

COUNCIL OF THE CITY OF PHILADELPHIA
COMMITTEE ON RULES

Room 400, City Hall
Philadelphia, Pennsylvania
Friday, March 28, 2014
10:15 a.m.

PRESENT:

COUNCILMAN WILLIAM K. GREENLEE, CHAIR
COUNCILWOMAN CINDY BASS
COUNCILMAN BOBBY HENON
COUNCILMAN CURTIS JONES, JR.
COUNCILMAN DENNIS O'BRIEN
COUNCILWOMAN BLONDELL REYNOLDS BROWN
COUNCILWOMAN MARIAN B. TASCO

BILLS 130411, 130768, 140053, and 130955

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2 COUNCILMAN GREENLEE: Good
3 morning, everyone. I'd like to get
4 started.

5 This is the Committee on Rules.
6 We have established a quorum with
7 Councilwoman Reynolds Brown, Councilwoman
8 Bass, Councilman Henon, and Majority
9 Leader Jones, who is a member of all the
10 committees.

11 Ms. Marconi, will you please
12 read the title of the first bill before
13 us today.

14 THE CLERK: Bill No. 130411, an
15 ordinance amending Title 14 of The
16 Philadelphia Code, entitled "Zoning and
17 Planning," by revising parking
18 requirements for the Main Street/Manayunk
19 and Venice Island Neighborhood
20 Conservation Overlay District and
21 requiring the submission of a parking
22 plan to the Registered Community
23 Organization in certain circumstances,
24 all under certain terms and conditions.

25 COUNCILMAN GREENLEE: Thank

1 3/28/14 - RULES - BILL 130411, etc.

2 you.

3 Mr. Kramer, sir. Good morning.

4 MR. KRAMER: Good morning,

5 Chairman Greenlee and members of the

6 Rules Committee. I am William Kramer,

7 Division Director of the Development

8 Division of the Philadelphia City

9 Planning Commission. I am here today to

10 testify on Bill No. 130411, which was

11 introduced by Councilmember Jones into

12 City Council May 16th, 2013.

13 As originally introduced, Bill

14 No. 130411 would amend the Main

15 Street/Manayunk and Venice Island Overlay

16 District to permit mechanical access

17 parking lots in Subareas A and B of the

18 District as long as they are accessory to

19 eating and drinking establishments, night

20 clubs or private clubs. A height limit

21 for the mechanical structures would have

22 been indicated, agreements were required,

23 and the location of such lots would be

24 permitted on non-abutting lots as long as

25 parking is permitted as a principal use

1 3/28/14 - RULES - BILL 130411, etc.
2 and the lot is located within 1,000 feet
3 of the eating and drinking establishment.

4 However, based on a recently
5 received amendment to Bill No. 130411,
6 mechanical parking is no longer included
7 and this bill now permits accessory
8 parking for eating and drinking
9 establishments only on the lot where the
10 use sits or on another lot as long as
11 special exception from the Zoning Board
12 of Adjustment is obtained, the lot is
13 within 1,000 feet of the establishment,
14 parking is a permitted use on that lot,
15 and the applicant has entered into an
16 agreement with the owner of the off-site
17 lot.

18 The Philadelphia City Planning
19 Commission at its meeting of March 18th,
20 2014 considered Bill No. 130411 and
21 recommended it for approval, as amended.

22 That concludes my testimony.
23 I'd be happy to answer any questions you
24 may have.

25 COUNCILMAN GREENLEE: And I

1 3/28/14 - RULES - BILL 130411, etc.

2 understand there is a small amendment on
3 this; is that right?

4 MR. KRAMER: That's what I was
5 led to believe, yes. It was coming from
6 the Councilman's office.

7 COUNCILMAN GREENLEE: We have
8 it here. It will be moved at the
9 meeting.

10 Any questions for Mr. Kramer?
11 (No response.)

12 COUNCILMAN GREENLEE: Seeing
13 none, thank you on this bill. We have, I
14 think, one other person listed on our
15 list, Howard Moseley.

16 Sir, how are you?

17 (Witness approached witness
18 table.)

19 COUNCILMAN GREENLEE: Good
20 morning. Please identify yourself and
21 proceed.

22 MR. MOSELEY: Good morning,
23 Chairman Greenlee and members of the
24 Rules Committee. My name is Howard
25 Moseley. I'm the Director of Government

1 3/28/14 - RULES - BILL 130411, etc.
2 Relations and Infrastructure for the
3 Manayunk Development Corporation, MDC.
4 MDC is both a non-profit business
5 association and an economic development
6 engine for the business district,
7 representing more than 115 small
8 businesses. I'm here today on behalf of
9 MDC to support Bill No. 130411 amending
10 the Main Street/Manayunk and Venice
11 Island Overlay section of The
12 Philadelphia Code.

13 Manayunk is both a commercial
14 corridor and a residential neighborhood
15 in the Northwest section of Philadelphia.
16 Boasting a status of the National
17 Historic District since 1983, Manayunk is
18 known as a destination for tourists,
19 cyclists, families, and young urban
20 professionals. With its urban feel and
21 small-town charm, Manayunk is also known
22 as one of Philadelphia's safest
23 neighborhoods.

24 With the introduction of the
25 new Zoning Code, a serious unanticipated

1 3/28/14 - RULES - BILL 130411, etc.
2 consequence affected our district. We
3 lost the controls in our zoning overlay.
4 These controls help to keep businesses
5 both -- I'm sorry; to keep both
6 businesses and residential communities of
7 Manayunk in the loop when new businesses
8 that could negatively impact the
9 District's quality of life or prove to
10 otherwise be a nuisance in the District
11 were considering opening in a Manayunk
12 location.

13 After five years of working
14 with the Manayunk Neighborhood Council,
15 MDC now has a set of standard agreements
16 for food and alcohol-related businesses
17 that streamline the variance and special
18 exception processes and encourages the
19 new businesses to be a good neighbor to
20 both residents and businesses.

21 Our prior zoning regulations
22 compelled new businesses to come to the
23 community and seek our approval, but the
24 current legislation allows food-related
25 businesses adjacent to a parking lot to

1 3/28/14 - RULES - BILL 130411, etc.
2 open with an over-the-counter license and
3 completely bypass our organizations. As
4 a result, we've had more than five new
5 businesses open with over-the-counter use
6 permits. Some of these businesses keep
7 late hours, litter our streets with
8 take-out containers, store their
9 commercial dumpsters on the sidewalk, and
10 contribute negatively otherwise to the
11 quality of life for our residents.

12 Bill No. 130411 is the product
13 of several meetings among the leadership
14 of both the business and residential
15 communities, and although it will not
16 solve all the problems brought about by
17 the loss of the overlay, it will close
18 the floodgates and stop the bleeding. It
19 will once again encourage new businesses
20 to seek the approval of the community
21 prior to expending any resources or
22 making any commitments with the property
23 owner. It will help to impede the growth
24 of rowdy late night crowds and
25 consequently decrease the volume of

1 3/28/14 - RULES - BILL 130411, etc.
2 litter that we are seeing due to some of
3 the new establishments.

4 Members of the Rules Committee,
5 on behalf of the Manayunk Development
6 Corporation, I urge you to support the
7 future of Manayunk by supporting Bill No.
8 130411.

9 Thank you.

10 COUNCILMAN GREENLEE: Thank
11 you, Mr. Moseley.

12 Councilman Jones.

13 COUNCILMAN JONES: Yes. For
14 the record, the Native American
15 translation for Manayunk is a good place
16 to drink, and some people take that very
17 seriously, and there is such a thing as
18 too much of a good thing. And what the
19 Manayunk Development Corporation has
20 managed to do was extract commitments of
21 good neighborly behavior from bars and
22 restaurants to make sure that a delicate
23 balance between neighbors, businesses,
24 and the CDC be maintained. When we did
25 the overlay, we took away their ability

1 3/28/14 - RULES - BILL 130411, etc.
2 to negotiate these types of
3 relationships, and what we hope to do is
4 correct that by this ordinance today.

5 Thank you, Mr. Chairman.

6 COUNCILMAN GREENLEE: Thank
7 you, Councilman.

8 Councilman Henon.

9 COUNCILMAN HENON: Good
10 morning. Thank you for coming in. I got
11 a few questions.

12 Does this legislation revert
13 entirely back all the authority and
14 abilities that you had to help have some
15 controls over the commercial corridor?

16 MR. MOSELEY: It does not. It
17 really literally closes the loophole. We
18 considered going through that entire
19 process, and as we were doing that,
20 businesses continued to open. So our
21 goal was to stop the bleeding now, and
22 this is where -- this represents mutual
23 agreement among both the business and
24 residential communities, which is really
25 the spirit of what we were doing when we

1 3/28/14 - RULES - BILL 130411, etc.
2 engaged the residents five years ago and
3 started getting these agreements in
4 place.

5 COUNCILMAN HENON: Exactly.
6 And I think under our Majority Leader's
7 leadership and commitment to managing
8 that as a partner with the Development
9 Corporation, Manayunk certainly has
10 become a respectful, vibrant, and healthy
11 place to --

12 MR. MOSELEY: Live, shop, dine,
13 and play.

14 COUNCILMAN HENON: -- live,
15 stay, visit, and enjoy each other.

16 So you had mentioned some of
17 the challenges that you have. Can you
18 explain? So by right is intended to,
19 through the Zoning Code Reform
20 Commission, it's intended to make things
21 a little bit easier on the Zoning Board
22 itself because of case log and --

23 MR. MOSELEY: Absolutely.

24 COUNCILMAN HENON: -- and have
25 the opportunity to develop.

1 3/28/14 - RULES - BILL 130411, etc.

2 So how does this -- because
3 there are some challenges. How does this
4 not conform with the spirit of all the
5 hard work that Councilman Jones and the
6 CDC, the corporation have gone through?

7 MR. MOSELEY: Well, what it
8 does right now is, it literally closes
9 the loophole which allows any business
10 that's abutting any type of parking lot,
11 whether it's a legal parking lot or
12 whether it's just a lot with no building
13 on it, if you have that, then you can
14 meet the parking requirements of the
15 Zoning Code, which is actually not fair
16 to businesses that are food
17 establishments that want to come in and
18 are compelled to come to us. So what we
19 end up getting are businesses that can
20 just go over the counter, open up the
21 next day. We don't even know that they
22 have a deal with the property owner, and
23 they in no way are accountable to the
24 neighbors or to our organization. So
25 with the new businesses that we've opened

1 3/28/14 - RULES - BILL 130411, etc.
2 with agreements, they have certain times
3 that they can be open till, that the last
4 customer is out till. They have
5 requirements for the take-out containers.
6 And we've gone through -- we're in the
7 process of a streetscape planning
8 process. We've gone through a strategic
9 planning process, and all the advice that
10 we have from consultants is that Manayunk
11 is at its tipping point. We cannot hold
12 another late night take-out establishment
13 and have good quality of life for our
14 residents. And as a business community,
15 we actually care about what the residents
16 think. So we have -- that's why we built
17 these agreements.

18 COUNCILMAN HENON: I have no
19 further questions. I hope this does
20 address some of your issues in moving
21 forward to make sure things conform with
22 the vision of Manayunk.

23 Thank you.

24 COUNCILMAN GREENLEE: Thank
25 you, Councilman.

1 3/28/14 - RULES - BILL 130411, etc.

2 Please let the record reflect
3 Councilwoman Tasco and Councilman
4 O'Brien, members of the Committee, are
5 present.

6 Councilman Jones.

7 COUNCILMAN JONES: No.

8 COUNCILMAN GREENLEE: Are there
9 any other questions?

10 (No response.)

11 COUNCILMAN GREENLEE: Seeing
12 none, anyone else here to testify on Bill
13 No. 130411?

14 (No response.)

15 COUNCILMAN GREENLEE: Seeing
16 none, Mr. Moseley, thank you. Thank you
17 for coming.

18 MR. MOSELEY: Thank you.

19 COUNCILMAN GREENLEE: Ms.
20 Marconi, the next bill before us, please.

21 THE CLERK: Bill No. 130768, an
22 ordinance amending Title 14 of The
23 Philadelphia Code, entitled "Zoning and
24 Planning," by revising certain provisions
25 relating to definitions of certain

1 3/28/14 - RULES - BILL 130411, etc.
2 industrial use categories and
3 regulations.

4 COUNCILMAN GREENLEE: Thank
5 you.

6 Mr. Kramer.

7 MR. KRAMER: Good morning,
8 Chairman Greenlee, members of the Rules
9 Committee. I am William Kramer, Division
10 Director of the Development Division of
11 the Philadelphia City Planning
12 Commission. I am here today to testify
13 on Bill No. 130768, which was introduced
14 into City Council October 24th, 2013 by
15 Councilmember Johnson.

16 Bill No. 130768 amends the
17 Philadelphia Zoning Code by amending
18 Section 14-600 of the Code, entitled "Use
19 Regulations." The legislation would
20 remove the following uses as permitted
21 uses in the ICMX Industrial Commercial
22 Mixed Use Districts: personal vehicles
23 sales and rental, personal vehicle repair
24 and maintenance, commercial vehicle sales
25 and rental, commercial vehicle repair and

1 3/28/14 - RULES - BILL 130411, etc.
2 maintenance, vehicle paint finishing
3 shop, and vehicle equipment and supplies
4 sales and rental.

5 The Philadelphia City Planning
6 Commission considered Bill No. 130768 at
7 its meeting of November 19th, 2013 and
8 recommended that this bill be approved
9 with the amendment that personal vehicle
10 sales and rental, personal vehicle repair
11 and maintenance, and vehicle equipment
12 and supplies sales and rental be retained
13 as a matter of right in ICMX Industrial
14 Commercial Mixed Use Districts. The
15 Commission believes that the current
16 provisions of the legislation are too
17 restrictive of auto-oriented uses. Since
18 that time, there have been discussions
19 with Councilman Johnson's office, and
20 they have agreed to amend this bill.
21 Commercial vehicle repair and maintenance
22 and vehicle paint finishing shops will
23 still be removed as permitted uses in the
24 ICMX Industrial Mixed Use Districts.
25 Vehicle equipment and supplies sales and

1 3/28/14 - RULES - BILL 130411, etc.
2 rental, personal vehicle sales and
3 rental, personal vehicle repair and
4 maintenance, commercial vehicle sales and
5 rental will now require a special
6 exception.

7 Personal vehicle sales and
8 rental, commercial vehicle sales and
9 rental, and vehicle equipment and
10 supplies sales and rentals now have an
11 added notation that "sale of used
12 automotive parts is prohibited" and
13 personal vehicle repair and maintenance
14 has the added notation that "storage of
15 parts must be in an enclosed structure
16 and storage of vehicles being serviced
17 must be on a surface parking lot or in a
18 parking garage." The proposed amendments
19 are considered consistent with the
20 recommendations of the Philadelphia City
21 Planning Commission. Accordingly, we
22 support the recommended passage of the
23 legislation.

24 I'd be happy to answer any
25 questions you may have.

1 3/28/14 - RULES - BILL 130411, etc.

2 COUNCILMAN GREENLEE: Thank
3 you, Mr. Kramer. And, again, that
4 amendment which was agreed to by
5 Councilman Johnson is part of the
6 package.

7 Any questions from the
8 Committee on this issue?

9 (No response.)

10 COUNCILMAN GREENLEE: Seeing
11 none, is there anyone else here to
12 testify on Bill No. 130768?

13 (No response.)

14 COUNCILMAN GREENLEE: Seeing
15 none, thank you.

16 Ms. Marconi, our next bill.

17 THE CLERK: Bill No. 140053, an
18 ordinance to amend the Philadelphia
19 Zoning Maps by changing the zoning
20 designations of certain areas of land
21 located within an area bounded by
22 Springfield Avenue (extended), 58th
23 Street, Lindbergh Boulevard, 60th Street,
24 Elmwood Avenue, 77th Street (extended),
25 and Cobbs Creek.

1 3/28/14 - RULES - BILL 130411, etc.

2 COUNCILMAN GREENLEE: Thank
3 you.

4 Mr. Kramer.

5 MR. KRAMER: Good morning,
6 Chairman Greenlee and members of the
7 Rules Committee. I am William Kramer,
8 Division Director of the Development
9 Division of the Philadelphia City
10 Planning Commission. I am here today to
11 testify on Bill No. 140053, which was
12 introduced into City Council on January
13 30th of 2014 by Councilmember Johnson.

14 Bill No. 140053 rezones the
15 area bounded by Springfield Avenue
16 (extended), 58th Street, Lindbergh
17 Boulevard, 60th Street, Elmwood Avenue,
18 77th Street (extended), and Cobbs Creek.
19 The bill primarily focuses on rezoning
20 I-2 Medium Industrial District properties
21 to ICMX Industrial Commercial Mixed Use
22 District properties. This would allow
23 for a more appropriate use of property
24 adjacent to residential districts and
25 allow for more development options for

1 3/28/14 - RULES - BILL 130411, etc.
2 the reuse of vacant land.

3 This bill is essentially the
4 same as Bill 130813, which was introduced
5 by Councilmember Johnson October 21st of
6 2013. The original ordinance had some
7 concerns in the short title which
8 necessitated reintroduction of the
9 legislation.

10 The Philadelphia City Planning
11 Commission at its meeting of November
12 19th, 2013 recommended that Bill No.
13 130813 be approved, and at its meeting of
14 February 18th, 2014, the Commission
15 recommended that Bill 140053 be approved
16 as an item in accord with previous
17 policy.

18 Since I drafted the testimony,
19 I've been contacted by the Law Department
20 who has requested that there be technical
21 amendments made to the maps for
22 clarification purposes. There was some
23 initial overlays in the maps between Map
24 A and Map B kind of a thing, and they
25 wanted us to clarify that. So these are

1 3/28/14 - RULES - BILL 130411, etc.
2 amendments for clarification purposes,
3 not anything substantive.

4 That concludes my testimony.
5 I'd be happy to answer any questions you
6 may have.

7 COUNCILMAN GREENLEE: Thank
8 you, Mr. Kramer. And, again, that
9 amendment is in our packet and will be
10 introduced at the meeting.

11 Any questions for Mr. Kramer on
12 this bill?

13 (No response.)

14 COUNCILMAN GREENLEE: Seeing
15 none, anyone else here to testify on Bill
16 No. 140053?

17 (No response.)

18 COUNCILMAN GREENLEE: Seeing
19 none, Ms. Marconi, will you please read
20 the title of our last bill before us
21 today.

22 THE CLERK: Bill No. 130955, an
23 ordinance continuing the Chestnut Hill
24 Business Improvement District in an area
25 that generally includes both sides of

1 3/28/14 - RULES - BILL 130411, etc.
2 Germantown Avenue from 7640 to 8705,
3 certain blocks of streets that intersect
4 that portion of Germantown Avenue, and
5 both sides of Bethlehem Pike from 10 to
6 105; approving an extension to the
7 boundaries of the District, and
8 continuing Chestnut Hill Business
9 Improvement District, Incorporated, a
10 Pennsylvania nonprofit corporation, as
11 the neighborhood improvement district
12 management association for the District;
13 approving a new plan for the District,
14 including a list of proposed improvements
15 and their estimated cost, and providing
16 for assessment fees to be levied on
17 property owners within the District;
18 authorizing the Director of Commerce, on
19 behalf of the City, to execute an
20 agreement with Chestnut Hill Business
21 Improvement District, Incorporated
22 relating to the District; and
23 reauthorizing Chestnut Hill Business
24 Improvement District, Incorporated to
25 assess property owners within the

1 3/28/14 - RULES - BILL 130411, etc.
2 District a special property assessment
3 fee to be used in accordance with the
4 approved plan; all in accordance with the
5 provisions of the Community and Economic
6 Improvement Act, and under certain terms
7 and conditions.

8 Martha Sharkey.

9 COUNCILMAN GREENLEE:

10 Ms. Sharkey, while you're approaching, I
11 want to recognize the sponsor of the
12 bill, Councilwoman Bass.

13 COUNCILWOMAN BASS: Thank you,
14 Mr. Chairman.

15 So I just really wanted to say
16 briefly before we begin our testimony
17 that I'm so glad to see so many folks out
18 from Chestnut Hill. In true Chestnut
19 Hill fashion, folks are interested and
20 excited about what's happening in their
21 communities and have come out this
22 morning to participate.

23 Chestnut Hill has long been an
24 example of what we can do when we work
25 hard, when we draw people in, whether

1 3/28/14 - RULES - BILL 130411, etc.
2 it's from other parts of the City, from
3 the surrounding counties, when we want to
4 think about what our commercial districts
5 and corridors can be. And so I know that
6 all of the folks who are here today from
7 Chestnut Hill really have had a strong
8 hand in that, whether you agree with the
9 BID or whether you disagree, but you've
10 all had a significant hand in what
11 Chestnut Hill is today, and so I just
12 really wanted to start off by saying
13 thank you so much for the work that you
14 all have done, and I'm hopeful that we
15 will be able to find some resolution that
16 everyone can agree on.

17 So thank you.

18 COUNCILMAN GREENLEE: Thank,
19 you, Councilwoman.

20 No other comments, Ms. Sharkey,
21 please identify yourself and proceed.

22 MS. SHARKEY: Thank you. Good
23 morning, Chairman Greenlee and members of
24 the Rules Committee. My name is Martha
25 Sharkey. I'm the Executive Director for

1 3/28/14 - RULES - BILL 130411, etc.
2 the Chestnut Hill Business Improvement
3 District, Business Association, and
4 Parking Foundation. I started my role in
5 November of 2013 and offered testimony to
6 you at our initial hearing on February
7 12th. During that hearing, Seth Shapiro,
8 Chairman of the Board of the Chestnut
9 Hill BID; Richard Snowden, the largest
10 assessment pay member of -- property
11 owner of the BID; and Anne McNally, owner
12 of McNally's Tavern, also testified
13 before you during that initial hearing.

14 Since the first hearing where
15 we discussed many of our programs and the
16 success of the BID over the past several
17 years, we've continued to reach out to
18 BID members beyond that specified by
19 applicable statutes. We hosted many
20 meetings with current and new members,
21 including a second public meeting where
22 my team offered a comprehensive
23 presentation highlighting accomplishments
24 of the BID over the past five years and
25 we outlined future plans for the BID in

1 3/28/14 - RULES - BILL 130411, etc.
2 the following core areas: clean, safe,
3 and beautiful initiatives; retail
4 recruitment; marketing and events;
5 partnerships with institutional
6 neighbors; and then also communication
7 with our BID members.

8 As we move through the
9 reauthorization process, we are already
10 working on several of these initiatives,
11 including a planning grant submission,
12 improved pedestrian crosswalks, security
13 camera proposals, expanded cleaning
14 services, ongoing retail recruitment
15 efforts, development of new promotions in
16 Chestnut Hill. We're also meeting with
17 new potential partners, including SEPTA,
18 and increased communication with our
19 current BID members. Through all of
20 these initiatives, we will continue to
21 focus on creating a thriving Chestnut
22 Hill community and business corridor for
23 our property owners, our residents, our
24 business owners and, of course, our
25 visitors that come to the area.

1 3/28/14 - RULES - BILL 130411, etc.

2 And just as a reminder from our
3 initial hearing, Chestnut Hill District
4 is centered around Germantown Avenue, the
5 commercial corridor, in the Chestnut Hill
6 neighborhood and encompasses unit blocks
7 and a few other ancillary nodes within
8 our community. The proposed district
9 includes a total of 284 properties,
10 including commercial and residential
11 rental properties. Our BID was
12 originally formed in 2004 with a
13 five-year renewal in 2009. The BID Board
14 has met several times since November,
15 including at our monthly Board meetings,
16 and the BID renewal has been discussed in
17 each of these meetings and the Board has
18 voted several times, both formally and
19 informally, to support this current form
20 of the bill.

21 As I stated in my previous
22 testimony, I believe the Chestnut Hill
23 Business Improvement District has made a
24 significant impact within the Chestnut
25 Hill community since its inception. We

1 3/28/14 - RULES - BILL 130411, etc.
2 certainly appreciate the support provided
3 by Councilwoman Bass and her staff and
4 request your support in reauthorizing the
5 Chestnut Hill BID.

6 COUNCILMAN GREENLEE: Thank
7 you, Ms. Sharkey. Thank you for the work
8 you do up there.

9 Just one general question. You
10 talk about the meetings you've had since
11 our last hearing. Have there been
12 concerns brought up at those hearings,
13 and could you just briefly kind of
14 describe how they've been addressed?

15 MS. SHARKEY: Yes. There's
16 been concerns about -- this is the first
17 time that the footprint has been
18 expanded, and so there have been concerns
19 about the expansion and with the ten-year
20 renewal specifically from five to ten
21 years, because that's a change from what
22 has been done in the past, part of the
23 reason that we started this process in
24 November for a June renewal so that we
25 could have dozens of individual meetings

1 3/28/14 - RULES - BILL 130411, etc.

2 and then also the two public hearings.

3 COUNCILMAN GREENLEE: So the
4 issue was the extension from five to ten
5 and the widening of the area basically?

6 MS. SHARKEY: Correct.

7 COUNCILMAN GREENLEE: Okay.

8 And just on the widening of the area, can
9 you say how you believe that those blocks
10 that have been now included benefit from
11 the BID.

12 MS. SHARKEY: Sure. When the
13 BID was originally formed, there were
14 some inconsistencies with the footprint.
15 Not all -- some properties may have been
16 included while others were not included
17 in the original footprint. So this
18 helped to streamline our footprint of the
19 Business Improvement District, and there
20 were several commercial properties that
21 were not included and other apartment
22 buildings and also other rental
23 properties that were not included in
24 that. And I truly believe that the
25 benefits of the BID extend beyond

1 3/28/14 - RULES - BILL 130411, etc.
2 Germantown Avenue, that the efforts that
3 the BID makes in promoting Chestnut Hill
4 in our safety, beautification, and
5 cleaning initiatives go beyond Germantown
6 Avenue and really help to promote all of
7 Chestnut Hill as a community, and I
8 believe the initiatives that we're
9 working on as well also speak to that,
10 that we are working on expanding cleaning
11 services to include obviously the new
12 footprint, but also our safety
13 initiatives that we're working on. And a
14 lot of our projects, our marketing and
15 promotion, I believe bring people to
16 Chestnut Hill, get the exposure out there
17 so that people want to come to our area
18 and live.

19 COUNCILMAN GREENLEE: So the
20 cleaning will include these new unit
21 blocks?

22 MS. SHARKEY: Yes. We actually
23 have already been meeting. I have a
24 meeting next week to evaluate new
25 equipment that will be able to help us

1 3/28/14 - RULES - BILL 130411, etc.
2 with that.

3 COUNCILMAN GREENLEE: Thank
4 you.

5 Councilwoman Bass.

6 COUNCILWOMAN BASS: Martha, can
7 you talk about what Chestnut Hill would
8 not have if we do not do this expansion?
9 Can you talk about the other side of it,
10 what is it that -- how would the BID
11 shape up, what would it look like, what
12 kind of services would not be included.

13 MS. SHARKEY: Well, I think
14 there's some very -- thank you. That's a
15 great question. I think there are some
16 very visible services that would no
17 longer happen in Chestnut Hill, including
18 our beautification projects with our
19 flower baskets, our holiday lights. We
20 oftentimes hear from so many visitors and
21 residents and neighbors how beautiful the
22 Avenue is throughout the year through all
23 of the seasons, and we've heard from
24 neighboring communities, Oh, we wish that
25 we could do holiday lights like Chestnut

1 3/28/14 - RULES - BILL 130411, etc.
2 Hill does. And the BID helps to support
3 many of those efforts, but the BID has
4 also been instrumental in helping some of
5 our business community members and
6 working with you -- I use this example,
7 Councilwoman Bass -- working with you
8 during the winter with the snowstorms and
9 being able to partner with you to help
10 our business owners and our neighbors to
11 be able to access Germantown Avenue and
12 increase that safety factor with all of
13 the snow that we had.

14 So I think there's some of
15 those pieces that would be missing, also
16 our marketing and promotion that we
17 received through our marketing firm that
18 we use as a part of the BID. A big piece
19 that would be missing would be our retail
20 recruitment program. Our retail
21 recruitment program has brought our
22 vacancy rate from 22 percent four years
23 ago to 11 percent currently.
24 Twenty-three new businesses have opened
25 in Chestnut Hill, 15 new retailers and 8

1 3/28/14 - RULES - BILL 130411, etc.
2 new restaurants in that time, and you can
3 just feel the difference from what it was
4 so many years ago. So I think not having
5 the BID any longer would make a very
6 significant impact on our community.

7 COUNCILWOMAN BASS: Okay.

8 Well, I'm a big supporter of BIDs in my
9 district. I have one in Chestnut Hill
10 obviously and Mount Airy and also in
11 Germantown, which we just restarted, and,
12 you know, it's a hard process. It's hard
13 because folks feel that there's services
14 they should be provided, why do I have to
15 pay extra, am I really getting my money's
16 worth, have I been included in the
17 decision-making. And the answer to those
18 questions really, in my opinion, is shown
19 in the end result. And when you look at
20 the result of the Chestnut Hill BID in
21 terms of the beautification of the
22 Avenue, the retail rate, as you just
23 mentioned, it went from 22 -- it
24 basically cut in half in terms of the
25 vacancy rate. All of these things really

1 3/28/14 - RULES - BILL 130411, etc.
2 do add up to saying that it's worth it to
3 have the BID in Chestnut Hill. This is
4 something that is working. And we
5 recruit people from the suburbs. They
6 want to come into Chestnut Hill and to
7 shop and to eat and to even just hang out
8 along the Avenue because it's really just
9 so beautiful.

10 And so I started out with a
11 thank you to everyone who had been
12 involved in making this happen, but,
13 again, making these things happen, it
14 doesn't come -- it just doesn't happen on
15 its own. It takes work. It will be
16 great if it just -- if no one had to make
17 a contribution to the BID and the flower
18 baskets just automatically got flowers in
19 them and the streets just automatically
20 got cleaned, and those things would be
21 great magically, right, poof, it just
22 happens. But it doesn't just happen. It
23 does require some work.

24 So I think that you made some
25 excellent points in terms of what would

1 3/28/14 - RULES - BILL 130411, etc.
2 not be included if we don't have this
3 expansion. It's really sort of evened
4 out what has already been in place for
5 some time and add a component of fairness
6 to it. Would you agree that that's what
7 we're doing here?

8 MS. SHARKEY: I would, yes.
9 And I would say the unit blocks, there
10 are several businesses, commercial
11 properties. There are 98 new properties
12 that were added in the expanded
13 footprint.

14 COUNCILWOMAN BASS: Okay.
15 Well, thank you very much.

16 COUNCILMAN GREENLEE: Thank
17 you, Councilwoman.

18 And as I understand it, the
19 properties that will be included are
20 non-owner-occupied properties; is that
21 correct?

22 MS. SHARKEY: Correct.

23 COUNCILMAN GREENLEE: And just
24 one last question. On the meetings, did
25 many people in the new area participate?

1 3/28/14 - RULES - BILL 130411, etc.

2 MS. SHARKEY: We had
3 approximately, I think, 1,100 to 1,200
4 mailers that went out with each mailing
5 that went from the City, and at each of
6 the open houses that we hosted, we had
7 approximately 45 to 50 people attend.

8 COUNCILMAN GREENLEE: About how
9 many of those were -- can you guess?

10 MS. SHARKEY: Oh, gosh. I
11 would say maybe half to three-quarters
12 perhaps. I'm guessing.

13 COUNCILMAN GREENLEE: I know.

14 MS. SHARKEY: And the second
15 meeting we also had some owner-occupied
16 homes that attended that meeting as well
17 just to learn more about the BID.

18 COUNCILMAN GREENLEE: But they
19 are not included.

20 MS. SHARKEY: And I hosted a
21 meeting actually yesterday. I hosted a
22 meeting with a homeowner who was just
23 interested in learning more about the BID
24 and looking at opportunities to help and
25 ways to help to improve the Avenue.

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2 COUNCILMAN GREENLEE: Okay.

3 Thank you very much. Again, thank you
4 for all the work you do up there.

5 Any other questions?

6 (No response.)

7 COUNCILMAN GREENLEE: Seeing
8 none, we have someone else on the --
9 other people on the list.

10 THE CLERK: Sanjiv Jain, Paul
11 Roller, and Barry Blum.

12 COUNCILMAN GREENLEE: Could
13 they all come forward, please.

14 There's three people called.
15 You can all come up.

16 (Witnesses approached witness
17 table.)

18 COUNCILMAN GREENLEE: Why don't
19 you have a seat. We got two people. One
20 person I assume isn't here that was
21 called. Okay.

22 Whoever would like to go first,
23 please identify yourself for the record
24 and proceed.

25 MR. ROLLER: My name is Paul

1 3/28/14 - RULES - BILL 130411, etc.

2 Roller, resident, born in Chestnut Hill
3 Hospital, probably die there. Good to
4 see you all here.

5 COUNCILMAN GREENLEE: Hopefully
6 not too soon.

7 MR. ROLLER: It happens. It's
8 life.

9 COUNCILMAN GREENLEE: Please
10 proceed.

11 MR. ROLLER: Went to high
12 school in North Philly, college in West
13 Philly. We've been through that before.
14 It's nice to be back. But realistically
15 the last -- there's some very little
16 meaningful conversation in terms of
17 what's going on here. If you do the
18 numbers, folks, it's always about the
19 numbers. The issue is very simple. I
20 was part of the original BID planning
21 team, a member of the BID Board,
22 volunteered many hours over the years,
23 volunteered many hours with the Chestnut
24 Hill Parking Foundation and worked
25 several restaurants simultaneously. It's

1 3/28/14 - RULES - BILL 130411, etc.
2 all a lot of work, but it's worth it.
3 Chestnut Hill is a great place to live.

4 Any of those of us who have
5 brought any dissent to this have been
6 cast as the black hats, and when we
7 actually were the original white hats, I
8 find it kind of weird. There's been a
9 co-opting of the BID.

10 The expansion of the BID to
11 unit blocks, one must ask, well, why
12 weren't they expanded to the hundred
13 block? Living in Chestnut Hill, there is
14 a trickle-down effect of the quality of
15 life. I don't disagree with that, but
16 perhaps all of Chestnut Hill should be
17 taxed with the BID assessment, all of the
18 residences. I find it unusual that just
19 the unit blocks were entertained and
20 gathered in for the new footprint. I
21 think the question should be asked, well,
22 who is the greatest contributor to that.
23 Let's do the numbers. And I think that
24 the Woodward Corporation is represented
25 here today. I don't know if they're

1 3/28/14 - RULES - BILL 130411, etc.
2 speaking or not. But I think that you
3 will find that a great deal of the
4 funding would be coming from them. The
5 Woodward -- and I have no financial ties
6 to the Woodward Corporation. Yes,
7 they're usually in my restaurant.
8 Woodward Corporation has been very good
9 to Chestnut Hill. The family has been
10 around for over a hundred years, brought
11 a lot of great cultural things, has
12 developed LEEDs homes. I mean, who does
13 that in today's market? You know,
14 thinking of the future, thinking of
15 energy, and thinking of the way life as
16 it should be in Chestnut Hill.

17 I'm a BID supporter. I think
18 that we paid a lot of attention when we
19 were gathering that first BID together.
20 We very purposely did not have the
21 residential units in. They weren't part
22 of the deal. It's the businesses. We
23 want it as a business improvement
24 district. We want, I want -- I've got
25 two businesses there. I want that

1 3/28/14 - RULES - BILL 130411, etc.
2 district. It's my retirement as well. I
3 want that district to succeed, and that's
4 why I'm here today.

5 There has been -- I just can't
6 tell you the frustration, the amount of
7 time that's been wasted by the current
8 BID President, Mr. Shapiro, and his
9 employer with the manipulation and the
10 machinations. When I first received that
11 envelope from the City and I saw all
12 the -- it was a Saturday afternoon. I
13 was in the middle of plating a funeral
14 luncheon. I said what the heck is this
15 with all the unit blocks. To go to that
16 manipulative quality to do the expansion
17 was just preposterous.

18 So we do like the BID. The
19 flowers are pretty. The little white
20 lights during holidays are great looking.
21 Yes, it's clean. When Starbucks' trash
22 cans are overflowing, we have somebody
23 who takes care of that. But
24 realistically do the folks who are back
25 the 100 and 200 blocks, do they receive

1 3/28/14 - RULES - BILL 130411, etc.
2 the same benefit? There wasn't even any
3 conversation that perhaps that they could
4 be taxed at a different rate. So there
5 was very little communication about this.

6 I can't even tell you -- when
7 we first voted for the BID, we had to
8 have 51 percent of the property owners
9 who would be represented. And, I mean,
10 hey, you're taxing yourself. Who is
11 crazy enough to do that? Well, over 51
12 percent of us, we were, because we
13 believe in the BID. What I don't believe
14 in is the expansion to include people who
15 really -- I'm a business owner. I have
16 no problem paying that. This has been
17 such a waste of time on the part of the
18 community, and there's been so much
19 tension created between those folks that
20 we are now cast as evil because we
21 dissent. It's the American way, kids.
22 And I really think that this tension --
23 it's very simple, folks. Originally
24 footprint, five-year term. What are we
25 scared about with a five-year term? You

1 3/28/14 - RULES - BILL 130411, etc.
2 folks all -- you have terms. You have to
3 get reelected. That's what America --
4 it's checks and balances. In this case,
5 it's cash checks and balances, but we
6 need to really address how the BID -- the
7 budget is so general, we can't really
8 tell what specifically it is going to be
9 providing. There's \$20,000 in there for
10 parking cameras and security, you know.
11 I want to know for my buck -- I put
12 20,000 bucks, close to 20,000 bucks in it
13 for my two properties in the last ten
14 years. A lot of other people have paid a
15 lot more than that. Mr. Stern has paid
16 more than I by a long shot, but I'm a
17 little guy. It means just as much to me,
18 to my heart, to my soul, and to my
19 kids -- my son, who is here today
20 representing the Hill House -- that this
21 be resolved in a pleasant manner so that
22 we're all friends again. Unfortunately,
23 this does -- the manipulation does tend
24 to try to pit people, again, black hats,
25 white hats.

1 3/28/14 - RULES - BILL 130411, etc.

2 Love the BID, five years,
3 current footprint. I'm loving it.

4 It sounds like a McDonald's ad.
5 I apologize.

6 Thank you for your time.

7 COUNCILMAN GREENLEE:

8 Mr. Roller, thank you.

9 Let's hear from the other and
10 then we'll have questions for both.

11 Sir, please identify yourself
12 and proceed.

13 MR. BLUM: My name is Barry
14 Blum.

15 COUNCILMAN GREENLEE: A little
16 bit closer to the microphone, please.
17 It's a little hard to hear in this place.

18 MR. BLUM: My name is Barry
19 Blum. I operate a store for 40 years,
20 family business, at 45 East Chestnut Hill
21 Avenue. I am the only retail
22 establishment on my street.

23 I won't repeat what Paul said,
24 but I do agree with Paul. I received an
25 envelope in the mail, read through it,

1 3/28/14 - RULES - BILL 130411, etc.
2 attended a meeting asking questions.
3 They told me what it was going to cost me
4 to be a part of the BID. I asked them
5 what advantages I would have. The only
6 thing Martha Sharkey could tell me was
7 that they're going to fix up the SEPTA
8 station near me. How that would help my
9 business, I have no idea.

10 But I'm really here to protest
11 the expansion. I have nothing against
12 it, but I'm a half a mile from Germantown
13 Avenue. It was never discussed with me
14 or my near neighbors, who I know are also
15 against it. They told me it's going to
16 cost me close to \$800 a year. Over a
17 ten-year period, that's \$8,000. That's
18 \$8,000 that I'm not going to be able to
19 spend on a roof or -- I do advertise
20 nationally and my business doesn't come
21 locally. I have a lot of out-of-state
22 business and sometimes out-of-country
23 business with the things that I sell.

24 I operate my shop alone. I
25 have no employees, and it's one of the

1 3/28/14 - RULES - BILL 130411, etc.
2 reasons we're down there. If I had a
3 shop on Germantown Avenue, which would
4 cost me more money to be up there, I'd
5 have to hire employees, keep longer
6 hours, and things like that, but many of
7 us that are off the Avenue have chosen to
8 be where we are because there was no
9 reason for us to have that volume of
10 traffic coming through.

11 For instance, diagonally across
12 from me is another antique shop. He owns
13 a property on Germantown Avenue. He was
14 up there for 20 years. The last 10 or 15
15 years he operates across the street from
16 me. He rents his property out on
17 Germantown Avenue. He feels the same way
18 that I do, there's no reason for him to
19 be on Germantown Avenue. Yes, he's for
20 the BID, but he chose not -- he doesn't
21 feel with the type of business that he
22 has that he wants to be up there.

23 There was once a business
24 around the corner from me. It was a
25 sporting goods store. Two guys started

1 3/28/14 - RULES - BILL 130411, etc.
2 off on their own, business expanded, they
3 wanted to be on the Avenue. They need
4 the traffic. They probably need maybe
5 some of the benefits the BID will
6 provide. I'm a small business. I don't
7 need the benefits. I'm not going to get
8 those benefits. There's no parking lots
9 near me. There's not going to be
10 security cameras near me and all the
11 other benefits. There's no poles in
12 front of my building to put the flowers
13 on a pole. There's no trees to put the
14 sparkling lights on, but in the same
15 breath too because of where the City has
16 assessed my building, I'm going to have
17 to pay more money per year than
18 businesses that are on Germantown Avenue
19 that will directly benefit from the BID,
20 and they may benefit from national
21 advertising that they do or the
22 advertising in Philadelphia Magazine.
23 I'm not going to get that benefit. And
24 that's why we've chosen -- we've had
25 opportunities to relocate to Germantown

1 3/28/14 - RULES - BILL 130411, etc.
2 Avenue. There's plenty of empty
3 properties up there, but we've chosen to
4 be where we are for a reason, and now
5 this is being thrust upon myself and some
6 of my neighbors. And there was never any
7 discussion, Hey, we'd like to expand it,
8 are you interested in being involved, how
9 do you feel about it. I just got a
10 letter in the mail that Saturday
11 afternoon and said -- you know, I started
12 asking questions, and that's what I've
13 done.

14 That BID has taken in over \$2
15 million in the last ten years, and when I
16 spoke to some merchants on the Avenue,
17 they don't see the \$2 million in benefits
18 that BID has provided for them. And, you
19 know, as a person way off the Avenue, I'm
20 actually going to vote against it and so
21 are many of my near neighbors are going
22 to vote against it. Will we defeat it?
23 I have no idea. But I'll leave any
24 questions to you.

25 COUNCILMAN GREENLEE: I

1 3/28/14 - RULES - BILL 130411, etc.
2 appreciate it, sir. I appreciate you
3 both testifying. I know Councilwoman
4 Bass has some questions. Just one for
5 me.

6 Sir, Ms. Sharkey talked about
7 the meetings that have been held. Have
8 you attended any of those?

9 MR. BLUM: I attended a private
10 meeting with the two businesses that are
11 close to me. There's two -- there's an
12 art gallery near me and there's a beauty
13 shop near me, and we had a meeting with
14 Martha after a snowstorm once. I went to
15 one meeting at Woodmere, and when I went
16 to that meeting, I realized, hey, I'm not
17 the only one that has questions about
18 this and is against some of this. And so
19 that's the reason that I came down here
20 today and I testified last time. I was
21 not able to make the last meeting they
22 had at Woodmere. I had another
23 engagement to go to, but there's only
24 been two meetings. She called the two
25 businesses near me to a meeting and we

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2 showed up.

3 COUNCILMAN GREENLEE: I assume
4 you expressed these same concerns?

5 MR. BLUM: Yes, I have.

6 COUNCILMAN GREENLEE: Was there
7 anything said that changed --

8 MR. BLUM: She's not going to
9 agree, because part of her job is to --
10 that's what she's there for, for the BID.
11 I mean, she's not going to agree, you
12 know. But, I mean, it's -- I feel it's
13 really wrong to take private residents
14 and pick and choose. It's like Paul
15 said, how do you just take the unit
16 block? People who live on the unit
17 blocks pay less for their home because
18 it's close to Germantown Avenue, you
19 know. So basically they're going to pay
20 more. I just don't know why you just
21 don't take all of the houses. It just --

22 COUNCILMAN GREENLEE: Well, if
23 you live there and own and live there,
24 you're not included. You understand
25 that?

1 3/28/14 - RULES - BILL 130411, etc.

2 MR. BLUM: But if you --

3 COUNCILMAN GREENLEE: Now, you
4 would be as a business owner.

5 MR. BLUM: Right. Right.

6 COUNCILMAN GREENLEE: But I'm
7 saying if you're an owner-occupied
8 property, you're not included.

9 MR. BLUM: That's correct.

10 COUNCILMAN GREENLEE: Okay.

11 MR. BLUM: So they're really
12 picking and choosing, and I just don't
13 feel it's even right. Some old person
14 has a rental property and finally, you
15 know, this is going to be their
16 income-producing thing and they rent a
17 room out there. They're now part of the
18 BID. So you've already, you know -- you
19 pay that penalty.

20 COUNCILMAN GREENLEE: Okay.

21 MR. BLUM: It's wrong. I
22 just -- that's the way I feel.

23 COUNCILMAN GREENLEE: I
24 understand. I understand.

25 Councilwoman Bass.

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2 COUNCILWOMAN BASS: Thank you.

3 So one of the things -- I just
4 had one statement that I wanted to
5 mention about the decisions that we're
6 going to make at the end of this hearing,
7 but I do think the one common theme I
8 continue to hear from you, Mr. Roller,
9 and some of the other folks I've talked
10 to is about the concern about inclusion
11 and communication, and you feel that you
12 haven't been completely briefed on what
13 was going on as it was happening. And so
14 I do think that -- I just want to say
15 that our office is going to be much more
16 involved, I think, in terms of attending
17 the meetings and being active. We did
18 have a staff, Joe Corrigan, who was
19 active and who used to attend the
20 meetings, and he's no longer with us.
21 He's moved on and done bigger and better
22 things.

23 But I personally would like to
24 be involved and will be active in
25 attending the meetings in the future. So

1 3/28/14 - RULES - BILL 130411, etc.
2 I hope that that will, you know, address
3 some of your concerns and issues
4 regarding the communication. So I hope
5 that my attendance might be something
6 that would be beneficial and helpful and
7 that you feel that all of the information
8 is put out, that there's nothing that's
9 happening that's untoward for this to
10 happen and move forward.

11 COUNCILMAN GREENLEE: Thank
12 you, Councilwoman.

13 Just one other thing. I know
14 they said they were going to include
15 cleaning on the unit blocks. Do you feel
16 that has any positive effect for you,
17 sir?

18 MR. BLUM: No. I would invite
19 any of you to come and look at the amount
20 of trash that I put out every week. I
21 can go three weeks and not put a trash
22 can out. That's about how much trash I
23 produce in my building. You come there
24 today, there's a quarter can of trash. I
25 didn't put trash out last week, but I

1 3/28/14 - RULES - BILL 130411, etc.
2 still pay the trash collection fee to the
3 City as a commercial property, and it's
4 just -- when does it stop, you know?

5 COUNCILMAN GREENLEE: I hear
6 you, sir.

7 MR. BLUM: Like I said, I am
8 the only retail store on my street. So
9 whatever happens on the Avenue -- I want
10 to see a strong Germantown Avenue. It's
11 good for the community, but there's a
12 level in which it ceases to benefit me
13 and other properties near me.

14 COUNCILMAN GREENLEE:
15 Councilwoman Bass.

16 COUNCILWOMAN BASS: Let me ask
17 you a question. You don't think that
18 there's a correlation between the
19 strength of the Avenue and folks coming
20 up to where you are? You don't see that
21 there's any relationship?

22 MR. BLUM: I don't. I was
23 unable to park across the street from my
24 store, because there is no parking on my
25 side of the street, up until two weeks

1 3/28/14 - RULES - BILL 130411, etc.
2 ago, and the reason being it's just the
3 way -- the streets just weren't cleared
4 properly.

5 I live in Springfield Township,
6 Montgomery County, and as anything --

7 COUNCILWOMAN BASS: You're
8 saying clear from snow?

9 MR. BLUM: Snow, correct. Not
10 only was the snow wasn't cleared
11 properly, but there's a lot of private
12 residents on Bethlehem Pike. You could
13 not walk up Bethlehem Pike without
14 walking in the street. So for somebody
15 to walk down my way, especially with the
16 winter that we've had, no, you know. I'd
17 like to think there is, but there isn't,
18 you know, and this past winter has been a
19 prime example. I said, okay, we're going
20 to be included in that Business
21 Improvement District, but between myself
22 to walk up to Germantown Avenue, people
23 don't -- you know, their sidewalks
24 weren't maintained, and it really wasn't
25 accessible. Streets weren't plowed.

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2 There were streets near me that were
3 never plowed and --

4 COUNCILWOMAN BASS: Well, don't
5 use this winter as an example.

6 MR. BLUM: It was rough.

7 COUNCILWOMAN BASS: I know.
8 That's why I'm saying don't use this
9 winter as an example. But I do think
10 that to some degree, there has to be
11 benefit to what happens on the Avenue
12 that translates to every business along
13 the corridor, whether you're directly on
14 Germantown Avenue or off of Germantown
15 Avenue. So there are some stores, let's
16 say, on the unit blocks that I shop at
17 and go to, and I'm going because I'm in
18 Chestnut Hill maybe for something else,
19 maybe I'm eating, maybe I'm strolling up
20 and down the Avenue, and I'll take a
21 detour on to a side street to see what's
22 happening.

23 So I think that there has to be
24 some recognition that some of the benefit
25 to the Avenue does translate to the

1 3/28/14 - RULES - BILL 130411, etc.
2 businesses that are slightly off the
3 Avenue.

4 MR. BLUM: I agree with you to
5 some extent. However, I'm so far off
6 that I create my own business. I do my
7 own advertising. Last night I was
8 speaking to Kate back there, who is also
9 in the Business Improvement District, on
10 the Board. I said I happen to be on the
11 phone with a customer from Maine. I took
12 an ad out in a publication that targets
13 people who are specifically interested in
14 the product I handle, and at ten of 7:00,
15 he saw my ad and he called, and that's
16 when I saw Kate on the Avenue. And I
17 said, I'm talking to a customer in Maine.

18 I could be in a shack in the
19 woods. He's going to see this ad and
20 he's still going to call. So, once
21 again, the bulk of what I handle is not
22 conducive to what happens on Germantown
23 Avenue. The people that I do bring in,
24 they will support Germantown Avenue.
25 I'll take them to any number of

1 3/28/14 - RULES - BILL 130411, etc.
2 restaurants up there, but as far as
3 what's up there coming down to me, it's
4 one of the nicest areas in the country,
5 there's no question about it, but it's
6 not because there's a BID. We've only
7 had a BID for ten years. The BID hasn't
8 made Germantown Avenue what it is. It's
9 the people that built Chestnut Hill, the
10 people that own a lot of the buildings
11 that have made it what it is. It's not
12 the BID that makes it what it is, you
13 know. It's the pride the individual
14 owner takes in his business.

15 We originally had a shop on
16 Pine Street. We left Pine Street years
17 ago, and we only sold our building on
18 Pine Street because we were able to buy
19 the building that we were in. And, you
20 know, the landowner always promised, You
21 can buy the building if I ever go to sell
22 it, we'll give you first refusal. Well,
23 we bought the building, got the mortgage,
24 paid the building off. There's light at
25 the end of the tunnel now. We own the

1 3/28/14 - RULES - BILL 130411, etc.
2 building. And if you look at most of the
3 successful businesses in Chestnut Hill,
4 they're owner-occupied. I have a list in
5 my pocket of 12 or 15 businesses. Some
6 are changing, recognizing -- they're all
7 changing. They've all come and gone.
8 There is not enough traffic up there to
9 support a lot of those businesses. When
10 they stand there and tell you there's a
11 lot of businesses that have come there, I
12 don't agree with them. I'm not going to
13 go into statistics, but if you'd like,
14 I'll read you a name off of ten
15 businesses and you'd recognize the names
16 that have changed that have all come and
17 gone, and they're gone because there's
18 not enough business, there's not enough
19 traffic up there.

20 COUNCILWOMAN BASS: Okay.

21 MR. BLUM: And that's why
22 they're gone. I have a list in my
23 pocket. I don't think it's important
24 that I give them a little plug, but
25 they're all gone and there's a reason why

1 3/28/14 - RULES - BILL 130411, etc.

2 they're gone.

3 COUNCILWOMAN BASS: Okay. I do
4 think that we have to recognize that the
5 BID has played a role in Chestnut Hill's
6 success. I know you said you don't feel
7 that way. You think it's a result of the
8 individuals and the business owners and,
9 you know, as I see it, it's a combination
10 of efforts. I don't see anybody's
11 successes being just that one thing that
12 happened. It has to always be a
13 combination or a collaborative effort to
14 really be successful. So it's a
15 combination of the BID and the
16 individuals and the shoppers and the
17 people who live in Chestnut Hill, you
18 know, the people who do other things and
19 participate in Chestnut Hill's success.
20 We can't leave anybody out in terms of
21 how great this Avenue is and how it got
22 to this point.

23 MR. ROLLER: Can I ask a
24 technical question?

25 COUNCILWOMAN BASS: Sure.

1 3/28/14 - RULES - BILL 130411, etc.

2 MR. ROLLER: Which you may not
3 know the answer to this, but with the
4 BID, is it possible to have a multiple
5 rate; i.e., if you're off the block,
6 instead of 10 percent, can it be 5? So
7 that those folks who receive less of an
8 effect, if you will, by being a half a
9 block off.

10 COUNCILWOMAN BASS: I don't
11 believe that they're able to be
12 structured that way, but we can look into
13 it for you.

14 MR. ROLLER: I seem to remember
15 from ten years ago when we were -- but
16 things can change at that time.

17 COUNCILWOMAN BASS: I don't
18 believe that they can be structured that
19 way, but we will find out for sure.

20 MR. ROLLER: But it can be two
21 BIDs.

22 COUNCILMAN GREENLEE: Thank
23 you.

24 Any other questions?

25 (No response.)

1 3/28/14 - RULES - BILL 130411, etc.

2 COUNCILMAN GREENLEE: Seeing
3 none, thank you both very much.

4 Ms. Marconi, who else do we
5 have on the list?

6 THE CLERK: Stanley Woodward,
7 Florian Schleiff, and Barbara Baumbach.

8 COUNCILMAN GREENLEE: If you
9 could all come forward, please.

10 (Witnesses approached witness
11 table.)

12 COUNCILMAN GREENLEE: Whoever
13 would like to start first, please
14 identify yourself for the record and
15 proceed.

16 MR. WOODWARD: Good morning.
17 I'm Stanley Woodward, and this is...

18 COUNCILMAN GREENLEE: You go
19 first, sir. Go ahead. You speak first
20 and then we'll each introduce ourselves
21 as we speak.

22 MR. WOODWARD: I'm here to
23 suggest that we continue the same that
24 we've had for the last ten years. We
25 have five commercial properties on

1 3/28/14 - RULES - BILL 130411, etc.
2 Germantown Avenue and we have been paying
3 \$4,500 a year to the BID as a courtesy
4 really, as a courtesy, because we
5 maintain everything ourselves. The BID
6 has given us two potted plants in our
7 area and that's the extent of it. We do
8 all the snow cleaning ourselves. We took
9 care of the trees last year. They were
10 in danger of doing considerable damage to
11 vehicles and houses, and we spent \$65,000
12 on the tree removals, and we both have
13 done a lot of planting. We do our own
14 work on the pavements and cleanups. We
15 have a crew, and we don't get any help at
16 all from the top of the hill, and that's
17 the situation at this point.

18 So we have given the bid
19 \$45,000 in the last ten years, and I
20 don't know what we've received in return.
21 We have 120 family homes, which we have
22 in our list of properties besides the
23 commercial properties, and it would be a
24 terrible situation if we have to charge
25 them an extra tax for work which we do

1 3/28/14 - RULES - BILL 130411, etc.

2 ourselves.

3 And so I'm against having any
4 change in either the footprint or at
5 least certainly not residential and
6 also -- let's see. I take notes. I'm so
7 upset about this, it's difficult for me
8 to talk.

9 The other concern I have is
10 that both Shapiro and Snowden have told
11 us that the reason they want to extend
12 the five-year BID limit to ten years is
13 so that they can go to a bank and get a
14 \$2 million mortgage on this, and they
15 require a bigger footprint so that they
16 can pay the interest on this borrowed
17 money. They have not explained why they
18 need to borrow money, why they need an
19 extra \$2 million, how they're going to
20 pay for it, except by taxing people that
21 are not on the BID format, and we are
22 completely at a loss as to the purpose of
23 this loan.

24 That's about all I have to say.
25 I could add that we've been for the last

1 3/28/14 - RULES - BILL 130411, etc.
2 120 years, we have given a lot of help to
3 Chestnut Hill. We've done a considerable
4 amount on our part. We've given to
5 Pastorius Park. We have also given the
6 playing fields where the tower is, the
7 Free Library. We at present contribute
8 to the college. At the present time
9 we're also in negotiations to donate a
10 portion of the Sugarloaf property to the
11 Chestnut Hill College. We contribute to
12 Woodmere Art Gallery. We are very
13 strongly in favor of Chestnut Hill. It's
14 been in our life about five generations.
15 And we object to the change in footprint
16 and term of checking, like in a
17 democratic system, where you have to
18 review the past proponents for the last
19 five years.

20 That's all I have to say. I'll
21 pass it on.

22 COUNCILMAN GREENLEE: Thank
23 you. Thank you, sir.

24 Whoever would like to go next,
25 please identify yourself for the record

1 3/28/14 - RULES - BILL 130411, etc.
2 and proceed.

3 MS. BAUMBACH: My name is
4 Barbara Baumbach. I am Vice President of
5 the Business Improvement District in
6 Chestnut Hill. I'm Vice President of
7 Administration for George Woodward
8 Company. I'm also a property owner in
9 the proposed expanded district of the
10 BID. So I have three different
11 perspectives on this bill.

12 The first concern I have as
13 Vice President of the Business
14 Improvement District, which I have been
15 since 2009, is the process that produced
16 the bill. The first I heard about it was
17 at the end of November, a mere two weeks
18 before the bill was introduced into
19 Council. In my role as a representative
20 of George Woodward Company and Vice
21 President of the BID, I find that
22 surprising and of a concern that it did
23 not include a thoughtful planned approach
24 to the expanded footprint of the Business
25 Improvement District.

1 3/28/14 - RULES - BILL 130411, etc.

2 Many of the notifications that
3 went out to the new membership, proposed
4 new membership, were received subsequent
5 to the introduction of the bill, and that
6 would have been the first notification
7 that this group of expanded property
8 owners would have had of this bill and
9 its potential to tax properties.

10 I also question that the BID
11 sent out mailing flyers that specifically
12 told property owners in owner-occupied
13 properties to disregard the bill, that it
14 didn't apply to them. I think it does
15 apply to everyone who lives in those
16 boundaries. Myself, I found that tactic
17 to be suspect, because as a property
18 owner, I think I should be aware of what
19 concerns my property and what taxes could
20 apply dependent on how I use my property.

21 In my role as Vice President of
22 Administration for George Woodward
23 Company, the expanded District adds 98
24 properties to the footprint. Out of
25 those 98 properties, 41 are single-family

1 3/28/14 - RULES - BILL 130411, etc.
2 residential rental homes. That's not a
3 business use that's comparable to a
4 property along Germantown Avenue that
5 benefits from a festival, that has use of
6 the BID-provided PR firm, that does clean
7 and safe and flower baskets and tree
8 lights. These are 41 properties that are
9 family occupied as rental homes, and I
10 think that is a different use than a
11 benefit by a business perhaps located
12 anywhere on the Avenue who may pay a \$400
13 assessment and reap a lot of reward for
14 that investment in the BID. I think
15 they're two different categories.

16 And for these reasons, I oppose
17 the expansion of the BID. I oppose the
18 extension to a ten-year term because of
19 the process that has been used to
20 reauthorize the BID for this term. I
21 don't think it's accountable enough, and
22 I would hesitate to give a ten-year term
23 to a BID to not be accountable to anyone
24 for that period of time.

25 So I'm concerned about the

1 3/28/14 - RULES - BILL 130411, etc.
2 expansion. I am concerned about the
3 future of the BID, having been a
4 supporting active member of the BID
5 Board. I'm part of that enhancement of
6 the Avenue in the businesses. We've done
7 a great job. I think the question that
8 you asked Martha, who was a wonderful
9 addition as of November to our BID and
10 the combined operations. We had a nice,
11 long, thoughtful planned process to hire
12 Martha, to search for someone who was
13 appropriate to fill that role. I think
14 that the expansion of the BID deserves
15 that same kind of thoughtful, involved
16 approach, and I think that's been
17 lacking.

18 And I think your question to
19 Martha, Councilwoman Bass, about what
20 would not be provided, if the BID did not
21 expand, I think everything you see
22 currently provided in Chestnut Hill, the
23 wonderful festivals, the tree lights, the
24 cleaning of the streets, the initiatives
25 that Martha is undertaking are all under

1 3/28/14 - RULES - BILL 130411, etc.
2 the current footprint and the current BID
3 boundaries. How does expanding into the
4 unit blocks provide anything more than
5 what has been wonderfully crafted over
6 the last ten years? And how do 41
7 single-family residential homes and in
8 addition 24 multi-family residential use
9 properties add to that? So out of the 98
10 additional properties, only 20 are
11 commercial.

12 COUNCILMAN GREENLEE: Thank
13 you.

14 Sir, if you'd like to go and
15 then we'll have any questions. Please
16 identify yourself and proceed.

17 MR. SCHLEIFF: My name is
18 Florian Schleiff. I'm a Board member of
19 George Woodward Company. I joined the
20 Board about four years ago, and the
21 reason why I joined it is because the
22 company, George Woodward Company, has a
23 really nice history of how the family has
24 helped build Chestnut Hill and the
25 community. When I started working in

1 3/28/14 - RULES - BILL 130411, etc.
2 Chestnut Hill, I fell in love with
3 Chestnut Hill, because there are other
4 players in Chestnut Hill that also carry
5 the burden of improving the town, which
6 is the BID, which is Bowman Properties,
7 which is several of the large apartment
8 buildings, and they all seem to work in
9 concert. We have meetings with them. It
10 was really a very nice atmosphere. And
11 this issue of expanding the BID district
12 and also expanding the five-year term to
13 a ten-year term has brought in some
14 friction, has brought in some divisions
15 in the community, which I think are
16 really detrimental to the future of
17 Chestnut Hill. And so I believe that not
18 only for George Woodward Company but for
19 our community, it would be really good to
20 take a breather, go back to the five
21 years, go back to the original footprint
22 or at least leave the residential
23 properties out that are not
24 owner-occupied, and regroup.
25 I think what the BID has done

1 3/28/14 - RULES - BILL 130411, etc.
2 for us, for our office and for our
3 businesses on Germantown Avenue should
4 continue. We have always stood to that.
5 We have no problem with that. But to
6 expand it into our residential rental
7 properties that we own, we feel it is an
8 unfair subsidy of the Business District
9 from something that doesn't directly
10 profit.

11 And one thing I'd like to add
12 here as the last point is, George
13 Woodward Company has been in business for
14 a good hundred years, and we're still
15 providing roughly 120 families with
16 rental properties. Those are families
17 that very often have children, that could
18 not afford to buy a home at this point in
19 time, so we see families stay with us an
20 average of five years, and we feel at
21 George Woodward Company that that
22 provides a significant service to
23 Chestnut Hill, which also is then good
24 for the business owners. So we think
25 it's a mutual relationship that we have.

1 3/28/14 - RULES - BILL 130411, etc.

2 And the discussions we had with the BID
3 in the last few weeks, it was always
4 pointed out that they do a great service
5 for us and we should be thankful for it
6 and we should provide them with financial
7 means. I want to really make sure that
8 you all understand we are providing the
9 community with a service ourselves, and
10 the Woodward family has provided the
11 community with significant backbones.

12 We called for one meeting with
13 the BID Board and they didn't want to
14 meet in our office or in our home
15 necessarily. They really wanted to go to
16 the community center in Chestnut Hill
17 because it was a neutral place. That
18 building was donated by the Woodward
19 family many years ago, and I think that
20 that history should count for something
21 in our efforts that we do today. And I
22 do oppose that our residential rental
23 properties be included in the expansion
24 and ask for the BID district to be put
25 back to where it was and the five-year

1 3/28/14 - RULES - BILL 130411, etc.
2 term would be very appreciated, because
3 as we said, there were some leadership
4 problems here in the last few months and
5 we'd like to have you all take another
6 look at it in five years.

7 COUNCILMAN GREENLEE: Thank
8 you, sir.

9 Thank you, all three of you,
10 for coming down.

11 Are there any questions or
12 comments?

13 (No response.)

14 COUNCILMAN GREENLEE: Again,
15 thank you. Thank you for taking the
16 time.

17 Are there any other people here
18 that want to testify on this bill?

19 (No response.)

20 COUNCILMAN GREENLEE: Seeing
21 none, before we go into our public
22 meeting, I just need to make an
23 announcement. This is according to the
24 state law that set up business
25 improvement districts. Even if the bill

1 3/28/14 - RULES - BILL 130411, etc.
2 is reported out of committee today, by
3 law it has to sit for 45 days, 45 days to
4 allow for objections to be entered by
5 anyone affected by the BID. Those
6 objections would have to be forwarded to
7 the City Council Chief Clerk.

8 Am I right, Ms. Leonard?

9 Okay. So even if this bill is
10 voted out today, it still has to sit for
11 45 days, so everybody understands that.

12 Being no other business before
13 the hearing, we now will go into our
14 public meeting in about 30 seconds.

15 (Brief pause.)

16 COUNCILMAN GREENLEE: Thank
17 you. We're now into our public meeting.
18 We still have a quorum, and the Chair
19 recognizes Councilwoman Reynolds Brown.

20 COUNCILWOMAN BROWN:
21 Mr. Chairman, I move that Bill No. 130411
22 be amended.

23 COUNCILMAN GREENLEE: Is there
24 a second?

25 (Duly seconded.)

1 3/28/14 - RULES - BILL 130411, etc.

2 COUNCILMAN GREENLEE: It's been
3 moved and seconded.

4 All in favor?

5 (Aye.)

6 COUNCILMAN GREENLEE: Opposed?

7 (No response.)

8 COUNCILMAN GREENLEE: Hearing
9 none, the amendment passes.

10 Councilwoman Reynolds Brown.

11 COUNCILWOMAN BROWN: Yes,
12 Mr. Chairman. I move that Bill No.
13 130411, as amended, be reported out of
14 committee with a favorable recommendation
15 and a suspension of the rules.

16 (Duly seconded.)

17 COUNCILMAN GREENLEE: It's been
18 moved and seconded.

19 All in favor?

20 (Aye.)

21 COUNCILMAN GREENLEE: Opposed?

22 (No response.)

23 COUNCILMAN GREENLEE: Hearing
24 none, Bill No. 130411, as amended,
25 reported out of this committee favorably

1 3/28/14 - RULES - BILL 130411, etc.

2 with a rules suspension.

3 Councilwoman Reynolds Brown.

4 COUNCILWOMAN BROWN: Yes,

5 Mr. Chairman. I move that Bill No.

6 130768 be amended.

7 (Duly seconded.)

8 COUNCILMAN GREENLEE: It's been

9 moved and seconded.

10 All in favor?

11 (Aye.)

12 COUNCILMAN GREENLEE: Opposed?

13 (No response.)

14 COUNCILMAN GREENLEE: The

15 amendment is adopted.

16 Councilwoman.

17 COUNCILWOMAN BROWN: Yes,

18 Mr. Chairman. I move that Bill No.

19 130768, as amended, be reported out of

20 committee with a favorable recommendation

21 and a rules suspension.

22 (Duly seconded.)

23 COUNCILMAN GREENLEE: It's been

24 moved and seconded.

25 All in favor?

1 3/28/14 - RULES - BILL 130411, etc.

2 (Aye.)

3 COUNCILMAN GREENLEE: Opposed?

4 (No response.)

5 COUNCILMAN GREENLEE: Hearing

6 none, Bill No. 130768, as amended, is

7 reported out of this committee favorably

8 with a rules suspension.

9 Councilwoman Reynolds Brown.

10 COUNCILWOMAN BROWN: Yes,

11 Mr. Chairman. I move that Bill No.

12 140053 be amended.

13 (Duly seconded.)

14 COUNCILMAN GREENLEE: It's been

15 moved and seconded.

16 All in favor?

17 (Aye.)

18 COUNCILMAN GREENLEE: Opposed?

19 (No response.)

20 COUNCILMAN GREENLEE: Hearing

21 none, the bill is amended.

22 Councilwoman Reynolds Brown.

23 COUNCILWOMAN BROWN: Yes,

24 Mr. Chairman. I move that Bill No.

25 140053, as amended, be reported out of

1 3/28/14 - RULES - BILL 130411, etc.
2 committee with a favorable recommendation
3 and rules suspension.

4 (Duly seconded.)

5 COUNCILMAN GREENLEE: It's been
6 moved and seconded.

7 All in favor?

8 (Aye.)

9 COUNCILMAN GREENLEE: Opposed?
10 (No response.)

11 COUNCILMAN GREENLEE: Hearing
12 none, Bill No. 140053, as amended, is
13 reported out of this committee favorably
14 with a rules suspension.

15 The Chair recognizes
16 Councilwoman Bass.

17 COUNCILWOMAN BASS: Thank you,
18 Mr. Chairman. I make a motion that Bill
19 No. 130955 be reported out from committee
20 with a favorable recommendation.

21 (Duly seconded.)

22 COUNCILMAN GREENLEE: It's been
23 moved and seconded.

24 All in favor?

25 (Aye.)

1 3/28/14 - RULES - BILL 130411, etc.

2 COUNCILMAN GREENLEE: Opposed?

3 (No response.)

4 COUNCILMAN GREENLEE: Hearing

5 none, Bill No. 130955 is reported out of

6 this committee with a favorable

7 recommendation. And, again, let me

8 repeat, according to state law, starting

9 today, the 45-day period starts for any

10 objections to be filed with the Chief

11 Clerk.

12 Being no further business

13 before this committee, thank you all very

14 much for your time.

15 (Committee on Rules concluded

16 at 11:25 a.m.)

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CERTIFICATE

I HEREBY CERTIFY that the
proceedings, evidence and objections are
contained fully and accurately in the
stenographic notes taken by me upon the
foregoing matter, and that this is a true and
correct transcript of same.

MICHELE L. MURPHY
RPR-Notary Public

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