Street, Pittsburgh, PA 15203, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a roof with attached business identification sign and lighting at 2757 East Carson Street in the 16th Ward, 3rd Council District of the City of Pittsburgh.

[2005-1591](#)

Read and referred to Public Works & Environmental Services Committee

Bill No. Resolution amending Resolution No. 128, effective March 16, 2005, as amended entitled, "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", by further extending the time period through September 30, 2005.

[2005-1607](#)

SPONSOR(S): WILLIAM PEDUTO

Read and referred to Public Works & Environmental Services Committee

MR. SHIELDS PRESENTS COMMITTEE ON FINANCE & BUDGET

Bill No. Resolution of the City Council of the City of Pittsburgh (the "City") determining to incur lease rental debt in an aggregate principal amount not to exceed four million four hundred and fifty thousand dollars (\$4,450,000) by entering into a supporting agreement (the "2005 supporting agreement") with the Sports & Exhibition Authority of Pittsburgh and Allegheny County (the "authority") and the County of Allegheny ("County"); determining that such lease rental debt shall be Evidenced by the 2005 supporting agreement by which the city agrees to pay one-half of the debt service on the Sports & Exhibition Authority of Pittsburgh and Allegheny County Auditorium Bonds, refunding series a of 2005 to be issued by the Authority in an aggregate principal amount of up to eight million, nine hundred thousand dollars (\$8,900,000); authorizing and directing the proper officers of the city (a) to prepare, to certify and to file the debt statement and borrowing base certificate required by section 8110 of the Pennsylvania local government unit debt act; and (b) to execute, to attest and to

[2005-1578](#)

deliver, as appropriate, the 2005 supporting agreement among the city, the county and said authority; approving the form of said 2005 supporting agreement; specifying the maximum amounts of the supporting obligation of the City pursuant to said 2005 supporting agreement and the sources of payment of such supporting obligation and pledging the full faith, credit and taxing power of the City in support thereof; providing for proper officers of the City to take all other required, necessary or desirable related action in connection with said project and said 2005 supporting agreement; providing for the effectiveness of this resolution; providing for the severability of provisions of this resolution; and providing for repeal of all inconsistent ordinances or resolutions or parts of ordinances or resolutions.

Read and referred to Finance & Budget Committee

Bill No.

[2005-1579](#)

Ordinance amending the Pittsburgh Code, Title One-Administrative, Article IX-Boards, Commissions and Authorities, by adding a new section at Chapter 180 in order to create a Clean Pittsburgh Commission.

**SPONSOR(S): DOUGLAS SHIELDS, DAN DEASY, WILLIAM PEDUTO,
GENE RICCIARDI AND LUKE RAVENSTAHL**

Read and referred to Finance & Budget Committee

Bill No.

[2005-1580](#)

Resolution authorizing and directing the City Controller to create a special Trust Fund, to be designated as the "Clean Pittsburgh Trust Fund", for the deposit of cash and contributions and authorizing the use of the funds deposited therein by the Department of Public Works for any and all expenses associated with the operation and implementation of projects related to community clean-ups and clean-neighborhood projects.

Read and referred to Finance & Budget Committee

Bill No.

[2005-1581](#)

Resolution providing that the City of Pittsburgh enter into a professional services contract or contracts with Employee Benefit Data Services, Inc. for the purpose of administering the City's COBRA program and Flexible Spending Account program and providing for the payment of the cost thereof. Cost not to exceed \$50,000.

Read and referred to Finance & Budget Committee

Bill No.

[2005-1582](#)

Resolution providing that the City of Pittsburgh enter into a professional services agreement or agreements for maintaining equipment necessary for the administration of Personnel and Civil Service Examinations and providing for the payment of the cost thereof. Cost not to exceed \$13,000.

Read and referred to Finance & Budget Committee

Bill No.

[2005-1583](#)

Resolution authorizing the City of Pittsburgh to issue a quit claim deed for part of City of Pittsburgh owned parcel 139-R-86 in the 32nd Ward, on Library Road to the Pennsylvania Department of Transportation for required right-of-way widening for State Route 88 Section A09.

Read and referred to Finance & Budget Committee

Bill No.

[2005-1584](#)

Resolution authorizing the City of Pittsburgh to issue a quit claim deed for property in the 4th Ward of the City of Pittsburgh to the Pennsylvania Department of Transportation for required right-of-way widening for State Route 885, Section A03,

and State Route 2108, Section A05, on Forbes and Fifth Avenues and the Boulevard of the Allies. Being parcel 28-J-500 and parts of parcel 11-L-280 on Forbes Avenue and parcels 11-M-174, 180, 190, 191, 192 and 198 on Fifth Avenue. Also authorizing an aerial easement and a temporary construction easement for part of parcel 11-L-280.

Read and referred to Finance & Budget Committee

Bill No.

[2005-1585](#)

Resolution providing for an agreement with the Commonwealth of Pennsylvania Department of Transportation granting a permanent aerial easement over City of Pittsburgh property Block and Lot No. 25-B-15, 114 Railroad Street, in connection with improvements on the adjacent Thirty-First Street Bridge, SR02122, Section A03. The amount of \$3,700.00 is offered as just compensation for the effects, if any, for this aerial easement on the designated portion of City property upon certain terms and conditions.

Read and referred to Finance & Budget Committee

Bill No.

[2005-1586](#)

Resolution providing for an Agreement Of Sale with Thomas Williams and Michelle Williams, his wife, for acquisition by the City of Pittsburgh of property located at 637 Corfu Street, 20th Ward, City of Pittsburgh, and providing further for certain payments not to exceed \$353,000.

Read and referred to Finance & Budget Committee

Bill No.

[2005-1587](#)

Resolution further amending and supplementing Resolution No. 229 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 5; and providing for the payment of the costs thereof," by adding "Pennsylvania Downtown Center Feasibility Study" \$1,500. Total cost of all projects is not to exceed \$990,128.49.

Read and referred to Finance & Budget Committee

Bill No.

[2005-1608](#)

Resolution further amending Resolution No. 121 of 2003, effective March 14, 2003 entitled, "Resolution 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 City Council's 2003 Community Needs Program; and providing for the payment of the costs thereof," by adding Grandview Park Tree Pruning 10,269.35, eliminating Monongehalia Parking (\$8,000) and by reducing line items Tree Planting, Duquesne Light Frontage on Sarah Street and Henry Kaufmann Center/Arlington Gym Sidewalk Repairs to reflect actual expenditures in Council District 3.

SPONSOR(S): GENE RICCIARDI

Read and referred to Finance & Budget Committee

MR MOTZNIK-PRESIDENT PRO-TEM PRESENTS (COMMITTEE ON HEARINGS)

Bill No.

[2005-1588](#)

Communication - Travel Request: Permission is requested from Mayor Tom Murphy, requesting permission for non-City of Pittsburgh employees, Denise Kelly - Operation

Weed and Seed Suburban Site Coordinator, Aaron Gibson - Hazelwood YMCA Outreach, Kevin Mickens - Garfield Jubilee Corporation and Carl Redwood - Kingsley Center Catherine Lesko (Homestead), (Bloomfield/Garfield) to attend the 2005 Weed and Seed/CCDO National Conference in Los Angeles.

Read and referred to Finance & Budget Committee

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

Bill No. Resolution providing for an Agreement or Agreements with Miryam's and East End Cooperative Ministry for administrative, operating and/or renovation costs for the shelters under the State Emergency Shelter Grant Program, at a cost not to exceed \$190,000.00.

[2005-1592](#)

Read and referred to Planning, Zoning & Land Use Committee

UNFINISHED BUSINESS

Update--CPRB Appointments--legislation forthcoming from Administration.

REPORTS OF COMMITTEE - FINAL ACTION

MR. RAVENSTAHL PRESENTS COMMITTEE ON PUBLIC WORKS & ENVIRONMENTAL SERVICES

Bill No. Report of the Committee on Public Works and Environmental Services for July 20, 2005.

[2005-1575](#)

Read, Received and Filed

Bill No. Resolution further amending Resolution No. 104, effective March 16, 2001, as amended by Resolution No. 594, effective September 26, 2001, 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; 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." by increasing the total project allocation by \$6,763.44 from \$545,000.00 to \$551,763.44.

[2005-1544](#)

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution amending Resolution No. 93, effective March 1, 2000, and Resolution No. 260, effective April 26, 2001, entitled Providing for a Contract or Contracts, or use of existing Contracts and/or an Agreement or Agreements, or use of existing Agreements and for the purchase of materials, equipment and supplies in connection with the Renovation of Various Play Areas; at a cost not to exceed \$944,000.00, by increasing the project allocation by \$31,384.11 from \$944,000.00 to \$975,384.11.

[2005-1545](#)

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution further amending 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

[2005-1546](#)

2005 Capital Improvement Program, by decreasing Garage With Bays by \$31,384.11 from \$140,000.00 to \$108,615.89 and increasing Play Area Improvements by \$31,384.11 from \$944,000.00 to \$975,384.11.

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2005-1547](#)

Resolution amending Resolution No. 54, effective February 24, 1999, entitled Providing for a Contract or Contracts, or use of existing Contracts and/or an Agreement or Agreements, or use of existing Agreements and for the purchase of materials, equipment and supplies in connection with the Renovation of Various Play Areas; at a cost not to exceed \$840,000.00, by increasing the project allocation by \$3,644.93 from \$840,000.00 to \$843,644.93.

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2005-1548](#)

Resolution further amending Resolution No. 781, effective January 1, 1999, entitled Adopting and approving the 1999 Capital Budget and the 1999 Community Development Block Grant Program; and approving the 1999 through 2004 Capital Improvement Program, by decreasing Law Enforcement Memorial NS by \$3,644.93, from \$31,500.00 to \$27,855.07 and increasing Play Area Improvements in the amount of \$3,644.93 from \$840,000.00 to \$843,644.93.

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2005-1549](#)

Resolution further amending Resolution No. 881, effective January 1, 2001, entitled "Adopting and approving the 2001 Capital Budget and the 2001 Community Development Block Grant Program; and approving the 2001 through 2006 Capital Improvement Program," by decreasing "Allegheny Center Roadway Improvements" in the amount of \$4,901.74, from \$75,000.00 to \$70,098.26, decreasing NCJW Children's Waiting Room in the amount of \$1,861.70 from \$70,000.00 to \$68,138.30 for a total amount of \$6,763.44 and increasing Play Area Improvements in the amount of \$6,763.44, from \$545,000.00 to \$551,763.44.

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 - Ms. Carlisle, Mr. Deasy, Mr. Motznik, Mr. Peduto, Mr. Ravenstahl, Mr. Shields and Mr. Udin

Noes: 0

Abstentions: 0

Absent: 2 - Mr. Bodack and Mr. Ricciardi

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

Bill No.

[2005-1576](#)

Report of the Committee on Planning, Zoning and Land Use for July 20, 2005.

Read, Received and Filed

Bill No. Resolution providing for the designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure known as the former Buhl Planetarium and Institute of Popular Science Building, located at in Allegheny Square, block and lot number 023-R-103, in the 22nd Ward, City of Pittsburgh.

[2005-1438](#)

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution authorizing the Mayor, the Director of the Department of Finance, the Director of the Department of City Planning, and the Director of the Department of Public Works to enter into an agreement with DLM Foods, a Division of Del Monte Corporation, for a Ground Lease to facilitate aquifer water withdrawal.

[2005-1550](#)

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 - Ms. Carlisle, Mr. Deasy, Mr. Motznik, Mr. Peduto, Mr. Ravenstahl, Mr. Shields and Mr. Udin
Noes: 0
Abstentions: 0
Absent: 2 - Mr. Bodack and Mr. Ricciardi

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

Bill No. Report of the Committee on Parks, Recreation and Youth Policy for July 20, 2005.

[2005-1577](#)

Read, Received and Filed

Bill No. 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 conversion and improvement of the existing cinder track at the Schenley Oval into an all-weather, 400 meter international standard facility in an amount not to exceed \$400,000.00 for the Department of Parks and Recreation. Section 3. Any Resolution or Ordinance or part thereof conflicting with the provisions of this Resolution is hereby repealed so far as the same affects this Resolution.

[2005-1551](#)

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

Votes: Ayes: 7 - Ms. Carlisle, Mr. Deasy, Mr. Motznik, Mr. Peduto, Mr. Ravenstahl, Mr. Shields and Mr. Udin
Noes: 0
Abstentions: 0
Absent: 2 - Mr. Bodack and Mr. Ricciardi

MOTIONS AND RESOLUTIONS

Carlisle: Acknowledges the Governor's financial support of the African American Cultural Center.

EXCUSE ABSENT MEMBERS

A motion was made to excuse the absent member(s) Mr. Bodack & Mr. Ricciardi.
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.