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COUNCIL OF THE CITY OF PHILADELPHIA
STATED MEETING

- - -

Thursday, June 4, 1998
(Conclusion, recessed meeting)
Room 400, City Hall
Philadelphia, Pennsylvania

- - -

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

PAT RAFFERTY, Clerk

- - -

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

1 RECESSED STATED MEETING - RESOLUTION ON SEPTA STRIKE ARB.

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

3 PRESIDENT STREET: If I can have your
4 attention. I have recently been informed that
5 the stenographer did not understand that we
6 were going to come back in session and is no
7 longer us.

8 Not to be deterred, the Chair
9 recognizes Councilwoman Verna for a motion that
10 Councilwoman Miller serve as secretary, the
11 secretary of this body for these proceedings.

12 COUNCILWOMAN VERNA: Pat?

13 PRESIDENT STREET: Pat (Rafferty)
14 will be acting as the chief clerk.

15 The Chair recognizes Councilwoman
16 Verna for the motion.

17 COUNCILWOMAN VERNA: What motion?

18 PRESIDENT STREET: That Councilwoman
19 Miller serve as the secretary of this body for
20 this part of our proceedings.

21 COUNCILWOMAN VERNA: I so move.

22 (Duly seconded.)

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

25 Those opposed, say nay.

1 RECESSED STATED MEETING - RESOLUTION ON SEPTA STRIKE ARB.

2 Thank you very much. Councilwoman
3 Miller, it is now your duty and responsibility,
4 under the rules of this Council, to take
5 accurate and complete notes of everything said
6 and done. It's all being done by our friends
7 in the media we appreciate it.

8 COUNCILWOMAN VERNA: They're confused
9 too.

10 PRESIDENT STREET: In addition to
11 which. . .

12 The Chair recognizes Councilman
13 Cohen.

14 COUNCILMAN COHEN: (Inaudible, off
15 mike.)

16 PRESIDENT STREET: A bill hasn't been
17 offered.

18 COUNCILMAN COHEN: (Inaudible, off
19 mike.)

20 PRESIDENT STREET: A bill hasn't been
21 offered.

22 The Chair recognizes Councilwoman
23 Verna for a resolution.

24 COUNCILWOMAN VERNA: Thank you, Mr.
25 President. I offer one resolution.

1 RECESSED STATED MEETING - RESOLUTION ON SEPTA STRIKE ARB.

2 PRESIDENT STREET: The clerk will
3 please read the title of the resolution.

4 THE CLERK: A resolution calling upon
5 the SEPTA Board of directors to authorize
6 binding arbitration with Transit Workers Union
7 Local 234, provided the arbitration results in
8 neither an increase in fares for City Transit
9 Division riders nor a decrease in service in
10 the division, nor any increase in the local
11 government subsidy paid by the City of
12 Philadelphia to pay for the contract.

13 PRESIDENT STREET: The Chair
14 recognizes Councilwoman Verna.

15 COUNCILWOMAN VERNA: I move the
16 adoption of the resolution.

17 (Duly seconded.)

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

20 Those opposed, say nay.

21 The ayes have it. The resolution is
22 adopted.

23 The Chair recognizes Councilman
24 Cohen.

25 COUNCILMAN COHEN: I was not going to

1 RECESSED STATED MEETING - RESOLUTION ON SEPTA STRIKE ARB.

2 speak on the resolution.

3 PRESIDENT STREET: Oh, I see.

4 Well, then. . . the resolution is
5 adopted.

6 This brings us to the end I believe
7 of our business.

8 COUNCILMAN COHEN: No, it does not.
9 I have another item unrelated to this.

10 PRESIDENT STREET: I understand that.
11 Councilman Cohen, would you like to be
12 recognized in the speeches part of our -- I
13 think that's where we -- I think that's where
14 we are now.

15 The Chair recognizes Councilman Cohen
16 for comments in the nature of a special order
17 of business.

18 COUNCILMAN COHEN: Yes. This has to
19 do with the hearings yesterday and with the
20 action.

21 PRESIDENT STREET: I'm sorry,
22 Councilman, can you repeat that?

23 COUNCILMAN COHEN: The subject of
24 what I'm going to speak about deals with the
25 fact that the hearing yesterday on the sidewalk

1 RECESSED STATED MEETING - RESOLUTION ON SEPTA STRIKE ARB.

2 control bill, as I understand the hearing by
3 the Committee of the Whole, ended with the
4 Chairman, yourself, sir, stating that the
5 hearing was recessed until the call of the
6 Chair.

7 PRESIDENT STREET: Yes.

8 COUNCILMAN COHEN: About 11:30 or 12
9 o'clock last night, I began hearing radio
10 reports over KYW that there was going to be a
11 meeting or a hearing and there was going to be
12 a decision by the Council Wednesday.

13 I thought they were clearly in error
14 because whenever hearings are in recess until
15 the call of the Chair, you know, another
16 advertisement is needed, and generally that
17 requires two days' notice for the newspaper to
18 get it into the paper.

19 And so it was expected, just as it
20 was when Councilman Nutter announced that he
21 was suspending -- that he was recessing his
22 committee on economics development, until the
23 call of the Chair. That meant that the matter
24 was, for all purposes, dead for this session of
25 City Council. That is the session ending June

1 RECESSED STATED MEETING - RESOLUTION ON SEPTA STRIKE ARB.

2 18th.

3 Then this morning, I heard very
4 directly that there is a hearing on Wednesday,
5 and my investigation indicated that prior to
6 the end of the hearing yesterday, that the
7 Clerk's office was ordered to send out a notice
8 for a hearing next Wednesday on the sidewalk
9 control bill. This kind of stunned me.

10 And so I'm asking you in the first
11 place, Mr. President, was the hearing yesterday
12 recessed to the call of the Chair or what?

13 PRESIDENT STREET: It was recessed to
14 the call of the Chair.

15 COUNCILMAN COHEN: And there's no --

16 PRESIDENT STREET: And a hearing has
17 been advertised and it is scheduled for next
18 Wednesday.

19 COUNCILMAN COHEN: When was that
20 done, Mr. President?

21 PRESIDENT STREET: The ad was placed
22 whenever it would have been necessary for it to
23 be placed in order to have a hearing next
24 Wednesday.

25 COUNCILMAN COHEN: Could we be told

1 RECESSED STATED MEETING - RESOLUTION ON SEPTA STRIKE ARB.

2 when that was? Was it prior to the termination
3 of yesterday's session by you?

4 PRESIDENT STREET: I don't know when
5 the ad went in the paper, Councilman Cohen.

6 COUNCILMAN COHEN: When did you
7 authorize the holding of a hearing next
8 Wednesday is my question? Because if you
9 authorized it before the end of the hearing
10 yesterday, then why didn't you tell us the
11 facts when you finished the hearing yesterday?

12 Because you know you know as well as
13 I know that all you needed to do was to recess
14 the hearing until next Wednesday, and the
15 people that were present at the hearing
16 yesterday would have known last night that the
17 hearing's being recessed till next Wednesday.

18 Why did you go through the procedure
19 of not letting anybody know at the hearing but
20 separately taking an action which appears to be
21 completely deceptive?

22 PRESIDENT STREET: Councilman Cohen,
23 I will tell you why I did it. Because when I
24 ended that hearing at 5 minutes to 8 last
25 night, you weren't here, nor were most of the

1 RECESSED STATED MEETING - RESOLUTION ON SEPTA STRIKE ARB.

2 people interested in that hearing.

3 COUNCILMAN COHEN: But there were
4 people here.

5 PRESIDENT STREET: Can I finish? I
6 would like to finish.

7 By my advertising, I let it be known
8 that we were going to have a further hearing on
9 that bill. All I did was reinforce and
10 strengthen the process and the Sunshine Law
11 requirements. If I had simply recessed the
12 hearing until next Wednesday, only half a dozen
13 people would have known about it. Now the
14 entire city knows about it.

15 COUNCILMAN COHEN: All you had to do
16 was announce that that was what you were going
17 to do and make sure everybody else knew about
18 it. You had authorized a notice to go into the
19 press announcing to the public that by Friday
20 morning or Saturday morning, whenever it
21 appears, that there would be a honoring next
22 Wednesday.

23 PRESIDENT STREET: Councilman Cohen.
24 I have heard you. I did what I did, and I
25 appreciate your concern.

1 RECESSED STATED MEETING - RESOLUTION ON SEPTA STRIKE ARB.

2 COUNCILMAN COHEN: I think what you
3 did was wrong, Mr. President.

4 PRESIDENT STREET: Well, Councilman,
5 I --

6 COUNCILMAN COHEN: Because I think it
7 was done to deceive people into believing that
8 the hearing was terminating the matter for this
9 session, and I do not appreciate as a member of
10 this body having the Chairman of a hearing,
11 president or not president, take the actions
12 you took yesterday.

13 PRESIDENT STREET: Thank you very
14 much.

15 The Chair recognizes Councilwoman
16 Verna.

17 COUNCILWOMAN VERNA: Thank you, Mr.
18 Chairman. I move that Council stands adjourned
19 until June 11, 1998, at 10 a.m.

20 (Duly seconded.)

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

23 Those opposed, say nay.

24 This session stands adjourned.

25 (Adjourned at 5:10 p.m.)

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C E R T I F I C A T E

I HEREBY CERTIFY that the foregoing
proceedings of the Council of the City of
Philadelphia of the recessed hearing of the Stated
Meeting of Thursday, June 4, 1998, were reported and
accurately by me, and that this is a correct
transcript of same.

RE: STATED MEETING
RESOLUTION CALLING FOR
BINDING ARBITRATION ON SEPTA STRIKE

_____,
JOSEPHINE CARDILLO,
Registered Professional Reporter