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## COUNCIL OF THE CITY OF PHILADELPHIA

3

## PUBLIC HEARING

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## COMMITTEE ON RULES

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Room 696, City Hall  
Philadelphia, Pennsylvania  
Thursday, April 10, 2003  
1:20 p.m.

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BILL 010743 - an ordinance amending Chapter 20-600  
the of the Philadelphia Code...

10

BILL 030017 - an ordinance establishing a  
Neighborhood Improvement District in an area that  
generally includes both sides of Ridge Avenue from  
Main Street to 7220 Ridge Avenue...

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BILL 030068 - an ordinance to amend the  
Philadelphia Zoning Maps by changing the zoning  
designations of certain areas of land located within  
an area bounded by Bridge Street, Tacony Street, a  
line 245 feet north of Sanger Street, the Delaware  
River and the Frankford Creek.

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## PRESENT:

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COUNCILMAN JAMES KENNEY, Chair  
COUNCIL PRESIDENT ANNA C. VERNA  
COUNCILMAN DARRELL CLARKE  
COUNCILMAN DAVID COHEN  
COUNCILMAN FRANK DICICCO  
COUNCILMAN MICHAEL NUTTER

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## I N D E X

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THOMAS CHAPMAN, City Planning Commission .... 3

HARRY ANGERSER (ph), Bridesburg Civic  
Association ..... 4

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PATRICK HERON, Legend Properties ..... 7

MARK HANKIN, Arsenal Associates ..... 10

6

THADDEUS J. PRZYBYLOWSKI, Bridesburg Business  
Association ..... 11

7

DEBRA DARROYO, Wissanoming Civic Assoc. .... 15

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BILL 010743

HEIDI GOLD, League of Women Voters ..... 21

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BILL 030017

10 DUANE BUMB, Commerce ..... 30

JACK HARMER, Central Roxborough Civic Assoc. 32

11 WILLIAM KINGSLEY, Interact ..... 33

ROBERT CATELL ..... 34

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2 COUNCILMAN KENNEY: Good afternoon.

3 Council President Verna, Councilmembers DiCicco,  
4 Clarke, Nutter and myself Councilman Kenney are in  
5 attendance. The first bill is on 030068, an  
6 ordinance to amend the Philadelphia Zoning Maps by  
7 changing the zoning designations of certain areas of  
8 land located within an area bounded by Bridge  
9 Street, Tacony Street, a line 245 feet north of  
10 Sanger Street, the Delaware River and the Frankford  
11 Creek.

12 Is there anyone to testify on this bill?

13 MR. CHAPMAN: Good afternoon.

14 COUNCILMAN KENNEY: Good afternoon.

15 MR. CHAPMAN: Good afternoon, Mr.

16 Chairman and Members of the Committee. My name is  
17 Tom Chapman, I am the Director at the Development  
18 Planning Division for the City Planning Commission.  
19 I'm here today to testify on Bill No. 030068. This  
20 bill was introduced by Councilmember Krajewski on  
21 February 6th of this year.

22 This bill will rezone 46 acres of the  
23 83-acre Frankford Arsenal site from the current  
24 designation of G2 General Industrial to a  
25 designation of C3 Commercial. This will allow for

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2 the development of a shopping center at the northern  
3 edge of the Arsenal Business Center site.

4 The Planning Commission is scheduled to  
5 consider this amendment to the zoning maps of its  
6 meeting of April 15, 2003, and at that time, the  
7 staff of the Planning Commission will recommend that  
8 the commission endorse this change to the maps.

9 I would be happy any questions of the  
10 Committee.

11 I'd also like to note that Mr. Heron,  
12 Pat Heron also Mr. Mark Hankin are here today  
13 representing the proposed commercial development of  
14 the site.

15 COUNCILMAN KENNEY: Thank you very much.  
16 Any questions for Mr. Chapman.

17 (No response.)

18 COUNCILMAN KENNEY: Seeing none, is  
19 there anyone else who would like to testify on this  
20 bill?

21 Come forward, please.

22 Good afternoon. Please identify  
23 yourself for the record and proceed.

24 MR. ANGERSER: Harry Angerser (ph),  
25 President of Bridesburg Civic.

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2 COUNCILMAN KENNEY: Please proceed.

3 MR. ANGERSER: Thank you, Mr. Chairman.

4 My name is Harry Angerser, and I'm here today  
5 wearing two hats. First as President of the  
6 Bridesburg Civic Association and second as Chairman  
7 of the 45th Ward. Jerry Kazinski (ph) couldn't be  
8 here today. He would have like to have been, but  
9 he's been under the weather so he asked me to convey  
10 to you the Ward's approval of this project.

11 Now, as President of the Bridesburg  
12 Civic, I would like to talk to you an about the  
13 proposed plans for the Frankford Arsenal project.  
14 It has been long road to get where we are today.  
15 There has been give and take from both sides and  
16 time has come for this to move forward.

17 The Bridesburg Civic held meetings that  
18 were attended by Mr. Pat Heron who represents Legend  
19 Properties and the Arsenal. He explained what plans  
20 were for the site. After a meeting of April 3,  
21 2003, we proceeded to vote on this matter. By one  
22 member chose not to vote, all those who casted a  
23 vote unanimously in favor of the Arsenal's  
24 development.

25 The civic does have some concerns and

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2 they are as follows:

3 First, is the hospital that is on the  
4 grounds, a hospital established pre Civil War, a  
5 place where Army of the Republic were treated and  
6 healed. We want it preserved. We would like it to  
7 stay.

8 Second, we have concerns over the  
9 increase in traffic that it would bring. Mr. Heron  
10 has said that there will be studies done to show  
11 what impact it would have.

12 Third, we as a community would like some  
13 input on what types of businesses would be located  
14 in the center.

15 So, again, I feel the time has come to  
16 move this project forward. And thank you.

17 COUNCILMAN KENNEY: Thank you very much  
18 for your testimony. I would appreciate if Mr.  
19 Heron, if he's here, could come forward and put on  
20 the record or at least respond to some of the issues  
21 raised in the prior testimony.

22 Good afternoon.

23 MR. HERON: Good afternoon, Councilman  
24 Kenney.

25 COUNCILMAN KENNEY: Please identify

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2           yourself for the record.

3                   MR. HERON: Sure. My name is Patrick  
4           Heron. I'm with Legend Properties. We're  
5           commercial real estate brokers and we've been  
6           retained by the Arsenal Business Center to work on  
7           this project.

8                   COUNCILMAN KENNEY: You heard some of  
9           the issues that Harry raised, I was wondering if you  
10          could comment for the record as to what plans or how  
11          you would like to respond.

12                  MR. HERON: Not in the order the order  
13          that Harry brought them up. One of the issues that  
14          everyone is going to take a look at, Councilman, is  
15          the traffic. The bulk of the shoppers that will  
16          come to the Arsenal Business Center will come in off  
17          Tacony Street. And at Tacony and Bridge Street,  
18          there's already a traffic signal that needs some  
19          breathing room. And the retailers that we've taken  
20          to the property have expressed some concern about  
21          getting in and out. So we will probably one of the  
22          one of the first things we will do subsequent if the  
23          zoning is received would be to get a traffic study  
24          underway to show both how to alleviate the existing  
25          traffic as well as improve it.

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2 In terms of the types of businesses,  
3 when we originally put together a plan maybe six,  
4 seven, eight months ago, there was a plan for a  
5 discount store such as a Wal-Mart or a Target, a  
6 home improvement such as a Lowes, discount store  
7 such Sams, BJ's, and a movie theater. There was some  
8 concern voiced by some members of the Bridesburg  
9 community pertaining the movie theater. The  
10 developer who is with me right, Mark Hankin, just  
11 said, Pull it off. We don't need to put uses at the  
12 site that's going to -- we don't want somebody  
13 saying, "Yeah, it's okay," we want support. So  
14 we'll definitely work with the neighborhood to make  
15 sure the uses we put in there will be something that  
16 the neighborhood, A, needs and, B, wants.

17 COUNCILMAN KENNEY: If you're able to  
18 disclose it, is there an anchor tenant?

19 MR. HERON: No, there's not.

20 COUNCILMAN KENNEY: How many square feet  
21 retail will it be?

22 MR. HERON: It will be somewhere between  
23 450,000 and 500,000 square feet.

24 COUNCILMAN KENNEY: And how many parking  
25 spacing on site?

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2 MR. HERON: We have a plan here --

3 COUNCILMAN KENNEY: I just want the  
4 record to be clear.

5 MR. HERON: I would say close to a  
6 thousand. Tom Chapman probably would be better.

7 COUNCILMAN KENNEY: Mr. Chapman  
8 indicates about 2500 parking spots.

9 MR. HERON: I was really close on that  
10 one.

11 (Laughter.)

12 COUNCILMAN KENNEY: Is there anything  
13 else you'd like to add?

14 MR. HERON: Harry mentioned Crane  
15 Hospital. Crane Hospital is an absolutely gorgeous  
16 building that was built prior to the Civil War and  
17 it's probably the historic building of the historic  
18 buildings in the Arsenal that's on what we call the  
19 northern half, Councilman. The southern half has  
20 buildings that were built in the early 19th Century,  
21 and virtually all of the historic buildings are in  
22 the northern half. This is one building that does  
23 sit in the southern half and --

24 MR. HANKIN: You got them reversed.

25 MR. HERON: Thank you. This is the one

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1  
2 historic building that sits in the northern half.  
3 It would be difficult to maintain the building, but  
4 I wouldn't want to say it can't be maintained or it  
5 might not be moved because when Harry bought this to  
6 our attention, I passed it on to Mr. Hankin and Mark  
7 said, "Well, if there's anyway at all we can, we'll  
8 look at it."

9 COUNCILMAN KENNEY: Is it on the  
10 Historic Register?

11 MR. HANKIN: No, it is not.

12 COUNCILMAN KENNEY: Could you identify  
13 yourself for the record?

14 MR. HANKIN: My name is Mark Hankin. I  
15 represent Arsenal Associates, the owner of the  
16 property. It is not on the Historic Register, but  
17 we have been consulting with the Pennsylvania  
18 Historic Commission in Harrisburg and we've been  
19 working with them to determine if we can relocate  
20 the building that we will relocate it at an area  
21 that they think would be best for it.

22 COUNCILMAN KENNEY: To relocate the  
23 building on the existing footprint of the site?

24 MR. HANKIN: On the existing footprint.  
25 But probably, if possible, to the southern half

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2 which is not being disturbed.

3 COUNCILMAN KENNEY: That's the hospital  
4 building?

5 MR. HANKIN: That's correct.

6 COUNCILMAN KENNEY: And the other  
7 buildings at this point are undetermined.

8 MR. HANKIN: The other buildings on the  
9 northern buildings are not considered historically  
10 significant at all.

11 COUNCILMAN KENNEY: Are there any  
12 questions for these witnesses?

13 (No response.)

14 COUNCILMAN KENNEY: Harry, is there  
15 anything you'd like to add?

16 MR. ANGERSER: No.

17 COUNCILMAN KENNEY: Good. Anyone else  
18 to testify on the bill?

19 MR. HERON: There's two other members of  
20 civic groups, Councilman.

21 COUNCILMAN KENNEY: Please identify  
22 yourself.

23 MR. PRZYBYLOWSKI: Good afternoon. My  
24 name is Thaddeus J. Przybylowski,  
25 P-R-Z-Y-B-Y-L-O-W-S-K-I. I'm here today

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representing the Bridesburg Business Association and as Chairman of the Zoning Committee. I had the opportunity of originally starting the remapping of the entire area way back during Mayor Tate's time. I'm very familiar with it, and everything to do with zoning comes before the Zoning Committee or the Association and we're very well aware of everything that the Arsenal Business Center is promoting.

Back in the beginning of the spring of 2002 when the subject matter became as to what is going to happen to the north portion, we were certainly very much involved and it was a topic of discussion at every meeting as to what the new ventures were going to be.

We believe that the retail services that would become available would be such that the community has not had for quite a while. And if someone doesn't pick up the ball and carry it, looks like we will just be left by the wayside. So we're looking forward to that opportunity to see that become a reality. As well as the opportunity of possible employment of the immediate neighborhood would be certainly very helpful, whether it be full-time or part-time. As well as the improvement

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of the facilities, removal of any vacant buildings and vacant ground certainly does not increase the stability of the community. So we'd be very happy to see something that is well maintain. And knowing the organization as we have been in the past, that will certainly be attend to.

So as far as the Association is concerned, we have not heard or received any detrimental requests or demands or in anyway whatsoever as to what's going to happen. We've had no remarks detrimental to the proposal and the organization the Bridesburg Business Association certainly are unanimously in favor of this development. I appreciate this opportunity.

COUNCILMAN KENNEY: Thank you very much for coming in.

Any questions for this witness?

Councilman Cohen.

COUNCILMAN COHEN: There was a statement about a shopping center coming in. Do you know what kind of a shopping center it would be?

MR. PRZYBYLOWSKI: What is being proposed?

COUNCILMAN COHEN: Would it be clothing?

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2 Would it be food? Would it be a combination? Would  
3 it be a little department store?

4 MR. PRZYBYLOWSKI: As I understand, it  
5 would be a combination of the -- a smaller scale.  
6 It's not going to be that elaborate that we would  
7 be -- the stores that we don't have in the  
8 neighborhood would be welcome there, whether they be  
9 clothing stores or hardware stores or something of  
10 this nature.

11 COUNCILMAN KENNEY: It's about 400,000  
12 square feet they said, so there's probably going to  
13 be a mix. Probably one anchor or an anchor or two  
14 and other smaller retailer, restaurant, whatever.

15 COUNCILMAN COHEN: And would the market  
16 for whatever came in the stores be the neighborhood  
17 generally or would it be confined mostly to people  
18 working at the Arsenal?

19 MR. PRZYBYLOWSKI: I would say it  
20 definitely would be for the community. We have very  
21 few commercial establishments in the community  
22 today. They've been closed because of traveling  
23 into the vast stores away, and this will be a  
24 welcomed opportunity that they wouldn't have to  
25 travel as far. They'd be able to possibly even walk

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2 to the shopping area. So it will be well received.  
3 We're looking forward to.

4 COUNCILMAN COHEN: Thank you. It seems  
5 like a very good idea and in line with our efforts  
6 to revitalize many of our neighborhoods.

7 MR. PRZYBYLOWSKI: Fantastic idea.

8 COUNCILMAN KENNEY: Thank you very much.  
9 Thank you for your testimony.

10 Any other witnesses?

11 Please come forward. Good afternoon.  
12 Please identify yourself for the record.

13 MS. DARROYO: My name is Debra Darroyo,  
14 I'm Vice President of the Wissinoming Civic  
15 Association. Our organization has fully supported  
16 this proposal. The only concerns that we have are  
17 similar to the other ones expressed, as far as the  
18 traffic. There is a charter school, a high school  
19 that's located in the southern end. And with the  
20 school children coming in and out, we would just  
21 want to make sure that the traffic patterns are safe  
22 and also the nature of the businesses that would be  
23 coming in.

24 COUNCILMAN KENNEY: And I think you've  
25 heard the gentleman's testimony relative to those

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2 precautions.

3 MS. DARROYO: And they've seemed at this  
4 point to work with us. And as long as that  
5 continues, we give your full support.

6 COUNCILMAN KENNEY: Terrific. Thank  
7 you.

8 Any questions?

9 Councilman DiCicco.

10 COUNCILMAN DICICCO: Mr. Chairman, if I  
11 can get the two other gentlemen that spoke first  
12 back up. I have a question in relationship to the  
13 traffic issue.

14 Thank you. One of you testified  
15 concerning a traffic study that will occur or has  
16 occurred?

17 MR. HERON: It will occur, Councilman.

18 COUNCILMAN DICICCO: So to date, there  
19 has been no traffic study?

20 MR. HERON: That's correct.

21 COUNCILMAN DICICCO: Well, I obviously  
22 support development of this size, and I think it's  
23 important. Generally, studies are done in advance  
24 of the request for the -- or at the same time that  
25 request for zoning changes are made so that you

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1  
2 don't have to deal with this at a later date. The  
3 community obviously has some concern for the issues  
4 that the young lady just expressed. I mean, my  
5 experience in the district that I represent, any  
6 time we've taken on a large development of this  
7 size, there's always been a traffic study that's  
8 been attached to it. Obviously, I'll support this  
9 legislation, but I think it would be helpful to you  
10 between now and the time that the bill is finally  
11 voted on over the next two, three weeks when Council  
12 takes the vote whether to pass this bill or not that  
13 some sort of study would be in place. I think that  
14 would be give some comfort to the community. I mean,  
15 I don't hear any sense of objection to the  
16 development, but they have some concerns. And it's  
17 kind of like putting the cart in front of the horse,  
18 if you will, not meaning any disrespect, but it  
19 would be very helpful.

20 MR. HANKIN: We will be very happy to  
21 address that.

22 COUNCILMAN DICICCO: Are you related to  
23 the Hankins from Willow Grove Park?

24 MR. HANKIN: Yes. That was my dad and  
25 his brothers.

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2 COUNCILMAN DICICCO: That was my dad?  
3 Kenney doesn't know about Willow Grove Park. He  
4 wasn't around in those days.

5 MR. HANKIN: It was a lot of fun.  
6 That's where I worked for many years during the  
7 summertime.

8 COUNCILMAN DICICCO: I spent many, many  
9 times in my younger days -- I'm sure Councilman  
10 Cohen remembers Willow Grove Park, the amusement  
11 park there.

12 COUNCILMAN COHEN: Yes. I remember your  
13 -- would it be your father, your uncle, your  
14 grandfather, Mo Hankin?

15 MR. HANKIN: Mo was one of my uncles.

16 COUNCILMAN COHEN: He was a classmate of  
17 mine at the University of Pennsylvania Law School.

18 MR. HANKIN: Was he really? Miss him  
19 dearly.

20 COUNCILMAN DICICCO: I owned a  
21 restaurant in South Philadelphia in the '80s, and  
22 they were very good customers of mine.

23 Thank you.

24 MR. HANKIN: There was one comment that  
25 was raised about the children. We have already

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1  
2 addressed that issue in that when the children at  
3 the end of the day, which is 3 o'clock, SEPTA has  
4 been kind enough in that they actually bring their  
5 buses right to the school within the southern half  
6 of the Arsenal so that 90 to 95 percent of th  
7 children get on the SEPTA buses and they're bused  
8 immediately out of the property. The other ones go  
9 to the very southern end and catch one of the SEPTA  
10 lines that run along Bridge Street, so that they  
11 would not be going in the direction of where the  
12 center would be. So that issue has already been  
13 addressed in the long-term planning.

14 COUNCILMAN KENNEY: Great. Good luck.

15 MR. HANKIN: Thank you very much. I  
16 appreciate your time.

17 COUNCILMAN KENNEY: Anyone else to  
18 testify on the bill.

19 (No response.)

20 COUNCILMAN KENNEY: Seeing none, we'll  
21 now move to Bill No. 010743, an ordinance amending  
22 Chapter 20-600 the of the Philadelphia Code,  
23 entitled "Standards of Conduct and Ethics," by  
24 adding anti-nepotism provisions prohibiting city  
25 officers and employers from taking or recommending

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2 certain personnel actions affecting family members,  
3 all under certain terms and conditions.

4 Please come forward.

5 Councilman Nutter, do you have anything  
6 you'd like to say to begin?

7 COUNCILMAN NUTTER: Thank you, Mr.  
8 Chairman. Mr. Chairman, this is a continuation of a  
9 hearing actually that took place last year and I  
10 know that there were some concerns expressed about  
11 some of the language in the bill, if not the entire  
12 bill in general. And I do very much respect those  
13 concerns. I've not really had any further  
14 conversation with Members about it. We've, I guess,  
15 all been busy in the course of the past year. I do  
16 have some general information, Mr. Chairman, that I  
17 can share with members. There's a chart which shows  
18 an analysis of the top 10 cities in the country and  
19 any particular provisions that those cities have  
20 regarding the subject matter. Our City does in a  
21 usual way stand out amongst those cities as  
22 essentially the only city of the top 10 cities in  
23 the country that does not have a specific provision  
24 on this particular matter. Actually, I'm sorry, Mr.  
25 Chairman. Philadelphia and Detroit --

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2 COUNCILMAN KENNEY: It's a great  
3 combination, isn't it?

4 COUNCILMAN NUTTER: -- on that issue.  
5 So we have additional testimony. We had testimony  
6 at the last hearing from the Committee of 70 in a  
7 positive regard. So I'd just like to hear the  
8 testimony and see what direction we end up going  
9 with regard to the matter today. Thank you, Mr.  
10 Chairman.

11 COUNCILMAN KENNEY: Thank you very much.  
12 Please identify yourself for the record.

13 MS. GOLD: I'm Heidi Gold, President of  
14 the League of Women Voters of Philadelphia. Good  
15 afternoon, Councilman Kenney, Members of the  
16 Committee.

17 I'm here to give the League of Women  
18 Voters support for Bill 010743. You have written  
19 testimony before you. What I would like to do is  
20 just summarize the two critical issues that we feel  
21 may be problematic about nepotism and why we support  
22 the bill.

23 First is to ensure that City officers  
24 and employees do not have direct input on personnel  
25 decisions regarding a family member and also to

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1  
2 ensure that there is no direct chain of command or  
3 reporting relationship between the relatives. Many  
4 private sector companies do have policies that  
5 stipulate where relatives are hired, they not work  
6 in the same departments and there's no  
7 chain-of-command relationship. And I believe if  
8 private sector companies can do this, then certainly  
9 our government should be held to the same, if not a  
10 higher, standard.

11               There have been some instances where  
12 nepotism can provide hostile working environments,  
13 lowering morale for employees, and hurting  
14 productivity.

15               And I do of a copy of the chart, and it  
16 seems that Philadelphia keeps popping up on charts  
17 for some good government issues that it doesn't  
18 have. And Certainly, Councilman Kenney, the other  
19 issue that the League advocates for is campaign  
20 finance reform, and we are also one of the top 10  
21 cities, one of 2, who do not have that either.

22               COUNCILMAN KENNEY: By the way, just to  
23 add to that, we also appear on another list with  
24 Detroit, and that is a list of top cities in the  
25 country lost net population over the last decade.

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Every other city on this list, with the exception of Philadelphia and Detroit, have gained net residents. Philadelphia lost 4 percent, Detroit lost 7 over the last decade. So it's not a great list to be on.

MS. GOLD: No. Thank you for sharing that with me. Another list.

So again, I'll just conclude by saying that we support legislation that will provide anti-nepotism provisions. And I'd be happy to answer any questions that you have.

COUNCILMAN KENNEY: The Chair recognizes Councilmember Cohen.

COUNCILMAN COHEN: Thank you.

I have lots of questions about this bill. It seems to me Philadelphia has many problems that we're trying to grapple with. This happens to be a problem that doesn't exist to my understanding. There have been four cases in City Council where one could have said in theory that nepotism may have been involved. One was in the original employment of current Council President Verna by her father. Second was one was employment by me of my wife Florence Cohen who was my chief aid for many years and retired some seven years ago. The other was the

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1  
2 employment of Councilwoman Blackwell, now the  
3 Majority Leader of City Council, who was employed by  
4 her husband for a number of years before she  
5 succeeded to his as present. And the last one that  
6 I'm familiar with City Council is the employment of  
7 Pat Rafferty who was the wife of City Councilman  
8 Rafferty and who is currently the Clerk of the City  
9 Council. I think those four appointments happen to  
10 show the good side of what some people call  
11 nepotism. In private enterprise field, it is  
12 regarded often as very important that there be  
13 family traditions, that the family concern for a  
14 business be maintained. We talk of pride about  
15 family interest and public service. And I think  
16 that we ought not to be addressing this issue as if  
17 -- what some people might have called the practice  
18 of nepotism existed in City Council as if it's a  
19 major problem. I know of no where where it's a  
20 problem. I know of no case in modern history where  
21 it's been charged that somebody in Philadelphia City  
22 Council or in Philadelphia employment employed  
23 somebody improperly or solely because of a  
24 relationship. I don't see any danger to Civil  
25 Service workers, and I think the reason there's been

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no legislation is because in Philadelphia we practice good common sense.

I'm generally a very strong supporter of the League of Women Voters. In this issue, and I've conveyed by thoughts to Councilman Nutter, I believe both the League and the Councilman are spending time on a problem that doesn't exist when there's so many problems that do exist and that need attention. I also take some personal umbrage with respect to it. I regard my wife as having been an example of one of the finest public servants that ever worked in the City of Philadelphia. And passing a bill at this time when there is no problem, issues, in my opinion, a condemnation of the kind of employment that I refer to. I think the four employees I've referred to that I'm familiar with that might in somebody's judgement fall within the definition here, I think any form of condemnation ought to be replaced by heavy doses of praise. Each of the four people have contributed a great deal to the Council. None of them have ever threatened the integrity of the City Council. So, therefore, I believe that we're trying to patch up a problem that doesn't exist in Philadelphia and that's why we've never

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taken the time. And when you patch up a problem that doesn't exist, you generally create new problems that really begin to develop.

So, therefore, I am in opposition to this matter and believe it ought to be removed from the current agenda. It's there if ever a need comes forth, we'll have it available to deal with the situation. But we've never needed it so far in Philadelphia, and I don't think we ought to try to introduce a patch for something that isn't cracked in any way. Thank you Mr. Chairman.

COUNCILMAN KENNEY: You're welcome.

Councilman Nutter.

COUNCILMAN NUTTER: Thank you, Mr.

Chairman. Mr. Chairman, I have to admit that this is probably a relatively rare situation where we have a matter, at least for me, that does raise some very sensitive concerns by a Member of the Council whom I think all of us deeply respect. And to be honest with you, it is in situations like that that I think some times many of us find ourselves not wanting to deal with some of these issues because they can become so personal in nature. And Councilman Cohen and I have had an opportunity to

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1  
2 talk about this on a couple of occasions. He knows  
3 how very strongly I feel about both his wife  
4 Florence's service here in the Council as well as  
5 the three other individuals, our Council President  
6 Verna, our Majority Leader Blackwell, and our Chief  
7 Clerk Ms. Rafferty. And in no way, shape, or form  
8 -- and I think the Councilman does knows this. In  
9 no way, shape, or form is this particular bill any  
10 comment on their prior service on their current  
11 service. And the Councilman is absolutely right  
12 that their prior service and their current service,  
13 as three and four as current public servants and  
14 Florence as official not a public servant but still  
15 very much in our collective public eye and hearts  
16 and I know that she continues to advise the  
17 Councilman and help keep him on the straight and  
18 narrow.

19 I think it is at times when we don't  
20 have this kind of situation presently pending that  
21 may be the more appropriate time to try to deal with  
22 this issue. I think if there were a current  
23 situation in front of us, it would be that much more  
24 difficult, in not that much more, as they say, in  
25 your face, if we were talking about of a current

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1  
2 situation; but that is not the case. So I am very,  
3 very sensitive to the Councilman's concerns, and  
4 that was certainly one of the major reasons why  
5 after the last hearing no action was taken. I  
6 thought that maybe we just have a bit of a cooling  
7 off period on this particular issue. And certainly  
8 we got very busy last year doing a wide variety of  
9 things anyway.

10 But most importantly, I just want to  
11 convey my praise and admiration for the four  
12 individuals that the Councilman mentioned. In no  
13 way, shape, or form making any comment other than  
14 admiration for their service, whether in the past or  
15 for three of the four -- for four of the four,  
16 their current public serve and the way they conduct  
17 themselves and how they've enhanced and made  
18 Philadelphia better. I think that's all I want to  
19 say. Thank you, Mr. Chairman.

20 COUNCILMAN KENNEY: Thank very much for  
21 your statement.

22 Are there any questions for this  
23 witness?

24 (No response.)

25 COUNCILMAN KENNEY: Is there anyone else

1 04/10/03 - RULES - BILL 030017

2 to testify on this bill?

3 (No response.)

4 COUNCILMAN KENNEY: Seeing none.

5 Councilman Nutter, I have an Administration witness  
6 but I don't know if we have all we need on the  
7 witnesses.

8 COUNCILMAN NUTTER: We can take Mr. Bumb  
9 for the Administration, Mr. Chairman. We are at a  
10 little bit of lost. There is one member of the  
11 public who's a business person who I think may want  
12 to testify. But we did have a list of people who  
13 said that they were coming, and none of them are  
14 here at the moment. So I don't know what happened  
15 to them. Maybe they're all in the R6 Regional Rail  
16 Line.

17 COUNCILMAN KENNEY: The next bill on the  
18 agenda is Bill 030017, an ordinance establishing a  
19 Neighborhood Improvement District in an area that  
20 generally includes both sides of Ridge Avenue from  
21 Main Street to 7220 Ridge Avenue and certain lots or  
22 streets that intersect that portion of Ridge Avenue  
23 to be known as the Roxborough District, designating  
24 the Roxborough Development Corporation of  
25 Pennsylvania a non-profit corporation as the

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1  
2 Neighborhood Improvement District management  
3 association for the district, approving a plan for  
4 the district including a list of proposed  
5 improvements and their estimated cost and providing  
6 for assessment fees to be levied on property owners  
7 within the district, authorizing the Director of  
8 Commerce on behalf of the City to execute an  
9 agreement with the Roxborough Development  
10 Corporation relating to the District, and  
11 authorizing the Roxborough Development Corporation  
12 to assess property owners within the district a  
13 special property assessment fee to be used in  
14 accordance with the approved plan, all in a  
15 accordance with the provision of the community and  
16 Economic Improvement Act, all under certain terms  
17 and conditions.

18 Please identify yourself for the record.

19 MR. BUMB: Good afternoon, Mr. Chairman.  
20 My name is Duane Bumb. I am the Deputy Commerce  
21 Director for the City. I'm here today to provide  
22 testimony in support of Bill 030017.

23 COUNCILMAN KENNEY: I just want to say  
24 how happy I am you are coming here to support the  
25 bill.

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2 MR. BUMB: It's frightening, though,  
3 because that generally means Council will vote  
4 against this.

5 (Laughter.)

6 COUNCILMAN KENNEY: I felt so bad that  
7 last few hearings. I'm really glad that you're here  
8 on our side.

9 MR. BUMB: I'm on the right side of the  
10 issue here.

11 COUNCILMAN KENNEY: That's right.  
12 Please proceed.

13 MR. BUMB: This bill will allow for the  
14 creation of a Neighborhood Improvement District  
15 along Ridge Avenue in Roxborough for five-year  
16 period. Neighborhood Improvement Districts are one  
17 of the best examples of collaboration between the  
18 City and our neighborhood commercial corridors.  
19 Like their counterparts in the recent approved East  
20 Passyunk Avenue NID and the Port Richmond Industrial  
21 Development Enterprise NID, the Roxborough business  
22 entrepreneurs and property owners recognize the need  
23 to improve the environment within which they and  
24 their customers live and work. Their efforts to  
25 make the Ridge Avenue commercial corridor clean,

1                   04/10/03 - RULES - BILL 030017

2       safe and attractive will directly impact the  
3       stability of the entire community. Conversely, as  
4       the neighborhood prospers, the economic vitality of  
5       the commercial center will also be strengthened.

6                   The result of this successful  
7       collaboration will be a dynamic Neighborhood  
8       Improvement District that promotes the long-term  
9       growth and viability of the Ridge Avenue corridor in  
10      Roxborough. This worthwhile effort deserves the  
11      support of this City.

12                  I, therefore, urge you to support Bill  
13      030017. Thank you for your consideration, and I'd  
14      be happy to answer any questions.

15                  COUNCILMAN KENNEY: Are there any  
16      questions for this witness?

17                  (No response.)

18                  COUNCILMAN KENNEY: Thank you very much.

19                  Will the individuals who are coming to  
20      testify please come forward?

21                  Good afternoon.

22                  MR. HARMER: Good afternoon. My name is  
23      Jack Harmer I'm Vice President of the Central  
24      Roxborough Civic Association. I have a short letter  
25      addressed to Councilman Nutter which I'd like to

1 04/10/03 - RULES - BILL 030017

2 read into the record.

3 COUNCILMAN KENNEY: Please.

4 MR. HARMER: The Central Roxborough  
5 Civic Association was one of founding members of the  
6 Roxborough Development Corporation, and we have been  
7 working with them on the revitalization of Ridge  
8 Avenue for the past 10 years. Since March last  
9 year, we've been working with the RDC on designing a  
10 possible Business Improvement District for our  
11 commercial corridor. Recently, we have achieved  
12 agreement on the desired nature of the BID and feel  
13 that we'll do much to improve the quality of life in  
14 the community. Therefore, we hope you will give  
15 considerable consideration to the legislation that  
16 will create a Roxborough District. Sincerely, Jack  
17 Harmer, Vice President, CRCA.

18 COUNCILMAN KENNEY: Thank you very much  
19 for reading the letter.

20 Do you have anything to add, Bill?

21 MR. KINGSLEY: Yes.

22 COUNCILMAN KENNEY: Would you please  
23 identify yourself for the record, please.

24 MR. KINGSLEY: I'm William Kingsley, I'm  
25 on the Board of the Roxborough Development

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1  
2 Corporation. I'm here Interact, which is a  
3 community mental health center on Ridge Avenue in  
4 the area. We own a number of properties. We are  
5 exempt from paying taxes. We're non-profit.  
6 However, my Board has agreed to pay on a volunteer  
7 basis a thousand dollars a year to the BID. That  
8 represents, I think, about more than 85 percent of  
9 the property owners are paying on a tax basis. We  
10 recognize that a strong community helps us in what  
11 we do. And so we're voluntarily doing what we think  
12 is necessary. Prior to this, we contributed a  
13 thousand dollars last year just to clean Ridge  
14 Avenue. So we know we're part of the community. We  
15 want to continue to be part of the community.

16 I've had experiences, several of you  
17 know in other bids. I think this one is going to  
18 prove just as remarkable and positive as any of the  
19 others that we've done in the City.

20 COUNCILMAN KENNEY: Great. Thank you  
21 very much.

22 Please identify yourself.

23 My name is Robert Catell, I'm with the  
24 Roxborough Development Corporation. I was asked to  
25 read a letter that was submitted by the 21st Ward

1                   04/10/03 - RULES - BILL 030017

2       Community Council. They express their sorrow they  
3       wouldn't be able to attend today's meeting asked me  
4       to read it.

5                   "The Community Council was founded in  
6       1937, more than 60 years ago. Over the years has  
7       been the umbrella group for more than 20 civic  
8       associations. The 21st Ward consists of  
9       Wissahickon, Andorra, Roxborough, and Manayunk.

10                  "Currently, there is a proposal for a  
11       Business Improvement District, a BID, oriented on  
12       Ridge Avenue, a major arterial highway in our  
13       community. Recognizing the necessity for a strong  
14       commercial district to serve and support of a viable  
15       residential community, the executive board of the  
16       council has voted to endorse this initiative. We  
17       strongly encourage Philadelphia City Council to  
18       authorize the required legislation to facilitate  
19       this important project. Please pass Bill No.  
20       030017. Thank you.

21                  "Signed, Rosemarie Smeltzer, President,  
22       21st Ward; and Joe Walker, Corresponding Secretary."

23                  COUNCILMAN KENNEY: Thank you very much  
24       for coming in and reading the letter.

25                  Any other questions or comments?

1 04/10/03 - RULES - BILL 030017

2 Anyone else to testify on this bill?

3 (No response.)

4 COUNCILMAN KENNEY: Seeing none, that  
5 will conclude the business of the Rules Committee  
6 public hearing.

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## COUNCIL OF THE CITY OF PHILADELPHIA

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## PUBLIC MEETING

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## COMMITTEE ON RULES

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Thursday, April 10, 2003

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Public Meeting conducted by the  
Committee on Rules, held in Room 696, City Hall,  
Philadelphia, Pennsylvania, on the above date, to  
consider action on the following:

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BILLS 010743, 030017, 030068.

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## PRESENT:

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COUNCILMAN JAMES KENNEY, Chair

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COUNCILMAN DARRELL CLARKE

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COUNCILMAN DAVID COHEN

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COUNCILMAN FRANK DICICCO

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COUNCILMAN MICHAEL NUTTER

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1                   04/10/03 - RULES - PUBLIC MEETING

2                   COUNCILMAN KENNEY: We will now convene  
3 a public meeting. The Chair recognizing  
4 Councilmember DiCicco for a motion on Bill No.  
5 030068.

6                   COUNCILMAN DICICCO: Thank you, Mr.  
7 Chair. I move that Bill No. 030068 be reported out  
8 of this Committee with a favorable recommendation,  
9 and a request for suspension of Rules.

10                   (Duly seconded.)

11                   COUNCILMAN KENNEY: It's been moved and  
12 seconded.

13                   All in favor?

14                   (Aye.)

15                   COUNCILMAN KENNEY: There are none  
16 opposed.

17                   Bill No. 030068 reported out of this  
18 Committee favorably. A request will be made for  
19 Rules suspension to allow for first reading at our  
20 next Council Session.

21                   The Chair recognizes Councilmember  
22 Nutter for a motion on Bill No. 030017.

23                   COUNCILMAN NUTTER: Mr. Chairman, I move  
24 that Bill 030017 be reported out of this Committee  
25 with a favorable recommendation.

1                   04/10/03 - RULES - PUBLIC MEETING

2                   (Duly seconded.)

3                   COUNCILMAN KENNEY: Moved and seconded.

4                   All in favor?

5                   (Aye.)

6                   COUNCILMAN KENNEY: There are none  
7 opposed. Bill No. 030017 reported out of this  
8 Committee favorably.

9                   The Chair recognizes Councilmember  
10 Nutter for a motion on Bill No. 010743.

11                   COUNCILMAN NUTTER: Thank you, Mr.  
12 Chairman. I move that bill 010743 be reported out  
13 of this Committee with a favorable recommendation.

14                   COUNCILMAN KENNEY: Is there a second?  
15 (Duly seconded.)

16                   COUNCILMAN KENNEY: Moved and seconded.

17                   COUNCILMAN COHEN: Move to table.

18                   COUNCILMAN KENNEY: There's motion to  
19 table the bill which takes precedence.

20                   (Duly seconded.)

21                   COUNCILMAN KENNEY: The motion table the  
22 bill has been moved seconded. All in favor of  
23 tabling the bill, please indicate by saying aye.

24                   (Aye.)

25                   COUNCILMAN KENNEY: All those oppose?

1 04/10/03 - RULES - PUBLIC MEETING

2 COUNCILMAN NUTTER: No.

3 COUNCILMAN DICICCO: No.

4 COUNCILMAN KENNEY: No.

5 Let the record reflect that

6 Councilmembers Nutter, DiCicco, Kenney to table the  
7 bill. Councilmembers Clarke and Cohen voted in  
8 favor of the table motion .

9 The table motion fails. We'll proceed  
10 to the existing motion which is to remove it from  
11 Committee with a favorable recommendation.

12 All those favor of that motion, please  
13 indicate by saying aye.

14 (Aye.)

15 COUNCILMAN KENNEY: Those opposed?

16 COUNCILMAN COHEN: No.

17 COUNCILMAN CLARKE: No.

18 COUNCILMAN KENNEY: Let the record  
19 reflect that Councilmembers Nutter, DiCicco and  
20 Kenney voted aye on the motion to remove the bill  
21 from Committee favorably. And Councilmembers Clarke  
22 and Cohen voted no.

23 The bill will be reported out of  
24 Committee with a favorable recommendation.

25 That concludes the business of the Rules

1                   04/10/03 - RULES - PUBLIC MEETING

2       Committee. Thank you.

3                   (Council adjourned at 2:00 p.m.)

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C E R T I F I C A T I O N

I HEREBY CERTIFY that the foregoing  
proceedings of the Council of the City of  
Philadelphia of April 10, 2003, were reported fully  
and accurately by me, and that this is a correct  
transcript of the same.

RE: COMMITTEE ON RULES

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Lisa C. Bradley, RPR  
and Notary Public