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COUNCIL OF THE CITY OF PHILADELPHIA

3

STATED MEETING

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5

Thursday, October 15, 1998
10:35 a.m.

6

Room 400, City Hall
Philadelphia, Pennsylvania

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PRESENT: COUNCIL PRESIDENT JOHN F. STREET
COUNCILWOMAN AUGUSTA A. CLARK
COUNCILWOMAN JANNIE BLACKWELL
COUNCILMAN DAVID COHEN
COUNCILWOMAN JOAN L. KRAJEWSKI
COUNCILWOMAN ANNA CIBOTTA VERNA
COUNCILMAN JAMES F. KENNEY
COUNCILWOMAN DONNA REED MILLER
COUNCILMAN MICHAEL A. NUTTER
COUNCILWOMAN MARIAN B. TASCO
COUNCILMAN ANGEL L. ORTIZ
COUNCILMAN FRANK DICICCO
COUNCILMAN BRIAN J. O'NEILL
COUNCILMAN RICHARD T. MARIANO
COUNCILMAN W. THACHER LONGSTRETH
COUNCILMAN FRANK RIZZO

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MARIE B. HAUSER, Chief Clerk

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1 10/15/98 STATED MEETING - Greeting, Invocation

2 P R O C E E D I N G S

3 PRESIDENT STREET: Good morning, ladies
4 and gentlemen. The Chair notes that the hour has
5 come and that a quorum is present.

6 Council will come to order. Members
7 will take their seats, visitors will retire to
8 their seats outside the rail.

9 To give our invocation this morning,
10 the Chair welcomes Reverend J. Thomas Heron, who
11 is pastor of the Good Shepherd Church. He here is
12 today as a guest of Councilwoman Verna.

13 Members and guests will please rise.

14 (All rise.)

15 FATHER HERON: Heavenly father, assist
16 with your spirit of counsel and fortitude the City
17 Council of Philadelphia, that their efforts may be
18 conducted in righteousness and be eminently useful
19 to the people whom they serve.

20 May they encourage due respect for
21 virtue and truth. May they execute their rulings
22 with justice and mercy. May they seek to preserve
23 peace and promote unity. May they continue to
24 bring the blessings of liberty and equality to all
25 the citizens of the City of Brother Love.

1 10/15/98 STATED MEETING - Approval of 10/8/98 Journal

2 We pray to you, our heavenly Lord and
3 God, forever and ever. Amen.

4 ALL: Amen.

5 PRESIDENT STREET: The Chair thanks
6 Reverend Heron for his inspiring invocation.

7 (Council stands at ease.)

8 - - -

9 PRESIDENT STREET: The next order of
10 business is the approval of the journal of the
11 meeting of Thursday, October 8, 1998.

12 The Chair recognizes Councilwoman
13 Verna.

14 COUNCILWOMAN VERNA: Thank you, Mr.
15 President.

16 I move that the journal of October 8,
17 1998 stand approved.

18 (Duly seconded.)

19 PRESIDENT STREET: All those in favor,
20 let it be known by saying aye.

21 Those opposed, say nay.

22 The ayes have it. The journal of the
23 meeting of Thursday, October, 8, 1998 stands
24 approved.

25 - - -

1 10/15/98 STATED MEETING - Leaves of Absence

2 PRESIDENT STREET: The next order of
3 business is leaves of absence.

4 The Chair recognizes Councilwoman
5 Verna.

6 COUNCILWOMAN VERNA: Mr. President, on
7 behalf of the majority, leave of absence is
8 requested for Councilwoman Clark.

9 PRESIDENT STREET: The Chair thanks the
10 Councilwoman. Leave will be granted.

11 The Chair recognizes Councilman
12 O'Neill.

13 COUNCILMAN O'NEILL: Mr. President, on
14 behalf of the Republicans, leave of absence is
15 requested for Councilman Thatcher Longstreth.

16 PRESIDENT STREET: The Chair thanks the
17 Councilman. Leave will be granted.

18 - - -

19 PRESIDENT STREET: At this time, we
20 will dispense with our regular order of business
21 to recognize visitors.

22 Is there any Member of Council at this
23 time who would like to recognize a special guest
24 among us?

25 (No response.)

1 10/15/98 STATED MEETING - Communications

2 PRESIDENT STREET: Seeing no one, thank
3 you very much. Today we have no presentations.

4 - - -

5 PRESIDENT STREET: The next order of
6 business, then, is communications.

7 The Chair recognizes the
8 Sergeant-at-Arms for the purposes of delivering
9 the messages from the mayor to the chief clerk.
10 The chief clerk will read the messages from the
11 mayor.

12 CHIEF CLERK HAUSER: Thank you.

13 To the President and Members of the
14 Council of the City of Philadelphia, I am
15 transmitting herewith for the consideration of
16 your honorable body the following:

17 An ordinance creating the Brewery Park
18 Tax Increment Financing District and approving the
19 project plan of the Philadelphia Authority for
20 Industrial Development ("PAID") for the
21 redevelopment of the Brewery Park Tax Increment
22 Financing District, being the area generally
23 bounded by 32nd Street on the west, Master Street
24 on the north, 13th Street on the east, and
25 Thompson Street on the south; and making certain

1 10/15/98 STATED MEETING - Communications
2 findings and declarations, all in accordance with
3 the Tax Increment Financing District Act, being
4 the act of July 11, 1990, P.L. 465, No. 113, as
5 amended; and authorizing the director of finance
6 and other officers of the city to execute
7 documents and do all things necessary to carry out
8 the intent of this ordinance.

9 PRESIDENT STREET: This message will be
10 printed in the journal.

11 The chief clerk will read any other
12 communications in her possession.

13 CHIEF CLERK HAUSER: I have none, Mr.
14 President.

15 - - -

16 PRESIDENT STREET: The next order of
17 business is the introduction of bills and
18 resolutions.

19 The Chair recognizes Councilwoman Verna
20 for a motion.

21 COUNCILWOMAN VERNA: Mr. President, I
22 move that the rules of Council be suspended so as
23 to permit consideration of all resolutions
24 immediately after introduction.

25 (Duly seconded.)

1 10/15/98 STATED MEETING - Intro. of Bills, Resolutions

2 PRESIDENT STREET: All those in favor,
3 let it be known by saying aye.

4 Those opposed, say nay.

5 The ayes have it. The rules are
6 suspended.

7 The Chair recognizes Councilwoman
8 Blackwell.

9 COUNCILWOMAN BLACKWELL: Mr. President,
10 I have no bills or resolutions today.

11 PRESIDENT STREET: The Chair thanks the
12 Councilwoman.

13 The Chair recognizes Councilman Cohen.

14 COUNCILMAN COHEN: Mr. President, I
15 have no bills or resolutions.

16 PRESIDENT STREET: The Chair thanks
17 Councilman Cohen.

18 The Chair recognizes Councilwoman
19 Verna.

20 COUNCILWOMAN VERNA: Thank you, Mr.
21 President. I offer one bill by request and two
22 bills on your behalf.

23 PRESIDENT STREET: The clerk will
24 please read the titles of the bills.

25 CHIEF CLERK HAUSER: An ordinance to

1 10/15/98 STATED MEETING - Intro. of Bills, Resolutions
2 amend the Philadelphia zoning maps by changing the
3 zoning designations of certain areas of land
4 located in the 26th Ward and within an area
5 bounded by 20th Street, Pattison Avenue, Penrose
6 Avenue, and the Walt Whitman Bridge approach and
7 partly classed R-10 residential, partly classed
8 C-7 commercial, partly classed L5 limited
9 industrial, and partly classed R-9A.

10 And an ordinance authorizing the paving
11 of Park Avenue, under certain terms and
12 conditions.

13 And an ordinance creating the Brewery
14 Park Tax Increment Financing District and
15 approving the project plan of the Philadelphia
16 Authority for Industrial Development ("PAID") for
17 the redevelopment of the Brewery Park Tax
18 Increment Financing District, being the area
19 generally bounded by 32nd Street on the west,
20 Master Street on the north, 30th Street on the
21 east, and Thompson Street on the south; and making
22 certain findings and declarations, all in
23 accordance with the Tax Increment Financing Act,
24 being the act of July 11, 1990, P.L. 465, No. 13,
25 as amended; and authorizing the director of

1 10/15/98 STATED MEETING - Intro. of Bills, Resolutions
2 finance and other officers of the city to execute
3 documents and do all things necessary to carry out
4 the intent of this ordinance.

5 PRESIDENT STREET: These bills will be
6 referred to the appropriate committee.

7 The Chair recognizes Councilman Kenney.

8 COUNCILMAN KENNEY: Thank you, Mr.
9 President. I have no bills or resolutions.

10 PRESIDENT STREET: The Chair thanks the
11 Councilman.

12 The Chair recognizes Councilwoman
13 Miller.

14 COUNCILWOMAN MILLER: Thank you, Mr.
15 President. I offer one resolution.

16 PRESIDENT STREET: The clerk will
17 please read the title of the resolution.

18 CHIEF CLERK HAUSER: A resolution
19 authorizing the commissioner of public property to
20 execute and deliver to the Redevelopment Authority
21 of the City of Philadelphia deeds for properties
22 situated in the 11th, 12th, 22nd, and 43 Wards of
23 the City of Philadelphia.

24 PRESIDENT STREET: The Chair recognizes
25 Councilwoman Miller.

1 10/15/98 STATED MEETING - Intro. of Bills, Resolutions

2 COUNCILWOMAN MILLER: I move for the
3 adoption of the resolution.

4 (Duly seconded.)

5 PRESIDENT STREET: All those in favor,
6 let it be known by saying aye.

7 Those opposed, say nay.

8 The ayes have it. The resolution is
9 adopted.

10 The Chair recognizes Councilman Nutter.

11 COUNCILMAN NUTTER: Thank you, Mr.
12 President. I offer one bill and four resolutions
13 to be referred to the appropriate committee.

14 PRESIDENT STREET: The clerk will
15 please read the title of the bill.

16 CHIEF CLERK HAUSER: An ordinance
17 approving the planned estimated cost of the
18 proposed method of charges of the City Avenue
19 Special Services District for and concerning
20 business improvements and administrative services
21 to portions of the City Avenue area of the City of
22 Philadelphia and the Township of Lower Merion.

23 PRESIDENT STREET: This bill will be
24 referred to the appropriate committee.

25 The clerk will please read the titles

1 10/15/98 STATED MEETING - Intro. of Bills, Resolutions
2 of the four resolutions.

3 CHIEF CLERK HAUSER: A resolution
4 appointing Charles M. Warfield, Jr. to the Board
5 of Directors of the City Avenue Special Services
6 District of Philadelphia and Lower Merion.

7 A resolution appointing Michael McMahon
8 to the Board of Directors of the City Avenue
9 Special Services District of Philadelphia and
10 Lower Merion.

11 A resolution appointing Dean Adler to
12 the Board of Directors of the City Avenue Special
13 Services District of Philadelphia and Lower
14 Merion.

15 A resolution appointing Dr. Linda Dunn
16 to the Board of Directors of the City Avenue
17 Special Services District of Philadelphia and
18 Lower Merion.

19 PRESIDENT STREET: These bills will be
20 referred to the appropriate committee.

21 The Chair recognizes Councilwoman
22 Tasco.

23 COUNCILWOMAN TASCO: Mr. President, I
24 have no bills or resolutions today.

25 PRESIDENT STREET: The Chair thanks the

1 10/15/98 STATED MEETING - Intro. of Bills, Resolutions

2 Councilwoman.

3 The Chair recognizes Councilman Ortiz.

4 COUNCILMAN ORTIZ: Mr. President, I
5 have no bills or resolutions today.

6 PRESIDENT STREET: The Chair thanks the
7 Councilman.

8 The Chair recognizes Councilwoman
9 Krajewski.

10 COUNCILWOMAN KRAJEWSKI: I have no
11 bills or resolutions.

12 PRESIDENT STREET: The Chair thanks
13 Councilwoman Krajewski.

14 The Chair recognizes Councilman
15 DiCicco.

16 COUNCILMAN DICICCO: Thank you, Mr.
17 President. I offer one bill.

18 PRESIDENT STREET: The clerk will
19 please read the title of the bill.

20 CHIEF CLERK HAUSER: An ordinance
21 amending Title 14 of The Philadelphia Code
22 relating to zoning and planning by amending
23 Section 14-1612 entitled "South Street Head House
24 Square Special District Controls," under certain
25 terms and conditions.

1 10/15/98 STATED MEETING - Intro. of Bills, Resolutions

2 PRESIDENT STREET: This bill will be
3 referred to the appropriate committee.

4 The Chair recognizes Councilman
5 O'Neill.

6 COUNCILMAN O'NEILL: Mr. President, I
7 have no bills or resolutions.

8 PRESIDENT STREET: The Chair thanks the
9 Councilman.

10 The Chair recognizes Councilman
11 Mariano.

12 COUNCILMAN MARIANO: Mr. President, I
13 have no bills or resolutions.

14 PRESIDENT STREET: The Chair thanks
15 Councilman Mariano.

16 The Chair recognizes Councilman Rizzo.

17 COUNCILMAN RIZZO: One resolution, Mr.
18 President.

19 PRESIDENT STREET: The clerk will
20 please read the title of the resolution.

21 CHIEF CLERK HAUSER: A resolution
22 calling on the City Council of Philadelphia to
23 conduct a public hearing to investigate and
24 evaluate the impact to the city of Philadelphia
25 brought on by computer operating systems being

1 10/15/98 STATED MEETING - Intro. of Bills, Resolutions
2 unable to function properly on or about January 1,
3 2001, and what precautions are being taken to
4 avoid crisis.

5 PRESIDENT STREET: The Chair recognizes
6 Councilman Rizzo.

7 COUNCILMAN RIZZO: Mr. President, I
8 move for the adoption of this resolution.

9 (Duly seconded.)

10 PRESIDENT STREET: All those in favor,
11 let it be known by saying aye.

12 Those opposed, say nay.

13 The ayes have it. The resolution is
14 adopted.

15 - - -

16 PRESIDENT STREET: There are no reports
17 from committees.

18 There -- I don't believe there are any
19 bills on the first-reading calendar.

20 - - -

21 PRESIDENT STREET: The next order of
22 business, then, is the consideration of the
23 calendar.

24 The Chair recognizes Councilwoman
25 Verna.

1 10/15/98 STATED MEETING - Final Passage - Bill No. 980528

2 COUNCILWOMAN VERNA: Thank you, Mr.

3 President.

4 Bill No. 980528 is the only bill on the
5 second-reading and final-passage being called for
6 consideration.

7 PRESIDENT STREET: The Chair thanks
8 Councilwoman Verna.

9 The first bill for consideration is
10 Bill No. 980528. The clerk will please read the
11 title of the bill.

12 CHIEF CLERK HAUSER: An ordinance
13 authorizing the Commissioner of the Department of
14 Public Property, on behalf of the City of
15 Philadelphia, to purchase fee simple title to a
16 parcel of real estate, with any improvements
17 situated thereon, located at 3827 through 37
18 Whittaker Ave., Philadelphia, Pennsylvania, and
19 also known as 3901 Whittaker Ave., Philadelphia,
20 Pennsylvania, under certain terms and conditions.

21 PRESIDENT STREET: This bill, having
22 been read on two different days, the question now
23 is, shall the bill pass finally?

24 The Clerk will call a roll.

25 CHIEF CLERK HAUSER: Councilwoman

1 10/15/98 STATED MEETING - Final Passage - Bill No. 980528
2 Blackwell?
3 COUNCILWOMAN BLACKWELL: Aye.
4 CHIEF CLERK HAUSER: Councilman Cohen?
5 COUNCILMAN COHEN: Aye.
6 CHIEF CLERK HAUSER: Councilman
7 DiCicco?
8 COUNCILMAN DICICCO: Aye.
9 CHIEF CLERK HAUSER: Councilman
10 Kenney?
11 COUNCILMAN KENNEY: Aye.
12 CHIEF CLERK HAUSER: Councilwoman
13 Krajewski?
14 COUNCILWOMAN KRAJEWSKI: Aye.
15 CHIEF CLERK HAUSER: Councilman
16 Mariano?
17 COUNCILMAN MARIANO: Aye.
18 CHIEF CLERK HAUSER: Councilwoman
19 Miller?
20 COUNCILWOMAN MILLER: Aye.
21 CHIEF CLERK HAUSER: Councilman
22 Nutter?
23 COUNCILMAN NUTTER: Aye.
24 CHIEF CLERK HAUSER: Councilman
25 O'Neill?

1 10/15/98 STATED MEETING - Final Passage - Bill No. 980528

2 COUNCILMAN O'NEILL: Aye.

3 CHIEF CLERK HAUSER: Councilman Ortiz?

4 COUNCILMAN ORTIZ: Aye.

5 CHIEF CLERK HAUSER: Councilman Rizzo?

6 COUNCILMAN RIZZO: Aye.

7 CHIEF CLERK HAUSER: Councilwoman

8 Tasco?

9 COUNCILWOMAN TASCO: Aye.

10 CHIEF CLERK HAUSER: Councilwoman

11 Verna?

12 COUNCILWOMAN VERNA: Aye.

13 CHIEF CLERK HAUSER: Council President

14 Street?

15 PRESIDENT STREET: Aye. The ayes are

16 14, the nays are 0. The majority having voted in

17 the affirmative, the bill passes.

18 This concludes our consideration of the

19 calendar.

20 - - -

21 PRESIDENT STREET: Are there any

22 speeches on the part of members of the majority or

23 minority?

24 Councilman Cohen.

25 COUNCILMAN COHEN: Thank you, Mr.

1 10/15/98 STATED MEETING - Speeches

2 President.

3 The administration, on a number of
4 occasions, has pointed to the great job it has
5 done financially. And I don't want to dispute
6 that, but I think the City Council has been
7 overlooked during the last five years, including
8 the current year, as a result of this Council's
9 action in rejecting the trash-to steam-plant.

10 Not only was the health of all
11 Philadelphians, and particularly South
12 Philadelphians, improved by removing the potential
13 harmful effects that would result from the
14 incineration of the trash, but the city has
15 actually saved during this five-year period
16 \$195,586,126.00, the exact figure. And I think
17 that's very, very impressive.

18 As a matter of fact, over the 20 years
19 of the Ogden-Morton contract that was presented to
20 this City Council, and which this City Council
21 rejected, over the 20-year life, the savings to
22 the city amounted to slightly more than -- will
23 amount to slightly more than \$1,500,000,000.

24 And that was achieved without anybody
25 being able to charge that we were making the

1 10/15/98 STATED MEETING - Speeches

2 savings on the backs of the working members of the
3 City staff. It was achieved by improving the
4 health and safety of all Philadelphians. And I
5 think, at some point, the city administration
6 ought to acknowledge it.

7 One last item. For this fiscal year
8 1999, under the Ogden-Morton contract, the city
9 would have paid -- and these were rates that were
10 presented in the contract -- the city would be
11 paying this year \$112.09 for each ton that would
12 go to the Ogden-Morton incinerator. The city is
13 actually paying today \$42 a ton, for a net savings
14 this year alone of over \$55 million. The exact
15 figure is \$55,371,100.

16 In addition to the considerations I've
17 mentioned, the city was spared the monstrosity of
18 the huge plant that would very likely have
19 interfered with the development of the Navy Yard
20 because many businesses would not have chosen that
21 spot to put their plants in there with all the
22 trash trucks coming in to deliver material.

23 Furthermore, the city has avoided the
24 disaster that many New Jersey counties face
25 today. On the New Jersey ballots throughout the

1 10/15/98 STATED MEETING - Speeches

2 state, this November the 3rd, there is this
3 interesting proposal that has to be voted on yes
4 or no. As a result of the drive to have these
5 trash-to-steam plants, the state of New Jersey
6 loaned various municipalities slightly over \$100
7 million. It was a loan that was to be repaid from
8 the revenues of these trash-to-steam plants.

9 Five counties in New Jersey, including
10 Camden County, right across the river, have
11 already notified the state that they are unable to
12 meet the bond payments because, as we often said,
13 trash was golden, and they weren't able to get
14 enough trash to fully utilize their incinerators.

15 So there is a proposal on the ballot in
16 New Jersey this November the 3rd to provide that
17 the loan by the state, which was supposed to be
18 repaid should in fact the loan be transferred to a
19 grant because all throughout the country, in
20 addition to pollution hazards, trash-to-steam
21 plants are economically very unsound.

22 And I think it's time that at some
23 point, it would be very fitting that the city
24 administration acknowledge the role of this City
25 Council in effectuating these savings.

1 10/15/98 STATED MEETING - Adjournment

2 Thank you, Mr. President.

3 PRESIDENT STREET: Thank you very much.

4 Are there any other speeches?

5 (No further speeches.)

6 - - -

7 PRESIDENT STREET: The Chair recognizes
8 Councilwoman Verna.

9 COUNCILWOMAN VERNA: I move that
10 Council stand adjourned until Thursday, October,
11 22, 1998m at 10 a.m.

12 (Duly seconded.)

13 PRESIDENT STREET: All those in favor,
14 let it be known by saying aye.

15 Those opposed, say nay.

16 The ayes have it. This meeting --

17 The Chair recognizes Councilwoman
18 Verna.

19 COUNCILWOMAN VERNA: We cannot finish
20 the session without wishing you a very happy
21 birthday.

22 (Applause.)

23 PRESIDENT STREET: Thank you, thank
24 you, thank you.

25 Council stands adjourned.

1 10/15/98 STATED MEETING - Adjournment
2 (Adjourned at 10:56 a.m.)
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C E R T I F I C A T E

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RE: STATED MEETING

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JOSEPHINE CARDILLO,

Registered Professional Reporter