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, December 13, 2005 10:00 AM

Council Chambers

City Council

City Council Meeting Minutes December 13, 2005

ROLL CALL

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

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

Bill No. NOW THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh

2005-2004 recognize and congratulate the Twerps Football Team and the coaches for their

awesome performance and wish them the very best in their future endeavors.

SPONSOR(S): TWANDA CARLISLE

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

Bill No. NOW THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh

2005-2005 does hereby commend Josephine Kenney for her work for the betterment of the

community and congratulates her for 62 years of marriage and being a wonderful and

caring wife and mother.

BE IT FURTHER RESOLVED that December 13, 2005 be hereby declared

"Josephine Kenney Day" in the City of Pittsburgh.

SPONSOR(S): GENE RICCIARDI

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

Bill No. NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh

2005-2006 congratulates and thanks Robert Fragasso for his leadership of Amen Corner; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh hereby declares Wednesday, December 14, 2005, "Robert Fragasso 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.

PRESENTATION OF PAPERS

MR. DEASY PRESENTS COMMITTEE ON PUBLIC WORKS & ENVIRONMENTAL SERVICES

Bill No. Resolution granting unto Joseph & Debra York, 109 Arion Street, Pittsburgh, PA

2005-1985 15211, their successors and assigns, the privilege and license to construct, maintain

and use at their own cost and expense, a deck on the right-of-way of Arion Street in

the 19th Ward, 4th Council District of the City of Pittsburgh.

Waived under Rule 8

Read and referred to Public Works & Environmental Services Committee

Bill No. Resolution granting to the Peoples Natural Gas Company, d/b/a Dominion, a gas line

2005-1986 easement and the privilege and license to install, use, operate, maintain, repair, renew

and finally remove said gas line across Schenley Plaza.

Waived under Rule 8

Read and referred to Public Works & Environmental Services Committee

Bill No. Resolution changing the name of a 20 Foot Unnamed Way from Ilion Street to

2005-1987 Christmas Street in the 15th Ward, 5th Council District of the City of Pittsburgh.

Waived under Rule 8

Read and referred to Public Works & Environmental Services Committee

Bill No. Resolution vacating a portion of Buente and Bushnell Streets at Varley Way in the

2005-1988 26th Ward, 1st Council District, of the City of Pittsburgh.

Waived under Rule 8

Read and referred to Public Works & Environmental Services Committee

MR. SHIELDS PRESENTS COMMITTEE ON FINANCE & BUDGET

Bill No. Resolution providing for the issuance of a \$475,000.00 warrant in favor of Donald

2005-1984 Wei individually and on behalf of the persons entitled to share in the estate of Evelyn

Wei, deceased, c/o John P. Gismondi, Esquire, 310 Grant Street, Suite 700 Grant Building, Pittsburgh, PA 15219, in settlement of a lawsuit filed at GD 04-022533 in

the Court of Common Pleas of Allegheny County, Pennsylvania.

Waived under Rule 8

Read and referred to Finance & Budget Committee

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

Bill No. Resolution further amending Resolution No. 176, effective April 2, 2002, entitled

2005-2003 "Resolution providing for an Agreement or Agreements with various community

organizations, for operational/administrative and various other expenses at a cost not to exceed \$141,000.00, chargeable to and payable from Parks and Recreation's General Fund Grant Account (Parks Grants)" by decreasing African American Worker's Union by \$1,000 and adding Arlington Civic Council \$1,000.00 the total

amount of all grants shall not exceed \$168,500.00.

SPONSOR(S): GENE RICCIARDI

Waived under Rule 8

Read and referred to Parks, Recreation & Youth Policy Committee

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

Bill No.

2005-1991

Resolution amending Resolution No.870 effective December 16, 2003, entitled: "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, at a cost not to exceed \$1,076,844.90, chargeable to and payable from the 1997 Community Development Block Grant Program" so as to reprogram funds in City Council from "Allequippa Terrace Resident Council" (-2,000), and "Bedford Dwelling Resident Council" (-2,000); to the "Schenley Heights Community Development Corporation (+4,000).

SPONSOR(S): SALA UDIN

Waived under Rule 8

Read and referred to Housing, Economic Development & Promotion Committee

Bill No.

2005-1992

Resolution amending Resolution No. 887, effective December 16, 2003 entitled: "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 1997 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 the "Allequippa Terrace Residents Council" (-2,000) and "Bedford Dwelling Residents Council" (-2,000) to the Schenley Heights Community Development Corporation (+4,000).

SPONSOR(S): SALA UDIN

Waived under Rule 8

Read and referred to Housing, Economic Development & Promotion Committee

Bill No.

2005-1993

Resolution amending Resolution No. 263, effective May 5, 2005 entitled: The Mayor and the Director of the Department of City Planning of the City of Pittsburgh are hereby authorized to enter into an Agreement or Agreements, in a form approved by the City Solicitor, with the following 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(s) or use existing contract(s) for street paving and other related costs, for the purchase of equipment and/or furniture and installation thereof, at a cost not to exceed \$1,000,000.00 chargeable to and payable from the 2005 Community Development Block Grant Program "City Council" so as to reprogram funds in City Council from "District 6 Equipment" (-3,400) to the "Central Baptist Church Central Development Corp." (+1,174.74) and the "Schenley Height Development Corp." (+2,225.26).

SPONSOR(S): SALA UDIN

Waived under Rule 8

Read and referred to Housing, Economic Development & Promotion Committee

Bill No.

2005-1994

Resolution Amending Resolution No. 750, effective December 20, 2005, entitled: Resolution 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 2005 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 "District 6 Equipment" (-3,400) to the "Central Baptist Church Central Development Corp" (+1,174.74) and "Schenley Heights Development Corp." (+2,225.26).

SPONSOR(S): SALA UDIN

Waived under Rule 8

Read and referred to Housing, Economic Development & Promotion Committee

Bill No.

2005-1995

Resolution amending Resolution No. 662, effective November 15, 2005 entitled: 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 street paving and other related costs the purchase of equipment and/or furniture at a cost not to exceed \$972,000.00; so as to reprogram funds in City Council from "African American Council of the Arts" (-5,000) and from Perrysville Senior Center" (-4,000) and from the Southwest Pittsburgh C.D.O. (-5,000) to the "Central Baptist Church Central Development Corp." (+14,000).

SPONSOR(S): SALA UDIN

Waived under Rule 8

Read and referred to Housing, Economic Development & Promotion Committee

Bill No.

2005-1996

Resolution amending Resolution No. 261, effective May 5, 2005, entitled: Resolution 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 2004 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 "African-American Council of the Arts" (-5,000) and from "Perrysville Senior Center" (-4,000) and from "Southwest Pittsburgh Community Development Organization" (-5,000) to the "Central Baptist Church Central Development Corp." (+14,000)

SPONSOR(S): SALA UDIN

Waived under Rule 8

Read and referred to Housing, Economic Development & Promotion Committee

Bill No.

2005-1997

Resolution No. 872, effective December 16, 2003 entitled "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 \$1,129,744.64, "so as to reprogram funds in City Council from "Macedonia Outreach" (-5,000) and the "Hill House Community Festival" (-176.74) to the "Schenley Heights Community Development Corp." (+5,176.74).

SPONSOR(S): SALA UDIN

Waived under Rule 8

Read and referred to Housing, Economic Development & Promotion Committee

Bill No.

2005-1998

Resolution amending Resolution No. 550, effective September 27, 2005, entitled "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 1999 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 transfer funds in City Council from "Macedonia Outreach" (-5,000) and the "Hill House Community Festival" (-176.74) to the "Schenley Heights Community Development Corp." (+5,176.74).

SPONSOR(S): SALA UDIN

Waived under Rule 8

Read and referred to Housing, Economic Development & Promotion Committee

Bill No.

2005-1999

Resolution amending Resolution No. 537 effective September 27, 2005, entitled: "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 \$1,440,896.62" so as to transfer funds from City Council, "District 6 Equipment" (-2,960), to the "Schenley Heights Community Development Corp." (+2,960).

SPONSOR(S): SALA UDIN

Waived under Rule 8

Read and referred to Housing, Economic Development & Promotion Committee

Bill No.

2005-2000

Resolution amending Resolution No. 551, effective September 27, 2005, as entitled, "Providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of HUD for a grant in connection with the 2000 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 "District 6 Equipment" (-2,960) to the "Schenley Heights Community Development Corp." (+2,960)

SPONSOR(S): SALA UDIN

Waived under Rule 8

Read and referred to Housing, Economic Development & Promotion Committee

Bill No.

2005-2001

Resolution amending Resolution No. 539, effective September 27, 2005, which presently reads as follows: The Mayor and the Director of the Department of City Planning of the City of Pittsburgh are hereby authorized to enter into an Agreement or Agreements, in a form approved by the City Solicitor, with the following 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(s) or use existing contract(s) for the purchase of equipment and/or furniture and installation thereof, at a cost not to exceed \$1,153,750.00, chargeable to and payable from the 2001 Community Development Block Grant Program "City Council", so as to reprogram funds in City Council from: "Big Friends, Little Friends" (-638.00) and "Frazier-Ward Community Center" (-5,000) to the "Schenley Heights Community Development Corp." (+5,658)

SPONSOR(S): SALA UDIN

Waived under Rule 8

Read and referred to Housing, Economic Development & Promotion Committee

Bill No.

2005-2002

Resolution Amending Resolution No. 552, effective September 27, 2005, entitled, "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 2001 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 "Big Friends, Little Friends" (-638.00) and "Frazier-Ward Community Center" (-5,000) to the "Schenley Heights Community Development Corporation" (+5,638).

SPONSOR(S): SALA UDIN

Waived under Rule 8

Read and referred to Housing, Economic Development & Promotion Committee

REPORTS OF COMMITTEE - FINAL ACTION

MR. SHIELDS PRESENTS COMMITTEE ON FINANCE & BUDGET

Bill No. Report of the Committee on Finance and Budget for December 7, 2005.

2005-1979

2005-1586

2005-1937

2005-1938

Read, Received and Filed

Bill No. Ordinance amending and supplementing the Pittsburgh Code, Title Two, Fiscal;

2005-1936 Article VII, Business Related Taxes; Chapter 241, Amusement Tax, so as to comply

with the requirements of Act 186 of 2004 by reducing to two and one-half (2.5%) percent the rate of tax applicable to admissions to performing arts for which the net

proceeds inure exclusively to an Institution of Purely Public Charity,

A motion was made that this matter be RECOMMITTED to the Finance & Budget Committee. The motion convided

Budget Committee. The motion carried.

Bill No. 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.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution authorizing and directing the issuance of a Warrant to Peter J. Caruso &

Sons, Inc., in the amount of Thirteen thousand four hundred seventy three dollars and

one cent, (\$13,473.01), for the cost of asphalt materials in connection with the street

repairs on Phillips Avenue & Wightman Street.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution further amending and supplementing Resolution No. 257, 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 Mayor's citywide Neighborhood Needs Program; and providing

for the payment of the costs thereof," by decreasing various projects to reflect actual expenditures and by creating several new projects. Total cost of all projects is not to

exceed \$1,000,000.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution further amending Resolution No. 861, effective January 1, 2000, entitled:

2005-1939 "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 three new line items: "Allegheny West Civic Council" \$10,000, "Beechview Community Planning Process" \$39,000 and "Hot Metal Bridge/Frick Park Trail Completion" \$141,204.30 and by changing various

other projects to reflect actual expenditures in the Mayor's Neighborhood Needs detail.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution providing for the filing of petitions for the sale of certain properties,

2005-1940 acquired at tax sales in accordance with Act No. 17l of 1984, "Second Class City

Treasurer Sale and Collection Act", effective December 11, 1984. ITEMS A thru F. A: 3742, 3744 & 3746 Orpwood; B: 4820 Harrison;

C: 626 Lincoln; D: 607 W. Jefferson; E: Hillburn; F: Butler.

This Matter was Passed Finally on the Consent Agenda.

Resolution providing for the conveyance by the City of Pittsburgh of certain property,

2005-1941 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 G. A: 1339 Alverado; B: 1333 Alverado; C: Bigelow; D: 601 Jefferson; E: 300 38th; F: 4579 Gladstone PART; G:1046 Premier.

This Matter was Passed Finally on the Consent Agenda.

Bill No. 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: 1446 Columbus.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution providing for the filing of petitions for the sale of certain properties,

2005-1943 acquired at tax sales, in accordance with Act No.171 of 1984, Second Class City

Treasurer Sale and Collection Act, effective December 11, 1984.

ITEM A. A: 5157 Dearborn.

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. Shields,

Mr. Ricciardi, Mr. Udin and Mr. Ravenstahl

Noes: 0

Abstentions: 0

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

Bill No. Report of the Committee on Planning, Zoning and Land Use for December 7, 2005.

2005-1981

Bill No. An Ordinance amending the Pittsburgh Code of Ordinances, Title Nine, Zoning

2004-0159 Article V by amending certain provisions of the Code as they pertain to definitions and

Use Standards related to Communication Towers.

SPONSOR(S): JIM MOTZNIK, WILLIAM PEDUTO AND TWANDA CARLISLE

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. Shields,

Mr. Ricciardi, Mr. Udin and Mr. Ravenstahl

Noes: 0 Abstentions: 0

MR. MOTZNIK PRESENTS COMMITTEE ON PARKS & RECREATION

Bill No. Report of the Committee on Parks, Recreation and Youth Policy for December 7,

2005-1982 2005.

Read, Received and Filed

Bill No. Resolution declaring that City Property located between the Seventh and Ninth Street

2005-1909 Bridges shall be dedicated for Public Park Purposes.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution declaring that certain City property near Chartier's Creek shall be dedicated

2005-1910 for public park purposes.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution declaring that certain City property shall be dedicated to become part of

2005-1911 Frick Park.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution declaring that City property known as Junction Hollow shall be dedicated

2005-1912 for public park purposes and shall further become part of Schenley Park.

This Matter was Passed Finally on the Consent Agenda.

Resolution declaring that certain city property in Lawrenceville shall be dedicated for

2005-1913 public park purposes.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution declaring that City property known as Allegheny Riverfront Park (lower

2005-1914 level) shall be dedicated for public park purposes.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution authorizing the Mayor, the Director of the Department of Parks and

2005-1965 Recreation and the Director of the Department of Public Works to enter into an

Agreement or Agreements with the Mt. Washington Community Development

Corporation ("MWCDC") to assist in stewardship and planning for the planned

Grandview Scenic Byway Park.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution declaring that certain City property shall be combined to create a new City

2005-1966 park named the "Grandview Scenic Byway Park."

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution declaring that certain City property in Washington's Landing shall be

2005-1967 dedicated for public park purposes.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution declaring that certain City property in the South Side Works Plan of Lots,

2005-1968 No. 4, shall be dedicated for public park purposes.

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. Shields,

Mr. Ricciardi, Mr. Udin and Mr. Ravenstahl

Noes: 0

Abstentions: 0

MR. BODACK PRESENTS COMMITTEE ON PUBLIC SAFETY SERVICES

Bill No. Report of the Committee on Public Safety Services for December 7, 2005.

2005-1983

Read, Received and Filed

Bill No. Resolution authorizing the Mayor and the Chief of the Bureau of Police to enter into

an agreement with Cover Your Assets, LLC, to provide computer-based products and

services relating to scheduling management, cost not to exceed \$30,950.00.

A motion was made that this matter be RECOMMITTED to the Public Safety

Services Committee. The motion carried.

Bill No. Ordinance supplementing the Pittsburgh Code of Ordinances, Title 6, Conduct, Article

2005-1944 I: Regulated Rights and Actions, by adding a new Chapter at 623 "Public Safety at

Health Care Facilities," to allow for unimpeded access to hospitals and/or health care

facilities and providing penalties for violations of this ordinance.

SPONSOR(S): DOUGLAS SHIELDS, WILLIAM PEDUTO, JIM MOTZNIK AND SALA UDIN

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

Votes: Ayes: 6 - Ms. Carlisle, Mr. Deasy, Mr. Motznik, Mr. Peduto, Mr. Shields and Mr.

Udin

Noes: 3 - Mr. Bodack, Mr. Ricciardi and Mr. Ravenstahl

Abstentions: 0

MOTIONS AND RESOLUTIONS

Bill No. Resolution authorizing the appointment of Anthony Jonathan Ross as a Member of the

2005-1989 Sports and Exhibition Authority, term to expire December 31, 2010.

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

carried.

Bill No. Resolution authorizing the re-appointment of Erin Dalton to the Civilian Review

2005-1990 Board, term to expire October 31, 2009.

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

APPROVAL OF MINUTES

ADJOURNMENT