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COUNCIL OF THE CITY OF PHILADELPHIA
COMMITTEE ON RULES

- - -

Room 400, City Hall
Philadelphia, Pennsylvania
Wednesday, September 21, 2005
10:35 a.m.

- - -

Bill 050660

PRESENT:

COUNCIL PRESIDENT ANNA C. VERNA
COUNCILWOMAN JANNIE BLACKWELL
COUNCILMAN JAMES F. KENNEY
COUNCILWOMAN DONNA REED MILLER
COUNCILMAN BRIAN J. O'NEILL
COUNCILWOMAN BLONDELL REYNOLDS BROWN

- - -

V A R A L L O Incorporated
Litigation Support Services
Eleven Penn Center
1835 Market Street, Suite 600
Philadelphia, Pennsylvania 19103
215.561.2220 215.567.2670

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2 COUNCIL PRESIDENT Verna: Good
3 morning, everyone. May I have everyone's
4 attention, please. We are running late
5 and I know that many of you have been
6 sitting here.

7 This is the continued public
8 hearing of the Committee on Rules
9 regarding Bill No. 050660.

10 Last Thursday morning we did in
11 fact have a quorum, and this morning with
12 us we have Councilwoman Brown, Councilman
13 O'Neill, Councilwoman Miller and, of
14 course, myself.

15 So is there anyone who would
16 like to be recognized?

17 The Chair recognizes
18 Councilwoman Blackwell.

19 COUNCILWOMAN BLACKWELL: Thank
20 you, Madam President. I'd like to make a
21 statement.

22 COUNCIL PRESIDENT Verna: Fine.

23 COUNCILWOMAN BLACKWELL: Thank
24 you.

25 As everyone here knows, this is

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2 regarding Bill No. 050660, 44th and Aspen
3 Street Urban Renewal. Again, good
4 morning. We want to thank the ministers
5 who are here. We have Pastor Hensford
6 from Ward AME, Father Okonski in from St.
7 Ignatius, and others, and we thank you
8 all again for attending the continuation
9 of the public hearing regarding Bill No.
10 050660.

11 As many of you know, we have
12 been actively involved in working at the
13 Wanamaker School to help welcome the
14 victims of Hurricane Katrina to our City.
15 Since the evacuees have arrived, public
16 perception has really tried to divide the
17 need to service this community against
18 our need to service our most vulnerable
19 populations, such as the homeless, the
20 unemployed, the working poor and others
21 with specific needs. In effect, pitting
22 the poor against the poor.

23 This should not happen. One
24 community should not fight another.
25 Instead, we need to stand unified and

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2 fighting for public dollars for community
3 development, urban areas as well as for
4 those emergencies that can occur anywhere
5 in the world that as a moral community we
6 have to consider.

7 Over the past decade, we've had
8 more neighborhood investment in West
9 Philadelphia even than in Center City.
10 This is a reflection of our strong
11 neighborhood civic associations,
12 community pride, our ability to stick
13 together, and the constant and visual
14 battle to do all we can to improve our
15 neighborhoods and neighborhood
16 development throughout the City.

17 As you know, Madam President,
18 we also have a new committee, Housing,
19 Neighborhood Development and the
20 Homeless, to deal with these issues as
21 they affect our City that the entire City
22 Council voted to adopt.

23 When originally approached
24 about the Mill Creek Hope VI project,
25 later named Lucien E. Blackwell Homes,

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2 about 778 new affordable units, I was
3 excited. Finally, we had an opportunity
4 to reward those who had stayed in
5 neighborhoods, blighted neighborhoods,
6 and not moved out to the suburbs or other
7 parts of the country, with neighborhood
8 improvements finally having a chance to
9 become a reality.

10 In this excitement apparently
11 with regard to this project, which was
12 initially passed in June right before we
13 recessed, some people did not know, for
14 one reason or another, and did not feel
15 that they were made aware of benefits
16 that potentially could affect them as
17 homeowners, renters or investment
18 individuals.

19 Our goal is now and has always
20 been to reduce blight, to remove vacant
21 abandoned homes and nuisance lots through
22 the transformation of these into
23 beautiful homes for families and seniors
24 and young people just beginning, to help
25 stabilize their lives and our community.

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2 To this end, I am requesting
3 that the Redevelopment Authority, if the
4 ordinance passes, not acquire any
5 owner-occupied property unless that owner
6 so desires to have the property acquired
7 and receive the benefits entitled to him
8 or her under the Uniform Relocation Act,
9 URA.

10 In addition, we are requesting
11 that the following properties, if the
12 ordinance passes, not be acquired. And I
13 would also ask after I read these
14 properties, again, for all of those who
15 are here, we say we have asked that all
16 owner-occupied properties be exempted
17 unless an owner wants to accrue those
18 benefits under the Uniform Relocation
19 Act, and we're asking in addition to
20 those, these are other properties that
21 churches have approached us about or
22 individuals, these are others, for
23 example, where people have tried to rehab
24 or are interested in, and we read those
25 into the record so that all of you who

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2 are here will know these will not be
3 included in this application.

4 4303 Haverford Avenue, 703
5 North 42nd Street, 4205 Wallace Street,
6 4216 Aspen Street, 4304 Aspen Street,
7 4116 to 4120 Haverford Avenue, 646 North
8 42nd Street, 646 North 43rd Street, 707
9 North 42nd Street, 746 and 748 North
10 Brooklyn Street, 742 North Brooklyn
11 Street, 641 North 43rd Street, 678 North
12 42nd Street, 868 North 45th Street,
13 4310-18 Brown Street, 4317-19 Aspen
14 Street, 785 North 44th Street. These
15 owners have shown interest and proof that
16 they have begun renovations or are about
17 to do so.

18 And let me finally say, Madam
19 President, that we want to thank Father
20 Okonski for opening up the Mill Creek PAL
21 Center for meetings for the past two
22 nights and thank Pastor Hensford for
23 chairing the meeting last night, Pastor
24 Bryant and all other ministers who are
25 here assembled, as well as those

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2 residents of this community.

3 I hope that this will help
4 resolve this issue. It means to those
5 owner-occupied properties that if your
6 property is taken out of this
7 application, the community runs the risk
8 of having new versus old and it means
9 that your property is not considered for
10 any kind of redevelopment assistance, so
11 you will understand that when we exempt
12 your property, it is exempted from all,
13 so that there aren't questions in that
14 regard, and I would ask -- Alisa is here
15 to my right, if she would stand up.

16 If there are any issues, Madam
17 President, in the interest of time,
18 anybody who has any questions, if you
19 will stand to my right, certainly we will
20 be happy to see you, and I hope that
21 won't be too many today.

22 Thank you very much.

23 COUNCIL PRESIDENT VERNA:

24 You're welcome.

25 Is there anyone in the audience

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2 who would like to be heard, who would
3 like to testify?

4 Please approach the witness
5 table, kindly identify yourself for the
6 record and proceed with your testimony.

7 MS. ROSE PHILLIPS: Good
8 morning, everybody.

9 COUNCIL PRESIDENT VERNA: Good
10 morning. Welcome.

11 MS. ROSE PHILLIPS: Dear Madam
12 President -- this is from the community.
13 I'm reading it. It's from all of us and
14 also the people that couldn't be here
15 because they have to work or have
16 appointments, whatever.

17 In compliance with your
18 recommendation, Councilwoman Blackwell
19 held a meeting on September 19, 2005 at
20 6:00 p.m. with the residents, homeowners,
21 business owners and church leaders
22 regarding the Mill Creek Urban Renewal
23 project, also known as the Lucien E.
24 Blackwell Homes, Phase III.

25 In addition to Councilwoman

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2 Blackwell and five to six members of her
3 staff, Michael Johns, Carl Greene and
4 eight members of their staff from the
5 Philadelphia Housing Authority, Herb
6 Wetzel and Michael Koonce, the
7 Redevelopment Authority, and State
8 Representative Thomas Blackwell were
9 present.

10 Throughout the two-hour
11 meeting, the attendees were instructed in
12 the following matter: Inform the PHA's
13 strategic plans for West Philadelphia and
14 its goal to make their, PHA's, dream,
15 Phase I to IV, a reality.

16 PHA's focus on the tax credit
17 application for funding regarding 50
18 units, public housing for the community,
19 conflicting statements regarding the
20 possibility to fix up some of the homes,
21 Councilwomen Blackwell, and opportunities
22 for people to stay in the neighborhood.
23 That was Mr. Greene. Fair treatment,
24 Mr. Greene.

25 The number of occupied homes

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2 varied from 30 to 32. The number of
3 vacant homes, lots and shells estimated
4 at 345. Documentation was unavailable
5 from Mr. Johns from PHA and Mr. Koonce
6 from the Redevelopment Authority. No
7 opportunity for a full attendance group
8 question-and-answer period.

9 Emphasis was placed on PHA's
10 desire to secure the safety of the
11 seniors who reside within the area as 161
12 housing units and shops on Lancaster
13 Avenue. Thus, PHA's target areas are
14 44th Street to 40th Street from Haverford
15 Avenue to Lancaster, which the residents
16 don't think they need all of that. Okay?

17 Madam President, although it
18 was your intent that a community meeting
19 be held to address the issue and concerns
20 of the homeowners, renters, business
21 owners and church leaders, this did not
22 occur. Councilwoman Blackwell and her
23 presenter spoke at and not to the
24 attendees, and little, if any, effort was
25 made to alleviate the fears of those who

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2 attended regarding the displacement and
3 property purchase plans of PHA and the
4 Redevelopment Authority. Thus, a
5 community meeting was held by the
6 homeowners, renters, church leaders and
7 business owners on 9/20/05, which was
8 last night.

9 In addition, members of the
10 community, homeowners, renters, business
11 owners and church leaders appear before
12 you and the Committee today to further
13 address and seek your guidance regarding
14 this matter.

15 PHA should not be granted
16 another opportunity to displace citizens
17 of this City, nor should they be allowed
18 to implement a strategic plan without the
19 input of the community members.

20 The Redevelopment Authority of
21 the City of Philadelphia should not
22 follow the lead of PHA without
23 investigating PHA's actions with the
24 community and its impact on businesses,
25 renters and homeowners.

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2 As Councilwoman Blackwell
3 stated, that she is here to serve and we
4 care about you, she too must be held
5 accountable for her actions and support
6 of PHA projects which did not include
7 input from the community.

8 Thank you.

9 COUNCIL PRESIDENT VERNA: Your
10 opening statement was that you are
11 representing the entire community.

12 MS. ROSE PHILLIPS: Yes.

13 COUNCIL PRESIDENT VERNA: Do
14 you have a petition of the people that
15 went to the meeting last evening as to
16 who was in favor or opposed to this
17 particular bill?

18 MS. ROSE PHILLIPS: To my
19 knowledge, everybody was.

20 COUNCIL PRESIDENT VERNA: I beg
21 your pardon?

22 MS. ROSE PHILLIPS: I don't
23 have a petition, no.

24 COUNCIL PRESIDENT VERNA: Well,
25 does Councilwoman Blackwell know who

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2 is --

3 COUNCILWOMAN BLACKWELL: Madam
4 President, we have already said that we
5 will exempt owner-occupied properties, so
6 I have no idea -- I don't know what your
7 request is.

8 MS. ROSE PHILLIPS: Well, when
9 this was written, the person that wrote
10 it and the people in the community did
11 not know that homeowners that were
12 residents in their own homes were exempt.
13 This is something new. We did not know
14 that. This was not told to us on Monday
15 night.

16 COUNCILWOMAN BLACKWELL: Thank
17 you.

18 MS. ROSE PHILLIPS: And, yes,
19 there is a petition here.

20 COUNCIL PRESIDENT VERNA: That
21 was taken last evening?

22 MS. ROSE PHILLIPS: Yes.

23 COUNCIL PRESIDENT VERNA: It
24 was signed last evening?

25 MS. ROSE PHILLIPS: Yes.

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2 COUNCIL PRESIDENT Verna: I
3 would suggest, then, that you give that
4 petition to Councilwoman Blackwell so
5 that she's fully aware --

6 MS. ROSE PHILLIPS: Okay.

7 COUNCIL PRESIDENT Verna: -- as
8 to who is in favor or opposed.

9 MS. ROSE PHILLIPS: Okay.

10 COUNCILWOMAN BLACKWELL: Madam
11 President, I've just been told that's a
12 sign-in sheet. So I don't know if a
13 sign-in sheet is -- we're happy to take
14 it, but that's different than people
15 saying something else.

16 But, Alisa, would you take that
17 sign-in sheet?

18 We're happy to take that, and
19 we thank you for coming.

20 MS. ROSE PHILLIPS: She's
21 absolutely right, it is a sign-in sheet.

22 COUNCIL PRESIDENT Verna: It is
23 a sign-in sheet?

24 MS. ROSE PHILLIPS: Yes. I
25 looked at it. It is a sign-in sheet.

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2 COUNCIL PRESIDENT Verna:

3 That's not what I was referring to.

4 MS. ROSE PHILLIPS: So what you
5 want is a petition?

6 COUNCIL PRESIDENT Verna: No.

7 I think you have to deal with
8 Councilwoman Blackwell's office.

9 COUNCILWOMAN BLACKWELL: We are
10 happy to talk with anyone. Thank you.

11 COUNCIL PRESIDENT Verna: Does
12 anyone have any questions or comments
13 of -- just a moment, please, madam.

14 COUNCILWOMAN BLACKWELL: You
15 asked us to take the list and now you
16 withdrew it. If you want us to take the
17 list, we're happy to.

18 COUNCIL PRESIDENT Verna: Do
19 you mind approaching the witness table,
20 please, again. I didn't realize that
21 Councilwoman Miller had a question.

22 The Chair recognizes
23 Councilwoman Miller.

24 COUNCILWOMAN MILLER: Good
25 morning. How are you?

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2 MS. ROSE PHILLIPS: Good
3 morning.

4 COUNCILWOMAN MILLER: Can you
5 identify yourself again?

6 MS. ROSE PHILLIPS: My name is
7 Rose Phillips.

8 COUNCILWOMAN MILLER: Rose
9 Phillips, okay.

10 Ms. Phillips, the statement
11 that Councilwoman Blackwell read this
12 morning about exempting homeowners, would
13 that have an impact on your statement?

14 MS. ROSE PHILLIPS: I'm sure it
15 would on some things, yes. I'm sure it
16 would. But, like I said, we didn't know
17 about that last night when we had the
18 meeting.

19 COUNCILWOMAN MILLER: Okay.
20 Thank you.

21 COUNCIL PRESIDENT VERNA: Thank
22 you.

23 MS. ROSE PHILLIPS: Thank you.

24 COUNCIL PRESIDENT VERNA: Good
25 morning. Please identify yourself.

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2 MR. MICHAEL McCLEARY: Good
3 morning, Madam President, and to City
4 Council. My name is Michael McCleary.
5 I'm a committee --

6 COUNCIL PRESIDENT Verna:
7 Michael?

8 MR. MICHAEL McCLEARY:
9 McCleary.

10 COUNCIL PRESIDENT Verna: Mr.
11 McCleary, do you mind pulling the
12 microphone closer? Thank you.

13 MR. MICHAEL McCLEARY: I'm the
14 committee person for the Sixth Ward and
15 the Fifth Division. I'm also the
16 President of Brooklyn Street Civic
17 Association, and along with the members
18 of the Sixth Ward and Fifth Division, the
19 people of Aspen Street Urban Renewal
20 development, I'm here to represent them
21 and to voice their opinion.

22 First, I'm going to bring you
23 up to speed from the meeting we held last
24 night. Yes, we do oppose the
25 Redevelopment Authority occupying and

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2 taking the properties in our ward. There
3 was no information given. There was no
4 fair prices given. There was no
5 consideration given to our senior
6 citizens for their placement and their
7 property. That was the first thing that
8 was brought to our attention, and we, the
9 members here, last night voted to take
10 and protest this meeting.

11 On a side-bar meeting with
12 Ms. Blackwell this morning, she told us
13 that she was going to take and exempt the
14 owned properties from the Redevelopment
15 Authority taking their properties. It
16 had been brought to my attention as of
17 now that we do have a victory.

18 The thing that's also been
19 brought to my attention is that the
20 homeowners on the 4400 block of Haverford
21 Avenue to Aspen Street is not getting --
22 the senior citizens in that block is not
23 getting a fair share equity market for
24 their property and that the people that's
25 on the 600 block of Hutton Street are the

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2 four cases that I can stand here and
3 protest against the property being taken
4 from them.

5 The other thing that's brought
6 to my attention is that the owner
7 investment properties is also being taken
8 from people that are homeowners and have
9 investment property there. Their
10 property was not also listed or exempt
11 from the taking of the -- for the
12 Redevelopment Authority. And my
13 contention is now to continue to have a
14 meeting with the Redevelopment Authority
15 to explain to us exactly and to have our
16 properties exempt for the homeowners that
17 want to take and keep their property and
18 the investment people that's here with us
19 today that want to take -- maintain their
20 property.

21 And for the senior citizens
22 that's on this list here that's on the
23 4400 block -- 4300 block of Haverford
24 Avenue, the 600 block of Hutton Street
25 and the people that's on the North 43rd

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2 Street, some of them properties that was
3 listed that are exempt, two of them is
4 vacant lots, from my contention of my
5 list.

6 And, yes, we did take and sign
7 a sign-in sheet and that's what it was,
8 but it was also a sheet that when I asked
9 them what was their pleasure, they asked
10 that we take and vote no to the
11 Redevelopment Authority, and that's why
12 I'm here this morning, to give you our
13 contentions -- they asked me to represent
14 them, and I'm going to speak for my
15 senior citizens and the investment
16 properties that are being considered to
17 be taken over by the Redevelopment
18 Authority. That's a no vote.

19 We also want to take and thank
20 Councilwoman Blackwell for exempting the
21 properties that we side-barred this
22 morning for, and that's a win-win
23 situation.

24 The thing that we want to take
25 and look at now is, have -- I need to

5 COUNCILWOMAN BLACKWELL: Madam
6 President, we want to thank Mr. McCleary,
7 and we note that out of 32 owner-occupied
8 properties, we've taken out 25. So we've
9 tried to work with this community. We're
10 all one neighborhood. All wards are
11 mine, and we're happy to represent them
12 and work with them.

18 MR. MICHAEL McCLEARY: Can I
19 ask my committee who I represent what's
20 their pleasure?

23 COUNCILWOMAN BLACKWELL: Madam
24 President, we are hopeful that we can
25 work out enough in order to complete the

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2 requirements of this package. At this
3 moment, we are not sure that exists, but
4 we wanted to try to -- there's been some
5 confusion and some people going
6 throughout the community frightening
7 seniors, trying to undermine the project
8 for who knows what reason, and so we've
9 exempted all of these, hoping we can work
10 this out on our end, because we didn't
11 want the community not to feel we were
12 with them.

13 So we're not sure how this is
14 going to affect the property, because
15 we're not sure that we have enough for
16 the application. But having said that,
17 we wanted to respect this community and
18 let them know that they need not fear
19 from us or from this Committee or
20 Council, and so we're trying to do the
21 best we can to work it out, because so
22 many people are saying they didn't know,
23 and we regret that happened. I don't
24 know why it happened. I know we passed
25 this at the end of June. We reported it

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2 out.

3 So we're happy to try to work
4 with them and hope that they will come to
5 the side and deal with any other issues
6 that they may have.

7 MS. LISA JONES: Good morning.
8 My name is Lisa Jones. I'm a homeowner
9 on the 600 block of Preston. I was at
10 the meeting last night. I applaud Jannie
11 Blackwell for what she was saying today
12 about assisting.

13 We did take and sign in and we
14 did say that we wanted to say no at this
15 particular time, from my understanding,
16 no at this particular time about them
17 going forth and doing anything else until
18 we do meet and get a better understanding
19 about what's going to happen to the
20 homeowners, what's going to happen to the
21 seniors.

22 Even though the gentleman from
23 PHA had came out and the different people
24 from the Housing Authority, it was just
25 too chaotic. The intention was good, but

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2 it was too chaotic, because we was
3 moving. We need time to sit down and
4 chew on this. This is our homes. We
5 need time to ask questions after
6 questions and get them answered so we can
7 really understand.

8 I don't want to be put on an
9 exempt list, because I'm not sure -- I
10 may decide to move or want to move, and I
11 would like to have that option. But then
12 I may want to stay. But I need a little
13 more time.

14 I believe that's what the
15 homeowners are saying. Can we have a
16 little more time so we can get some legal
17 representation just to give us a broader
18 understanding about what's going to
19 happen? Because we know what they said
20 they're going to do. I read what was in
21 this booklet, but there's still questions
22 that came up. So I'm just asking for
23 time to get an understanding before we
24 say yes or no with it.

25 And it was not -- I didn't know

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2 that that was a vote. It was more so --
3 I thought that we was going to all send
4 out information to the political people
5 we need to send it to to let them know,
6 stop this right now until we get a better
7 understanding. We're more so saying stop
8 it for the moment so we can understand
9 exactly what's going on and make a better
10 choice on --

11 COUNCILWOMAN BLACKWELL: Madam
12 President --

13 MS. LISA JONES: Because we
14 welcome -- I welcome this redevelopment.
15 I welcome it. I've been there a long
16 time and been waiting for it, but I want
17 to be part of it and understand that I
18 have a choice in the matter of staying or
19 leaving and whether it's going to benefit
20 my family.

21 COUNCIL PRESIDENT VERNA: Thank
22 you.

23 The Chair recognizes
24 Councilwoman Blackwell.

25 COUNCILWOMAN BLACKWELL: Could

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2 we have Pastor Hensford, Pastor of Ward
3 AME Church, 43rd and Aspen, speak.

4 Thank you for your comments.

5 COUNCIL PRESIDENT VERNA: Good
6 morning. Welcome. Please identify
7 yourself for the record.

8 PASTOR HENSFORD: Yes.

9 Terrence Hensford. I am the Pastor of
10 Ward AME Church, 43rd and Aspen.

11 After the meeting on Monday
12 evening -- rather, at the meeting on
13 Monday evening, as a Pastor in the
14 community, I sensed the tension, the
15 extreme tension among the owners. I
16 sensed that there was a lack of
17 understanding of what is going on. I
18 sensed that persons felt that they were
19 being put upon rather quickly, and as a
20 Pastor, I invited the residents,
21 especially the owners, to meet last night
22 so that we may not address the legal
23 issues, because we are not familiar with
24 them to that extent, but we wanted to
25 help the residents to engage in a more

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2 peaceful process.

3 And so we had a wonderful
4 meeting last night. Persons basically
5 signed in so that we can get a sense of
6 who was there. There was no vote taken
7 about anything. We instructed the
8 individual owners to respond to the City
9 Councilwoman's office, the Redevelopment
10 Authority, the Housing Authority in terms
11 of individual questions regarding their
12 properties, but the meeting was basically
13 so that we can come to a more peaceful
14 understanding of what this redevelopment
15 means for the community.

16 I believe that the community,
17 the residents, are willing to continue
18 this kind of conversation. Inasmuch as
19 we heard the statement from Councilwoman
20 Jannie Blackwell this morning, this is a
21 great victory for the community and all
22 of the properties that have been lifted.
23 This is a great victory.

24 So regarding other statements
25 that have been made, we know the meeting

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2 from last night -- we know nothing with
3 all of that. We do know that this is a
4 great victory for us. We are grateful to
5 our Councilwoman and we can proceed as
6 community residents and concerned people
7 from here.

8 COUNCIL PRESIDENT VERNA: Thank
9 you very much.

10 PASTOR HENSFORD: Yes.

11 COUNCIL PRESIDENT VERNA: Any
12 questions from members of the Committee?

13 (No response.)

14 COUNCIL PRESIDENT VERNA: Thank
15 you. Do we have anyone else to testify
16 on this bill?

17 COUNCILWOMAN BLACKWELL: Madam
18 President, this is not part of this
19 application. Her properties are in no
20 way -- this is not part of this
21 application at all. I know the
22 applicant --

23 MS. SHIRLEY CHAPMAN: Madam
24 President?

25 COUNCILWOMAN BLACKWELL: -- but

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2 it is not part of this application.

3 MS. SHIRLEY CHAPMAN: Madam
4 President?

5 COUNCIL PRESIDENT VERNA: Yes.

6 MS. SHIRLEY CHAPMAN: I'm
7 opposed to this bill because of the
8 misuse of eminent domain. I have a
9 store --

10 COUNCILWOMAN BLACKWELL: It's
11 not part of this application. We're
12 happy to hear her speak, Madam President,
13 but I say to members of the Committee,
14 her issue is separate and apart and has
15 nothing at all to do with what's before
16 us. Nothing.

17 MS. SHIRLEY CHAPMAN: Madam
18 President, I would like to speak. I have
19 a personal case that I would like to make
20 the citizens of Philadelphia and City
21 Council aware of of a misuse of eminent
22 domain. I'm a citizen of this City and I
23 would like to be heard.

24 COUNCIL PRESIDENT VERNA: Does
25 your testimony have anything to do with

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2 Bill No. 050660?

3 MS. SHIRLEY CHAPMAN: It has to
4 do with the abuse of eminent domain. I'm
5 only asking for five minutes. It is my
6 right.

7 COUNCIL PRESIDENT VERNA: If
8 you could be briefer than that, we'd
9 appreciate it.

10 MS. SHIRLEY CHAPMAN: Beg your
11 pardon?

12 COUNCIL PRESIDENT VERNA: If
13 you could be briefer than five minutes,
14 we'd appreciate it.

15 MS. SHIRLEY CHAPMAN: I think
16 every aspect of my testimony is
17 important. I would read as quickly as I
18 can.

19 COUNCIL PRESIDENT VERNA: Thank
20 you.

21 MS. SHIRLEY CHAPMAN: I'd like
22 to thank City Council for the opportunity
23 to submit testimony regarding the use of
24 eminent domain. My name is Shirley
25 Chapman. I wish to share the nightmare

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2 that has become the most disappointing
3 two years of my life.

4 I respectfully request that you
5 stop confiscating our properties and
6 correct the injustices regarding property
7 rights that have occurred over the last
8 several years in Philadelphia.

9 Here are the facts: The
10 property that I purchased in 1980 is
11 located in the 3800 block of Haverford
12 Avenue. There is one structure divided
13 into 13 separate addresses that currently
14 has a mixture of occupied and unoccupied
15 units. This business is my primary
16 source of income and from this location I
17 operate my real estate management office,
18 Continuum Space Developers, which is
19 staffed six to seven days per week.
20 Therefore, I was outraged upon receipt of
21 a court document indicating that the City
22 of Philadelphia had confiscated my
23 property.

24 Years ago, as a firm believer
25 in the American ethics of hard work, I

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2 set out to develop these properties into
3 quality low-income housing. Many of the
4 tenants are lower echelon staff members
5 of the nearby universities and many have
6 been long-term residents. To provide a
7 decent and affordable place to live, I
8 have invested over \$500,000 in
9 maintenance, repairs and renovations.

10 The Mantua area has been
11 depressed, drug infested and redlined for
12 innumerable years. Although equipped
13 with an excellent credit rating,
14 employment income and other assets,
15 because of the area's decline, I could
16 not get the entire amount of \$3 million
17 necessary to complete the renovation of
18 78 units, nor were the banks interested
19 in financing an additional 1 million for
20 a laundromat and multi-purpose room that
21 would be available for rental. However,
22 this did not stop me. I started
23 renovating the properties building by
24 building, apartment unit by apartment
25 unit.

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2 In 2003, I received private
3 funding to complete Phase I of my project
4 and was well on my way to obtain the
5 financing for Phase II, which would have
6 completed all of the units.

7 While it has been a struggle,
8 the grace of God sustained me. I
9 believed in this development project and
10 I knew that it had tremendous potential.
11 It is located closely to Center City and
12 two of the major universities in the
13 area. It is convenient to public
14 transportation and access routes.

15 There has been a lot of
16 interest in my properties. Some ten
17 years ago Councilwoman Blackwell
18 contacted me about using my properties
19 for low-income families, and shortly
20 thereafter the People's Emergency Center,
21 a non-profit social service agency,
22 expressed interest in the real estate.
23 Many other traditional real estate
24 developers have approached me with offers
25 to buy as well. I refused any and all

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2 offers. As a law-abiding property owner
3 and real estate developer, I wanted to
4 develop my properties.

5 When Councilwoman Blackwell
6 toured my properties a decade ago, she
7 indicated it had great potential, yet she
8 would not engage in any further
9 discussions regarding its development.
10 Now, according to neighborhood
11 development plans for Mantua, my property
12 will be given to the People's Emergency
13 Center for redevelopment.

14 At the very beginning of this
15 ordeal, I was told that if I provided
16 written plans, there would be no
17 condemnation of my properties.
18 Therefore, at the Councilwoman's request,
19 I have presented my plans for development
20 and proven my ability to obtain private
21 funding to do this project, but this did
22 not influence her decision. Numerous
23 phone calls from community activists and
24 others eventually secured a verbal
25 promise from Mrs. Blackwell's office that

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2 my properties would be released from
3 condemnation by way of formal letter. To
4 date, no letter releasing the properties
5 has been received.

6 Recently I was reassured that
7 the occupied units would be released and
8 reinvested back to me. I am pleased to
9 receive the occupied units, but my
10 question is, why can't I have all my
11 properties? I stand ready, willing and
12 able to help transform one of the City's
13 most depressed neighborhoods and
14 participate as an equal partner in its
15 economic renewal. My actions for the
16 past 25 years support this contention.
17 Therefore, why am I being denied this
18 right?

19 I submit that the taking of my
20 property by eminent domain with plans to
21 transfer to another private party,
22 People's Emergency Center, is an abuse of
23 eminent domain. Since the property will
24 not be put to a higher use but simply the
25 same use, eminent domain is being used

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2 solely for the purpose of changing
3 ownership. This is a blatant misuse of
4 government power.

5 There has been a public outcry
6 across this country against the use of
7 eminent domain to take property from one
8 private party for the benefit of another
9 private party. Since the Supreme's Court
10 decision in Kelo versus City of New
11 London, the federal and state legislators
12 across the country are holding hearings
13 and introducing bills to combat the abuse
14 of eminent domain, with significant
15 bipartisan support.

16 In essence, the current laws
17 allow a handful of elected officials and
18 their financial supporters to nullify the
19 concept of private land ownership. How
20 is it in the public interest that a law
21 would take my property for uses that
22 would be exactly the same?

23 Furthermore, I object to a
24 government agency being empowered to take
25 the land from a private land owner simply

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2 because it thinks that another private
3 entity is more worthy to own the land
4 than the present land owner.

5 Please let me develop my
6 properties. Please stop the current
7 practice of taking our land to give to
8 another private entity, depriving us of
9 future economic benefits. This giving of
10 the spoils to the politically connected
11 developers is arbitrary and capricious.
12 And please correct the injustices done to
13 me. Give me back my land. Please let us
14 build a legacy for our families, a legacy
15 built on the property rights that
16 undergirded our nation's Constitution.
17 Please restore the American dream and the
18 sacredness and security of each one of
19 our properties.

20 Thank you very much for your
21 time.

22 (Applause.)

23 COUNCIL PRESIDENT VERNA:

24 You're welcome. Just a moment, please.
25 Just a moment, please.

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2 The Chair at this time
3 recognizes Councilwoman Blackwell.

4 COUNCILWOMAN BLACKWELL: Thank
5 you, Madam President.

6 It's great that you have a
7 district where we've got enough
8 development going where we have everybody
9 wanting the same land, but in this
10 specific instance, we worked on this -- I
11 toured every unit in this building back
12 when Wilson Goode was Mayor. That's how
13 far back this goes. Bill Partial was
14 head of OESS. We toured every unit and
15 tried to work out a project, because we
16 wanted to try to use them for the OESS
17 program. Ms. Chapman did not respond.

18 As all of you know, eminent
19 domain does not allow you to just take
20 property. We tried to get in touch with
21 her for ten years, and unfortunately, she
22 wouldn't respond. We tried, we tried, we
23 tried. You know how much this Council
24 talks about minority and female and
25 community ownership and development in

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2 terms of private business and how much we
3 fought for that. We tried and tried and
4 tried. Heard nothing.

5 Finally, People's Emergency
6 Center, as all of you know, is the oldest
7 shelter in the state and they entered
8 into an agreement with Pennrose
9 Properties to do cloisters too on that
10 site.

11 After RDA acquired this, after
12 all of these years, then Ms. Chapman
13 surfaces and comes to every meeting we
14 have in any way talking about housing and
15 started trying to do a little bit of work
16 to put in some windows and put people in
17 properties on either end just to destroy
18 the design of the whole block.

19 We said okay. We said okay.
20 Herb Wetzel even suggested it, let us try
21 to give her back those properties where
22 she put some windows in it and has shown
23 an effort, even though the City didn't
24 have to, because after all these years,
25 we have acquired it.

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2 We're willing to give -- and
3 it's a third to a half of the properties
4 we've agreed to give her back where she
5 has put people, wrongly so, in these
6 properties.

7 Now, these are issues that the
8 Redevelopment Authority doesn't have to
9 do, but, nonetheless, Ms. Chapman comes
10 to every meeting now and has something to
11 say, has all these people calling me, has
12 no wherewithal to fix them up, has not
13 produced any of these documents, and just
14 fights about this. For ten years, we
15 tried to get a hold of her. And as I
16 said, she still doesn't have the
17 wherewithal to do it. We've still, in
18 spite of all of that, have exempted
19 properties where she's moved people in.
20 It's either a third or a half the
21 properties that she owns. And we feel,
22 Madam President, it's just time to move
23 on. We've been more than fair. And I
24 regret that she just would not make
25 herself available for ten years. I'm

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2 talking about Wilson Goode

3 Administration --

4 MS. SHIRLEY CHAPMAN: Madam --

5 COUNCILWOMAN BLACKWELL: -- and

6 we just have to move on.

7 Madam President, I'd like not

8 to debate the issue. I think she's had

9 her chance to say --

10 MS. SHIRLEY CHAPMAN: I would

11 like to respond.

12 COUNCILWOMAN BLACKWELL: -- and

13 I don't want a response.

14 MS. SHIRLEY CHAPMAN: I would

15 like to respond to your accusations,

16 please.

17 COUNCILWOMAN BLACKWELL: Madam

18 President, I don't think that

19 Councilpeople have to say --

20 MS. SHIRLEY CHAPMAN: Why can I

21 not respond?

22 COUNCILWOMAN BLACKWELL: No.

23 MS. SHIRLEY CHAPMAN: First of

24 all, I would just like to say --

25 COUNCILWOMAN BLACKWELL: Madam

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2 President.

3 COUNCIL PRESIDENT VERNA: I
4 think we gave you the courtesy to
5 testify.

6 MS. SHIRLEY CHAPMAN: Please
7 let me respond.

8 COUNCIL PRESIDENT VERNA: Just
9 a moment, please.

10 I think we gave you the
11 courtesy to testify despite the fact that
12 you are not testifying on the particular
13 bill that's in front of us today.

14 If you have an issue about a
15 certain property, I suggest you speak to
16 the District Councilperson, and I just
17 think that this has to come to a close.
18 Thank you very much for coming in. We
19 appreciate it.

20 MS. SHIRLEY CHAPMAN: Thank you
21 for giving me the opportunity to speak.

22 COUNCIL PRESIDENT VERNA: At
23 this time, I would like to ask Mr. Wetzel
24 to please approach the witness table.

25 MS. SHIRLEY CHAPMAN: I would

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2 on the record, and I'm going on the
3 record now, that we will honor the
4 request of Councilwoman Blackwell to not
5 acquire any owner-occupied unit or any of
6 the units that she read into the record
7 today.

8 COUNCIL PRESIDENT VERNA: Thank
9 you. And in view of that --

10 I'm sorry. Sir, did you want
11 to add anything? Do you want to add
12 anything to the record?

13 MR. MORRIS: Sure, Council
14 President. Vincent Morris representing
15 the Philadelphia Housing Authority.

16 We're just here to agree that
17 whatever request Councilwoman Blackwell
18 makes with regard to removing properties
19 from the list of properties today, we
20 agree with, and we'll work along with the
21 Redevelopment Authority to make sure that
22 any of those properties that need to be
23 removed to anybody that's been made
24 unwhole in that situation, we'll work
25 with the Redevelopment Authority to make

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2 them whole.

3 COUNCIL PRESIDENT VERNA:

4 Mr. Wetzel, when you testified, I don't
5 recall if you had asked for a suspension
6 of the rules on this.

7 MR. WETZEL: Yes, I did.

8 COUNCIL PRESIDENT VERNA:

9 Councilwoman, was there a request for a
10 suspension or did you want more time
11 to --

12 COUNCILWOMAN BLACKWELL: We're
13 requesting a suspension of the rules.
14 Time is of the essence. I regret to
15 those who would like lawyers and all of
16 that. We don't have the time, or we miss
17 the opportunity to acquire millions of
18 dollars to revitalize this area.

19 COUNCIL PRESIDENT VERNA: Very
20 well.

21 Thank you.

22 MR. WETZEL: Thank you, Madam
23 Chairperson.

24 MR. MORRIS: Thank you, Madam
25 President.

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2 COUNCIL PRESIDENT VERNA: Thank
3 you.

4 Is there anyone else who would
5 like to testify?

6 (No response.)

7 COUNCIL PRESIDENT VERNA:
8 Seeing no one, this will conclude our
9 public hearing. We will now go into our
10 public meeting, and the Chair recognizes
11 Councilwoman Miller.

12 COUNCILWOMAN MILLER: I move
13 that Bill No. 050660 be reported out of
14 this committee with a favorable
15 recommendation and further request that
16 the rules of Council be suspended so as
17 to permit first reading at our next
18 session.

19 (Duly seconded.)

20 COUNCIL PRESIDENT VERNA: It
21 has been moved and properly seconded that
22 Bill No. 050660 be reported out of
23 committee with a favorable
24 recommendation. Also, a recommendation
25 that the rules of Council be suspended so

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2 as to permit first reading at our next
3 session of Council.

4 All in favor will indicate by
5 saying aye.

6 (Aye.)

7 COUNCIL PRESIDENT Verna: Those
8 opposed?

9 (No response.)

10 COUNCIL PRESIDENT Verna: The
11 ayes have it. The motion carries, and
12 this concludes our public meeting. Thank
13 you very much.

14 (Committee on Rules concluded
15 at 11:20 a.m.)

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CERTIFICATE

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I HEREBY CERTIFY that the

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proceedings, evidence and objections are

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contained fully and accurately in the

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foregoing matter on September 21, 2005, and

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that this is a true and correct transcript of

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MICHELE L. MURPHY

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RPR-Notary Public

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