

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

5 Room 400, City Hall
6 Philadelphia, Pennsylvania
7 Wednesday, 11/20/01, 11 a.m.

8 BILL 000717 Ave. of Arts North Spec. Dist. Controls
9 BILL 010125 Held at request of sponsor
10 BILL 010126 Held at request of sponsor
11 BILL 010181 Re Building Setback Lines
12 BILL 010233 Held at request of sponsor
13 BILL 010424 Re Philadelphia Auto Mall
14 BILL 010425 Re Special People in the NE Inc.
15 BILL 010524 Re G2 Industrial Districts
16 BILL 010540 Zoning and Planning/Commercial Districts
17 BILL 010557 Held at request of sponsor
18 BILL 010604 Held at request of sponsor
19 BILL 010605 Re Articles of Incorporation/Manayunk

20
21 (Full text of all bills attached hereto.)

22 PRESENT: COUNCIL PRESIDENT VERNA, Chair
23 COUNCILMAN JAMES F. KENNEY, Vice Chair
24 COUNCILMAN DARRELL L. CLARKE
25 COUNCILMAN DAVID COHEN
COUNCILMAN FRANK DICICCO
COUNCILMAN W. THACHER LONGSTRETH
COUNCILMAN MICHAEL A. NUTTER
COUNCILMAN BRIAN J. O'NEILL

26 - - -

27 VINCENT VARALLO ASSOCIATES, INC.
28 Registered Professional Reporters
29 Eleven Penn Center, Suite 600
30 Philadelphia, PA 19103
31 (215) 561-2220

1	11/20/01 STATED MEETING - INDEX	
2		
3	WITNESS	PAGE
4	Bill 010524	
5	Richard Lombardo, City Planning.....	4
6	Kevin Mazzucola, Executive Director.....	6
7	Auto Dealers Association	
8	BILL 010717	
9	Richard Lombardo, City Planning.....	11
10	Thomas Chapman, City Planning.....	23
11	Timothy Lidiak, Deputy Director.....	35
12	Avenue of the Arts, Inc.	
13	Floyd W. Alston, Member, Board of Directors.....	37
14	Avenue of the Arts	
15	Thomas Anderson, Associate Vice President.....	39
16	Community Relations at Temple University	
17	BILL 010181	
18	Richard Lombardo, City Planning.....	45
19	BILL 010425	
20	Falasade Olanipekun, Treasurer.....	49
21	Donald Cramp, SPIN.....	51
22	David LeCino, SPIN.....	52
23	BILL 010540	
24	Richard Lombardo, City Planning.....	53
25	Duane Perry, Executive Director.....	56
	Farmers Market Trust	
	BILL 010605	
	Duane Bumb, Deputy Commerce Director.....	64
	Kay Smith, Executive Director.....	65
	Manayunk Special Services District	

1 11/20/01 RULES - BILL 010524

2 COUNCIL PRESIDENT VERNA: Good morning,
3 everyone. I apologize for the delay. I understand
4 some of our witnesses were caught in traffic and
5 asked if we could delay the hearing until they
6 arrived.

7 This is the Committee on Rules. I would
8 ask the clerk to please read the title of Bill No.
9 010524.

10 THE CLERK: An ordinance amending Title 14
11 of the Philadelphia Code, entitled "Zoning and
12 Planning," by amending Section 14-511, entitled
13 "Industrial District Rules and Exceptions," by
14 permitting certain additional uses in G-2
15 industrial districts located generally within the
16 area commonly known as the "Philadelphia Auto
17 Mall," bounded by 63rd Street, Passyunk Avenue
18 Essington Avenue, Bartram Avenue, Island Avenue,
19 and Lindbergh Boulevard, all under certain terms
20 and conditions.

21 (Witnesses come forward.)

22 COUNCIL PRESIDENT VERNA: Good morning.
23 Kindly identify yourself for the record and proceed
24 with your testimony.

25 MR. LOMBARDO: Good morning, Madam

1 11/20/01 RULES - BILL 010524

2 President and members of the Rules Committee. My
3 name's Richard Lombardo, Deputy Executive Director
4 of the City Planning Commission. I'm here today to
5 testify on Bill No. 010524.

6 This bill was introduced by Councilmember
7 Blackwell for the Council President on September 6,
8 2001. This bill amends the zoning code by
9 permitting certain additional uses in properties
10 zoned G-2 Industrial in the area of the City
11 commonly known as "the Auto Mall," which is bounded
12 by 63rd Street, Passyunk Avenue, Essington Avenue,
13 Bartram Avenue, Island Avenue, and Lindbergh
14 Boulevard.

15 These uses that would be permitted in this
16 portion of the City known as "the Auto Mall" would
17 be auto body, fender work, and painting automobile
18 service station, automobile repairs, car washing
19 establishments, public or private garages as a main
20 use, public or private parking lots as a main use,
21 automobile sales lots/showroom, and car rental.
22 Bill No. 010338, which was enacted on June 14,
23 2001, has removed these uses as permitted uses in
24 the G-2 classification.

25 Considering the mixed-commercial and

1 11/20/01 RULES - BILL 010524

2 industrial nature of the Auto Mall area and all of
3 the automobile-related businesses existing in the
4 area, it is appropriate that these uses be
5 permitted as a matter of right in the Auto Mall.
6 The Planning Commission, at its meeting of
7 September 20, 2001, recommended that Bill No.
8 010524 be approved.

9 I would be happy to answer any questions.

10 COUNCIL PRESIDENT VERNA: Thank you.

11 Is there a need for the suspension of the
12 rules on this bill?

13 MR. LOMBARD0: We're not the sponsors of
14 the bill; I don't know if there is a request.

15 COUNCIL PRESIDENT VERNA: Okay.

16 Are there any questions from members of
17 the committee?

18 (No questions.)

19 COUNCIL PRESIDENT VERNA: Thank you,
20 gentlemen.

21 Our next witness?

22 THE CLERK: Kevin Mazzucola.

23 (Witness comes forward.)

24 COUNCIL PRESIDENT VERNA: Good morning.

25 MR. MAZZUCOLA: Good morning. How are

1 11/20/01 RULES - BILL 010524

2 you.

3 President Verna and members of City
4 Council, good morning. My name is Kevin Mazzucola,
5 and I'm the Executive Director of the Auto Dealers
6 Association. We represent all the new-car and
7 truck franchise dealers, not only in Philadelphia
8 County but also the counties that surround it. We
9 have 230 dealer members throughout this area. And
10 we're here to testify in support of Bill 524.

11 Our association is probably best known for
12 the Philadelphia International Auto Show, which
13 drew about 210,000 visitors last year and generates
14 about \$600,000 for the Philadelphia Convention
15 Center. Through that, we support and help train
16 people in the City and the other outlying areas
17 regarding education, whether it's new-car sales,
18 technicians, and that kind of training. In
19 addition, we also have the Black Tie Tailgate Gala
20 and generate funds for Children's Hospital to the
21 tune of about \$2 million over the last 10, 12
22 years.

23 Regarding Bill 524, a little bit more
24 about our members. We have 2700 workers that are
25 working within the Philadelphia County at our

1 11/20/01 RULES - BILL 010524

2 dealerships, close to a billion dollars in gross
3 sales, and about \$10 million in wage, property,
4 sales, and taxes -- and business taxes. The 28
5 locations that are now currently in the City is
6 down from the amount of dealers that we've in the
7 past. Fifteen years ago, we had 40 members in
8 Philadelphia County. The decline can be somewhat
9 attributed to the loss of population moving out
10 into the suburban areas, but also the fact that the
11 taxes in Philadelphia County have been problematic
12 in times.

13 In the past when we've brought our
14 concerns to City Council, this body has responded,
15 and because they responded, our industry has a
16 strong presence, as you see today, in Philadelphia
17 County. Over the last dozen years, you rejected
18 proposed increases in wage tax and, in fact, began
19 reducing that tax. You reduced City business taxes
20 on retailers who operate on thin margins, as we do,
21 and you supported exemptions from the local sales
22 tax of automobiles purchased by customers from
23 outside the City. While the dealers still face as
24 higher taxes than ones in the suburbs, the
25 difference has been narrowed to a great degree.

1 11/20/01 RULES - BILL 010524

2 Today we need your help again. Over the
3 last six months, largely in response to concerns
4 not generated by our members, the City has
5 prohibited new-car dealerships in areas that were
6 formerly and has made it more difficult for dealers
7 in these areas to expand their facilities. I think
8 you can recognize new-car dealerships are
9 multimillion dollar investments, with heavy
10 requirements from the manufacturers in order to be
11 able to sell their products in communities all over
12 the country.

13 Although it's possible and maybe unlikely
14 that most of the land affected by the recent
15 legislation will never be solved by new-car
16 dealers, putting an off-limits sign through much of
17 the City weakens the positive message that you've
18 been sending over the years to our particular
19 industry.

20 Bill 525 -- or excuse me, 524 goes a long
21 way to address our concerns. Ten of the twelve
22 new-car locations in the City now zoned G-2 are in
23 the Philadelphia Auto Mall. This legislation will
24 restore to those dealers those same rights they had
25 six month ago to expand their facilities without

1 11/20/01 RULES - BILL 010524

2 seeking a zoning variance.

3 I again want to thank President Verna for
4 responding so quickly to our concerns and issues
5 and for her strong support for the automobile
6 dealers and, indeed, all of our members over the
7 many years. Similarly, I want to thank Councilman
8 Brian O'Neill regarding Bill 368 that was recalled
9 and that we'll be talking about in a couple weeks
10 regarding a similar issue that we have a concern
11 over; and Councilman Clarke regarding a bill you'll
12 be hearing today regarding concerns we have from
13 the new-car and truck franchise dealers.

14 In the long run, members of City Council,
15 our association wants to work with you and your
16 colleagues and with Mayor Street to develop a more
17 comprehensive approach to zoning that alleviates
18 our concerns and the legitimate concerns of your
19 constituents. We also expect the Commerce
20 Department and the City Planning Commission will be
21 involved in this effort (indiscernible) and
22 amending and passing this legislation and amending
23 368 and 717 and protects our dealers in today's
24 locations, the City has made it more difficult for
25 the dealers and new-car dealers to make investments

1 11/20/01 RULES - BILL 010524

2 elsewhere in the City and for dealers from outside
3 the City to open new stores within the City
4 boundaries while we can come back to you with
5 proposals that address our concerns and yours in a
6 fair and thoughtful manner.

7 In the meantime, on behalf of our members
8 and specifically the Auto Mall, I want to thank you
9 for your attention and for your support of Bill
10 524.

11 COUNCIL PRESIDENT VERNA: Thank you very
12 much. I appreciate your coming in to testify on
13 this bill.

14 Mr. McLaughlin, is there anything you
15 would like to add?

16 MR. MCLAUGHLIN: Not at this time. If
17 there are any questions, we'd be happy to answer
18 them.

19 COUNCIL PRESIDENT VERNA: Thank you.

20 Does anyone have any questions on this?

21 (No questions.)

22 COUNCIL PRESIDENT VERNA: I think it's
23 been made very clear that up until about six or
24 seven months ago, under G-2, we were able to have
25 the uses that we're presently incorporating in this

1 11/20/01 RULES - BILL 010524

2 bill, and I guess that was an oversight on some of
3 our parts as far as the Auto Mall is concerned.

4 Okay, any questions?

5 (No questions.)

6 COUNCIL PRESIDENT VERNA: Thank you very
7 much.

8 MR. MAZZUCOLA: Thank you.

9 COUNCIL PRESIDENT VERNA: Our next witness
10 is Carl Primavera. Is he here?

11 (Mr. Primavera not present at
12 this time.)

13 COUNCIL PRESIDENT VERNA: Do we have
14 anyone else to testify on this bill?

15 (No response.)

16 COUNCIL PRESIDENT VERNA: Seeing none, our
17 next bill is 010717.

18 THE CLERK: An ordinance amending Title 14
19 of the Philadelphia Code relating to zoning and
20 planning by amending Chapter 14-1600, entitled
21 "Miscellaneous," by adding a new Chapter 1416-20,
22 entitled "Avenue of the Arts North Special District
23 Controls," under certain terms and conditions.

24 (Witnesses come forward.)

25 MR. LOMBARDI: Good morning, Madam

1 11/20/01 RULES - BILL 010717

2 President and members of the Rules Committee. My
3 name is Richard Lombardo and I'm the Deputy
4 Executive Director of the Philadelphia City
5 Planning Commission. I'm here today to testify on
6 Bill No. 717.

7 Bill No. 717 was introduced by
8 Councilmembers Clarke and DiCicco on November 16,
9 2000. This bill amends the zoning code by adding a
10 new section known as 14-1620, entitled "Avenue of
11 the Arts North Special District Controls" to the
12 zoning code. This new section of the zoning code
13 would establish certain uses in zoning controls for
14 commercially zoned properties fronting on Broad
15 Street between John F. Kennedy Boulevard and
16 Cambria Street.

17 The following uses would be prohibited
18 within this overlay: Automobile repair shops,
19 service station, installation of automobile parts,
20 sales of automobile parts, automobile sales lot,
21 drive-through restaurant, beer distributors, sale
22 of malt beverage as an accessory use, regulated
23 uses.

24 The following zoning controls would also
25 be established within this overlay: Newly erected

1 11/20/01 RULES - BILL 010717

2 buildings would be required to be constructed to
3 the street line on Broad Street; that means that
4 you would not be able to have a setback between the
5 building and the Broad Street sidewalk; newly
6 erected buildings would be required to be
7 constructed to a minimum height of 25 feet; parking
8 would be prohibited between the building line and
9 the street line on Broad Street.

10 The Planning Commission, at its meeting of
11 November 15, 2001, recommended that Bill No. 717 be
12 approved.

13 Parenthetically, I just want to add, this
14 is another zoning overlay, and the Planning
15 Commission asked us at this hearing to raise the
16 issue of the number of overlays that are being
17 added to the code and the sort of confusion they're
18 creating in people sort of navigating their way
19 through the code. In a separate issue not having
20 to do with overlays, we've been asked by a number
21 of quarters, including the Mayor's Office as well
22 as the Bar Association, to look at this whole issue
23 of the code getting so Byzantine, so confusing that
24 only a handful of people can navigate their way
25 through the code.

1 11/20/01 RULES - BILL 010717

2 And one of the goals we've established at
3 the Planning Commission is to try take a fresh look
4 at the code and write it in such a way -- or
5 rewrite it in such a way that an average citizen
6 can pick up the zoning code and understand what
7 they have to do or what they can and can't do in
8 terms of getting permits to approve their home or
9 to just use their property in a legal manner.

10 This has nothing to do with this bill,
11 it's not a negative comment on this bill; it's just
12 sort of comment they asked me to make so that the
13 Council knows, as well as others, that we are
14 looking at this issue about the code becoming so
15 confusing and difficult to navigate.

16 I'd be happy to answer any questions.

17 COUNCILMAN KENNEY: Councilman DiCicco or
18 Clarke, do you have any questions?

19 Councilmember DiCicco.

20 COUNCILMAN DICICCO: Thank you. I
21 appreciate your comments.

22 Do you have any recommendations? I mean,
23 you know, we get to this point because, apparently,
24 whatever is in the code is not adequately able to
25 address the problems that the community and the

1 11/20/01 RULES - BILL 010717

2 business districts would like to have addressed, so
3 we're kind of forced to get to this point.

4 MR. LOMBARDO: I understand that. I think
5 one of the things -- if you look at the overlay --
6 if you even look at the one before us today,
7 they're generally the same uses. And the problem
8 is not necessarily -- well, let's just look at the
9 auto uses. When you talk to people, you know, the
10 problem with the auto uses are not the new-car
11 dealerships, not even the reputable businessman;
12 it's the businesses that don't have adequate
13 places -- the auto repair businesses that don't
14 have adequate places to store their cars, it's the
15 people that do auto body work and painting without
16 the proper ventilation systems. It's cooking odors
17 for restaurants, it's --

18 So actually, what we would suggest, or
19 what we're beginning to look at is impact
20 requirements, rather than just saying the whole use
21 is no good but that certain aspects of the use may
22 require some action like a zoning variance or like
23 a zoning special permit that would only ascertain
24 that you have proper storage for your cars or you
25 have proper noise abatement or you have proper

1 11/20/01 RULES - BILL 010717

2 odors abatement or fuel abatement to deal with what
3 appears to be the real neighborhood problem with
4 the uses.

5 COUNCILMAN DICICCO: Yeah, I mean, my
6 question is, I agree with you, I mean, that's what
7 we're attempting to do here. But how do you
8 accomplish that where you get the abandoned gas
9 station that is converted into a used-car lot when
10 you don't have an overlay? because basically,
11 they're permitted. In many instances, they would
12 be permitted to open up used-car lot although there
13 are certain maybe other restrictions we can place
14 on that.

15 MR. LOMBARDI: Yeah, I'm not suggesting
16 that we would go back into the code and now say
17 that all used-car lots are now permitted as a
18 matter of right. I'm not saying that some of the
19 uses may be appropriately -- are not appropriate
20 any longer for neighborhood commercial areas.

21 I mean, first thing is to look at -- most
22 of these uses were put in the code in the 1930s,
23 and we live in a different time. And there are
24 lots of uses that we have today that are nowhere to
25 be found in the code, like video rentals or

1 11/20/01 RULES - BILL 010717

2 computer stores or -- yeah, there are -- there is a
3 time to look at the whole sort of -- not only look
4 at the code to make it more user-friendly but look
5 at the impacts of the uses and are they today
6 appropriate today to be in a neighborhood setting.

7 And maybe one of the answers to your
8 question is that a used-car lot is no longer
9 appropriate for the corner of a residential or even
10 a neighborhood commercial strip, and maybe that's
11 the way you deal with an issue like that.

12 COUNCILMAN DICICCO: Well, your point
13 about creating a system where people could
14 basically walk through the process or the
15 procedures to get from point A to point B are well
16 taken, and I appreciate that. I know myself and
17 Councilman Kenney and Senator Fumo put money in to
18 develop a similar type of brochure or pamphlet.

19 COUNCILMAN KENNEY: Don't bring him up,
20 Frank, please.

21 COUNCILMAN DICICCO: Pardon me?

22 COUNCILMAN KENNEY: Don't bring him up,
23 please. You don't want to bring him up.

24 COUNCILMAN DICICCO: Okay, I won't bring
25 Senator Fumo up anymore.

1 11/20/01 RULES - BILL 010717

2 COUNCILMAN KENNEY: Good. Just call him
3 "Mr. X."

4 COUNCILMAN DICICCO: Mr. X, Mr. X.

5 And we work with the Foundation for
6 Architecture and the Department of Licenses and
7 Inspections to produce a pamphlet or a brochure so
8 that people can know what they need to do if you
9 own a home and you want to do so something with
10 that home, what you can do over the counter, what
11 you would need a variance for. It's a step-by-step
12 process.

13 So I guess my question to you is maybe
14 that's something we should be looking at doing in
15 terms of the other things that we need to address,
16 and maybe the Planning Commission would be willing
17 to either put some money into it. Of course,
18 "Mr. X," I am certain, will not put any more money
19 into the City until things start to change around
20 here.

21 MR. LOMBARD: We have been doing that.
22 As a matter fact, we have been walking around an
23 ordinance that we drafted that would take most all
24 the yard requirements -- all of the setbacks and
25 heights -- and putting it into a chart. So instead

1 11/20/01 RULES - BILL 010717

2 of having to thumb through a hundred pages of text
3 to find out how big of a setback or how big of a
4 rear yard you need to have, it would appear in the
5 chart. And this would make the code easier to
6 understand and it would also eliminate about a
7 hundred pages of text. We've prepared that draft
8 and --

9 COUNCILMAN DICICCO: That's what we need
10 to do, eliminate a hundred pages so somebody can
11 figure how to get from A to B, take out a hundred
12 pages.

13 MR. LOMBARDO: We're in the process of
14 talking to folks about that. We hope that in the
15 next month or two to be coming back to Council for
16 introduction to that particular piece of
17 legislation.

18 COUNCILMAN DICICCO: Thank you.

19 COUNCILMAN KENNEY: I have a general
20 question about overlays. Are you familiar with
21 suburban zoning issues and zoning codes? Since
22 it's surrounding Philadelphia, perhaps you've had
23 some ability to look at what they do in the suburbs
24 and --

25 MR. LOMBARDO: Somewhat

1 11/20/01 RULES - BILL 010717

2 COUNCILMAN KENNEY: -- and New Jersey
3 relative to zoning controls and zoning overlays.
4 Could you tell me whether in your opinion suburbs
5 and New Jersey, from your knowledge, are either
6 more restrictive or more difficult? How does it
7 compare to what Philadelphia does?

8 MR. LOMBARDO: I mean, some of 'em have
9 actually literally just lifted some of the things
10 we've done and just lifted them into their zoning
11 codes. There's some instances of suburban
12 communities having exactly some of the same style
13 or same types of requirements.

14 But some of them use what I was referring
15 to as -- what we call "performance standards,"
16 where it's not just a particular use that's
17 prohibited, but aspects of the use have to meet
18 some performance standards, whether it be screening
19 or distances from residences or, you know, proper
20 ventilation or noise control or that type of thing,
21 things we don't do in Philadelphia.

22 COUNCILMAN KENNEY: Are you aware of
23 whether or not the suburbs and New Jersey, our
24 primary regional competitors, use this tool of
25 overlay as a way to deal with zoning issues on

1 11/20/01 RULES - BILL 010717

2 development and other kinds of things?

3 MR. LOMBARDO: I couldn't answer that
4 question. I don't know what every, you know,
5 community in New Jersey does.

6 COUNCILMAN KENNEY: The ones you are -- in
7 the communities you're familiar with, does -- is
8 the tool of overlay used, to your knowledge?

9 MR. LOMBARDO: I don't think it's used as
10 extensively as we use it. I mean, when we started
11 using it, the idea was that we were using it as
12 an -- in areas where the City had an investment to
13 protect. Like the first overlay was the Center
14 City commercial area -- the Chestnut Street Transit
15 Way. Subsequent ones were done in some of the --
16 the Manayunk Historic District or were done where
17 we had the, you know -- I'm sorry, I can't think of
18 the word -- something like the Center City District
19 areas where we had other special controls in order
20 to protect the City's investment.

21 Now they really have sort of just become
22 every time, you know, a community has a zoning
23 meeting and they bring in their District
24 Councilperson and they know that somebody else
25 added an overlay, they want an overlay. I think we

1 11/20/01 RULES - BILL 010717

2 use it --

3 COUNCILMAN KENNEY: Well, is that a good
4 thing or a bad thing?

5 MR. LOMBARDO: I think it's probably good.
6 If you're a community person, in a way it makes you
7 feel that you've gotten additional protections into
8 your community.

9 COUNCILMAN KENNEY: But basically --

10 MR. LOMBARDO: The other side, as someone
11 said, it is a barrier. You know, you have to talk
12 to the Realtors, but my sense is that when someone
13 walks into a commercial area and finds out that
14 they have to go to the Zoning Board, even if it's
15 just for a certificate for what they want to do, it
16 makes that property harder to reuse.

17 COUNCILMAN KENNEY: How does that compare
18 to the suburbs? Don't people have to go to the
19 Zoning Board for similar development proposals?
20 And how easy or hard or more difficult of an
21 obstacle are the zoning boards in Delaware County,
22 Montgomery County, Chester County, Bucks County
23 compared to Philadelphia?

24 I mean, we hear all the time from
25 commercial developers that somehow or another,

1 11/20/01 RULES - BILL 010717
2 going into the community, explaining what it is
3 they want to do, having a give-and-take back and
4 forth as to what the community's needs and concerns
5 are, what they're willing to do in order to
6 accommodate community issues is somehow this
7 onerous burden that's not borne in the suburbs,
8 when, it's my anecdotal information, that it's just
9 as difficult in the suburbs to get through some of
10 these zoning processes as it is in the City of
11 Philadelphia; maybe in some areas, harder.

12 MR. CHAPMAN: Mr. Kenney, I was just going
13 to comment --

14 COUNCILMAN KENNEY: Please identify
15 yourself for the record first.

16 MR. CHAPMAN: Sorry. Thomas Chapman,
17 Director of Planning for the City of Philadelphia
18 Planning Commission.

19 My experience in dealing with suburban --
20 at least suburban Pennsylvania -- communities is
21 that there are many more -- more often, there are
22 stricter landscaping requirements, there's more
23 often design review, they're tighter with sign
24 controls. And I have heard horror stories from
25 many attorneys that I know about Zoning Board

1 11/20/01 RULES - BILL 010717

2 hearings going on into, you know, late hours of the
3 evening and continued over and over again. I
4 understand that in many of the communities in the
5 suburbs that it is more difficult to obtain a
6 variance.

7 COUNCILMAN KENNEY: See, because people
8 would have you believe that here in Philadelphia
9 that somehow the use of overlays has been this
10 onerous burden on developers that they don't bear
11 in the suburbs and that somehow -- and even
12 organizations like the Chamber of Commerce and some
13 of our other advocacy organizations in the City
14 argue that somehow there's this unbelievable
15 disparity of ability to develop in the City as
16 opposed to the suburbs based to this intermeddling
17 of community groups and elected officials, and God
18 forbid, we'll never be able to compete with the
19 suburbs.

20 But from what you're telling me from your
21 experience, at least anecdotally from attorneys
22 that you deal with, is that the suburbs can be as
23 much or more of a nightmare for developers as the
24 City is.

25 MR. CHAPMAN: Yeah, I would agree with

1 11/20/01 RULES - BILL 010717

2 that.

3 The other thing that I would say, though,
4 is that as far as the use of overlays in the
5 suburbs, I'm not so sure that there is an extensive
6 use of overlays. I think that their underlying
7 zoning controls are more strict than ours in many
8 cases.

9 COUNCILMAN KENNEY: So they're just strict
10 from the get-go.

11 MR. CHAPMAN: Yes, yes.

12 COUNCILMAN KENNEY: And part of the
13 problem that we face -- and this is what
14 Mr. Lombardo talked about was that our code is so
15 old --

16 MR. CHAPMAN: Yes, yes.

17 COUNCILMAN KENNEY: -- that the overlay
18 situation winds up being a tool of best use because
19 you have a G-2 industrial property zoned for G-2
20 use right in the middle of a neighborhood shopping
21 strip. So in order to deal used with the problems
22 that came about as a result of the way
23 neighborhoods were used in the '20s, '30s, and
24 '40s, overlay seems to be the way to go, at least
25 the most effective way for communities and elected

1 11/20/01 RULES - BILL 010717

2 officials to have some control over who and what
3 develops in their communities.

4 And I guess what you're saying -- if I'm
5 reading something different into your thoughts,
6 please correct me, but the suburbs started out with
7 a more strict zoning code to begin with, so that
8 the developers have to go through the same hoops
9 that they would on a zoning overlay. So any
10 argument that zoning is overlays somehow is this
11 insidious obstacle to development within the City
12 is somewhat specious, from my perspective.

13 MR. LOMBARDO: Yeah, I didn't want you to
14 -- I don't want to be unclear about this. We are
15 not saying that that's necessary. What the suburbs
16 have to do is, like, convoluted; they have strict
17 setbacks, strict signage control, landscaping,
18 screening for --

19 COUNCILMAN KENNEY: But they have a desire
20 to control the development in their communities for
21 the good of their development and the good of their
22 residents.

23 MR. LOMBARDO: Right, right.

24 COUNCILMAN KENNEY: That seems to be what
25 government kind of is supposed to do.

1 11/20/01 RULES - BILL 010717

2 MR. LOMBARD0: That's right. And we're
3 saying we should be doing the same type of things,
4 not -- although the only thing I can say is what
5 they don't do is what we do is we make the use
6 itself a variance, and that, for some -- if you're
7 sitting outside the City, that's a legal process,
8 and some people just don't want to get involved in
9 the --

10 COUNCILMAN KENNEY: So is getting a TIF.
11 They're all legal processes, but --

12 MR. LOMBARD0: Well, we view it
13 differently in Philadelphia. We look at the Zoning
14 Board variances, the public hearing (indiscernible)
15 a variance. A lot of other municipalities, the
16 board grants them maybe, you know, less than half
17 of the variances requested and --

18 COUNCILMAN KENNEY: So this myth that the
19 Wall of China here being erected around the City is
20 just that, a myth; and it's just as hard in the
21 suburbs as it is in the City, sometimes harder.

22 MR. LOMBARD0: My experience has been that
23 it's not -- it doesn't ring true, it's just a
24 complaint that people have.

25 COUNCILMAN KENNEY: Maybe one of the

1 11/20/01 RULES - BILL 010717

2 obstacles here may be the cost of constructing the
3 development as opposed in to the suburbs, but
4 that's another story.

5 Thank you.

6 MR. LOMBARDO: Thank you.

7 COUNCILMAN KENNEY: Are there any other
8 questions for these witnesses?

9 MR. LOMBARDO: I understand there may be a
10 request from the -- one of the things, as I say,
11 this bill does is, it makes automobile sales-lots a
12 variance, and there may be a request to amend this
13 bill to make a distinction between used-car sales
14 and automobile-sales lots or part of a franchise
15 new-car dealership, and I just want to say, you
16 know, we stand ready either way the committee may
17 want to go if you decide to do it. We can do it
18 now or prepare it and give it to you at some later
19 date if you're going to hold the bill today. I
20 don't know what your choice is going to be.

21 COUNCIL PRESIDENT VERNA: Are the sponsors
22 of the bill here?

23 COUNCILMAN CLARKE: Thank you, Madam
24 Chair.

25 Yeah, we're actually going to go ahead

1 11/20/01 RULES - BILL 010717

2 with the one amendment on the issue with respects
3 to car dealerships. The intention of the bill mas
4 it relates to that specific part of the ordinance,
5 was to stop the proliferation of used-car dealers.
6 As referenced before, when a guy takes a vacant lot
7 and throws up a bunch of flags and parks a bunch of
8 used vehicles and chawks them up, so we in no way
9 want to prohibit or limit any franchise operator's
10 ability to locate on North Broad Street.

11 In addition, I just wanted to kind of give
12 some background on why it is we felt this bill was
13 necessary. It was two things in mind. One,
14 obviously is the designation of the Avenue of the
15 Arts North. As a result of funding from the State,
16 I understand that "Mr. X" actually had something to
17 do with some of that, and we appreciate that, and
18 some financing that from the City's Capital
19 Programs Office. We were able to put together
20 approximately 13, \$14 million to do a streetscape
21 and to hopefully not necessarily duplicate what's
22 on the Avenue of the Arts South, but to also bring
23 it up to a level that would be comparable.

24 One of the concerns that we've had is the
25 proliferation of what we believe are uses that are

1 11/20/01 RULES - BILL 010717

2 not conducive to creating a first-class corridor.
3 We recently, last year, had a zoning fight between
4 the community and a gas station, a Amoco gas
5 station, and we lost that fight because it was
6 zoned for that use a block away. Amoco also had a
7 gas station and may now close that gas station that
8 the City boarded up, and I expect at any point in
9 time for it to turn into one of these used-car
10 operations. Additionally, there's a substantial
11 amount of fast food and just a whole lot of
12 inappropriate uses along the corridor.

13 So we believe in order for to us achieve
14 goal our goal of having a first-class Avenue of the
15 Arts North corridor, we need to have some limits of
16 controls, and that's what we asked the Planning
17 Commission to do, draft this particular ordinance.
18 We will have several people from the community,
19 both on the business and residential side, who will
20 testify in support of the bill today.

21 COUNCIL PRESIDENT VERNA: Is the amendment
22 prepared, or are you willing to wait for the
23 preparation of the amendment?

24 COUNCILMAN CLARKE: We actually have asked
25 that the Planning Commission read the amendment

1 11/20/01 RULES - BILL 010717

2 into the record.

3 MR. LOMBARDO: Okay. Yeah, and I'll get
4 this. I just jotted it down, I don't have a -- we
5 don't have a prepared amendment, but we can have
6 one for you by the end of this hearing.

7 COUNCIL PRESIDENT VERNA: Before the end
8 of what?

9 MR. LOMBARDO: Before the end of the
10 hearings.

11 Okay, what we've been asked to do is look
12 at -- on Bill 717, subsection 2, which appears on
13 Page 3 -- I'm sorry, subsection 3, which appears on
14 Page 2, prohibited uses C. Currently it's worded
15 "automobile sales lots;" and we would -- it would
16 be amended to say: "Automobile sales lots, except
17 as part of a franchise new-car sales facility;" and
18 that would be the only amendment.

19 And that would at least clarify that this
20 car lot would not affect an existing --

21 COUNCIL PRESIDENT VERNA: Would you mind
22 repeating that, please. Except as part of --

23 MR. LOMBARDO: Remove the semicolon.
24 "Except as part of a franchise new-car sales
25 facility;"

1 11/20/01 RULES - BILL 010717

2 COUNCIL PRESENT VERNA: Thank you.

3 MR. LOMBARDO: And I'll get this printed
4 up and get it to you before the hearing ends.

5 COUNCILMAN CLARKE: Can I ask, before the
6 hearing's over, if the gentlemen from the
7 dealership franchise operators can clarify what
8 that designation means as it relates to car
9 dealerships? 'cause I'm sure some of these folks
10 who have some of these facilities believe they are
11 franchises. I just want some clarity on what the
12 specifics of a franchise dealership is.

13 (Witnesses come forward.)

14 COUNCIL PRESIDENT VERNA: Mr. Mazzucola, I
15 would again ask you to identify yourself for the
16 record.

17 MR. MAZZUCOLA: Kevin Mazzucola, the
18 Executive Director of the Auto Dealers Association
19 of Greater Philadelphia.

20 Councilman, the way it works is that a
21 dealer or a prospective business owner goes to the
22 manufacturer, and through negotiations and through
23 contractual agreements, has that franchise
24 agreement to sell that particular make or model,
25 whether is a Hyundai, Accura, Infinity, whatever

1 11/20/01 RULES - BILL 010717

2 the case may be. And there are requirements set
3 forth between that manufacturer and that business
4 person to qualify as a franchised new-car dealer.
5 It's my understanding that a used-car deal would,
6 by definition, not have that.

7 COUNCILMAN CLARKE: Okay. Are there
8 certain controls associated with the franchise
9 dealers as it relates to design?

10 MR. MAZZUCOLA: Correct. It has to be of
11 the caliber that the manufacturer is looking for to
12 represent their particular products. For instance,
13 Chevrolet all over the country wants a certain look
14 that they want the Chevrolet dealers to look like
15 and some parameters that they must meet minimally
16 to have a Chevrolet franchise. And those franchise
17 agreements come up periodically, whether it's a
18 two-year agreement, a three-year agreement, a
19 five-year agreement, and they are assessed in that
20 qualification.

21 Another example would be a Ford Blue Oval
22 Program, which you may have seen touted in
23 commercials in the Blue Oval dealers. Well, part
24 of that process in Blue Oval is to meet even more
25 stricter standards than even other Ford dealers to

1 11/20/01 RULES - BILL 010717

2 get that designation as Blue Oval.

3 So that's how the process works regarding
4 the facility, the business owner, and the
5 franchiser, which is the manufacturer.

6 COUNCILMAN CLARKE: And I can count on you
7 as the Executive Director of the Automobile
8 Dealerships Association in the event that there is
9 a request to locate a new-car dealership franchise
10 on the Avenue of the Arts North. We will be
11 notified and we will be able to have a discussion
12 about the esthetics and the operation of that
13 facility.

14 MR. MAZZUCOLA: Well, certainly, when
15 those franchises are looked at being put in, that
16 would be a part of the process. We certainly want
17 to work with the community and I'm sure the
18 business person is going to want to work with the
19 community. And what I understand -- I can't speak
20 for all communities in the country, but the
21 parameters that the manufacturers set with that
22 business person, in every case I can see, are more
23 stringent than what they see as far as local
24 ordinances in their communities.

25 COUNCILMAN CLARKE: Okay, thank you.

1 11/20/01 RULES - BILL 010717

2 MR. MAZZUCOLA: Thank you.

3 COUNCILMAN CLARKE: Thank you, Madam
4 President.

5 PRESIDENT VERNA: Thank you.

6 Are there any other questions from other
7 members of the committee?

8 (No further questions.)

9 COUNCIL PRESIDENT VERNA: Thank you very
10 much.

11 Do we have anyone else to testify on this
12 bill? Please approach the witness table, identify
13 yourself for the record, and proceed with your
14 testimony.

15 (Witnesses come forward.)

16 COUNCIL PRESIDENT VERNA: Good morning.

17 MR. LIDIAC: Good morning, Madam Chairman
18 and members of the committee. My name is Timothy
19 Lidiak, and I'm the Deputy Director of the Avenue
20 of the Arts, Inc. We are the private-sector
21 nonprofit agency that was set up in 1993 to oversee
22 both the planning and the development of South and
23 North Broad Streets into a world-class performing
24 arts and entertainment district. Our mission also
25 involves safeguarding the well-being of the

1 11/20/01 RULES - BILL 010717

2 cultural district.

3 I'm here to testify in support of Bill No.
4 717. This bill, by prohibiting a variety of uses,
5 and including new development controls, will
6 further deter -- will deter the further erosion of
7 North Broad Street's distinct historic and urban
8 character. We believe that it is precisely this
9 uniqueness of place that will continue over time to
10 attract investment related to culture and
11 entertainment.

12 By supporting this bill, Council also
13 prevent North Broad Street from becoming just
14 another nondescript urban non-place that is a
15 corridor lined with strip malls, parking lots, and
16 fast-food restaurants.

17 I wish to point out that the timing for
18 this bill could not have been better, as the City
19 Planning Commission is putting the final touches on
20 a new development blueprint for North Broad Street
21 and as the Streets Department plans to break
22 ground -- hopefully in the springtime -- on a major
23 streetscape project that will greatly enhance the
24 environment.

25 And, finally, with over \$740 million in

1 11/20/01 RULES - BILL 010717

2 public and private investment in projects that are
3 either completed or underway, the renaissance of
4 North Broad Street is about to begin.

5 Two years ago, Council passed a similar
6 zoning bill for South Broad Street, and I ask this
7 committee to do the same for North Broad Street.

8 Thank you.

9 COUNCIL PRESIDENT VERNA: Thank you.

10 Good morning.

11 MR. ALSTON: Good morning, President Verna
12 and members of City Council. My name is Floyd W.
13 Alston.

14 I thank you for this opportunity to
15 testify in favor of Bill No. 717. As a member of
16 the board of directors of Avenue of the Arts and
17 President and CEO of Beech Interplex, Inc., I am
18 especially interested in and involved with the
19 development and the improvement of North Broad
20 Street. This major corridor, which runs
21 approximately three miles from downtown
22 Philadelphia to North Philadelphia Station, has for
23 too long been allowed to deteriorate. Therefore,
24 the communities which flank both sides have had to
25 live with the loss of viable residences and

1 11/20/01 RULES - BILL 010717

2 businesses on a main thoroughfare dissecting their
3 neighborhood. Long-term neglect and lack of
4 positive zoning and planning has accelerated the
5 deterioration to the point where very little but
6 marginal and substandard housing and commercial
7 establishments remain.

8 This bill is especially timely and
9 important because we are beginning to see the
10 reemergence of interest in the renewal of this
11 North Philadelphia corridor. From one end to the
12 other, we are beginning to see new planned
13 commercial development such as the expansion of the
14 Pennsylvania Academy of Fine Arts, the potential
15 expansion of the Convention Center, the
16 construction of Benjamin Franklin High School, the
17 renewal of the Blue Horizon, the restoration of
18 Freedom Theater, and anticipated construction of
19 the Jump Street Complex, as well as the Liacouras
20 Center, as well as the rehabilitation of the North
21 Philadelphia train station. These are only
22 highlights of a myriad of renewed restored
23 buildings and institutions emerging on North Broad
24 Street.

25 It is critical to the continuing

1 11/20/01 RULES - BILL 010717

2 redevelopment of this corridor that its improvement
3 be managed in such a way that negative activities
4 and facilities not be allowed to mar its positive
5 program. We see Bill No. 717 as an important
6 strategy to ensure the success of the Avenue of the
7 Arts future development.

8 Thank you for your support.

9 COUNCIL PRESIDENT VERNA: Thank you.

10 Good morning, sir.

11 MR. ANDERSON: Good morning. My name is
12 Thomas Anderson, Jr. and I'm the Associate Vice
13 President for Community Relations at Temple
14 University.

15 Council President Verna and members of the
16 Rules Committee, ladies and gentlemen, good
17 morning. I'd like to thank you for the opportunity
18 to appear before you today as a representative of
19 Temple University to present testimony in support
20 of Bill 717 cosponsored by Councilmembers Clarke
21 and DiCicco.

22 As you know, this bill will amend Title 14
23 of the Philadelphia Code to create a zoning overlay
24 along the Avenue of the Arts North, Broad Street
25 from JFK Boulevard north to Cambria Street.

1 11/20/01 RULES - BILL 010717

2 Provided that Bill 717 is amended by City
3 Council to exempt the institutional development
4 district from its provisions, Temple University is
5 supportive of this legislation. If the Avenue of
6 the Arts North has any chance of growing as an
7 economic engine and cultural destination, greater
8 zoning control over the use of the properties
9 lining North Broad Street is imperative. We do not
10 need more fast-food restaurants or stores selling
11 malt liquor on Broad Street.

12 As one of the anchors of the Avenue of the
13 Arts North, Temple University has a vested interest
14 in creating an environment of redevelopment and
15 growth. Temple's Rock Hall, the Liacouras Center,
16 Thomason Theater, the Annenberg Theater brings tens
17 of thousands of visitors to our campus in North
18 Philadelphia each year. Temple's College of Music
19 and our School of Communications and Theater, both
20 located within a stone's throw of the Avenue of the
21 Arts North, house nationally-ranked arts programs.
22 If we are successful in our efforts to relocates
23 our Tyler School of Art from Elkins Park to our
24 main campus, Temple University will add a third
25 nationally-ranked arts program to the North

1 11/20/01 RULES - BILL 010717

2 Philadelphia street corridor. Coupled with the
3 wonderful rehabilitation of Freedom Theater to the
4 our immediate south and the potential development
5 of the Uptown Theater to our immediate north, the
6 Avenue of the Arts has the potential to grow in a
7 scale to begin to match the South Street
8 counterpart.

9 As part of the Institutional Development
10 District, we believe that there are already
11 significant zoning protections in place against the
12 types of development uses that Bill 717 would
13 prohibit. As such, we respectfully submit that the
14 bill be amended to specifically exclude the
15 Institutional Development District at Temple
16 University.

17 Again, I want to thank you for the
18 opportunity to testify. Any questions?

19 COUNCIL PRESIDENT VERNA: Thank you very
20 much. Are there any questions or comments?

21 The Chair recognizes Councilman Kenney.

22 COUNCILMAN KENNEY: Thank you very much.

23 With the exception of Mr. Anderson's
24 caveat on the institutional district, the
25 individuals from the Avenue of the Arts North, do

1 11/20/01 RULES - BILL 010717

2 you believe that this zoning overlay will in any
3 way prohibit or hamper your ability to attract
4 retail development, other types of development that
5 would be approved by and acceptable to the board of
6 the Avenue of the Arts North? I mean, do you think
7 that this is something that's onerous and an
8 obstacle to development along the Avenue of the
9 Arts in North Philadelphia?

10 MR. ALSTON: I appreciate the question.
11 On the contrary; I believe that the future
12 developers and private money coming into
13 Philadelphia will see this as a positive as opposed
14 to a negative, because it provides controls and
15 uniformity in development so that your investment
16 is protected.

17 COUNCILMAN KENNEY: So you view this as
18 help as opposed to a hindrance.

19 MR. ALSTON: Yes, I do.

20 COUNCILMAN KENNEY: Thank you very much.

21 COUNCIL PRESIDENT VERNA: Thank you.

22 Any other questions or comments from
23 members of the committee of these members?

24 (No response.)

25 COUNCIL PRESIDENT VERNA: Thank you very

1 11/20/01 RULES - BILL 010125

2 much sir.

3 Are there any other witnesses to testify
4 on this bill?

5 (No response.)

6 COUNCIL PRESIDENT VERNA: Seeing none, I
7 would ask that Bill No. 010125 be read.

8 THE CLERK: An ordinance amending Title 14
9 of the Philadelphia Code, entitled "Zoning and
10 Planning," by amending Chapter 14-1600, entitled
11 "Miscellaneous," by adding a new Section 14-1621,
12 entitled "Passyunk Avenue Special District
13 Controls," under certain terms and conditions.

14 COUNCIL PRESIDENT VERNA: Councilman
15 DiCicco, is it your desire to hold this bill?

16 COUNCILMAN DICICCO: Yes, Madam President.

17 COUNCIL PRESIDENT VERNA: So we don't need
18 testimony this morning?

19 COUNCILMAN DICICCO: We don't need
20 testimony.

21 COUNCIL PRESIDENT VERNA: Thank you.

22 The clerk will please read the title of
23 Bill No. 010126.

24 THE CLERK: An ordinance amending Title 14
25 of the Philadelphia Code, entitled "Zoning and

1 11/20/01 RULES - BILL 010126
2 Planning," by amending Section 14-1610, entitled
3 "Old City Residential Area Special District
4 Controls," by providing fortune teller
5 establishments and tattoo and body-piercing
6 establishments as prohibited uses within the
7 district, all under certain terms and conditions.

8 COUNCIL PRESIDENT VERNA: Councilman
9 DiCicco?

10 COUNCILMAN DICICCO: That's being held,
11 Madam Chair.

12 COUNCIL PRESIDENT VERNA: Thank you.

13 The next bill to be called for
14 consideration is Bill No. 010181. Will the clerk
15 please read the title of the bill.

16 THE CLERK: An ordinance amending Title 14
17 of the Philadelphia Code, entitled "Zoning and
18 Planning," by amending Chapter 14-1500, entitled
19 "Areas Surrounding Airports," by adding a new
20 Section 14-1503, entitled "Building Setback Lines,"
21 under certain terms and conditions

22 COUNCIL PRESIDENT VERNA: Councilman
23 O'Neill, is this to be considered also with Bill
24 No. 010425? I was told you wanted both of them to
25 be heard at the same time.

1 11/20/01 RULES - BILL 010181

2 COUNCILMAN O'NEILL: No.

3 COUNCIL PRESIDENT VERNA: No? Okay. What
4 is your desire on Bill No. 010181?

5 COUNCILMAN O'NEILL: I have an amendment
6 and then I'd like to report it out.

7 COUNCIL PRESIDENT VERNA: Okay, fine.

8 MR. LOMBARDO: Good morning, Madam
9 President and members of the Rules Committee. My
10 name is Richard Lombardo, Deputy Executive Director
11 of the Philadelphia City Planning Commission, and
12 I'm here to testify today on Bill No. 010181, which
13 was introduced by Councilman O'Neill on March 22,
14 2001.

15 This bill amends the zoning code by
16 establishing a 250-foot setback line along the
17 south side of Comley Road between Decatur and
18 Norcome Road. The new Flyers skate zone is located
19 in this block of Comley Road. This stretch of
20 Comley Road is a directly across the street from a
21 recreational use and residentially zoned homes. In
22 the block immediately to the east of Decatur Road
23 along Academy Road, an approximately 250-foot
24 setback line already exists due to the fact that
25 this ground is controlled by Fairmount Park. I

1 11/20/01 RULES - BILL 010181

2 understand that this setback is being created to be
3 consistent with that 250-foot setback of the park,
4 and also, it was a part of an agreement between the
5 Flyers skate zone and the community skate zone was
6 proposed before the Zoning Board.

7 The Planning Commission, at its meeting of
8 November 15, 2001, recommended that Bill No. 010181
9 be approved.

10 I would be happy to answer any questions
11 you have on this bill.

12 COUNCIL PRESIDENT VERNA: Thank you.

13 Any questions from members of the
14 committee?

15 The Chair recognizes Councilman O'Neill.

16 COUNCILMAN O'NEILL: I'd just like to
17 state for the record, before I introduce the
18 amendment, that the Washington Savings Bank is
19 negotiating right now with the airport to move
20 their headquarters to a location that would be
21 affected by the setback, and they're in agreement
22 that they can live with the setback, and they're
23 working with the community to find compromises and
24 some negotiation on the zoning that they need in
25 this area. But it will be a win/win because their

1 11/20/01 RULES - BILL 010181

2 chief competitor is in Huntington Valley now even
3 though they both started in Port Richmond.

4 The Law Department sent me what is really
5 a technical form amendment to make sure that this
6 language conforms with other parts of the code.
7 And the amendments are as follows, and I've got a
8 copy to hand to everyone on the committee.

9 The second line under Section 1, the
10 seconds line, strike setback restrictions in quotes
11 and add in quotes building setback line in its
12 place.

13 And then further down in Section 14-1503,
14 under building setback line, the language 250 feet
15 is stricken. And then later on in that sentence,
16 after the word "line," there's an insertion of the
17 wording of a minimum of 250 feet shall be
18 maintained along the south side of Comley Road
19 between Decatur Road. Then striking the word
20 "add," which, I think, is just a typo and putting
21 in the word "and."

22 And that would be it. They're very
23 technical. And the minimum of 250 is just so no
24 one would think they couldn't set it back any
25 further if they wanted to. In fact, the bank, I

1 11/20/01 RULES - BILL 010181

2 think, will be a little bit further back.

3 COUNCIL PRESIDENT VERNA: Okay, thank you.

4 Any questions or comments from members of
5 the committee?

6 (No questions.)

7 COUNCIL PRESIDENT VERNA: Gentlemen, thank
8 you.

9 Do we have anyone else to testify on this
10 bill?

11 (No response.)

12 COUNCIL PRESIDENT VERNA: Seeing none, the
13 next bill for consideration is Bill No. 010233,
14 which is an ordinance amending Title 14 of the
15 Philadelphia Code relating to zoning and planning
16 by amending Chapter 14 --

17 COUNCILMAN DICICCO: Madam Chair, that's
18 being held also.

19 COUNCIL PRESIDENT VERNA: Okay, Bill No.
20 010233 is being held at the requests of the
21 sponsor.

22 The next bill to be called for
23 consideration is Bill No. 010424.

24 COUNCILMAN DICICCO: That's being held
25 also, Madam Chair.

1 11/20/01 RULES - BILL 010425

2 COUNCIL PRESIDENT VERNA: This bill is
3 also being held at the request of the sponsors.

4 COUNCIL PRESIDENT VERNA: Okay. The next
5 bill to be called is Bill No. 010425.

6 THE CLERK: An ordinance declaring that it
7 is desirable for the health, safety, and welfare
8 for the people in the area served by Special People
9 in Northeast Inc., a Pennsylvania nonprofit
10 corporation for the Hospitals and Higher Education
11 Facilities Authority of Philadelphia to participate
12 in the financing of certain projects for Special
13 People in the Northeast, Inc., including the
14 refinancing of acquisition loans for properties
15 located at 7516 through 18 Claridge Street, 4315
16 Enfield Road, 14029 Irwin Street, 333 Fanshawe
17 Street, 9218 Academy Road, 9323 through 25 Newton
18 Avenue, and 2834 Nightingale Road.

19 (Witnesses come forward.)

20 COUNCIL PRESIDENT VERNA: Good morning.

21 MS. OLANIPEKUN: Good morning, President
22 Verna and members of the Rules Committee. I am
23 Falasade Olanipekun, the City Treasurer, and I'm
24 here to testify on behalf of 010425.

25 The purpose of the bill is to fulfill

1 11/20/01 RULES - BILL 010425

2 certain requirements mandated under Bill No.
3 990817. On December 16, 1999, City Council passed
4 Bill No. 990817, which authorized the Hospitals and
5 Higher Education Facilities Authority to execute a
6 financing on behalf of Special People in the
7 Northeast ("SPIN") in an aggregate amount not to
8 exceed \$5,600,000.

9 The purpose of the financing was to
10 finance a project that included the purchase of two
11 buildings located at 10541 and 10501 Drummond Road
12 for use as new administrative offices by SPIN, the
13 refinancing of two buildings owned by SPIN
14 currently being used by them as administrative
15 offices, and the refinancing of loans secured by 17
16 properties owned and operated by SPIN and/or its
17 affiliates.

18 All of the properties subject to the
19 financing are located in the northeast section of
20 the City of Philadelphia. This financing was
21 completed on December 30, 1999. And collectively,
22 the 1999 financing was called "the initial
23 project."

24 Under the 1999 ordinance, City Council
25 required that any additional projects, the

1 11/20/01 RULES - BILL 010425

2 supplemental projects under consideration and
3 identified by SPIN must be approved by City
4 Council. As a result, SPIN is in front of City
5 Council today to obtain authorization to execute a
6 supplemental project.

7 The supplemental project consists of the
8 refinancing of acquisition loans for seven
9 additional properties owned and operated by SPIN,
10 all of which are located in the northeast section
11 of Philadelphia.

12 At this time, this concludes my testimony.

13 Here also to testify on behalf of this
14 bill is Donald Cramp, President of the Hospitals
15 Authority, and David LeCino, Executive Director of
16 SPIN.

17 Thank you.

18 MR. CRAMP: Good morning.

19 COUNCIL PRESIDENT VERNA: Good morning.

20 MR. CRAMP: Good morning. My name is
21 Donald Cramp. I serve as the Chief Executive
22 Officer of the Hospitals and Higher Education
23 Facilities Authority of Philadelphia. I wish to
24 make a brief introductory statement in support of
25 the proposed bill before you this morning.

1 11/20/01 RULES - BILL 010425

2 In January 2001, Special People of the
3 Northeast contacted the Authority about their
4 desire to move forward with the 1999 supplemental
5 project. On December 16, 1999, City Council
6 adopted Bill No. 990817, enabling the Authority to
7 issue 1999 notes totaling \$5.6 million, with a
8 provision that the related portion of this money,
9 \$731,700, will not be released to the borrower,
10 special People of the Northeast, until the related
11 properties totaling that value have been finally
12 identified. Those properties have now been
13 selected and the proceeds will be used for those
14 acquisitions.

15 Today I feel privileged to be before you
16 to assist the Special People of the Northeast and
17 the many people associated with this outstanding
18 institution. And to close, may I thank you
19 sincerely on behalf of the board for having us
20 before you this morning

21 Thank you.

22 COUNCIL PRESIDENT VERNA: Thank you. Good
23 morning.

24 MR. LECINO: Good morning, Madam
25 Chairperson. I'm David LeCino, the Chief Executive

1 11/20/01 RULES - BILL 010425
2 Officer of Special People in the Northeast
3 Incorporated. This is a nonprofit organization
4 supporting individuals with mental retardation
5 throughout Northeast Philadelphia. And this
6 request for tax exemption financing would greatly
7 aid the agency in meeting the financial
8 requirements for supporting individuals who choose
9 to reside with us, and I would ask that the Rules
10 Committee act positively on our request.
11 I'm also available to answer any questions
12 that Councilmembers or you may have.
13 COUNCIL PRESIDENT VERNA: Thank you.
14 Any questions from members of the
15 committee?
16 The Chair recognizes Councilman O'Neill.
17 COUNCILMAN O'NEILL: No questions, Madam
18 Chair, but I would like to compliment SPIN on being
19 a vital part of the Northeast. While it's had
20 difficulties with the sale program with our City
21 department in the placement of some homes and the
22 way they're handled, I always try to make it clear
23 that it doesn't involve SPIN at all, that they
24 could be the model. But anything I could do to
25 help with this refinancing or anything else, I

1 11/20/01 RULES - BILL 010425

2 mean, I attend a meeting now once a month in their
3 community center, which is actually right across
4 the street from the setback area that we had on the
5 previous bill.

6 But SPIN's just a terrific organization.
7 And I believe, Mr. LeCino is the founder of the
8 organization, so we've kind of aged together.

9 MR. LECINO: Yes, we have.

10 I also like to have the minutes reflect
11 that Councilman O'Neill has been a constant
12 supporter of the agency, and I thank him personally
13 on behalf of the agency for his sponsorship of not
14 only of this bill but on other bills in the past.

15 Thank you very much.

16 COUNCIL PRESIDENT VERNA: Thank you.

17 Any other comments from members of the
18 committee?

19 (No questions.)

20 COUNCIL PRESIDENT VERNA: Gentlemen, thank
21 you very much.

22 MR. MCGREAL: I'm Austin McGreal, general
23 counsel of the Authority. And if Your Honors feel
24 you should vote in favor of this, I would
25 appreciate it if you would suspend the rules.

1 11/20/01 RULES - BILL 010540

2 COUNCIL PRESIDENT VERNA: We will
3 certainly consider that. Thank you.

4 Our next bill is Bill No -- I'm sorry, do
5 we have anyone else to testify on this bill?

6 (No response.)

7 COUNCIL PRESIDENT VERNA: Seeing none,
8 Bill No. 010540 will be next for consideration.

9 THE CLERK: An ordinance amending Title 14
10 of the Philadelphia Code, entitled "Zoning and
11 Planning," by amending Chapter 14-100, entitled
12 "General Provisions," by amending Section 14-102,
13 entitled "Definitions," and by amending Chapter
14 14-300, entitled "Commercial Districts," by
15 amending Section 14-303, entitled "C2 Commercial
16 Districts," under certain terms and conditions

17 MR. LOMBARDO: Good morning, Madam
18 President and members of the Rules Committee. I'm
19 Richard Lombardo, Executive Director of the
20 Philadelphia City Planning Commission, and I'm here
21 today to testify on Bill No. 010540. This bill was
22 introduced by Councilmember Nutter on September 13,
23 2000.

24 This bill amends the zoning code by
25 defining the term "farmer's market" and by

1 11/20/01 RULES - BILL 010540

2 permitting this use under the provisions of the C2
3 zoning classification. Under the current provision
4 of C2 commercial, all uses are required to be
5 located within a completely enclosed building.
6 This bill would define "farmer's market" as an area
7 which "may or may not be in a completely enclosed
8 building where growers and producers of
9 horticultural and agricultural products may sell
10 those products directly to the public." And it
11 would then permit this new use farmer's market in
12 the C2 districts.

13 This amendment was requested by the
14 Farmers Market Trust.

15 The Planning Commission, at its meeting of
16 November 15, 2001, recommended that Bill No. 010540
17 be approved.

18 I would be happy to answer any questions
19 of the committee.

20 COUNCIL PRESIDENT Verna: Thank you.

21 The farmer's market, would that be more or
22 less like a sidewalk vendor?

23 MR. Lombardo: Well, the difference is
24 that the definition limits the sales to be done by
25 the growers or the producers themselves, not an

1 11/20/01 RULES - BILL 010540

2 in-between. Like normally a vendor that sells
3 produce would be going down to the Food
4 Distribution Center and buying the produce and
5 selling it as some sort of a middle man. This
6 would only limit the sales to the actual farmer and
7 grower.

8 And it's not on the sidewalk; it has to be
9 on a property. It would allow, for example, to set
10 this up on a parking lot. It's got to be behind a
11 property line; it just doesn't allow it on the
12 sidewalk.

13 COUNCIL PRESIDENT VERNA: Thank you.

14 Any questions from members of the
15 committee?

16 (No questions.)

17 COUNCIL PRESIDENT VERNA: I believe we
18 have one witness to testify, Duane Perry.

19 (Witnesses come forward.)

20 COUNCIL PRESIDENT VERNA: Hello. Kindly
21 identify yourself for the record.

22 MR. PERRY: My name is Duane Perry,
23 Executive Director of the Farmers Market Trust. To
24 my right is Gail Raymond, who is the Associate
25 Director of Programs for the Farmers Market Trust.

1 11/20/01 RULES - BILL 010540

2 Thank you, Madam President and members of
3 the Rules Committee for allowing me to testify
4 before you on Bill No. 010540.

5 The Farmers Market Trust is a nonprofit
6 charitable organization dedicated to ensuring that
7 every child, adult, and family has access to
8 affordable nutritious food. Through our farmers
9 markets, we bring fresh and affordable nutritious
10 food to communities that might not have access to
11 fresh and nutritious food. This year, we operated
12 10 weekly farmer's markets.

13 As you know, there are large areas of
14 Philadelphia with few supermarkets and many
15 neighborhoods that have none. This uneven
16 distribution of food in Philadelphia
17 disproportionately affects low-income people. In
18 fact, a nationwide study found that in the
19 Philadelphia region, the number of supermarkets in
20 the lowest-income neighborhoods is 156 percent less
21 than in high-income neighborhoods.

22 Farmers markets provide an alternative
23 source of food for people. In fact, an evaluation
24 of our farmers markets found that large percentages
25 of customers at them shop there every week. And

1 11/20/01 RULES - BILL 010540

2 our customers explain that they shop for food at
3 farmers markets for many reasons, including, and I
4 quote, "It's the only place to get fresh food in
5 the area. The food is of great quality. The
6 markets are a wonderful addition to the
7 neighborhood, and they are convenient to get to."

8 Farmers markets provide fresh, nutritious
9 fruits and vegetables to Philadelphians who are
10 nutritionally at risk, helping them to improve
11 their health. Repeat customers report at our
12 markets reported that they're eating more
13 vegetables since coming to the markets.

14 In a recent study we performed, actually
15 in part funded by the Department Of Health of the
16 City of Philadelphia, mapped diet-related health
17 problems, access to supermarkets, and income in
18 Philadelphia. And it found that there was a
19 correlation between where people live, the lack of
20 supermarkets, and the high incidence of
21 diet-related disease. And based on additional
22 studies we've conducted, we know that access to
23 fresh, affordable and nutritious food plays a role
24 in determining what people eat, and in fact, people
25 who have access only to poor food eat poorly.

1 11/20/01 RULES - BILL 010540

2 In addition, poor access to affordable,
3 nutritious food in many of our communities reduces
4 the purchasing power of low-income Philadelphians
5 and may exacerbate long-term health problems
6 resulting from nutritionally inadequate diets. And
7 while poor access to nutritious food affects
8 everyone, lower-income Philadelphians are
9 especially hard hit because they tend to be less
10 mobile and have more difficulty getting to stores.

11 On the following page is a map which shows
12 where seniors living below the poverty level live
13 in Philadelphia. As you probably know,
14 lower-income seniors especially need access to
15 nutritionally good food. This year, 35,000
16 Philadelphia seniors received farmers market
17 nutrition program checks. On the other hand,
18 according to the Philadelphia Corporation for
19 Aging, there are 82,000 Philadelphia seniors who
20 are low-income subsisting on less than \$16,000 a
21 year and who are nutritionally at risk.

22 Our farmers markets are primarily placed
23 in neighborhoods where there's a lack of fresh
24 fruits and vegetables. We work with community
25 groups in these neighborhoods who invite us in; we

1 11/20/01 RULES - BILL 010540

2 never open a market without being invited into a
3 neighborhood. Most of our markets are open only
4 one day a week for about four hours.

5 Farmers markets are good for communities.
6 They offer health-conscious consumers a tremendous
7 variety of fresh food. And whether the markets are
8 in parks or in off-street lots, neighborhoods are
9 finding that the farmers markets attract people
10 back to public spaces and help revitalize
11 communities.

12 As you know, farmers markets have very
13 deep roots in our history here. Ben Franklin, when
14 he first came to the City of Philadelphia, he
15 shopped at a farmer's market. And by the beginning
16 of the 20th century, most large cities had
17 municipal farmers markets.

18 The Farmers Market Trust is located at
19 12th and Chestnut Street, where we rent space and
20 pay real-estate taxes. We pay \$18,000 a year in
21 City wage taxes, and over 80 percent of our
22 employees are City residents. Our farmers are a
23 part of the Philadelphia Farmers Association and
24 also pay Philadelphia business-privilege taxes.

25 Thank you very much for inviting me to

1 11/20/01 RULES - BILL 010540

2 testify, and I'll be happy to answer any questions.

3 COUNCIL PRESIDENT VERNA: Thank you very
4 much.

5 Are there any questions or comments from
6 members of the committee?

7 The Chair recognizes Councilman Clarke.

8 COUNCILMAN CLARKE: Thank you, Madam
9 Chair.

10 One question with respects to your
11 operation. Are there any requirements in terms of
12 space needs? And I ask that question because,
13 unfortunately, in my district, there are several
14 communities that do not have a supermarket and
15 don't have the availability of fresh produce. And
16 we're looking at some sort of interim strategy to
17 address those needs until, one of these days, we
18 can get somebody to open up a supermarket in the
19 community.

20 Would I contact you to get the
21 requirements for space needs? Or can you kind of
22 briefly tell me what they would be?

23 MR. PERRY: Well, I'd be happy to talk to
24 you in more detail about that, Councilman, but I
25 can tell you, the bottom line is where there's kind

1 11/20/01 RULES - BILL 010540

2 of a minimal amount of space, where we can set up a
3 couple tables, and farmers can sell their food with
4 the support of the community. That's typically a
5 situation we can make work.

6 COUNCILMAN CLARKE: Is there a time frame
7 limit? I mean, do you traditionally do it once a
8 week?

9 MR. PERRY: It's pretty much traditionally
10 once a week for about four hours a day, but they
11 can vary. We have, for instance, out in Clark Park
12 in West Philadelphia, we operate a market twice a
13 week. So there's a considerable amount of
14 flexibility, but we would be happy to work with
15 your office.

16 COUNCILMAN CLARKE: Okay, thank you.

17 COUNCIL PRESIDENT VERNA: I would like you
18 to share that information with my office also,
19 please.

20 MR. PERRY: I'd be happy to, Madam
21 President.

22 COUNCIL PRESIDENT VERNA: Thank you.

23 Are there any other questions or comments
24 from the members of the committee?

25 (No further questions.)

1 11/20/01 RULES - BILL 010540

2 COUNCIL PRESIDENT VERNA: Thank you.

3 Do we have anyone else to testify on this
4 bill?

5 Councilman Nutter?

6 COUNCILMAN NUTTER: Thank you, Madam
7 Chair.

8 Madam Chair, there was one letter of
9 support that was sent in. It's brief, and I'd like
10 to read it into the record. It's from Eric
11 Goldstein, the Executive Director of the University
12 City District, a letter that was sent to me
13 yesterday.

14 "Dear Councilman Nutter: I'm writing in
15 support of Bill 010540, which would include farmers
16 markets in the standard zoning code. The
17 University City District has concluded its fourth
18 year of sponsorship of the Clark Park Farmers
19 Market located at 43rd and Baltimore Avenue. This
20 market has been highly successful and is treasured
21 by those in the University City community.

22 "Farmers markets bring fresh high-quality
23 and low-cost fruits and vegetables to communities
24 that often do not have access to these products.
25 They are a boon to the areas that have them.

1 11/20/01 RULES - BILL 010540

2 "It is my hope that this bill will make it
3 easier for neighborhoods in the City to have access
4 to this invaluable resource.

5 "Thank you for your time.

6 "Sincerely, Eric Goldstein, Executive
7 Director."

8 COUNCIL PRESIDENT VERNA: Thank you.

9 Our next bill to be considered is Bill No.
10 010557, and I do have in my possession a letter
11 from Councilman Mariano requesting that this bill
12 be held for a further date.

13 Bill No. 010604 is also being held at the
14 request of the sponsor.

15 Bill No. 010605 is our last bill.

16 THE CLERK: An ordinance adopting an
17 amendment to the Articles of Incorporation of the
18 Manayunk Special Services District of Philadelphia
19 to extend the term of that authority, all under
20 certain terms and conditions.

21 COUNCIL PRESIDENT VERNA: Who's testifying
22 on this bill?

23 (Witnesses come forward.)

24 COUNCIL PRESIDENT VERNA: Hello.

25 MS. SMITH: Good morning.

1 11/20/01 RULES - BILL 010540

2 MR. BUMB: Good morning.

3 COUNCIL PRESIDENT VERNA: Good morning.

4 MR. BUMB: Good morning, Madam Chairperson
5 and members of City Council. My name is Duane
6 Bumb. I'm Deputy Commerce Director. I appreciate
7 the opportunity to testify in support of Bill
8 010605. It would allow the term of the Manayunk
9 Special Service District to be extended to the year
10 2012.

11 Manayunk Special Service District is a
12 wonderful example of the collaboration that can be
13 created between the public and private sectors.
14 The businesses, entrepreneurs, and property owners
15 in Manayunk recognize the ongoing need to improve
16 the general economic climate and quality of life of
17 their neighborhood. To that extent, they have
18 successfully established a special service district
19 to make the Main Street area clean, safe, and
20 attractive. Not only has the special service
21 district been important to the stability of the
22 community, it has become a catalyst for further
23 revitalization.

24 The City's economic-development
25 organizations, including the Department of Commerce

1 11/20/01 RULES - BILL 010540

2 PIDC, and PCDC, are committed to supporting the
3 special service districts as an important
4 development and revitalization tool. In the case
5 of the Manayunk Special Services District, we have
6 also worked closely with the Police Department and
7 the Streets Department to leverage other vital City
8 services. The result of this successful
9 collaboration has been a dynamic special services
10 district that promotes the long-term growth and
11 viability of the Main Street commercial corridor.
12 This worthwhile effort deserves to be continued.

13 I, therefore, urge your support of Bill
14 10605 and thank you for your consideration. I'd be
15 happy to answer any questions you may have.

16 MS. SMITH: I also have up here this,
17 which summarizes what we do, plus some testimony.

18 As Executive Director of the Manayunk
19 Special Services Director and the Manayunk
20 Development Corporation, I'm testifying in support
21 of Bill 010605 to extend the life of the Manayunk
22 Special Services District to end December 31, 2012.
23 The Special Services District has played a critical
24 role in Manayunk in our efforts to address the
25 needs of our district. The dollars from the

1 11/20/01 RULES - BILL 010540

2 services district have been used for planning,
3 design, and to leverage other dollars, as well as
4 the clean and safe and the kind of basic
5 nitty-gritty needs of a commercial district.

6 Going forward, it is now even more
7 important because the market's even more
8 competitive. With the success of other areas in
9 the City and the suburbs, these dollars will be
10 used to upgrade our maintenance efforts, expand our
11 promotions, and do some small capital improvements.
12 Not only is the MSSD important for Manayunk but
13 it's important for the City since a significant
14 amount of our retail revenue actually comes from
15 the suburbs over the boundaries into the City of
16 Philadelphia.

17 So I thank you for your support. If
18 there's any questions, please feel free.

19 COUNCIL PRESIDENT VERNA: Thank you.

20 Are there any questions from members of
21 the committee?

22 (No questions.)

23 COUNCIL PRESIDENT VERNA: Thank you both
24 very much for your patience.

25 Do we have anyone else to testify on this

1 11/20/01 RULES - BILL 010540

2 bill?

3 (No response.)

4 COUNCIL PRESIDENT VERNA: Seeing none,
5 this will conclude our public hearing

6 - - -

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 11/20/01 RULES - PUBLIC MEETING

2 COUNCIL PRESIDENT VERNA: We will now go
3 into our public meeting

4 The Chair recognizes Councilman O'Neill
5 regarding Bill No. 00717.

6 COUNCILMAN O'NEILL: Madam President, I
7 move that Bill No. 00717 --

8 COUNCIL PRESIDENT VERNA: Excuse me. We
9 have to approve the amendment.

10 COUNCILMAN CLARKE: Thank you, Madam
11 Chair.

12 Madam Chair, I'd like to propose an
13 amendment to Bill No. 000717. The amendment would
14 be number 3, Section 1416-20 c. Where it says
15 "Auto Mall sales lot," we would add "except as part
16 of a franchise new car facility."

17 COUNCIL PRESIDENT VERNA: Okay.

18 COUNCILMAN CLARKE: I'd like to move the
19 adoption of the amendment

20 (Duly seconded.)

21 COUNCIL PRESIDENT VERNA: It has been
22 properly moved and seconded that the amendment be
23 adopted.

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

1 11/20/01 RULES - PUBLIC MEETING

2 Those opposed?

3 The ayes have it and the amendment has
4 been adopted.

5 The Chair recognizes Councilman Clarke.

6 COUNCILMAN CLARKE: Thank you, Madam
7 Chair. I'd like to move that Bill No. 000717, as
8 amended, be reported out of committee with a
9 favorable recommendation and a request for a
10 suspension of the rules.

11 (Duly seconded.)

12 COUNCIL PRESIDENT VERNA: It has been
13 moved and seconded that Bill No. 000717, as
14 amended, be reported out of committee with a
15 favorable recommendation and also recommendation
16 that the rules of Council be suspended so as to
17 permit first reading at our next Council session.

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

20 Those opposed?

21 The ayes have it and the motion has been
22 carried.

23 The Chair recognizes Councilman O'Neill
24 regarding Bill No. 010181.

25 COUNCILMAN O'NEILL: Madam President, I

1 11/20/01 RULES - PUBLIC MEETING

2 move the adoption of the amendment, which was
3 distributed and read into the record during the
4 public hearing.

5 (Duly seconded.)

6 COUNCIL PRESIDENT VERNA: It has been
7 moved and seconded that the amendment be adopted.

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

10 Those opposed?

11 The ayes have it and the motion is
12 carried.

13 The Chair recognizes Councilman O'Neill.

14 COUNCILMAN O'NEILL: I move that Bill No.
15 010181, as amended, be reported out of committee
16 with a favorable recommendation to be read at the
17 next session Council.

18 (Duly seconded.)

19 COUNCIL PRESIDENT VERNA: It has been
20 moved and seconded that Bill No. 010181 be reported
21 out of committee with a favorable recommendation as
22 amended.

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

25 Those opposed?

1 11/20/01 RULES - PUBLIC MEETING

2 The ayes have it and the motion carries

3 The Chair recognizes Councilman O'Neill
4 regarding Bill No. 010425.

5 COUNCILMAN O'NEILL: Madam President, I
6 move that Bill No. 010425 be reported out of
7 committee with a favorable recommendation and also
8 a recommendation that the rules of Council be
9 suspended to allow for first reading at our next
10 Council session.

11 (Duly seconded.)

12 COUNCIL PRESIDENT VERNA: It has been
13 moved and seconded that Bill No. 010425 be reported
14 out of committee with a favorable recommendation
15 and also a recommendation that the rules of Council
16 be suspended so as to permit first reading at our
17 next session of Council.

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

20 Those opposed?

21 The ayes have it and the motion carries.

22 The Chair recognizes Councilman DiCicco
23 regarding Bill No. 010524.

24 COUNCILMAN DICICCO: I move for the
25 adoption of Bill No. 010524 and a request for a

1 11/20/01 RULES - PUBLIC MEETING

2 suspension of the rules.

3 (Duly seconded.)

4 COUNCIL PRESIDENT VERNA: It has been
5 moved and seconded that Bill No. 010524 be reported
6 out of committee with a favorable recommendation
7 and also a recommendation that the rules of Council
8 be suspended so as to permit first reading at our
9 next Council session.

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

12 Those opposed?

13 The ayes have it and the motion is
14 carried.

15 The Chair recognizes Councilman Nutter
16 regarding Bill No. 010540.

17 COUNCILMAN NUTTER: Madam Chair, I move
18 that Bill No. 010540 be reported out of this
19 committee with a favorable recommendation and a
20 further recommendation that the rules of Council be
21 suspended so as to permit first reading at our next
22 session.

23 (Duly seconded.)

24 COUNCIL PRESIDENT VERNA: It has been
25 moved and seconded that Bill No. 010540 be reported

1 11/20/01 RULES - PUBLIC MEETING

2 out of committee with a favorable recommendation
3 and also a recommendation that the rules of Council
4 be suspended so as to permit first reading at our
5 next Council session.

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

8 Those opposed?

9 The ayes have it and the motion carries.

10 The Chair recognizes Councilman Nutter
11 regarding Bill No. 010605.

12 COUNCILMAN NUTTER: Madam Chair, I move
13 that Bill No. 010605 be reported out of this
14 committee with a favorable recommendation and a
15 further recommendation that the rules of Council be
16 suspended so as to permit first reading at our next
17 session.

18 (Duly seconded.)

19 COUNCIL PRESIDENT VERNA: It has been
20 moved and seconded that Bill No. 010605 be moved
21 out of committee with a favorable recommendation
22 and also a recommendation that the rules of Council
23 be suspended so as to permit first reading at our
24 next session of Council.

25 All those in favor will signify by saying

1 11/20/01 RULES - PUBLIC MEETING

2 aye.

3 Those opposed?

4 The ayes have it and the motion carries

5 Thank you all very much for your patience.

6 (Proceedings end at 12:10

7 p.m.)

8 - - -

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1

2

CERTIFICATE

3

4

5

6

7

8

9

10

11

12

RE: Ordinances 000717, 010181, 010425, 010524,
010540, 010605

13

14

15

16

Josephine Cardillo

17

18

Registered Professional Reporter
and Notary Public

19

20

21

22

23

24

25

(The foregoing certification of this
transcript does not apply to any reproduction of the
same by any means, unless under the direct control
and/or supervision of the certifying reporter.)