

1
2 COUNCIL OF THE CITY OF PHILADELPHIA
3 PUBLIC HEARING AND PUBLIC MEETING
4 BEFORE COUNCIL COMMITTEE ON STREETS AND SERVICES

5 - - -
6 Room 696, City Hall
Philadelphia, Pennsylvania
Thursday, 5/30/02, 2:30 p.m.
- - -

7 BILL 020049 - Re permitted vending locations in CC.
8 BILL 020167 - Authorizing 801 Market St. Holdings...
9 BILL 020168 - " " " " " "
10 BILL 020254 - Crefeld Street parking regulation.
11 BILL 020257 - Revision of lines and grades...
12 BILL 020259 - Authorizing Liberty Property to...
13 BILL 020277 - " " " " "
14 BILL 020339 - " " " " "
15 BILL 020341 - Paving of Douglas Street...
16 BILL 020342 - Drexel U. to construct and maintain...
17 BILL 020349 - Revision of lines and grades...
18 BILL 020357 - Stop signs on of Krewstown Road.
19 BILL 020350 - Authorizing vacating of River Road.
20 BILL 020351 - Authorizing Maggiano's to...
21 BILL 020352 - " Pigalle Restaurant to...
22 BILL 020353 - Revision of lines and grades...
23 BILL 020354 - Authorizing Holy Name of Jesus...
24 BILL 020356 - Granting permission to Payal News...
25 BILL 020358 - Revision of lines and grades...
BILL 020359 - Authorizing Center City District to...
BILL 020360 - Granting permission Redhouse Bagels...
BILL 020362 - " " to 18th & Walnut...

19 COUNCILMEMBERS PRESENT:

20 Frank DiCicco, Chair Donna Reed Miller
21 Darrell L. Clarke Angel Ortiz
22 David Cohen Frank Rizzo

22 - - -

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2 COUNCILMAN DICICCO: Good afternoon.

3 This is the Committee on Streets and Services.

4 Councilmembers Wilson Goode, Jr. here and there is

5 Councilman David Cohen. Although that does not

6 present a quorum, we are able to begin to take

7 testimony, and hopefully, by the time we're ready

8 to vote on the bills, we will have a quorum. We

9 understand that other members of the committee are

10 in the building, but they're at other meetings, so

11 we expect them to be here.

12 In the interest of time, we do want to

13 get on with the hearing. So we will now move into

14 the public hearing of the Committee on Streets and

15 Services.

16 The clerk will read the title of the

17 first bill.

18 THE CLERK: Bill No. 020254, an

19 ordinance revising a parking regulation on Norman

20 Lane, from Germantown Avenue to Crefeld Street.

21 COUNCILMAN DICICCO: So that you'll

22 know, we'll be taking some of these bills out of

23 order, and the reason we're doing that is some of

24 these bills, we understand, won't have any

25 testimony, and we can get through those rather

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2 quickly, and those folks can move on with their
3 other course of business.

4 Thank you.

5 (Witness comes forward.)

6 COUNCILMAN DICICCO: Good afternoon and
7 please identify yourself for the record.

8 MR. DENNY: Good afternoon,
9 Mr. Chairman and members of the committee. My name
10 is Charles Denny, and I am the assistant chief
11 traffic engineer here to testify on Bill 020256.

12 The Streets Department has no
13 objections to this bill, but we do recommend the
14 regulation be posted under trial ordinance. The
15 hearing will be held in six months, and area
16 residents and businesses will have an opportunity
17 to comment on the regulation at that time, after
18 seeing how the regulation operates.

19 We have issued a work order to post the
20 signs, and they should be installed shortly.

21 COUNCILMAN DICICCO: Any questions for
22 this witness from the committee?

23 (No questions.)

24 COUNCILMAN DICICCO: Anyone else here
25 who wishes to testify on this bill?

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2 (No response.)

3 COUNCILMAN DICICCO: Hearing none, the
4 clerk will read the title of the next bill.

5 THE CLERK: Bill No. 020357, an
6 ordinance authorizing the installation of stop
7 signs on Krewstown Road at the intersection of
8 Layton Road.

9 MR. DENNY: Good afternoon again. My
10 name again is Charles Denny, and I'm here to
11 testify on Bill 020357.

12 The Streets Department has objections
13 to this bill. The Pennsylvania Vehicle Code
14 requires PennDOT to develop regulations governing
15 the traffic-control devices in accordance with the
16 Federal Highway Administration's Manual on Uniform
17 Traffic-Control Devices. These regulations apply
18 to all public highways in Pennsylvania, and the
19 City Solicitor has ruled that the Streets
20 Department is legally obligated to comply with the
21 Vehicle Code and related PennDOT regulations.

22 Federal and state criteria require that
23 an all-way stop be warranted by an engineering
24 study of the traffic conditions, police accident
25 records, traffic volume, speed, and sight

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2 distances. The study conducted as a result of your
3 request concluded that present-day conditions at
4 this location do not satisfy federal and state
5 warrants for an all-way stop.

6 The following is a description of the
7 analysis with respect to the conditions at Layton
8 and Krewstown Road for an all-way stop:

9 Warrant 1. Warrant 1 relates to
10 locations where a traffic signal is warranted but,
11 for some reason, cannot be immediately installed.
12 An all-way stop control could be established
13 temporarily pending traffic-signal installations.
14 Conditions do not satisfy warrants for a traffic
15 signal here; therefore, Warrant 1 is not satisfied.

16 Warrant 2 relates to accident
17 experience. Police accident records for 5 or more
18 reportable within a 12-month period corrected by an
19 all-way stop installation satisfy Warrant 2.
20 According to police accident records from January
21 1990 to April 2002, there were no reportable
22 correctable accidents at this intersection;
23 therefore, Warrant 2 is not satisfied.

24 Warrant 3 relates to vehicles and
25 pedestrian volumes and requires that the total

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2 vehicle volume entering the intersection from all
3 approaches averages at least 500 vehicles per hour
4 for any 8 hours of the average day. The combined
5 vehicle and pedestrian volume from the minor
6 roadway, Layton roadway, averages at least 200
7 vehicles and pedestrians per hour for the same 8
8 hours. Actual counts of equal volume during the
9 a.m. and p.m. traffic hours average 24 vehicles per
10 hour entering the intersection from Layton Road and
11 2 pedestrians per hour crossing Krewstown Road
12 totaling 26 units per hour. This is 12 percent of
13 the minimum 200 required. Obviously, an 8-hour
14 average would be even lower; therefore, Warrant 3
15 is not satisfied.

16 All-way stops are very important safety
17 devices and have saved the City thousand of traffic
18 crashes per year for the past 30-plus years the
19 City has used them. The overuse and misuse of
20 these devices reduces their effectiveness. Drivers
21 who travel through unwarranted all-way stops tend
22 not to stop and to roll through these
23 intersections. Drivers also tend to do the same at
24 warranted all-way locations, increasing the number
25 of crashes that occur at those intersections.

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2 At intersections like Layton Road and
3 Krewstown, the placement of an unwarranted stop
4 could cause an increase in the number of crashes.
5 As we stated before, there were no reportable
6 crashes for 12 and a third years at this
7 intersection. However, there were three reportable
8 non-intersection crashes in the same years. The
9 last one that occurred involved a drunk driver
10 running into parked cars. Another one involved a
11 driver falling asleep and running into a parked
12 car.

13 The third involved a pedestrian on
14 roller blades running down a driveway ramp and into
15 the side of a stopping van and hitting the van.
16 The van driver was in the process of stopping and
17 swerving to avoid hitting the pedestrian. The
18 12-year-old boy indicated he was not injured.

19 An all-way stop at this intersection
20 would not have prevented any of these three
21 crashes. We understand the frustrations of the
22 people living on Krewstown Road near Layton Road.
23 There is a problem with vehicles speeding on
24 Krewstown Road and of some sideswiping of parked
25 vehicles.

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2 There were 5 non-state-reported crashes
3 in those 12 and one-third years, for a total of 8
4 crashes in the vicinity of Krewstown and Layton.
5 None of the eight crashes indicated they were
6 intersection crashes. Installing an all-way stop
7 here does not reduce these types of crashes.

8 For example, the intersection of
9 Morefield and Woodfern Roads, which is an all-way
10 stop location a short distance north from Layton
11 road, has 10 crashes over an 11-year period; only 2
12 indicated they may be intersection-related; the
13 remainder are similar to the crashes occurring on
14 Layton-Krewstown. So in the vicinity of Morefield
15 and Woodfern Roads, we had an 8 non-intersection
16 crashes and 2 intersection crashes in 11 years;
17 while in the vicinity of Layton and Krewstown Road,
18 we had 8 non-section crashes and no intersection in
19 12 and a third years. This indicates that we
20 cannot expect any safety benefits from installing
21 all-way stop at Krewstown and Layton Roads.

22 At Layton Road and Krewstown Road, we
23 are not dealing with a borderline situation but,
24 rather, one in which prevailing traffic conditions
25 fall short of the minimum required by the Federal

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2 Highway Manual and the Pennsylvania Vehicle Code
3 for the installation of an all-way stop control.

4 If you have any questions, I will be
5 happy to answer them.

6 COUNCILMAN DICICCO: Are there any
7 questions from the committee?

8 (No questions.)

9 COUNCILMAN DICICCO: Anyone else here
10 who wishes to testify?

11 (Witness comes forward.)

12 MS. BOYLE: Good afternoon,
13 Mr. Chairman and members of the committee. My name
14 is Anne Marie Boyle, and I'm Chief of Staff to
15 Councilman Brian O'Neill, and the Councilman asked
16 me to testify on this particular bill, Bill No.
17 020357.

18 One of the reasons we're here is mainly
19 because many of the neighbors on this particular
20 street that we're discussing the installation of
21 stop signs on have many small children and are
22 unable to attend, so he asked me to be here to
23 particular give their concerns.

24 Over the years, we have an
25 unprecedented amount of phone calls, letters, and

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2 petitions from our constituents. It's been
3 publicized in the media -- I believe it was on
4 Channel 6 right before Easter where a car was
5 crashing into an individual's front porch. This
6 area is also homes of many, many small children.

7 The other concern that we have is on
8 our local civic association; this has been on their
9 agenda now for several years, and they are
10 repeatedly requesting our help in requesting stop
11 signs.

12 We do our very best to work within the
13 confines and with the Streets Department, but we
14 mon this particular bill, respectfully request that
15 the committee vote this bill out favorably.

16 Thank you very much for giving me this
17 opportunity to testify.

18 COUNCILMAN DICICCO: Thank you for your
19 testimony.

20 Any questions for this witness?

21 Councilman Rizzo?

22 COUNCILMAN RIZZO: I would like to
23 comment on the issue of stop signs. I know we had
24 a donnybrook in one of our Council sessions about
25 -- or hearings about the State warrants that are

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2 required to put a stop sign at a particular
3 location, and I know that constantly, I get
4 requests from my constituents about wanting stop
5 signs at various locations.

6 I know that the Streets Department has
7 knocked themselves out and wrote letters to the
8 district manager of PennDOT or to whoever at
9 PennDOT, appealing to them to waive the warrants --
10 is that the proper terminology? -- and authorize
11 the Streets Department to install a stop sign at a
12 particular location.

13 And I would hope that eventually, we
14 can use commons sense -- meaning the Streets
15 Department -- and I've been told so many times
16 that, yeah, really, a stop sign should be there,
17 but the State says it shouldn't be there.

18 Well, can we do what we want to do? If
19 we want to put a stop sign up -- and I know that,
20 again, there were a lot of conversations about what
21 we can do and what we can't do.

22 So I'd like to hear from the Streets on
23 what we can do and what we can't do, because every
24 time we ask for a stop sign, it seems like it's a
25 survey that takes a long time, and then we're told

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2 we can't do it. And then if we're told we can't do
3 it, what can we do?

4 MR. DENNY: Okay. Well, we have
5 installed some all-way stops over the past few
6 years at some locations. This is not an
7 intersection that would qualify because of the
8 conditions. There's very little traffic coming out
9 of Layton Road, and any driver driving north on
10 Krewstown or south on Krewstown's going to realize
11 that, and they're going to have a tendency not to
12 stop. Occasionally, a driver's going to come along
13 that's going to stop and is going to get rear-ended
14 because of it.

15 But a stop sign at this location, which
16 is a T-intersection and has good sight distance,
17 does not make sense because it doesn't control the
18 crashes. Stop signs controlling speeding doesn't
19 always work.

20 COUNCILMAN RIZZO: Well, it's obviously
21 in someone's mind.

22 MR. DENNY: Right.

23 COUNCILMAN RIZZO: Or in the
24 community's mind, there's a need for a stop sign.
25 So are they looking at it without statistics, or

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2 are they -- well, could you just take a minute and
3 explain the State's role in this entire issue?

4 'Cause I'd just like to tell 'em, you know, leave
5 us alone.

6 How much control do they have over this
7 issue and why do we pay so much attention to it
8 when we listen to very little of what the State
9 says on other issues?

10 COUNCILMAN ORTIZ: (Inaudible/off mic.)

11 COUNCILMAN RIZZO: I'm asking the
12 Streets Department.

13 COUNCILMAN ORTIZ: (Inaudible/off mic.)

14 COUNCILMAN RIZZO: Sure, I yield.

15 Mr. Chairman, is that's all right with you to yield
16 to Councilman Ortiz?

17 COUNCILMAN ORTIZ: I -- you make -- you
18 make one, two, three statements in terms of how the
19 warrants are not satisfied.

20 MR. DENNY: Yes.

21 COUNCILMAN ORTIZ: And then you make a
22 statement in the paragraph right below that, the
23 second page, that makes a -- that makes me wonder.
24 You said that the placement of an unwarranted
25 all-way stop could cause an increase of the number

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2 of crashes.

3 How do you come to that conclusion and
4 on what basis? And what empirical data do you have
5 in terms of that that, that we can digest? because
6 obviously, what you're saying is that what
7 Councilman Brian O'Neill wants is something that
8 will lead to death and more crashes at that
9 intersection. I don't think he would want that.

10 MS. BOYLE: No.

11 MR. DENNY: Okay.

12 COUNCILMAN ORTIZ: And I believe that
13 this Council would not want that either.

14 However, we face this across the board.
15 Every time we want a yellow light or a stop sign or
16 a red light or whatever, the Streets Department
17 continuously throws these statements with really no
18 supportable data with it.

19 And if you have empirical data that can
20 support this, I don't think any one of us and I
21 don't think Brian O'Neill would argue that
22 obviously, we're not going to approve something
23 that is going to cause a huge increase in crashes
24 at that intersection.

25 So I would like you to explain that,

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2 and if you have the data, to submit it to this
3 committee.

4 MR. DENNY: Well, the crashes occurring
5 at this intersection are non-intersection crashes,
6 the cars being --

7 COUNCILMAN ORTIZ: I'm not asking you
8 to explain to me the crashes that are occurring.

9 MR. DENNY: Okay.

10 COUNCILMAN ORTIZ: I just want an
11 explanation that says the placement would increase
12 the crashes, cause an increase of the number of
13 crashes at the intersection.

14 MR. DENNY: We -- there have been some
15 locations where we have removed all-way stops and
16 lowered crashes at those locations, which are
17 similar; they're locations which have --

18 COUNCILMAN ORTIZ: Again, again, what
19 I'm saying to you is: Do you have data that would
20 support this? Because we would like to -- you
21 know, we're getting to the point where we can read,
22 write, and really read reports.

23 Do you have empirical data that would
24 support that statement that you just made?

25 MR. DENNY: We can get data at some of

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2 the locations where we've removed all-way stops and
3 had a reduction in crashes as a result of doing so.

4 COUNCILMAN DICICCO: I'd just like to
5 interject for a moment.

6 Isn't it so that in a lot of cases,
7 accidents occur that are unreported. So the data
8 that you're supplying in your testimony are only on
9 those accidents that have been reported.

10 MR. DENNY: That's correct.

11 COUNCILMAN DICICCO: I mean, so
12 hypothetically, there could have been a dozen or
13 two dozen more accidents, but they were not
14 accidents that warranted a report, and maybe the
15 two parties agreed to settle it out of the
16 insurance, by way of insurance, or just a
17 gentleman's agreement, if you will.

18 That happens; is that correct?

19 MR. DENNY: Yes.

20 COUNCILMAN DICICCO: All right.

21 This -- by the way, for the people in the audience,
22 this was one of the non-controversial bills I
23 wanted to get out of the way.

24 COUNCILMAN RIZZO: Can I finish,
25 please, for another minute?

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2 COUNCILMAN DICICCO: Yes, Councilman
3 Rizzo.

4 COUNCILMAN RIZZO: Just to finish my
5 thought, in the corporate world, they have large
6 organizations, and we have one here in the City of
7 Philadelphia called "Risk Management," where a
8 professional person goes out before an accident. I
9 mean, we get criticized all the time because
10 somebody gets killed or something very serious
11 occurs, then we put blinker lights up at school
12 crossings and we put stop signs up, and we do all
13 kinds of things to react.

14 Don't we have traffic engineers that
15 can go out and look at an intersection and say, you
16 know, that's really a bad situation there. We
17 haven't had a lot of accidents, but when we do have
18 one, it's going to be a big one.

19 Can't we just use our common sense and
20 our brain occasionally and let professional people
21 say -- and forget counting the accidents that may
22 not get reported, 'cause I know there's minor
23 fender-benders in my neighborhood all the time
24 where the people get out, they exchange cards and
25 wait two hours for the police to show up, they

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2 don't come because they're busy doing other things.

3 So they don't report the accident.

4 But years ago, when they came in five
5 minutes, it became a report that had some data
6 associated with it. But today, many people don't
7 just hang around for two hours to have the police
8 show up and report an accident.

9 But you would think that they would
10 look at these things and say, Yeah, that's a bad
11 intersection, it's tough to pull out and see the
12 opposing traffic, and that really should get a stop
13 sign.

14 I mean, if using this thing with the
15 warrants and the State is just a way to avoid work,
16 that's not right.

17 MR. DENNY: We go out and we --

18 COUNCILMAN RIZZO: I asked you the
19 question and I need an answer, please.

20 How controlled are we by the State of
21 Pennsylvania with this thing that we spend a lot of
22 time, on these warrants? And how restrictive is
23 that; and if we ignore it, what's the
24 ramifications?

25 MR. DENNY: The ramifications is that

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2 we could lose federal funding in some projects in
3 some areas.

4 COUNCILMAN RIZZO: For putting a stop
5 sign up?

6 MR. DENNY: Yes.

7 COUNCILMAN RIZZO: Well, I have a
8 good -- I know George Bush so I think he could
9 probably -- and that's a pretty --

10 COUNCILMAN DICICCO: I'll tell you, I'm
11 impressed.

12 COUNCILMAN RIZZO: Could you imagine
13 calling him and asking him that?

14 COUNCILMAN DICICCO: I'm impressed.
15 We're going to get the President to sign an order
16 to put a stop sign in Northeast Philly. I'm
17 impressed.

18 COUNCILMAN RIZZO: But I say that in
19 gest, but I'd be glad to --

20 COUNCILMAN DICICCO: Councilman Rizzo,
21 you're welcome to come in my district any day.

22 COUNCILMAN RIZZO: Well, I spend a lot
23 of time there.

24 But seriously, how big a deal is
25 ignoring these warrants?

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2 MR. DENNY: We do need warrants.

3 Whether we have the warrants that we had changed,
4 we do need warrants.

5 We have 22,000 intersections in the
6 City. Slightly under 3,000 are signals and around
7 another 3,000 are all-way stops. But without
8 warrants, we have no basis for turning some down
9 and putting others in, and we cannot end up with
10 22,000 or --

11 COUNCILMAN RIZZO: What about using the
12 education that a traffic engineer that works for
13 the Streets Department goes into a particular
14 location like this one and said, You know, this
15 really should have a stop sign. Why can't we allow
16 or empower a traffic engineer, a guy, a lady around
17 the school and understands the issue; why can't
18 they be the authority?

19 MR. DENNY: Well, in this particular
20 case, I've been there, and a number of other
21 traffic engineers have been to that intersection,
22 and we've not come to the conclusion that it needs
23 an all-way stop.

24 COUNCILMAN RIZZO: So in other words --

25 MR. DENNY: Ignoring the warrants --

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2 COUNCILMAN RIZZO: But beyond the
3 warrants, you're saying that as a professional,
4 it's not required.

5 MR. DENNY: It's not required.

6 COUNCILMAN RIZZO: Okay, I give up.

7 MS. BOYLE: Mr. Chairman, if I could
8 beg the committee's indulgence, first of all, I'd
9 like to thank Councilman Rizzo and Councilman Ortiz
10 because they brought up a point which -- I'm a
11 little novice about testifying before this
12 committee, but one of the things that I wanted to
13 make a point of and which I failed to do is, one of
14 the reasons we feel that this installation of an
15 all-way stop sign should be done is because, as
16 Councilmen Rizzo and Ortiz had mentioned, not only
17 with the community, but we feel it warrants it
18 because this particular street is a long, straight
19 away with a curve at the end.

20 So I think this -- you know, obviously
21 from the Streets Department's point of view, it
22 does not meet the warrants on this particular
23 matter, but because this street does come to a
24 quick curve at the end and this seems to be where
25 all of the accidents are occurring, we do feel that

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2 although it doesn't meet these requirements, it
3 certainly meets the requirements of the community
4 and their concerns.

5 Thank you very much.

6 COUNCILMAN DICICCO: Thank you. Thank
7 you for your testimony.

8 Any other questions for these
9 witnesses?

10 (No further questions.)

11 MR. DENNY: One more thing.

12 COUNCILMAN DICICCO: Let the record
13 reflect that we do have a quorum: Councilman Ortiz
14 and Councilwoman Donna Miller here was just here,
15 along with Councilman Rizzo.

16 Mr. Denny?

17 MR. DENNY: Yes. We do understand that
18 there is a long stretch between Grant Avenue up to
19 Northwalk Road on Krewstown-Northeast Avenue where
20 there is no controls and there is speeding that
21 goes on that road. We recently, when we resurfaced
22 the road, we put down paper markings, which
23 narrowed down the path and providing guidance,
24 additional guidance, to the motorists traveling
25 northbound that there was a -- we marked a

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2 shoulder.

3 The problem that goes on in this area
4 is that parked cars are being sideswiped. We were
5 doing that in hopes of eliminating the sideswiping.
6 The last crash that occurred involved a drunk
7 driver running off the road and smashing some cars
8 and ending up on a front lawn.

9 COUNCILMAN ORTIZ: You do understand
10 that we expect the data supporting the statement
11 that it will increase crashes.

12 MR. DENNY: Yes, I understand.

13 COUNCILMAN ORTIZ: Not having stop
14 signs.

15 MR. DENNY: Yes. And we can do
16 something to show that.

17 COUNCILMAN ORTIZ: I'm going to wait
18 for that because --

19 MR. DENNY: We are also willing to try
20 other measures to try to get the speed down. We're
21 considering using soft rumble strips to slow down
22 the speed on this particular stretch of roadway,
23 and we would like an opportunity to try that out
24 first.

25 COUNCILMAN DICICCO: Thank you.

1 5/30/02 STREETS & SERVICES, BILL 020257

2 Any other questions?

3 (No further questions.)

4 COUNCILMAN DICICCO: Anyone else here
5 who wishes to testify on this bill?

6 (No response.)

7 COUNCILMAN DICICCO: Seeing none, the
8 clerk will read the title of the next bill.

9 THE CLERK: Bill No. 020257, an
10 ordinance authorizing the revision of lines and
11 grades on a portion of City Plan No. 308 by
12 relocating the northerly curb line of St. James
13 Street approximately three feet northwardly from
14 West Washington Square to a point approximately 116
15 feet westwardly therefrom; by relocating the
16 northerly curb line of St. James Street
17 approximately 11-feet-6-inches northwardly from
18 Eighth Street to a point approximately 136 feet
19 eastwardly therefrom; and by locating the northerly
20 house line of St. James Street approximately 6 feet
21 northwardly from Eighth Street to a point
22 approximately 136 feet eastwardly therefrom, all
23 under certain terms and conditions, including the
24 dedication of the widened portion of St. James
25 Street.

1 5/30/02 STREETS & SERVICES, BILL 020257

2 (Witnesses come forward.)

3 MR. LONIE: Good afternoon,
4 Mr. Chairman and members of the Committee. My name
5 is Paul Lonie, Survey Bureau Manager of the
6 Department of Streets, and the Department of
7 Streets would like to offer the following testimony
8 on Bill No. 020257.

9 This is not an administration ordinance
10 but an ordinance requested by Mr. Peter Shaw of the
11 Wallace Building, 642 North Broad Street, who
12 represents St. James Associates, a joint venture.
13 The purpose of this ordinance is to grant the legal
14 authority to widen the cartway St. James Street to
15 accommodate the entryway of a high-rise complex.

16 This is supported by the Department of
17 Streets and is recommended to your committee for
18 favorable action.

19 MR. SOFFER: Good afternoon, Chairman
20 and members of the Streets and Services Committee.
21 My name is Martin Soffer and I represent the City
22 Planning Commission. I am here today to testify on
23 Bill No. 020257.

24 The Planning Commission reviewed and
25 approved the request for a zoning variance for the

1 5/30/02 STREETS & SERVICES, BILL 020257
2 proposed development of a 45-story, 309-unit
3 apartment building, with 309 accessory parking
4 spaces at its meeting of June 29, 1999. Therefore,
5 the Planning Commission recommends approval for
6 Bill 020257.

7 Thank you.

8 COUNCILMAN DICICCO: Any questions for
9 these witnesses from the committee?

10 (No questions.)

11 COUNCILMAN DICICCO: Anyone else here
12 who wishes to testify on this bill?

13 (No response.)

14 COUNCILMAN DICICCO: Hearing none, the
15 clerk will read the title of the next bill.

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1 5/30/02 STREETS & SERVICES, BILL 020277

2 THE CLERK: Bill No. 020277, an
3 ordinance authorizing the revision of lines and
4 grades on a portion of City Plan No. 290 by
5 striking from the City Plan and vacating the
6 legally open portions of Fairview Street from Welsh
7 Road to Hess Street, under certain terms and
8 conditions.

9 MR. LONIE: Good afternoon,
10 Mr. Chairman and members of the Committee. My name
11 is Paul Lonie, Survey Bureau Manager of the
12 Department of Streets, and the Department of
13 Streets would like to offer the following testimony
14 on Bill No. 020277.

15 This is not an administration ordinance
16 but an ordinance requested by Mr. David German of
17 German's Auto Repair, 3301 Welsh Road. The purpose
18 of this ordinance is to strike and vacate Fairview
19 Street from Welsh Road to Hess Street to improve
20 security and eliminate short-dumping.

21 This ordinance is supported by the
22 Department of Streets and is recommended to your
23 committee for favorable action.

24 MR. SOFFER: Good afternoon, Chairman
25 and members of the Streets and Services Committee.

1 5/30/02 STREETS & SERVICES, BILL 020277

2 My name is Martin Soffer and I represent the City
3 Planning Commission. I am here today to testify on
4 Bill No. 020277.

5 The Planning Commission reviewed and
6 recommended approval of the Streets bill, which
7 would permit the adjacent property owners to
8 control the bed of this unneeded street at its
9 meeting of May 22, 2002. Therefore, the Planning
10 Commission recommends that Bill No. 020277 be
11 approved.

12 Thank you.

13 COUNCILMAN DICICCO: Any questions for
14 these witnesses?

15 (No questions.)

16 COUNCILMAN DICICCO: Anyone else here
17 who wishes to testify on this bill?

18 (No response.)

19 COUNCILMAN DICICCO: Hearing none, the
20 clerk will read the title of the next bill.

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1 5/30/02 STREETS & SERVICES, BILL 020339
2 THE CLERK: Bill No. 020339 an
3 ordinance authorizing the revision of lines and
4 grades on a portion of City Plan No.s 24-S and 25-S
5 within an area bounded by New Hope Street, 29th
6 Street, Tasker Street, and Vare Avenue, by striking
7 from the City Plan and vacating Morris Street from
8 a point approximately 496 feet east of Vare Avenue
9 to 31st Street, Morris Street from 31st Street to a
10 point approximately 388 feet west of 29th Street,
11 and 31st Street from Morris Street to Mifflin
12 Street; by placing on the City Plan Douglas Street,
13 Natrona Street, 32nd Street, Napa Street, 31st
14 Street, Corlies Street, 30th Street, Hollywood
15 Street, Fernon Street, Morris Street, Moore Street,
16 and Mifflin Street; by revising lines and grades of
17 portions of 30th Street and Mifflin Street, and by
18 striking from the City Plan and abandoning a
19 certain right of way for drainage purposes and
20 sewer purposes and lying within the lines of
21 Mifflin Street extended from the 31st Street to
22 Vare Avenue, all under certain terms and
23 conditions, including the dedication to the City,
24 free and clear of all encumbrances, of the beds of
25 Douglas Street, Natrona Street, 32nd Street, Napa

1 5/30/02 STREETS & SERVICES, BILL 020339
2 Street, 31st Street, Corlies Street, 30th Street,
3 Hollywood Street, Fernon Street, Morris Street,
4 Moore Street, and Mifflin Street.

5 MR. LONIE: Good afternoon,
6 Mr. Chairman and members of the Committee. My name
7 is Paul Lonie, Survey Bureau Manager of the
8 Department of Streets, and the Department of
9 Streets would like to offer the following testimony
10 on Bill No. 020339.

11 This is not an administration ordinance
12 but an ordinance requested by Mr. Cardell Blue of
13 the Philadelphia Housing Authority, 12 South 23rd
14 Street, Philadelphia. The purpose of this
15 ordinance is to strike and vacate Morris and 31st
16 Street and add 12 new streets and revise the lines
17 and grades on Mifflin Street for the development of
18 the Tasker Homes Housing Project.

19 This ordinance is supported by the
20 Department of Streets and is recommended to the
21 committee for favorable action.

22 MR. SOFFER: Good afternoon, Chairman
23 and members of the Streets and Services Committee.
24 My name is Martin Soffer, and I represent the City
25 Planning Commission. I am here today to testify on

1 5/30/02 STREETS & SERVICES, BILL 020339

2 Bill No. 020339.

3 The proposed 18 street actions will
4 allow for the construction of 552 dwelling units
5 within a 40-acre area of South Philadelphia. There
6 will be a meeting between PHA and the Planning
7 Commission staff to discuss house-lot layout and
8 related design changes before the Planning
9 Commission's approval of the preliminary plat of
10 subdivision. However, the staff supports and
11 recommends approval of Bill No. 020339.

12 COUNCILMAN DICICCO: Thank you.

13 Any questions for this witness?

14 (No questions.)

15 COUNCILMAN DICICCO: Anyone else here
16 who wishes to testify on this bill?

17 (No response.)

18 COUNCILMAN DICICCO: Hearing none, the
19 clerk will read the title of the next bill.

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1 5/30/02 STREETS & SERVICES, BILL 020341

2 THE CLERK: Bill 020341, an ordinance
3 authorizing the paving of Douglas Street, Natrona
4 Street, 32nd Street, Napa Street, 31st Street,
5 Corlies Street, 30th Street, Hollywood Street,
6 Fernon Street, Morris Street, Moore Street, and
7 Mifflin Street, under certain terms and conditions.

8 MR. LONIE: Good afternoon, Mr.
9 Chairman and members of the Committee. Again, my
10 name is Paul Lonie, Survey Bureau Manager of the
11 Department of Streets, and the Department of
12 Streets would like to offer the following testimony
13 on Bill No. 020341.

14 This is not an administration ordinance
15 but an ordinance requested by Mr. Cordell Blue of
16 the Philadelphia Housing Authority, 12 South 23rd
17 Street. The purpose of this ordinance is to pave
18 these streets for the development of the Tasker
19 Homes Housing Project.

20 This ordinance is supported by the
21 Department of Streets and is recommended to your
22 committee for favorable action.

23 COUNCILMAN DICICCO: Any questions for
24 this witness from the committee?

25 (No questions.)

1 5/30/02 STREETS & SERVICES, BILL 020349

2 COUNCILMAN DICICCO: Anyone else here
3 who wishes to testify on this bill?

4 (No response.)

5 COUNCILMAN DICICCO: Hearing none, the
6 clerk will read the title of the next bill.

7 THE CLERK: Bill No. 020349, an
8 ordinance authorizing the revision lines and grades
9 on a portion of City Plan No. 242 by striking from
10 the City Plan and vacating Cedar Park Avenue from
11 of 69eth Avenue to Haines Street, and by placing on
12 the City Plan a right-of-way for drainage purposes,
13 water main purposes, and gas main purposes, under
14 certain terms and conditions.

15 MR. LONIE: Good afternoon,
16 Mr. Chairman and members of the Committee. My name
17 is Paul Lonie, Survey Bureau Manager of the
18 Department of Streets, and the Department of
19 Streets would like to offer the following testimony
20 on Bill No. 020349.

21 This is not an administration ordinance
22 but an ordinance requested by Ms. Dawn Robinson of
23 the Mt. Airy Baptist Church, 6801-15 Cedar Park
24 Avenue. The purpose of this ordinance is to
25 legally remove Cedar Park Avenue between 69th

1 5/30/02 STREETS & SERVICES, BILL 020349
2 Avenue and Haines Street from the City Plan to
3 facilitate expanded parking and safety for the
4 Mt. Airy Baptist Church.

5 This ordinance is supported by the
6 Department of Streets and is recommended to your
7 committees for favorable action.

8 MR. SOFFER: Good afternoon, Chairman
9 and members of the Streets and Services Committee.
10 My name is Martin Soffer and I represent the City
11 Planning Commission. I am here today to testify on
12 Bill No. 020349.

13 This action would permit the Mt. Airy
14 Baptist Church to incorporate this unneeded street
15 within their property. The City Planning staff had
16 reviewed and tentatively approved this action on
17 April 10, 2002 and recommends that Bill 020349 be
18 approved.

19 Thank you.

20 COUNCILMAN DICICCO: Thank you.

21 Anyone else here who wishes to testify
22 on this bill?

23 (No response.)

24 COUNCILMAN DICICCO: Hearing none, the
25 clerk will read the title of the next bill.

1 5/30/02 STREETS & SERVICES, BILL 020350

2 THE CLERK: Bill No. 020350, an
3 ordinance amending Section 2 of an ordinance (Bill
4 No. 010268) approved August 31, 2001, an ordinance
5 authorizing the vacating of River Road from a point
6 approximately 10 foot southwest of the Philadelphia
7 and Montgomery County line northeastwardly to the
8 Philadelphia and Montgomery County line.

9 MR. LONIE: Good afternoon,
10 Mr. Chairman and members of the Committee. My name
11 is Paul Lonie, Survey Bureau Manager of the
12 Department of Streets, and the Department of
13 Streets would like to offer the following testimony
14 on Bill No. 020350.

15 This is a Councilmatic ordinance
16 requested by Councilman Michael Nutter. The
17 purpose of this ordinance is to grant the legal
18 authority to the Board of Surveyors to close River
19 Road if it becomes necessary. This ordinance is
20 supported by the Department of Streets and is
21 recommended to your committee for favorable action.

22 MR. SOFFER: Mr. Chairman and members
23 of the Committee, the Planning Commission has no
24 objections to this bill.

25 COUNCILMAN DICICCO: Anyone else here

1 5/30/02 STREETS & SERVICES, BILL 020353

2 who wishes to testify on this bill?

3 (No response.)

4 COUNCILMAN DICICCO: Hearing none, the
5 clerk will read the title of the next bill.

6 THE CLERK: Bill No. 020353, an
7 ordinance authorizing the revision of lines and
8 grades on a portion of City Plan No. 238 by
9 striking from the City Plan and vacating Swanson
10 Street from Catharine Street northwardly to the
11 Delaware Expressway (I-95), by reserving and
12 placing a right-of-way for drainage purposes within
13 the bed of Swanson Street and by striking from the
14 City Plan and vacating Fitzwater Street from
15 Christopher Columbus Boulevard westwardly to the
16 Delaware expressway (I-95), all under certain terms
17 and conditions.

18 MR. LONIE: Good afternoon,
19 Mr. Chairman and members of the Committee. My name
20 is Paul Lonie, Survey Bureau Manager of the
21 Department of Streets, and the Department of
22 Streets would like to offer the following testimony
23 on Bill No. 020353.

24 This is not an administration ordinance
25 but an ordinance requested by Klehr, Harris, Harvey

1 5/30/02 STREETS & SERVICES, BILL 020353
2 & Associates, Attorneys at Law, 260 South Broad
3 Street. The purpose of this ordinance to strike
4 and vacate these streets for developmental
5 purposes.

6 This ordinance is supported by the
7 Department of Streets Department and is recommended
8 to your committee for favorable action.

9 MR. SOFFER: Good afternoon, Chairman
10 and members of the Streets and Services Committee.
11 My name is Martin Soffer and I represent the City
12 Planning Commission. I am here today to testify on
13 Bill No. 020353.

14 The City Planning staff reviewed and
15 tentatively referred this proposed change, which
16 would permit Asbell & Associates to assemble this
17 parcel of land for a proposed residential
18 development on April 10, 2002. The approval of
19 these street closings does not construe any
20 position on the future development of the assembled
21 parcel. Therefore, the staff recommends that Bill
22 No. 020353 be approved.

23 Thank you.

24 (Witness comes forward.)

25 MR. PRIMAVERA: Mr. Chairman and

1 5/30/02 STREETS & SERVICES, BILL 020353

2 members of the committee, Carl Primavera, and I'm
3 here on behalf of the owner of the property. With
4 me is Mr. Michael Asbell, who is the principal of
5 the owner.

6 Just by way of update for the
7 Councilman, the last time we were here, there was a
8 rezoning that took it from industrial to
9 residential, and you encouraged us to see if we
10 could do townhouses, and I'm pleased to say that
11 even though this is just a conceptual plan, working
12 with a single-family builder, Mr. Asbell's been
13 able to give us an idea of what this townhouse
14 community could look like.

15 We're really talking about
16 approximately 71 single-family dwellings that would
17 sell in the area of maybe 4 to \$500,000; 1440
18 square feet with, as you can see, very large
19 gardens and other amenities.

20 I just do this as a point of
21 information. Our purpose here today is to make
22 sure that the site has been rationalized so that
23 it's available for development.

24 There are small pieces of both Swanson
25 and Fitzwater that bisect the property, and over

1 5/30/02 STREETS & SERVICES, BILL 020353

2 the many years, Mr. Asbell has finally been able to
3 acquire some of the PennDOT property. And now,
4 through this ordinance, if we're able to just clean
5 up the site, which is a triangle, and take away the
6 little bits of paper street that bisect it, then
7 we'll have a buildable site. And then, hopefully,
8 the next thing we'll do is come back to you and ask
9 for streets to be put in, ask for zoning.

10 So we're happy with our progress, and
11 this is another step towards, hopefully, a nice
12 development in your district.

13 COUNCILMAN DICICCO: Thank you. And
14 it's a welcome addition. We all know the problems
15 related to a number of the parcels there.

16 I will move to have this bill reported
17 out of committee today. I think my legislative
18 assistant explained to you that we still encourage
19 you to meet with the community, and if there are
20 any issues with them -- I've had some informal
21 conversations with Jeff Rush, who's one of
22 community leaders of Old Swedes Court and a number
23 of other residents. And the initial response was
24 very favorable, but I think in the interest of
25 everyone, it would -- you know how I do the process

1 5/30/02 STREETS & SERVICES, BILL 020353

2 thing. I appreciate you going through that
3 process.

4 But I will ask that we vote the bill
5 out today, hopefully, with a favorable
6 recommendation by the members of my committee, and
7 we'll wait to hear from you. I think next week,
8 you're going to try to schedule a meeting with the
9 community?

10 MR. PRIMAVERA: That would be great.

11 COUNCILMAN DICICCO: Thank you. And
12 good luck with the project.

13 MR. PRIMAVERA: Thank you.

14 COUNCILMAN DICICCO: Thank you very
15 much.

16 Any other questions for these
17 witnesses?

18 (No further questions.)

19 COUNCILMAN DICICCO: Hearing none, the
20 clerk will read the title of the next bill.

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1 5/30/02 STREETS & SERVICES, BILL 020358

2 THE CLERK: Bill No. 020358, an
3 ordinance authorizing the revision of lines and
4 grades on a portion of City Plan No. 319 by
5 striking from the City Plan and vacating Whitaker
6 Avenue from Rhawn Street northeastwardly to its
7 terminus, under certain terms and conditions.

8 MR. LONIE: Good afternoon,
9 Mr. Chairman and members of the Committee. My name
10 is Paul Lonie, Survey Bureau Manager of the
11 Department of Streets, and the Department of
12 Streets would like to offer the following testimony
13 on Bill No. 020358.

14 This is not an administration ordinance
15 but an ordinance requested by Mr. John Rivas of the
16 Chestnut Wood Company, 300 Chestnut Wood Lane,
17 Bensalem, Pennsylvania. The purpose of this
18 ordinance is to grant the legal authority to vacate
19 Whitaker Avenue to facilitate the development of a
20 new CVS Pharmacy.

21 This ordinance is supported by the
22 Department of Streets and is recommended to your
23 committee for favorable action.

24 MR. SOFFER: Mr. Chairman and members
25 of the Committee on Streets and Services, my name

1 5/30/02 STREETS & SERVICES, BILL 020358
2 is Martin Soffer, representing the City Planning
3 Commission.

4 The City Planning Commission reviewed
5 and approved this action as part of the adjacent
6 Meadowbrook residential development at its meeting
7 of November 2, 2000. Therefore, the Planning
8 Commission recommends approval for Bill No. 020358.

9 Thank you.

10 COUNCILMAN DICICCO: Any questions for
11 this witness?

12 (No questions.)

13 COUNCILMAN DICICCO: Anyone else here
14 who wishes to testify on this bill?

15 (No response.)

16 COUNCILMAN DICICCO: Hearing none, the
17 clerk will read the title of the next bill.

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1 5/30/02 STREETS & SERVICES, BILL 020342

2 THE CLERK: Bill No. 020342, an
3 ordinance authorizing Drexel University to
4 construct and maintain various encroachments in,
5 on, and under the raised triangular area in the
6 public right-of-way within the area bounded by 32nd
7 Street as it extends north of Market Street, Market
8 Street and Lancaster Avenue, and to construct, use,
9 and maintain a conduit trench for water service and
10 electric service under the north footway of Market
11 Street, 32nd Street and the raised triangular area,
12 all under certain terms and conditions.

13 (Witness comes forward.)

14 COUNCILMAN DICICCO: Excuse me. Before
15 you begin, let the record reflect that
16 Councilmember Clarke, who's also a member of the
17 Streets and Services Committee, is now present.

18 Please begin with your testimony and
19 state your name for the record.

20 MR. WATTS: Good afternoon, Chairman
21 and members of the committee. My name is Williams
22 Watts, and I'm the Technical Services Officer for
23 the Streets Department, and I'm here to testify on
24 Bill No. 020342 on behalf of the Streets
25 Department.

1 5/30/02 STREETS & SERVICES, BILL 020342

2 The bill authorizes Drexel University
3 to construct and maintain various encroachments
4 within a raised triangular area and to construct,
5 own, and maintain underground water and electric
6 service to the raised triangular area.

7 The encroachment descriptions are as
8 follows: A granite sign; three flagpoles
9 approximately 30 foot high; four trees within
10 landscaped area of the raised triangular island;
11 two accessory floodlights within the island to
12 eliminate the granite sign; an underground
13 irrigation system within the landscaped portion of
14 the island; and a series of conduits that will run
15 from the property 3215 Market Street into the
16 island to provide water and electrical service.

17 The Streets Department has reviewed the
18 construction plans for this project and has no
19 objection to the passage of this bill.

20 COUNCILMAN DICICCO: Thank you.

21 (Witness comes forward.)

22 COUNCILMAN DICICCO: Please identify
23 yourself for the record.

24 MR. CASASERI: Mr. Chairman and members
25 of the committee, my name is Joseph Casaseri (ph,

1 5/30/02 STREETS & SERVICES, BILL 020342

2 Vice President for Government Community Relations
3 at Drexel and C.P. Hahnemann Universities. Thank
4 you for your time today.

5 This island project will be a gateway
6 to the Drexel campus as well as to University City
7 and our West Philadelphia community. We are happy
8 to have the support of the immediate neighbors, the
9 Powelton Village Civic Association, on this
10 project, and their letter of support is attached to
11 your documents.

12 This is a part of the growing process
13 that Drexel has undertaken in our five-year
14 strategic plan, which we encountered and listed
15 back in 1998. At the same time, construction on
16 the 32nd Street causeway, which is right next to
17 the island, will be completed in the fall. We hope
18 that both projects will be completed
19 simultaneously.

20 Thank you.

21 COUNCILMAN DICICCO: Thank you.

22 Any questions for these witnesses from
23 the committee?

24 (No questions.)

25 COUNCILMAN DICICCO: Anyone else here

1 5/30/02 STREETS & SERVICES, BILL 020259

2 who wishes to testify on this bill?

3 (No response.)

4 COUNCILMAN DICICCO: Hearing none, the
5 clerk will read the title of the next bill.

6 THE CLERK: Bill No. 020259, an
7 ordinance authorizing Liberty Property Philadelphia
8 Limited Partnership II, owner of the property Three
9 Franklin Plaza, 1600 Vine Street, Philadelphia, PA,
10 19101, to construct and maintain two aluminum
11 flagpoles, four inground floodlight fixtures and
12 appurtenances in, under, and on the south footway
13 of Vine Street, adjacent to Three Franklin Plaza,
14 all under certain terms and conditions.

15 MR. WATTS: Good afternoon, Chairman
16 and members of the committee. My name is William
17 Watts, and I'm the Technical Services Officer for
18 the Streets Department, and I am here to testify on
19 Bill No. 020259 on behalf of the Streets
20 Department.

21 The bill authorizes Liberty Property
22 Philadelphia Limited Partnership II, owner of Three
23 Franklin Plaza, 1600 Vine Street, to construct and
24 maintain a total of two aluminum flagpoles and four
25 inground lights in, on, and under the south footway

1 5/30/02 STREETS & SERVICES, BILL 020259

2 of Vine Street, near the corner of 16th and Vine.

3 The Streets Department has reviewed the
4 construction plans for this project and has no
5 objection to the passage of this bill.

6 COUNCILMAN DICICCO: Any questions for
7 this witness?

8 (No questions.)

9 COUNCILMAN DICICCO: Anyone else here
10 who wishes to testify on this bill?

11 (No response.)

12 COUNCILMAN DICICCO: Hearing none, the
13 clerk will read the title of the next bill.

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1 5/30/02 STREETS & SERVICES, BILL 020351

2 THE CLERK: Bill No. 020351, an
3 ordinance authorizing Brinker International, Inc.
4 d/b/a Maggiano's, a tenant of the property
5 1201-1239 Filbert Street, Philadelphia, PA, 19107,
6 to construct and maintain various encroachments
7 projecting onto and over the north footway of
8 Filbert Street and the west footway of 12th Street,
9 all under certain terms and conditions.

10 MR. WATTS: Good afternoon, Chairman
11 and members of the committee. My name is William
12 Watts, and I am the Technical Services Officer for
13 the Streets Department, and I'm here to testify on
14 Bill No. 020351 on behalf of the Streets
15 Department.

16 The bill authorizes Brinker
17 International Incorporated, owners of Maggiano's
18 and tenants of the Filbert Street Association, to
19 construct and maintain the following encroachments
20 on and above the public footway adjacent to the
21 property 1201-30 Filbert Street: A fabric canopy
22 with mounted light fixtures supported by posts; a
23 revolving door; a total of ten wall-sconce
24 fixtures; a total of seven rigid awnings; and a
25 removable cafe awning.

1 5/30/02 STREETS & SERVICES, BILL 020351

2 The Streets Department has reviewed the
3 plans for this project and has no objections to the
4 passage of this bill.

5 COUNCILMAN DICICCO: Thank you.

6 Any questions for this witness?

7 (No questions.)

8 COUNCILMAN DICICCO: Anyone else here
9 who wishes to testify on this bill?

10 (No response.)

11 COUNCILMAN DICICCO: Hearing none, the
12 clerk will read the title of the next bill.

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1 5/30/02 STREETS & SERVICES, BILL 020351

2 THE CLERK: Bill No. 020352, an
3 ordinance granting permission to Pigalle LLC, T/A
4 Pigalle Restaurant, located at 702-704 North Second
5 Street, Philadelphia, PA, 19123, to operate and
6 maintain an open-air sidewalk cafe on the west
7 footway of North Second Street, adjacent to 702-704
8 North Second Street, under certain terms and
9 conditions.

10 MR. WATTS: Good afternoon, Chairman
11 and members of the committee. My name is William
12 Watts, and I'm the Technical Services Officer for
13 the Streets Department, and I'm here to testify on
14 Bill No. 020352.

15 The bill authorizes Pigalle, trading as
16 Pigalle Restaurant, to operate an open-air cafe on
17 the west footway of North Second Street. Three
18 tables are proposed on the west footway of North
19 Second Street, no rails will be used, and a minimum
20 of an eight-foot clear width will be maintained for
21 all pedestrians. All encroachments leave adequate
22 width and clearance of unobstructed footway.
23 Therefore, the Streets Department has no objection
24 to the passage of this bill.

25 COUNCILMAN DICICCO: Thank you.

1 5/30/02 STREETS & SERVICES, BILL 020354

2 Any questions for this witness?

3 (No questions.)

4 COUNCILMAN DICICCO: Anyone else here
5 who wishes to testify on this bill?

6 (No response.)

7 COUNCILMAN DICICCO: Hearing none, the
8 clerk will read the title of the next bill.

9 THE CLERK: Bill No. 020354, an
10 ordinance authorizing the Holy Name of Jesus
11 Parish, owner of the property 700-712 East Gall
12 Street, Philadelphia, PA, 19125, to construct, own,
13 and maintain a retaining wall with a mounted fence
14 and landscaped area on and over the south footway
15 of East Gall Street, adjacent to the property, all
16 under certain terms and conditions.

17 MR. WATTS: Good afternoon, Chairman
18 and members of the committee. My name is William
19 Watts, and I'm the Technical Services Officer for
20 the Streets Department, and I am here to testify on
21 Bill No. 020354.

22 The bill authorizes Holy Name of Jesus
23 Parish, owner of the property 700-712 East Gall
24 Street, to construct, own, and maintain a retaining
25 wall with a mounted fence adjacent to the

1 5/30/02 STREETS & SERVICES, BILL 020354
2 above-mentioned property on and over the south
3 footway of East Gall Street. The area between the
4 retraining wall and the building facade will
5 include landscaping and a religious shrine.

6 The Streets Department has reviewed the
7 construction plans for this project and has no
8 objection to the passage of this bill.

9 COUNCILMAN DICICCO: Thank you.

10 Any questions for this witness?

11 (No questions.)

12 COUNCILMAN DICICCO: Anyone else here
13 who wishes to testify on this bill?

14 (No response.)

15 COUNCILMAN DICICCO: Hearing none, the
16 clerk will read the title of the next bill.

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1 5/30/02 STREETS & SERVICES, BILL 020356

2 THE CLERK: Bill No. 020356 an
3 ordinance granting permission to Payal News, owner
4 of the newsstand at the northwest corner of 11th
5 Street and Market Street, to construct, use, and
6 maintain an electrical conduit with an electrical
7 service line and a telecommunications conduit with
8 a telephone service line in and under the public
9 right-of-way for the purpose of supplying
10 electrical service and telephone service to the
11 newsstand, under certain terms and conditions.

12 MR. WATTS: Good afternoon, Chairman
13 and members of the committee. My name is William
14 Watts, and I'm the Technical Services Officer for
15 the Streets Department, and I am here to testify on
16 Bill No. 020356.

17 This bill grants permission to Payal
18 News, owner of the newsstand located on the
19 northwest corner of 11th and Market Street, to
20 construct, use, and maintain underground electrical
21 and telephone services lines in and under the
22 public right-of-way for the purpose of supplying
23 electrical and telephone service to their
24 newsstand.

25 The Streets Department has reviewed the

1 5/30/02 STREETS & SERVICES, BILL 020356
2 construction plans for this project and has no
3 objections to the passage of this bill.

4 COUNCILMAN DICICCO: Thank you.
5 Mr. Stack?

6 (Witness comes forward.)

7 MR. STACK: Mr. Chairman, good
8 afternoon, and members of the committee, good
9 afternoon. I don't have any additional testimony
10 to offer, but I do have in the hearing room the
11 beneficiaries of this ordinance. So if the panel
12 has any questions for them, they're prepared to
13 answer them.

14 COUNCILMAN DICICCO: Any questions for
15 these witnesses or the applicants?

16 (No questions.)

17 COUNCILMAN DICICCO: Anyone else here
18 who wishes to testify for or against this bill?

19 Seeing none, the clerk will read the
20 title of the next bill.

21 Thank you, Mr. Stack.

22 MR. STACK: Thank you, Mr. Chairman.

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1 5/30/02 STREETS & SERVICES, BILL 020359

2 THE CLERK: Bill No. 020359, an
3 ordinance authorizing the Center City District to
4 construct, own, and maintain 97 pedestrian
5 streetlight poles and luminaires along Market
6 Street between 15th Street and the Schuylkill
7 River, and 50 pedestrian streetlight poles and
8 luminaires along John F. Kennedy Boulevard between
9 15th Street and 20th Street, all under certain
10 terms and conditions.

11 (Witness comes forward.)

12 MR. WATTS: Good afternoon, Chairman
13 and members of the committee. My name is William
14 Watts, and I'm the Technical Services Officer for
15 the Streets Department, and I am here to testify on
16 Bill No. 020359.

17 The bill authorizes the Center City
18 District to construct, own, and maintain 97
19 streetlight poles, luminaires, and footings on the
20 north and south footways of Market Street from 15th
21 Street to the Schuylkill River, and 50 streetlight
22 poles, luminaires and footings on the north and
23 south footway of JFK Boulevard between 15th and
24 20th.

25 The Streets Department has reviewed the

5 COUNCILMAN DICICCO: Mr. Levy?

8 First I want to thank Councilman
9 Darrell Clarke for introducing this ordinance and
10 for his support. This is a project we are carrying
11 out jointly with the Streets Department to improve
12 both vehicular lighting and pedestrian lighting,
13 and we're really pleased to have the support not
14 only of Council but of the Streets Department.

18 Yeah, there are two minor amendments in
19 the bill itself. In Section 2, paragraph a., there
20 is an either/or clause that suggests that an
21 agreement will be signed between the Streets
22 Department and the CCD, in which we will provide
23 either a surety bond or evidence to the Streets
24 Department that we will self-insure.

25 We are requesting that the first part,

1 5/30/02 STREETS & SERVICES, BILL 020359

2 the surety bond, be stricken. The CCD is a
3 municipal authority, and it has self-insured on all
4 previous projects, and so we would like to simply
5 carry forward with the same procedure we've used
6 with the Streets Department in the past.

7 The other item is in that same section,
8 Paragraph e., in which there is a requirement that
9 after these pedestrian light poles are installed to
10 light the public roadway, that at notice from the
11 City within 60 days, we would remove all of them.
12 We think that's a provision that is appropriate if
13 we were a private property owner installing a
14 restaurant, but these are public light fixtures,
15 which, we think, will benefit the entire public;
16 and obviously, if there's construction that these
17 interfere with, they'd be removed, but a provision
18 that would put us financially responsible to remove
19 all of these, we think, is probably not
20 appropriate.

21 So we would like to request those two
22 minor amendments, but otherwise, we're eager to
23 work closely with the City on this.

24 COUNCILMAN DICICCO: Do we have copies
25 of the amendment?

1 5/30/02 STREETS & SERVICES, BILL 020359

2 MR. LEVY: Yes, I have copies right
3 here that I can provide to you.

4 In the letter, which I'm providing,
5 which is addressed to Councilman Clarke, there are
6 three amendments we've requested in writing, but in
7 conversation with the Law Department and the
8 Councilman, we realized that one of them would
9 require changing the caption, which would require
10 readvertising, so we're withdrawing the first one
11 in this letter and only requesting the two that I
12 highlighted.

13 COUNCILMAN DICICCO: So noted. Thank
14 you.

15 Any questions for these witnesses?

16 (No questions.)

17 COUNCILMAN DICICCO: Anyone else here
18 who wishes to testify for or against the bill?

19 (No response.)

20 COUNCILMAN DICICCO: Seeing none, the
21 clerk will read the title of the next bill.

22 MR. LEVY: Thank you.

23 COUNCILMAN DICICCO: You're welcome.

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1 5/30/02 STREETS & SERVICES, BILL 020360

2 THE CLERK: Bill No. 020360, an
3 ordinance granting permission to Redhouse Bagels
4 and Deli, LLC, tenant of the property 2501 oliver
5 Street Philadelphia, PA, 19130, to operate and
6 maintain an open-air sidewalk cafe on the west
7 footway of North 25th Street and the south footway
8 of Olive Street adjacent to the property 2501 Olive
9 Street, under certain terms and conditions.

10 MR. WATTS: Good afternoon, Chairman
11 and members of the committee. My name is William
12 Watts, and I'm the Technical Services Officer for
13 the Streets Department, and I'm here to testify on
14 Bill No. 020360.

15 The bill authorizes Redhouse Bagels and
16 Deli. Tenant of 2501 Olive Street, to operate an
17 open-air sidewalk cafe on the west footway of North
18 25th Street and the south footway of Olive Street.
19 Seven tables are proposed on the west footway of
20 North 25th Street, and one table is proposed for
21 the south footway of Olive Street. No rails will
22 be used. A minimum of a 9-foot clear width will be
23 maintained for pedestrians on North Olive Street,
24 and a minimum of 7-feet-6-inches clear will be
25 maintained for pedestrians on Olive Street.

1 5/30/02 STREETS & SERVICES, BILL 020360

2 All encroachments leave adequate width
3 and clearance of unobstructed footway; therefore,
4 the Streets Department has no objection to the
5 passage of this bill.

6 COUNCILMAN DICICCO: Thank you.

7 Any questions for this witness from the
8 committee?

9 (No questions.)

10 COUNCILMAN DICICCO: Anyone else here
11 would wishes to testify for or against the bill?

12 (No response.)

13 COUNCILMAN DICICCO: Seeing none, the
14 clerk will read the title of the next bill.

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1 5/30/02 STREETS & SERVICES, BILL 020362

2 THE CLERK: Bill No. 020362, an
3 ordinance granting permission to 18th and Walnut
4 News, Inc., owner of the newsstand at the Northeast
5 corner of 18th and Walnut Street, to construct,
6 use, and maintain an electrical conduit with an
7 electrical service line and a telecommunications
8 conduit with a telephone service line in and under
9 the east footway of 18th Street for the purpose of
10 supplying electrical service and telephone service
11 to the newsstand, under certain terms and
12 conditions.

13 MR. WATTS: Good afternoon, Chairman
14 and members of the committee. My name is William
15 Watts, and I'm the Technical Services Officer for
16 the Streets Department, and I'm here to testify on
17 Bill No. 020362.

18 This bill grants permission to the 18th
19 and Walnut News, Incorporated, owner of the
20 newsstand located on the northeast corner of 18th
21 and Walnut, to construct, use, and maintain an
22 underground electrical and telephone services line
23 in and under the east footway of 18th Street for
24 the purpose of supplying electrical telephone
25 service to their newsstand.

1 5/30/02 STREETS & SERVICES, BILL 020362

2 The Streets Department has reviewed the
3 construction plans for this project and has no
4 objection to the passage of the bill.

5 COUNCILMAN DICICCO: Thank you.

6 Any questions for this witness from the
7 committee?

8 (No questions.)

9 COUNCILMAN DICICCO: Anyone else here
10 to testify for or against the bill?

11 (No response.)

12 COUNCILMAN DICICCO: Seeing none, the
13 clerk will read the title of the becomes bill.

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1 5/30/02 STREETS & SERVICES, BILL 020167

2 THE CLERK: Bill No. 020167, an
3 ordinance authorizing 801 Market Street Holdings,
4 LLC, owners of the property 801 Market Street,
5 Philadelphia, PA, 19107, to construct, use, and own
6 and maintain two private pedestrian light posts
7 with underground appurtenances and conduit in, on,
8 and under the west footway of Eighth Street
9 adjacent to the property 801 Market Street and one
10 concrete-encased duct bank within the public
11 right-of-way to supply electrical service to the
12 property 801 Market Street, all under certain terms
13 and conditions.

14 MR. WATTS: Good afternoon,
15 Mr. Chairman and members of the committee. My name
16 is William Watts and I'm the Technical Services
17 Officer for the Streets Department, and I'm here to
18 testify on Bill No. 020167.

19 The bill authorizes 801 Market Street
20 Holdings, owner of the Strawbridge's building, to
21 construct, own, and maintain the following
22 encroachments on the west footway of South Eighth
23 Street adjacent to the property 801 Market: Two
24 private aluminum pedestrian light posts; one 2-inch
25 diameter conduit providing electrical service to

1 5/30/02 STREETS & SERVICES, BILL 020167
2 feed the pedestrian light post; one concrete-
3 encased duct bank with two 5-inch diameter conduits
4 providing electrical service connection to the
5 building.

6 All encroachments leave adequate width
7 and vertical clearance of unobstructed footway;
8 therefore, the Streets Department has no objection
9 to the passage of this bill.

10 COUNCILMAN DICICCO: Thank you.

11 (Witness comes forward.)

12 MR. BALKKA: Councilman, I'm Jerry
13 Balka, and I'm here on behalf of United Vendors.
14 And through your good office, we were furnished
15 with a copy of this plan, investigated it, and it
16 does not affect the two existing vendors on that
17 sidewalk, and we think it's going to make a nice
18 entranceway.

19 COUNCILMAN DICICCO: Thank you.

20 Any questions for these witnesses?

21 (No questions.)

22 COUNCILMAN DICICCO: Anyone else to
23 wishes to testify on the bill.

24 Mr. Primavera?

25 MR. PRIMAVERA: Yes, Mr. Chairman.

1 5/30/02 STREETS & SERVICES, BILL 020167

2 Carl Primavera, and with me, from 801 Market Street
3 Holdings, is Kevin Trainer.

4 Actually, what we would like to do is
5 reserve our comments for the next bill, which, I
6 think, is 68, and our comments are brief but really
7 handle both of them.

8 COUNCILMAN DICICCO: So noted.

9 Any other questions?

10 (No further questions.)

11 COUNCILMAN DICICCO: The clerk will
12 read the title of the next bill.

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1 5/30/02 STREETS & SERVICES, BILL 020168

2 THE CLERK: Bill No. 020168, an
3 ordinance authorizing 801 Market Street Holdings,
4 LLC, owners of the property 801 Market Street,
5 Philadelphia, PA, 19107, to construct, own, and
6 maintain four concrete planters and three
7 steel-pipe bollards on the west footway of Eighth
8 Street adjacent to the property 801 Market Street,
9 all under certain terms and conditions.

10 MR. WATTS: Good afternoon, Chairman
11 and members of the committee. My name is William
12 Watts, and I'm the Technical Services Officer for
13 the Streets Department, and I'm here to testify on
14 Bill No. 020168.

15 The bill authorizes 801 Market Street
16 Holdings, owner of the Strawbridge's building, to
17 construct, own, and maintain the following
18 encroachments on the west footway of South Eighth
19 Street adjacent to the property 801 Market: Four
20 concrete planters, three steel-pipe bollards.

21 All encroachments leave adequate width
22 and vertical clearance of the unobstructed footway;
23 therefore, the Streets Department has no objection
24 to the passage of this bill.

25 COUNCILMAN DICICCO: Thank you.

1 5/30/02 STREETS & SERVICES, BILL 020168

2 Mr. Primavera?

3 MR. PRIMAVERA: Thank you. And, again,
4 I've handed up the testimony from Mr. Trainer.
5 Rather than reading it, we'll just submit it in
6 written form.

7 But the whole concept here is that the
8 entrance on Eighth Street to the commercial part of
9 this building, which will be floors 7 to 14, I
10 believe, will have their own identity and make it
11 attractive for the tenants and the people coming
12 in, so that really what we've done -- and I think
13 it's a \$40 million investment in the City -- is to
14 create premier office space for Citizens Bank, for
15 the GSA and, hopefully, other tenants, so that
16 they'll feel on this side of the street that they
17 have their own sense of identity and not be
18 confused with the Market Street access, which is
19 really a part of the Strawbridge's store.

20 COUNCILMAN DICICCO: Thank you.

21 Any other questions from the committee
22 for these witnesses?

23 (No questions.)

24 COUNCILMAN DICICCO: Anyone else here
25 to testify for or against this bill?

1 5/30/02 STREETS & SERVICES, BILL 020049

2 (No response.)

3 COUNCILMAN DICICCO: Seeing none, the
4 clerk will read the title of the next bill.

5 THE CLERK: Bill No. 020049, an
6 ordinance amending an ordinance approved January 3,
7 1992 (Bill No. 1205-AA), as amended, which,
8 pursuant to Subsection 9-204(8)(a) of the
9 Philadelphia Code, designates the locations in
10 Center City at which vending is permitted, by
11 deleting all permitted vendor locations on both
12 sides of Eighth Street and Ninth Street between
13 Arch Street and Market Street, all under certain
14 terms and conditions.

15 (Witness comes forward.)

16 MR. HAIGLER: Good day, Councilman
17 DiCicco and members of the committee. I am Otis
18 Haigler, Jr., Legislative & Regulatory Affairs
19 Manager for the Department of Licenses and
20 Inspections.

21 Today I am here to provide testimony on
22 Bill 020049, which, if enacted, will prohibit
23 vending on Eighth Street and Ninth Street between
24 Arch and Market Streets.

25 The Department of Licenses and

1 5/30/02 STREETS & SERVICES, BILL 020049

2 Inspections is charged with the responsibility for
3 the enforcement of Section 9-204 of the
4 Philadelphia Code related to the licensing of
5 vendors for inspection and compliance for the same.
6 Therefore, in accordance with our responsibilities,
7 the Department offers no objections to the
8 enactment of Bill 020049 and is prepared to enforce
9 the provisions of this bill should Council vote for
10 its passage and the Mayor sign it into law.

11 Thank you, and I'll be happy to answer
12 any questions you may have at this time.

13 COUNCILMAN DICICCO: Thank you,
14 Mr. Haigler.

15 Who's identifying next?

16 (Witness comes forward.)

17 COUNCILMAN DICICCO: Good afternoon,
18 and please identify yourself for the record.

19 MR. KENNY: Good afternoon. I'm James
20 Kenny, General Manager of Strawbridge's, at Eighth
21 and Market Streets.

22 The vendors on Eighth Street cause two
23 major problems for Strawbridge's: One, we feel
24 they impede the pedestrian traffic, especially
25 during the busy lunch hour; two, the vendors have

1 5/30/02 STREETS & SERVICES, BILL 020049

2 the habit of what I say "jumping the curb" when
3 they're putting their lunch carts on the sidewalk,
4 which creates damage to the sidewalk and the curb;
5 and, of course, Strawbridge's is liable for fixing
6 those problems.

7 So with the addition of our new
8 neighbors, Citizens Bank and GSA in the building
9 upstairs, our Eighth Street traffic will only
10 increase because the only major entrance to those
11 upper floors is the Eighth Street entrance.

12 We need your cooperation in solving
13 these problems, and we would greatly appreciate you
14 looking into them.

15 COUNCILMAN DICICCO: Thank you.

16 MR. BALKKA: Good afternoon,
17 Mr. DiCicco. My name is Jerry Balka, and I'm with
18 the United Vendors, and with me is Paul Tollis
19 (ph), President of United Vendors.

20 Prior to the start of the hearing on
21 this bill, we've met with the Strawbridge people to
22 discuss their concerns.

23 As to the congestion on the sidewalk,
24 the vendor leaves a required six-foot pathway for
25 pedestrians. As to the issue of dealing with the

1 5/30/02 STREETS & SERVICES, BILL 020049

2 truck coming onto the curb, that's a no-no, and if
3 any of those vendors are doing that, they're going
4 to stop it, and we're going to make sure they stop
5 it with or without L&I's help.

6 What we're requesting is that you hold
7 this bill because we're going to meet probably one
8 day next week at the site with the Strawbridge
9 people to actually site where the one vendor, who
10 is now operating north of the entranceway, should
11 be so that there won't be any question of any
12 interference with that entranceway. The other
13 vendors are maybe 60 or 50 feet away from it
14 already.

15 And we'd appreciate your assistance in
16 holding the bill so that we can do that. And once
17 we have that under control, we feel that probably,
18 there won't be any need for any further
19 legislation.

20 COUNCILMAN DICICCO: Mr. Balka, how do
21 you propose to guarantee that there won't be
22 anymore damage to the sidewalk of the
23 Strawbridge's's building?

24 MR. BALKA: Well, the vendor is not
25 permitted to bring his truck onto the sidewalk.

1 5/30/02 STREETS & SERVICES, BILL 020049

2 The vendor is here.

3 COUNCILMAN DICICCO: How is he going to
4 get it up?

5 MR. BALKKA: He parks his truck at the
6 curb, detaches the food cart from the truck right
7 at the curb, then brings it up. He may not bring a
8 motorized vehicle onto that sidewalk, and we'll put
9 him out of business if he does.

10 COUNCILMAN DICICCO: I suspect that the
11 reason the vendor uses his vehicle to get the cart
12 up is because it's easier.

13 MR. BALKKA: Yes.

14 COUNCILMAN DICICCO: Because the height
15 of the curb probably would make it difficult for
16 one or two individuals to push the cart up. So you
17 need some mechanical assistance.

18 I still don't know how you're going to
19 be able to do it unless, of course, they're going
20 to build some sort of a wooden ramp that is a
21 portable ramp that would be from the street surface
22 to the top portion of the curb, but outside of a
23 vehicle, I don't know how you can guarantee that
24 the cart is not going to be -- that he's not going
25 to use a vehicle to get the cart up there. I don't

1 5/30/02 STREETS & SERVICES, BILL 020049

2 know how you guarantee that.

3 MR. BALKKA: A ramp of no more than
4 three or four feet, one end of it being on the curb
5 and the other end of it being on the street, in
6 order to provide an incline, where they just push
7 the cart right up --

8 COUNCILMAN DICICCO: Well, that's what
9 I'm asking: Are they going to have a ramp?

10 MR. BALKKA: Yes.

11 COUNCILMAN DICICCO: A portable ramp?

12 MR. BALKKA: Absolutely. It's going to
13 be a portable ramp, and they're going to take it
14 away as soon as they put the cart there. When they
15 come back at the end of the day, they'll put the
16 cart down again, take it off, put the cart onto the
17 street.

18 And I'm willing to enter into an
19 agreement, and the vendor in question, with
20 Strawbridge's that if there's a violation, he's out
21 of there. I mean, we'll give him a warning maybe
22 the first time or something like that.

23 COUNCILMAN DICICCO: No, no, no, no,
24 no, there are no more warning. The warnings are --
25 they're long gone.

1 5/30/02 STREETS & SERVICES, BILL 020049

2 Here's what I'm going to propose to the
3 committee: I'm going to propose to the committee
4 that, like a couple of other bills that we have
5 concerning vendors, that we report this bill out of
6 committee with a favorable recommendation, and I
7 will agree, as I have done with Bill 658-A -- and I
8 can't remember the other number that pertains to
9 the vendors on 12th Street and 11th Street -- to
10 hold the bill.

11 And if I get any complaints to the
12 contrary, then I will run the bill.

13 So I think in the interest of fairness,
14 we need a little bit of guarantees on our side.
15 And so far, with the exception of a few people --
16 and I'm not blaming your clients -- most of the
17 people have been cooperating on 11th Street and
18 12th Street. And I think it's only because they
19 know the threat of that bill passing continues, and
20 it has been for about, I guess, a year a half, two
21 years.

22 So I'm going to recommend that the bill
23 get voted out of committee. And I think you know
24 I'm a man of my word: I won't run the bill unless
25 I get some complaints.

1 5/30/02 STREETS & SERVICES, BILL 020049

2 And I would ask that you not probably
3 meet next week with the representative of
4 Strawbridge's, but that you do meet with them to
5 come to some agreement, if you can, on relocating
6 the vendors within a reasonable distance from the
7 new entrance.

8 MR. BALKKA: We've already reached that
9 understanding, and one of the purposes of our
10 meeting is to actually --

11 COUNCILMAN DICICCO: I need something
12 in writing from the owners of the Strawbridge's
13 building and from you, Mr. Balka, that you came to
14 an agreement; I want that in writing.

15 But I'm going to ask that the bill be
16 moved out of this committee favorably, and we won't
17 do anything on it unless we get complaints. That,
18 I believe, will guarantee that something other than
19 a vehicle driving on the sidewalk will occur.

20 MR. BALKKA: Mr. DiCicco, if you do get
21 complaints, by voting the bill out and holding it
22 before Council, you're not giving us an opportunity
23 to address whatever complaints there may be.

24 COUNCILMAN DICICCO: You always have
25 the opportunity, as everyone else does who knows

1 5/30/02 STREETS & SERVICES, BILL 020049

2 me, to call me and meet with me before I would run
3 the bill, but I'm not going to go through this
4 whole exercise of having a public hearing on
5 something that I already know exists.

6 The bill will get reported out
7 favorably, and if there are complaints and I get
8 them and you don't, I will let you know; and if you
9 get a complaint from the Strawbridge's people and,
10 for some reason, they don't contact me, you will
11 let me know, and we'll discuss it, and then we'll
12 decide whether we'll run the bill or not.

13 But the bill will be reported out
14 today. I think that's the best I can do in
15 fairness to everyone. Thank you.

16 Any other questions?

17 MR. BALK: Yes.

18 COUNCILMAN DICICCO: Yes, sir?

19 MR. BALK: There's no issue here about
20 vending on Ninth Street at all; no one has raised
21 that issue.

22 COUNCILMAN DICICCO: I understand.

23 MR. BALK: And your bill encompasses
24 that.

25 COUNCILMAN DICICCO: Well, I can always

1 5/30/02 STREETS & SERVICES, BILL 020049

2 amend the bill to remove that or I have to create a
3 new bill. I just want to get this thing done.

4 There's a \$40 million investment in
5 that building. I had an opportunity of being there
6 on Election Day when Citizens Bank had their
7 ribbon-cutting. They're bringing a lot of jobs
8 into this city, and I think it's in the interest of
9 fairness that we accommodate this \$40 million
10 investment.

11 And, again, I'm going to do the bill,
12 but I won't move for passage of it unless I find
13 that there are violations that continue.

14 MR. BALKKA: But if there's a violation,
15 it will be a violation down at Eighth Street.

16 COUNCILMAN DICICCO: Mr. Balka --

17 MR. BALKKA: Why should the Ninth Street
18 people be penalized?

19 COUNCILMAN DICICCO: They're not; I'm
20 not moving the bill.

21 MR. BALKKA: I understand, but I ask you
22 to amend the bill to eliminate Ninth Street now so
23 that --

24 COUNCILMAN DICICCO: I will look at the
25 possibility of amending the bill going forward.

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2 COUNCILMAN COHEN: I think that
3 Councilman DiCicco has displayed good faith in
4 previous vendor problems, and you always have -- I
5 see Councilman Ortiz to my left and I'm on the
6 right, and I don't know how that happened, but we
7 surround Councilman DiCicco, and we will serve as
8 enforcers.

9 But I don't think you have any problem
10 with the proposal made by Councilman DiCicco. He
11 feels very strongly that it has been an effective
12 weapon in attempting to secure compliance before.
13 And if -- I would agree on my behalf, and I'm sure
14 on Councilman Ortiz's behalf, that if you ever felt
15 that Councilman DiCicco was working too fast and
16 you were unsuccessful at slowing him down, you'd
17 call us, and we would talk with him and we would
18 reach a collusion.

19 I think that the safeguard is
20 Councilman DiCicco's past action on these bills.
21 He serves as a threat, but it does help somewhat in
22 the compliance area. And I think that you can rely
23 on his word.

24 COUNCILMAN DICICCO: Thank you, thank
25 you, Councilman Cohen.

1 5/30/02 STREETS & SERVICES, BILL 020049

2 Any other questions?

3 COUNCILMAN COHEN: Do you agree,

4 Councilman Ortiz?

5 COUNCILMAN ORTIZ: I agree.

6 COUNCILMAN DICICCO: He agrees, he's on
7 the left. We all agree.

8 Anyone else here who wishes to testify
9 for or against this bill?

10 (No response.)

11 COUNCILMAN DICICCO: This concludes our
12 public hearing on the Committee of Streets and
13 Services, and we will now move into the public
14 meeting.

15 I thank all of you for your attendance.

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1 5/30/02 STREETS & SERVICES, PUBLIC MEETING

2 COUNCILMAN DICICCO: The Chair
3 recognizes Councilman Ortiz.

4 COUNCILMAN ORTIZ: Councilman DiCicco,
5 Chairman, I move that Bill No. 020049 be reported
6 out of committee with a favorable recommendation
7 and a recommendation that the rules of Council be
8 suspended so as to permit first reading at the next
9 session of City Council.

10 (Duly seconded.)

11 COUNCILMAN DICICCO: It's been properly
12 moved and seconded that Bill No. 020049 be reported
13 out of committee with a favorable recommendation
14 and that the rules of Council be suspended.

15 All those in favor will signify by
16 saying aye.

17 Those opposed?

18 The bill is approved.

19 Councilman Ortiz?

20 COUNCILMAN ORTIZ: Mr. Chairman, I move
21 that Bill No. 020167 be moved out of committee with
22 a favorable recommendation and a recommendation
23 that rules of Council be suspended so as to permit
24 first reading at the next session of City Council.

25 (Duly seconded.)

1 5/30/02 STREETS & SERVICES, PUBLIC MEETING

2 COUNCILMAN DICICCO: It's been properly
3 moved and seconded that Bill No. 020167 be reported
4 out of committee with a favorable recommendation
5 and that the rules of Council be suspended.

6 All those in favor will signify by
7 saying aye.

8 Those opposed?

9 The bill is approved.

10 Councilman Ortiz?

11 COUNCILMAN ORTIZ: Mr. Chairman, I move
12 that Bill No. 020168 be reported out of committee
13 with a favorable recommendation and a
14 recommendation that the rules of Council be
15 suspended so as to permit first reading at the next
16 session of City Council.

17 COUNCILMAN DICICCO: It's been properly
18 moved and seconded that Bill No. 020168 be reported
19 out of committee with a favorable recommendation
20 and that the rules of Council be suspended.

21 All those in favor will signify by
22 saying aye.

23 Those opposed?

24 The bill is approved.

25 The Chair recognizes Councilman Ortiz.

1 5/30/02 STREETS & SERVICES, PUBLIC MEETING

2 COUNCILMAN ORTIZ: Mr. Chairman, I move
3 that Bill No. 020254 be reported out of committee
4 with a favorable recommendation and a
5 recommendation that the rules of Council be
6 suspended so as to permit first reading at our next
7 session of City Council.

8 (Duly seconded.)

9 COUNCILMAN DICICCO: It's been properly
10 moved and seconded that Bill No. 020254 be reported
11 out of committee with a favorable recommendation
12 and that the rules of Council be suspended.

13 All those in favor will signify by
14 saying aye.

15 Those opposed?

16 The bill is approved.

17 COUNCILMAN ORTIZ: Mr. Chairman, I move
18 that Bill No. 020257 be reported out of committee
19 with a favorable recommendation and a
20 recommendation that the rules of Council be
21 suspended so was as to permit first reading at the
22 next session of City Council.

23 (Duly seconded.)

24 COUNCILMAN DICICCO: It's been properly
25 moved and seconded that Bill No. 020257 be reported

1 5/30/02 STREETS & SERVICES, PUBLIC MEETING

2 out of committee with a favorable recommendation
3 and that the rules of Council be suspended.

4 All those in favor will signify by
5 saying aye.

6 Those opposed?

7 The ayes have it, the bill is approved.

8 COUNCILMAN ORTIZ: Mr. Chairman, there
9 is an amendment to Bill 259.

10 COUNCILMAN DICICCO: The Chair
11 recognizes Councilman Clarke for the amendment.

12 COUNCILMAN ORTIZ: Hold it, 359. I'm
13 sorry. Sorry.

14 Mr. Chairman, I move that Bill No.
15 020259 be reported out of committee with a
16 favorable recommendation and a recommendation that
17 the rules of Council be suspended so as to permit
18 first reading at the next session of City Council.

19 (Duly seconded.)

20 COUNCILMAN DICICCO: It's been properly
21 moved and seconded that Bill No. 020259 be reported
22 out of committee with a favorable recommendation
23 and that the rules of Council be suspended.

24 All those in favor will signify by
25 saying aye.

1 5/30/02 STREETS & SERVICES, PUBLIC MEETING

2 Those opposed?

3 The bill is approved.

4 COUNCILMAN ORTIZ: Mr. Chairman, I move
5 that Bill No. 020277 be reported out of committee
6 with a favorable recommendation and a
7 recommendation that the rules of Council be
8 suspended so as to permit first reading at the next
9 session of City Council.

10 (Duly seconded.)

11 COUNCILMAN DICICCO: It's been properly
12 moved and seconded that Bill No. 020277 be reported
13 out of committee with a favorable recommendation
14 and that the rules of Council be suspended.

15 All those in favor will signify by
16 saying aye.

17 Those opposed?

18 The bill is approved.

19 Councilman Ortiz?

20 COUNCILMAN ORTIZ: Mr. Chairman, I move
21 that Bill No. 020339 be reported out of committee
22 with a favorable recommendation and a
23 recommendation that the rules of Council be
24 suspended so as to permit first reading at the next
25 session of City Council.

1 5/30/02 STREETS & SERVICES, PUBLIC MEETING

2 COUNCILMAN DICICCO: It's been properly
3 moved and seconded that Bill No. 020339 be reported
4 out of committee with a favorable recommendation
5 and that the rules of Council be suspended.

6 All those in favor will signify by
7 saying aye.

8 Those opposed?

9 The bill is approved.

10 Councilman Ortiz?

11 COUNCILMAN ORTIZ: Mr. Chairman, I move
12 that Bill No. 020341 be reported out of committee
13 with a favorable recommendation and a
14 recommendation that the rules of Council be
15 suspended so as to permit first reading at the next
16 session of City Council.

17 (Duly seconded.)

18 COUNCILMAN DICICCO: It's been properly
19 moved and seconded that Bill No. 020341 be reported
20 out of committee with a favorable recommendation
21 and that the rules of Council be suspended.

22 All those in favor will signify by
23 saying aye.

24 Those opposed?

25 The bill is approved.

1 5/30/02 STREETS & SERVICES, PUBLIC MEETING

2 Councilman Ortiz?

3 COUNCILMAN ORTIZ: Mr. Chairman, I move
4 that Bill 020342 be reported out of committee with
5 a favorable recommendation and also a
6 recommendation that the rules of Council be
7 suspended so as to permit first reading at the next
8 session of City Council.

9 COUNCILMAN DICICCO: It's been properly
10 moved and seconded that Bill No. 020342 be reported
11 out of committee with a favorable recommendation
12 and that the rules of Council be suspended.

13 All those in favor will signify by
14 saying aye.

15 Those opposed?

16 The bill is approved.

17 Councilman Ortiz?

18 COUNCILMAN ORTIZ: Mr. Chairman, I move
19 that Bill No. 020349 be reported out of committee
20 with a favorable recommendation and a
21 recommendation that the rules of Council be
22 suspended so as to permit first reading at the next
23 session of City Council.

24 (Duly seconded.)

25 COUNCILMAN DICICCO: It's been properly

7 Those opposed?

9 Councilman Ortiz?

16 (Duly seconded.)

21 All those in favor will signify by
22 saying aye.

23 Those opposed?

24 The bill is approved.

25 COUNCILMAN ORTIZ: Mr. Chairman, I move

1 5/30/02 STREETS & SERVICES, PUBLIC MEETING

2 that Bill No. 020351 be reported out of committee
3 with a favorable recommendation and also a
4 recommendation that the rules of Council be
5 suspended so as to permit first reading at the next
6 session of City Council.

7 (Duly seconded.)

8 COUNCILMAN DICICCO: It's been properly
9 moved and seconded that Bill No. 020351 be reported
10 out of committee with a favorable recommendation
11 and that the rules of Council be suspended.

12 All those in favor will signify by
13 saying aye.

14 Those opposed?

15 The bill is approved.

16 COUNCILMAN ORTIZ: Mr. Chairman, I move
17 that Bill No. 020352 be reported out of committee
18 with a favorable recommendation and a
19 recommendation that the rules of Council be
20 suspended so as to permit first reading at the next
21 session of City Council.

22 (Duly seconded.)

23 COUNCILMAN DICICCO: It's been properly
24 moved and seconded that Bill No. 020352 be reported
25 out of committee with a favorable recommendation

1 5/30/02 STREETS & SERVICES, PUBLIC MEETING

2 and that the rules of Council be suspended.

3 All those in favor will signify by
4 saying aye.

5 Those opposed?

6 The bill is approved.

7 COUNCILMAN ORTIZ: Mr. Chairman, I move
8 that Bill 020353 be reported out of committee with
9 a favorable recommendation and a recommendation
10 that the rules of Council be suspended so as to
11 permit first reading at the next session of City
12 Council.

13 (Duly seconded.)

14 COUNCILMAN DICICCO: It's been properly
15 moved and seconded that Bill No. 020353 be reported
16 out of committee with a favorable recommendation
17 and that the rules of Council be suspended.

18 All those in favor will signify by
19 saying aye.

20 Those opposed?

21 The bill is approved.

22 COUNCILMAN ORTIZ: Mr. Chairman, I move
23 that Bill 020354 be reported out of committee with
24 a favorable recommendation and a recommendation
25 that the rules of Council be suspended so as to

1 5/30/02 STREETS & SERVICES, PUBLIC MEETING
2 permit first reading in the next session of City
3 Council.

4 (Duly seconded.)

5 COUNCILMAN DICICCO: It's been properly
6 moved and seconded that Bill No. 020354 be reported
7 out of committee with a favorable recommendation
8 and that the rules of Council be suspended.

9 All those in favor will signify by
10 saying aye.

11 Those opposed?

12 The bill is approved.

13 COUNCILMAN ORTIZ: Mr. Chairman, I move
14 that Bill 020356 be reported out of committee with
15 a favorable recommendation and a recommendation
16 that the rules of Council be suspended so as to
17 permit first reading at the next session of City
18 Council.

19 (Duly seconded.)

20 COUNCILMAN DICICCO: It's been properly
21 moved and seconded that Bill No. 020356 be reported
22 out of committee with a favorable recommendation
23 and that the rules of Council be suspended.

24 All those in favor will signify by
25 saying aye.

1 5/30/02 STREETS & SERVICES, PUBLIC MEETING

2 Those opposed?

3 The bill is approved.

4 COUNCILMAN ORTIZ: Mr. Chairman, I move
5 that Bill No. 020357 be reported out of committee
6 with a favorable recommendation and a
7 recommendation that the rules of Council be
8 suspended so as to permit first reading at the next
9 session of City Council.

10 COUNCILMAN DICICCO: It's been properly
11 moved and seconded that Bill No. 020357 be reported
12 out of committee with a favorable recommendation
13 and that the rules of Council be suspended.

14 All those in favor will signify by
15 saying aye.

16 Those opposed?

17 The bill is approved.

18 COUNCILMAN ORTIZ: Coming down the
19 stretch.

20 COUNCILMAN DICICCO: This is the
21 amended bill.

22 COUNCILMAN ORTIZ: This is not the
23 amended one. That was 57.

24 COUNCILMAN DICICCO: All right.

25 COUNCILMAN ORTIZ: We're coming down

1 5/30/02 STREETS & SERVICES, PUBLIC MEETING

2 the stretch.

3 Mr. Chairman, I move that Bill No.
4 020358 be reported out of committee with a
5 favorable recommendation and a recommendation that
6 the rules of Council be suspended so as to permit
7 first reading at the next session of City Council.

8 (Duly seconded.)

9 COUNCILMAN DICICCO: It's been properly
10 moved and seconded that Bill No. 020358 be reported
11 out of committee with a favorable recommendation
12 and that the rules of Council be suspended.

13 All those in favor will signify by
14 saying aye.

15 Those opposed?

16 The bill is approved.

17 The Chair recognizes Councilmember
18 Clarke for an amendment to Bill No. 020359.

19 COUNCILMAN CLARKE: Thank you, thank
20 you, Mr. Chairman. The bill will be amended as
21 follows:

22 In Section 2a., we will delete the
23 language from furnish to thereof. Added to that
24 will be "submit documentation in the form and
25 content acceptable to the City Solicitor that the

1 5/30/02 STREETS & SERVICES, PUBLIC MEETING

2 Center City District self-assumes liabilities and
3 obligations normally covered by the surety bond."

4 In section 2e., we will delete 2e. in
5 its entirety, and we will simply move 2f. up to
6 reletter that as 2e.

7 On Section 5, in the last sentence,
8 where it read, "This ordinance within one year..."
9 We will delete "one year" and add "two years."

10 Those are the amendments to this
11 particular bill. At this time, I would like to
12 make a motion for the amendments to Bill No.
13 020359.

14 (Duly seconded.)

15 COUNCILMAN DICICCO: It's been properly
16 moved and seconded to approve the amendment to Bill
17 No. 020359.

18 All those in favor will signify by
19 saying aye.

20 Those opposed?

21 The bill is approved.

22 The Chair recognizes Councilman Clarke
23 for a motion on the amended bill.

24 COUNCILMAN CLARKE: Thank you,
25 Mr. Chairman. I make a motion that Bill No.

1 5/30/02 STREETS & SERVICES, PUBLIC MEETING

2 020359, as amended, be reported out of committee
3 with a favorable recommendation and a request for a
4 suspension of the rules so as to allow for reading
5 at the next session of Council.

6 (Duly seconded.)

7 COUNCILMAN DICICCO: It's been properly
8 moved and seconded that Bill No. 020359, as
9 amended, be reported out of committee with a
10 favorable recommendation and that the rules of
11 Council be suspended.

12 All those in favor will signify by
13 saying aye.

14 Those opposed?

15 The amended bill is approved.

16 Councilman Ortiz?

17 COUNCILMAN ORTIZ: Mr. Chairman, I move
18 that Bill No. 020360 be reported out of committee
19 with a favorable recommendation and a
20 recommendation that the rules of Council be
21 suspended so as a to permit first reading next
22 concession City Council.

23 (Duly seconded.)

24 COUNCILMAN DICICCO: It's been properly
25 moved and seconded that Bill No. 020360 be reported

1 5/30/02 STREETS & SERVICES, PUBLIC MEETING

2 out of committee with a favorable recommendation
3 and that the rules of Council be suspended.

4 All those in favor will signify by
5 saying aye.

6 Those opposed?

7 The bill is approved.

8 Councilman Ortiz?

9 COUNCILMAN ORTIZ: The finish line is
10 in sight.

11 Mr. Chairman, I move that Bill No.
12 020362 be reported out of committee with a
13 favorable recommendation and a recommendation that
14 the rules of Council be suspended so as to permit
15 first reading at the next session of Council.

16 (Duly seconded.)

17 COUNCILMAN DICICCO: It's been properly
18 moved and seconded that Bill No. 020362 be reported
19 out of committee with a favorable recommendation
20 and that the rules of Council be suspended.

21 All those in favor will signify by
22 saying aye.

23 Those opposed?

24 The bill is approved.

25 This concludes the public meeting on

1 5/30/02 STREETS & SERVICES, PUBLIC MEETING
2 the Committee of Streets and Services, and I want
3 to thank all of the members for attending. Thank
4 you.

5 (Committee proceedings end at
6 3:54 p.m.)

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CERTIFICATE

I HEREBY CERTIFY that the foregoing
proceedings of the Council of the City of
Philadelphia's meeting of the Committee on Streets
and Services of Thursday, May 30, 2002, are
contained fully and accurately in the stenographic
notes taken by me, and that this is a true and
correct transcript of same.

_____,
Josephine Cardillo
Registered Professional Reporter
and Notary Public

(The foregoing certification of this
transcript does not apply to any reproduction of
the same by any means, unless under the direct
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