



# City of Pittsburgh City Council

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

## Municipal Record

*Proceedings of the Council of the City of Pittsburgh*

**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**

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Tuesday, September 27, 2005

10:00 AM

Council Chambers

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### ROLL CALL

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

### PLEDGE OF ALLEGIANCE

*Led by 4 year old Christopher Dotson Jr. from the Hazelwood Headstart Program*

### PROCLAMATIONS

Bill No.

[2005-1730](#)

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh salutes the Education Law Center, Managing Attorney Nancy A. Hubley and Co-Directors Len Rieser, Esq. and Janet Stotland, Esq., the special honorees of the 30th Anniversary Celebration and Dr. Innocenzo Grignano, for being strong advocates for all of Pennsylvania's children.

**SPONSOR(S): WILLIAM PEDUTO AND ALL MEMBERS**

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

Bill No.

[2005-1731](#)

NOW THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh commends and thanks the South Side Slopes Neighborhood Association, the South Side Chamber of Commerce, PA Clean Ways, Tier1 and numerous volunteers for their work and dedication to keeping the Slopes clean and enjoyable for all residents and visitors.

BE IT FURTHER RESOLVED that September 27, 2005 be hereby declared "South Side Slopes Neighborhood Association Day" in the City of Pittsburgh.

**SPONSOR(S): GENE RICCIARDI**

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

Bill No.

[2005-1732](#)

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh urges the General Assembly and the Governor of the Commonwealth of Pennsylvania to further investigate and consider measures to begin to reform the way in which the

Commonwealth provides health care; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh recommends the consideration of the Comprehensive Health Care Reform Act of 2005 as a starting point for health care reform in Pennsylvania.

**SPONSOR(S): WILLIAM PEDUTO**

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

Bill No.

[2005-1733](#)

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes the efforts and contributions of Jack Shultz to his community, Pittsburgh and Allegheny County, and, be it further resolved that the Council of the City of Pittsburgh declares Saturday, September 24, 2005 (the date of the official rededication of the Richard Caliguiri Senior Center) Jack Shultz Day in the City of Pittsburgh.

**SPONSOR(S): GENE RICCIARDI**

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

Bill No.

[2005-1734](#)

NOW THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby wish Edgar M. Davidson a very happy birthday; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh declares Saturday October 1, 2005 to be "Edgar M. Davidson Day" in the City of Pittsburgh.

**SPONSOR(S): DOUGLAS SHIELDS AND ALL MEMBERS**

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

Bill No.

[2005-1735](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh joins the community in recognizing Women Against Abusive Relationships for their critical and continued service to the community, but most importantly, for helping women and girls learn that "Love Does Not Hurt."

**SPONSOR(S): SALA UDIN AND ALL MEMBERS**

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

## **PRESENTATION OF PAPERS**

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

Bill No.

[2005-1727](#)

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 2005-2006. (Council Districts: All).

**Read and referred to Housing, Economic Development & Promotion Committee**

Bill No.

[2005-1728](#)

Resolution authorizing a 2005-2006 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.

[2005-1729](#)

Resolution accepting the dedication of certain streets in the South Side Works project in the 16th Ward of the City of Pittsburgh for public highway and pedestrian ramp purposes, accepting the grading, paving, lighting, curbing and traffic signals, and fixing the width and position of the roadway and sidewalk thereof. (Council District 3).

**Read and referred to Housing, Economic Development & Promotion Committee**

**MR. SHIELDS PRESENTS COMMITTEE ON FINANCE & BUDGET**

Bill No.

[2005-1726](#)

Resolution, amending resolution No. 135, approved April 15, 2004, effective April 19, 2004, providing for an extension of a professional service agreement or agreements with MAHER DUESSEL for the performance of the audit on the 911 Funds for the years ended 2001 through 2003 by adding the final year 2004 audit, at an additional total cost not to exceed Eight Thousand Dollars (\$8,000.00), chargeable to and payable from Special Fund Expenditures, Department of Public Safety - EOC, Account 526120, Fund 2454, Organization 213000, Sub-Class 600, Budget Year 2005.

**Read and referred to Finance & Budget Committee**

**REPORTS OF COMMITTEE - FINAL ACTION**

**MR. SHIELDS PRESENTS COMMITTEE ON FINANCE & BUDGET**

Bill No.

[2005-1723](#)

Report of the Committee on Finance and Budget for September 21, 2005.

**Read, Received and Filed**

Bill No.

[2005-1690](#)

Resolution authorizing and directing the Mayor and the Director of Finance to place a Six (6) month moratorium on the sale or transfer of certain city properties within the proposed Grandview Scenic Byway Park area in order to allow a period of study regarding the correct assemblage of property to form a contiguous park, proper maintenance to guarantee the structural integrity of all park hillsides and to preserve ample green space in the park.

**SPONSOR(S): DAN DEASY**

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

Bill No.

[2005-1690](#)

Resolution authorizing and directing the Mayor and the Director of Finance to place a Six (6) month moratorium on the sale or transfer of certain city properties within the proposed Grandview Scenic Byway Park area in order to allow a period of study regarding the correct assemblage of property to form a contiguous park, proper maintenance to guarantee the structural integrity of all park hillsides and to preserve ample green space in the park.

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

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

Bill No. Resolution providing for authorization for the City of Pittsburgh to continue  
[2005-1631](#) negotiations with the Salvation Army for the sale of the Brighton Heights Park property in the 26th and 27th Wards of the City of Pittsburgh to The Salvation Army upon terms and conditions to be agreed upon in accordance with applicable law.

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

**Votes:** Ayes: 6 - Mr. Bodack, Mr. Deasy, Mr. Motznik, Mr. Peduto, Mr. Ravenstahl and Mr. Ricciardi  
Noes: 0  
Abstentions: 1 - Ms. Carlisle  
Out of Room: 2 - Mr. Shields and Mr. Udin

Bill No. Resolution providing for a Deed of Easement for Railroad Right-Of-Way And Parking  
[2005-1669](#) Area to the Allegheny Valley Railroad Company, granting to said Company an easement for railroad purposes and providing for a parking easement in favor of the City of Pittsburgh, all on certain land in the 6th Ward of the City.

**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. Motznik, Mr. Peduto, Mr. Ravenstahl and Mr. Ricciardi  
Noes: 0  
Abstentions: 0  
Out of Room: 2 - Mr. Shields and Mr. Udin

Bill No. Resolution amending Resolution No. 446 of 2004, with an effective date of September  
[2005-1708](#) 21, 2004, which reads, "Terminating the Neighborhood Improvement District in the western neighborhoods of Pittsburgh known as the West End Home Assurance Value ("WE HAV") program" by changing the refund amount from \$17.75 to \$20.00.

**SPONSOR(S): DAN DEASY**

## **MR. RAVENSTAHL PRESENTS COMMITTEE ON PUBLIC WORKS & ENVIRONMENTAL SERVICES**

Bill No. Report of the Committee on Public Works and Environmental Services for September  
[2005-1724](#) 21, 2005.

### **Read, Received and Filed**

Bill No. Resolution providing for a Contract or Contracts, or the use of existing Contracts for the  
[2005-1681](#) purchase of various trucks, and related accessories, for the Department of Public Works, Bureau of Operations, and provide for the payment thereof, at a cost not to exceed

\$386,000.00.

**This Matter was Passed Finally on the Consent Agenda.**

Bill No.

[2005-1682](#)

Resolution granting unto Federal Reserve Bank of Cleveland – Pittsburgh Branch, 717 Grant Street, Pittsburgh, PA 15219, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, granite and hydraulic (steel) bollards on the sidewalk area of William Penn Place and building-mounted pedestrian warning devices in the 2nd Ward, 6th 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: 6 - Mr. Bodack, Mr. Deasy, Mr. Motznik, Mr. Peduto, Mr. Ravenstahl and Mr. Ricciardi  
Noes: 0  
Abstentions: 0  
Out of Room: 3 - Ms. Carlisle, Mr. Shields and Mr. Udin

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

Bill No. [2005-1725](#) Report of the Committee on Parks, Recreation and Youth Policy for September 21, 2005.

### Read, Received and Filed

Bill No. [2005-1689](#) Resolution respectfully requesting the Mayor of the City of Pittsburgh to engage the City Solicitor and the directors of Parks and Recreation, and Finance to assist in the creation of a new city park named the "Grandview Scenic Byway Park."

**SPONSOR(S): DAN DEASY**

**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, Mr. Motznik, Mr. Peduto, Mr. Ravenstahl, Mr. Udin and Mr. Ricciardi  
Noes: 0  
Abstentions: 0  
Out of Room: 1 - Mr. Shields

## MOTIONS AND RESOLUTIONS

**A motion was made by Council Member Peduto, seconded by Council Member Motznik, to hold a Cablecast Post Agenda; re: Firefighter Apparatus.**

**COUNCIL: Commending Fire Chief Michael Huss for 24-7 accessibility and commitment to the Bureau; forward transcripts.**

**BODACK: Request EXECUTIVE SESSION to discuss personnel issues.**

**RICCIARDI: Request P. Safety Chairman-Councilman Len Bodack to coordinate Adm. Reps for Public Hearing regarding Jerry Jackson incident.**

**Home Rule Charter, Section 808 Subopena Power review.**

**RICCIARDI: Request Solcitor legal review of the formation of an official Authority to secure License on Gaming/Slots.. The motion carried by the following vote:**

**Votes:** Ayes: 8 - Mr. Bodack, Ms. Carlisle, Mr. Deasy, Mr. Motznik, Mr. Peduto, Mr. Ravenstahl, Mr. Udin and Mr. Ricciardi  
Noes: 0  
Abstentions: 0  
Out of Room: 1 - Mr. Shields

## 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.**