

City of Pittsburgh

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



MEETING MINUTES

Proceedings of the Council of the City of Pittsburgh

Monday, November 7, 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: 9 - Mr. Bodack, Ms. Carlisle, Mr. Deasy, Mr. Motznik, Mr. Peduto, Mr. Ravenstahl, Mr. Shields, Mr. Udin and Mr. Ricciardi

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

Bill No.

[2005-1852](#)

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh thanks Bob Schlesinger, the “Mayor of Wallingford Street,” for being a true activist who brings people together, and who has worked tirelessly for Shadyside and the City's safety and well-being; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh hereby declares Monday, November 7, 2005, “Bob Schlesinger Day” in the City of Pittsburgh.

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

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

Bill No.

[2005-1853](#)

NOW, THEREFORE BE IT RESOLVED, that the Council in the City of Pittsburgh commends and recognizes Mrs. Geraldine C. Allen for her years of dedicated service to her family and community, and extends a “Happy 75th Birthday” to you and many more.

SPONSOR(S): TWANDA CARLISLE

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

Bill No.

[2005-1854](#)

NOW, THEREFORE BE IT RESOLVED, that the Council in the City of Pittsburgh commends and recognizes Connie Portis for her entrepreneur contributions and efforts in Pittsburgh and the region.

SPONSOR(S): TWANDA CARLISLE

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

Bill No.

[2005-1855](#)

NOW, THEREFORE BE IT RESOLVED, that the Council in the City of Pittsburgh commends and recognizes these individuals and organizations for the selflessness contributions and charity to the communities in our region.

SPONSOR(S): TWANDA CARLISLE

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

Bill No.

[2005-1856](#)

NOW THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does hereby acknowledge Vincent John Romanelli for being a wonderful father and husband, thanks him for his years of service to our Country and congratulates him on the celebration of his 80th Birthday.

BE IT FURTHER RESOLVED that today, November 6, 2005 be hereby declared

“Vincent John Romanelli Day” in the City of Pittsburgh.

SPONSOR(S): GENE RICCIARDI

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

PRESENTATION OF PAPERS

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

Bill No.

[2005-1850](#)

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 creating new line item South Side LDC Footbridge Lighting \$9,000.00, increasing Brashear Association to \$6,147.54 and Elder-ado to \$6,147.54 and reducing various line items by \$14,000.00, in Council District 3.

SPONSOR(S): GENE RICCIARDI

Read and referred to Housing, Economic Development & Promotion Committee

MR. PEDUTO PRESENTS COMMITTEE ON GENERAL SERVICES, TECHNOLOGY & THE ARTS

Bill No.

[2005-1847](#)

Resolution authorizing and directing the Manager of the Equal Opportunity Review Commission to enter into a professional services agreement or agreements, contract or contracts to design a Sheltered Market contracting program for the City of Pittsburgh and providing for the payment of the cost thereof, not to exceed Forty Five Thousand Dollars (\$45,000.00).

Read and referred to General Services, Technology & the Arts

MR. RAVENSTAHL PRESENTS COMMITTEE ON PUBLIC WORKS & ENVIRONMENTAL SERVICES

Bill No.

[2005-1846](#)

Resolution providing for a Contract or Contracts, or the use of existing Contracts for the purchase of various vehicles, related accessories, and various equipment for the Department of Public Works, Bureau of Environmental Services, and provide for the payment thereof, at a cost not to exceed \$200,000.00.

Read and referred to Public Works & Environmental Services Committee

MR. SHIELDS PRESENTS COMMITTEE ON FINANCE & BUDGET

Bill No.

[2005-1842](#)

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. ITEM A. A: 1116 Province.

Read and referred to Finance & Budget Committee

Bill No.
[2005-1843](#)

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. ITEMS A thru E. A: 6588 Frankstown; B: 16 Enon; C: 1408 Hamlin; D: 1405 Sandusky; E: 648 Windom.

Read and referred to Finance & Budget Committee

Bill No.
[2005-1844](#)

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 H. A: 255 Alpine; B: 251 Alpine; C: 249 Alpine; D: 237 Alpine; E: 229 Alpine; F: 106 Jacksonia; G: 1433 Boyle; H: 1431 Boyle.

Read and referred to Finance & Budget Committee

Bill No.
[2005-1845](#)

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 L. A: 2471 Toner; B: 78 Holt; C: 2411 Harcum; D: 923-25 James; E: 10 Zimmerman; F: 12 Zimmerman; G: 8010, 8012, & 8006-08 Frankstown; H: 7624 Tioga; I: 3810 California; J: 7301 Monticello; K: 3924 Woolslayer; L: 2134 South 18th; M: 650 and 704 Windom Street.

Read and referred to Finance & Budget Committee

Bill No.
[2005-1851](#)

Resolution providing for the settlement of the lawsuit filed by Thomas Flaherty, Controller of the City of Pittsburgh, against the City of Pittsburgh and Pittsburgh City Council at GD 05-0660 as it relates to the budget appropriation of the Controller's Office for fiscal year 2005.

Read and referred to Finance & Budget Committee

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

Bill No.
[2005-1848](#)

Ordinance amending the Pittsburgh Code, Title Nine, Zoning, all Sections by renaming the PO, Parks and Open Space district to P, Parks district; amending Section 905.02 H, Hillside district by amending lot area requirements, eliminating setback requirements, adding area of disturbance requirements; amending Article III, Section 906: Environmental Overlay Districts by adding a new overlay district as Section 906.08: SS-O, Steep Slope Overlay district and new use definitions and standards for review; and Article VI, Section 915: Environmental Performance Standards by adding new text as Chapter 915 with new definitions and standards.

SPONSOR(S): WILLIAM PEDUTO

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

Read and referred to Planning, Zoning & Land Use Committee

Bill No. Resolution renewing an approved Conditional Use application, Resolution No. 542/2004, entitled, approving a Conditional Use under Section 911.04.A.64 of the Pittsburgh Code, Title Nine, Zoning, Article V Chapter 911 as amended, to the Board of Public Education of Pittsburgh for authorization to construct a 2-story extension to the easterly side of Sterrett Classical Academy with classrooms, gymnasium, cafeteria and library at 7100 Reynolds Street on property zoned "R1D-L" Residential Single Unit Detached Low Density District, 14th Ward." in accordance with guidelines set forth in Section 922.06.I.3, Renewal in the Event of Lapse.

[2005-1849](#)

SPONSOR(S): TWANDA CARLISLE

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

Read and referred to Planning, Zoning & Land Use Committee

REPORTS OF COMMITTEE - FINAL ACTION

MR. SHIELDS PRESENTS COMMITTEE ON FINANCE & BUDGET

Bill No. Report of the Committee on Finance and Budget for November 2, 2005.

[2005-1838](#)

Read, Received and Filed

Bill No. Resolution authorizing the City of Pittsburgh to enter into an agreement with the Pittsburgh Foundation to document a voluntary commitment from community nonprofit organizations to provide financial assistance to the City.

[2005-1630](#)

A motion was made that this matter be RECOMMITTED to the Finance & Budget Committee. The motion carried by the following vote:

Votes: Ayes: 5 - Ms. Carlisle, Mr. Peduto, Mr. Ravenstahl, Mr. Shields and Mr. Ricciardi
Noes: 3 - Mr. Bodack, Mr. Deasy and Mr. Motznik
Abstentions: 1 - Mr. Udin

Bill No. Resolution providing for the issuance of a \$19,000.00 warrant in favor of Barbara Mason, c/o Richard S. Matesic, Esquire, 1007 Mount Royal Boulevard, Pittsburgh, PA 15223, in settlement of a claims asserted, or which could have been asserted of, in the Civil Action filed at CA 02-2107 in the United States District Court for the Western District of Pennsylvania.

[2005-1800](#)

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution providing for the issuance of an agreement between the City of Pittsburgh and Allegheny County, acting as fiduciary for the Southwest Counter Terrorism Task Force, hereinafter referred to as Region 13. The agreement will provide a means in which the Mayor of Pittsburgh and the Director of Public Safety may accept funds for reimbursement of City costs accrued in working with an outside vendor in the development of a central district evacuation plan.

[2005-1802](#)

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution providing for an Agreement or Agreements and/or Contract or Contracts with Municipal Code Corporation for professional services in connection with the codification of Ordinances into the Pittsburgh Code, for a term to expire December 31, 2007.

[2005-1816](#)

SPONSOR(S): GENE RICCIARDI

This Matter was Passed Finally on the Consent Agenda.

Bill No. 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 WYEP Facility Improvements \$2,000, Pittsburgh Conservancy Schenley Plaza \$2,000 and District 8 Bike Racks \$5,000 in Council District 8.

[2005-1817](#)

SPONSOR(S): WILLIAM PEDUTO

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. Deasy, Mr. Motznik, Mr. Peduto, Mr. Ravenstahl, Mr. Shields, Mr. Udin and Mr. Ricciardi

Noes: 0

Abstentions: 0

MR. RAVENSTAHL PRESENTS COMMITTEE ON PUBLIC WORKS & ENVIRONMENTAL SERVICES

Bill No. Report of the Committee on Public Works and Environmental Services for November 2, 2005.

[2005-1839](#)

Read, Received and Filed

Bill No. Resolution further amending Res. 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 decreasing the "River Access Ramp" line item by \$180.00 from \$65,000.00 to \$64,820.00 and increasing the "Tree Planting Program" line item by \$180.00 from \$96,585.00 to \$96,765.00.

[2005-1806](#)

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution amending Resolution No. 186, effective April 5, 2000, entitled "Providing for a Contract or Contracts, or for the use of existing Contracts for Street Tree Planting at various locations; and providing for the payment of the costs thereof," by increasing the total project allocation by \$180.00 from \$96,585.00 to \$96,765.00.

[2005-1810](#)

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2005-1786](#)

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 the purchase of materials and supplies in connection with the Tree Planting Program in various Community Development Areas, and further providing for the payment of the costs thereof. Cost not to exceed \$109,133.89.

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: 5 - Mr. Bodack, Ms. Carlisle, Mr. Peduto, Mr. Udin and Mr. Ricciardi
Noes: 4 - Mr. Deasy, Mr. Motznik, Mr. Ravenstahl and Mr. Shields
Abstentions: 0

Bill No.

[2005-1637](#)

Resolution granting unto Bernardo Katz, 20 Cedar Boulevard, #104, Mt. Lebanon, PA 15228, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense, a deck with canopy, stairs with awning, and a handicap ramp at 1600 Broadway Avenue and Hampshire Avenue, in the 19th Ward, 4th Council District of the City of Pittsburgh.

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2005-1785](#)

Resolution providing for an Agreement or Agreements, or the use of existing Agreements, with a Consultant or Consultants, for Architectural Engineering Services in connection with various City projects; and providing for the payment of the cost thereof. Cost not to exceed \$100,000.00.

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2005-1803](#)

Resolution further amending Resolution No. 619, effective January 1, 2005, as amended, entitled "Adopting and approving the 2005 Capital Budget and the 2005 Community Development Block Grant Program; and approving the 2005 through 2010 Capital Improvement Program," by creating a line item entitled "Lower Saw Mill Run."

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2005-1807](#)

Resolution amending Resolution No. 125, effective March 14, 2003, entitled "Providing for an Agreement or Agreements, or for the use of existing Agreements, for Construction Inspection Services on various City projects; and providing for the payment of the costs thereof," by decreasing the total project allocation by \$133,000.00 from \$200,000.00 to \$67,000.00.

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2005-1808](#)

Resolution providing for an Intergovernmental Federal-Aid Project Agreement with the Commonwealth of Pennsylvania to provide 100% of the City's share of the additional costs for the construction of the Lower Saw Mill Run Flood Protection

Improvements Project.

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2005-1809](#)

Resolution amending Resolution No. 595, effective September 25, 2001, entitled " Providing for a Contract or Contracts, or use of existing Contracts, providing for an Agreement or Agreements, or use of existing Agreements for the Replacement of the Edgebrook Avenue Bridge including Construction Inspection Services; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation; and providing for the payment of the costs thereof," by increasing the project allocation by \$80,000 (\$4,000.00 city bond) from \$800,000.00 to \$880,000.00.

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2005-1812](#)

Resolution granting unto Puma 2738 Sidney Street, Pittsburgh, PA 15203, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, an awning with sign over the sidewalk area at 2738 Sidney Street in the 16th Ward, 3rd 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: 9 - Mr. Bodack, Ms. Carlisle, Mr. Deasy, Mr. Motznik, Mr. Peduto, Mr. Ravenstahl, Mr. Shields, Mr. Udin and Mr. Ricciardi
Noes: 0
Abstentions: 0

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

Bill No.

[2005-1840](#)

Report of the Committee on Planning, Zoning and Land Use for November 2, 2005.

Read, Received and Filed

Bill No.

[2005-1683](#)

Ordinance amending the Pittsburgh Code, Title Nine - Zoning, Article II, Section 911.02 - Use Table, Section 911.04 - Use Standards and Section 922.12 - Institutional Master Plans by changing use types, use standards and review procedures regarding EMI, Educational/Medical Institute districts, City of Pittsburgh.

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. Deasy, 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
[2005-1841](#) November 2, 2005.

Read, Received and Filed

Bill No. Resolution amending Resolution No. 553, effective September 27, 2005 entitled:
[2005-1787](#) “Resolution providing for the filing of a Community Development statement with the U.S. Department of Housing and Urban Development for a grant in connection with the 2002 CDBG Program; providing for execution of grant contracts, filing of data, execution of payment vouchers and certification of signature; the deposit of funds in a bank account and providing for payment of expenses”, so as to reprogram funds from the Department of Engineering & Construction – “Repairs to Streets & Structures” (-39,133.89) to the Department of Public Works – “Tree Planting Program” (+39,133.89).

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

Votes: Ayes: 5 - Mr. Bodack, Ms. Carlisle, Mr. Peduto, Mr. Udin and Mr. Ricciardi
Noes: 4 - Mr. Deasy, Mr. Motznik, Mr. Ravenstahl and Mr. Shields
Abstentions: 0

Bill No. 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 WYEP Facility Improvements \$2,000, Pittsburgh Conservancy Schenley Plaza \$2,000 and District 8 Bike Racks \$5,000 in Council District 8.

[2005-1813](#)

SPONSOR(S): WILLIAM PEDUTO

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution amending Resolution No. 536, effective, September 27, 2005, entitled:
[2005-1814](#) Resolution providing for an Agreement or Agreements with 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 or contracts or use existing contract or contracts for the purchase of equipment and/or furniture at a cost not to exceed \$1,115,000.00, so as to reprogram funds in City Council from “Senior Residents Council” (- 10,000) to the Browns Chapel A.M.E. Church” (+ 10,000).

SPONSOR(S): SALA UDIN

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2005-1815](#)

Resolution amending Resolution No. 554. Effective September 27, 2005, entitled: Amending the Capital Budget and 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 2003 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 "Senior Residents Council" (-10,000) to Browns Chapel A.M.E. Church" (+10,000).

SPONSOR(S): SALA UDIN

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2005-1829](#)

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 new line item "P.W.S.A. District 4 Projects" \$20,512.80, and by decreasing "Various Projects District 4" by \$16,518.41 and "Bon Air Playground" \$3,994.39 from \$46,364.00 to \$42,369.61 to reflect actual expenditures in Council District 4.

SPONSOR(S): JIM MOTZNIK

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. Deasy, Mr. Motznik, Mr. Peduto, Mr. Ravenstahl, Mr. Shields, Mr. Udin and Mr. Ricciardi

Noes: 0

Abstentions: 0

MOTIONS AND RESOLUTIONS

CARLISLE: Thanking and commending Mr. Udin for his comments at a recent community meeting regarding Violence in the community.

Condolences to Nancy Smith on the loss of her mother.

Welcome back to Mr. Philip Petite/Equal Opportunity Commission.

SHIELDS: thanks to the City School Crossing Guards for their outstanding performance.

UDIN: Urges Mayor Tom Murphy & City of Pgh School Superintendent Mark Roosevelt to resolve budgetary issues relative to the City School Crossing Guards

CARLISLE: Invites County Executive Dan Onorato to be part of the City's School Crossing Guard budgetary issues.

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.