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## COUNCIL OF THE CITY OF PHILADELPHIA

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## PUBLIC HEARING

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## COMMITTEE ON STREETS AND SERVICES

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Room 400, City Hall  
 Philadelphia, Pennsylvania  
 Wednesday, May 26, 2004  
 2:10 P.M.

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BILLS 040265, 040335, 040337, 040338,  
 040339, 040340, 040341, 040364, 040366,  
 10 040368, 040370, 040371, 040399, 040400,  
 040425, 040431, 040463, 040464, 040469,  
 11 040471, 040497, 040499, 040502, 040504,  
 040505, 040507, 040509, 040510, 040511,  
 12 040512, 040513, 040515, 040516, 040517,  
 040518, 040522, 040523.

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## PRESENT:

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COUNCILMAN FRANK DICICCO, Chair

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COUNCILMAN DAVID COHEN

18

COUNCILMAN JUAN RAMOS

19

COUNCILMAN MICHAEL NUTTER

20

COUNCILMAN RICHARD MARIANO

21

COUNCILMAN FRANK RIZZO

22

COUNCILWOMAN DONNA REED MILLER

23

COUNCILMAN DARRELL CLARKE

24

COUNCILWOMAN JANNIE BLACKWELL

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1                   05/26/04 - STREETS - BILL 040366

2                   COUNCILMAN DICICCO: Good afternoon,  
3 everyone. The Committee on Streets and  
4 Services is now in session. Committee Members  
5 who are present, we have a quorum, to my left  
6 is Councilman Cohen; Vice Chair of the  
7 Committee, Councilman Ramos; Councilman  
8 Michael Nutter; myself, the Chair of the  
9 Committee, Frank DiCicco.

10                  The Clerk will read the title of the  
11 first bill.

12                  THE CLERK: Bill No. 0403666, an  
13 ordinance amending Section 10-608 of the  
14 Philadelphia Code, which provides for the  
15 impoundment of vehicles used in the  
16 solicitation of prostitution and related  
17 offenses, by also providing for the  
18 impoundment of a trailer or other load being  
19 towed by a vehicle used in the commission of  
20 such offenses, and by adding various  
21 enforcement and administrative provisions,  
22 including having the Philadelphia Parking  
23 Authority act as the towing and storage agent  
24 for impounded vehicles and loads; all under  
25 certain terms and conditions.

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2                   COUNCILMAN DICICCO: Thank you.

3                   Any of the witnesses who will be  
4           testifying, please come to the witness table  
5           at this time.

6                   The Parking Authority and Police  
7           Department will be the first two witnesses.

8                   Let the record note that Councilman  
9           Mariano who is the sponsor of the bill is  
10          present. Although he is not a member of this  
11          Committee, he is here today as well.

12                  Gentlemen, decide among yourselves  
13          who will proceed with the testimony first.  
14          And then please identify yourself for the  
15          record and proceed.

16                  MR. HEALY: Good morning, Councilman  
17          Mariano and Members of the City Council's  
18          Committee on Streets and Services. My name is  
19          Francis Healy, Special Advisor to Police  
20          Commissioner Johnson, and I am here today as  
21          his personal representative.

22                  First, thank you for allowing me to  
23          speak on such an important topic that clearly  
24          undermines the quality of life in far too many  
25          neighborhoods throughout our City.

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2                   Prostitution and the resulting urban  
3           decay and stress it creates among our  
4           neighbors have always been a major concern of  
5           Commissioner Johnson as well as the  
6           Philadelphia Police Department.

7                   As everyone knows, the Police  
8           Department is charged with the task of  
9           enforcing the laws in this area. However, as  
10          we found throughout the years, enforcement  
11          alone is never the answer. Enforcement has  
12          not improved the quality of life in those  
13          neighborhoods so affected by prostitution to  
14          date. Again and again we have returned to the  
15          same location only to make the same number of  
16          arrests. Criminal enforcement without help is  
17          not the answer. The answer, we believe as the  
18          Police Department, lies in increasing the  
19          risks. For to truly impact on the flow of  
20          persons who patronize prostitutes, the risk of  
21          engaging in this type of behavior must  
22          outweigh any perceived benefits. Regrettably,  
23          to too many in this City, the criminal  
24          sanctions are just not enough of a deterrent.

25                   This is why the Philadelphia Police

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2           Department fully supports the intent of the  
3           amendments to Section 10-608 of the City Code.  
4           We believe that expanding the impoundment  
5           provisions will have a synergetic effect upon  
6           the criminal enforcement thereby escalating  
7           the risk both legal and financial of engaging  
8           in solicitation. Therefore, this amendment  
9           should help begin to tip the scales in our  
10          favor.

11                   While the Police Department cannot  
12          comment directly on the amendments regarding  
13          Philadelphia Parking Authority, we believe  
14          that this amendment is yet another step in a  
15          concerted effort to eradicate prostitution in  
16          Philadelphia and we applaud and appreciate the  
17          efforts of City Council in this regard.

18                   This concludes the testimony of the  
19          Police Department, and I welcome any questions  
20          at this time.

21                   COUNCILMAN DICICCO: Thank you.

22                   At this time, I'd like for the other  
23          gentleman next to you to give his testimony.

24                   Do you have testimony, sir?

25                   MR. HOFER: Yes.



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2                   COUNCILMAN DICICCO: And then we'll  
3 open it up for questions.

4                   Please identify yourself for the  
5 record and proceed with your testimony.

6                   MR. HOFER: My name is Randy Hofer  
7 from Impact Service and I also represent the  
8 Kensington and Allegheny Business Association,  
9 so I'm here on behalf of the President of the  
10 Association to basically support every effort  
11 that Councilman Mariano is going with this  
12 ordinance. We spoke on the first ordinance  
13 with the situation involving the Philadelphia  
14 cable television posting, video, and the names  
15 and we support this also. Anything that can  
16 be done to help the area of  
17 Kensington/Allegheny from businesses with the  
18 effect of prostitution it involves the  
19 activity of the perspective customers up and  
20 down the Avenue at all ours. We also support  
21 the quality of life in the area to how to  
22 revitalization right now. Also looking at the  
23 housing area and the surrounding the blocks of  
24 Kensington Avenue. So the Business  
25 Association Had a meeting on this also and the

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2           members there also stress strong support for  
3           anything that can help clear up, clean up, and  
4           continue moving forward with any progress  
5           involving the prostitution and the situation  
6           involving the drugs related to that and also  
7           impounding of the vehicles as this ordinance  
8           is being read today. Thank you.

9                   COUNCILMAN DICICCO: Thank you.

10                   Let the record also reflect that  
11           Councilman Rizzo who is a member of the  
12           Committee is now present

13                   Is someone from the Parking  
14           Authority scheduled to be here?

15                   COUNCILMAN MARIANO: Yes,  
16           Councilman. Ed said he's walking in the door.  
17           I don't know which door.

18                   COUNCILMAN DICICCO: Any questions  
19           of these witnesses at this time?

20                   Councilman Cohen.

21                   COUNCILMAN COHEN: It's been some  
22           time since this bill has been talked about. I  
23           was wondering whether there's been any impact  
24           of any kind felt in the area you were  
25           discussing, Kensington and Allegheny. Is

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2           there any change, better or for worse?

3                   COUNCILMAN MARIANO: Councilman, if  
4           I can answer you and then he can. I still  
5           live in the neighborhood. We had hearings a  
6           couple weeks ago when the other bill about  
7           putting the pictures on television. Since  
8           then and as the weather gets warmer and it  
9           stays warmer, we could ride up there right now  
10          and I could probably pick you a handful of  
11          prostitutes out for you. The nicer the  
12          weather is, it never stops. It might slow  
13          down when it rains or snows, but right now --  
14          they were out there this morning when I came  
15          to work. They were out there the other night  
16          when I came home late and last night when I  
17          came home at 7 o'clock. It seems it's never  
18          stopping. They can respond to that, but it's  
19          there. It's client driven. If we get rid of  
20          the demand like we're trying to do, possible  
21          the supply dries up.

22                  MR. HOFER: One of the positive  
23          points right now is that the whole area  
24          involving businesses and the residents are  
25          totally ready to take this challenge on and

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2           it's a major topic at all of our business  
3           meetings. And I believe this is really going  
4           to help because it's going to be like a no  
5           tolerance zone is going to be created on the  
6           Avenue. We have a festival coming up June  
7           12th, and it's going to be cleaned up. The  
8           area is getting repaved right now all along  
9           Kensington Avenue. I just think it's a great  
10          time for all of this to be working together  
11          and the businesses and residents are united to  
12          take this position.

13                   COUNCILMAN COHEN: Thank you.

14                   COUNCILMAN DICICCO: I'd like to  
15          note for the record in case of any my  
16          constituents are listening to this testimony  
17          that it's certainly not the intent of this  
18          legislation or the sponsors that it would be  
19          just directed to one particular neighborhood  
20          in the City. This is a City-wide effort.  
21          We've had problems in South Philadelphia,  
22          especially along South Broad Street for a long  
23          time. It kind of went away for a while, not  
24          completely but was minimized. And Councilman  
25          Kenney, you probably read years ago, he used

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2           to literally do the prostitution patrol. He  
3           literally would drive up and down Broad Street  
4           at night and flash the light on them and the  
5           prostitutes would try to get him off there.  
6           What I've noticed in the last month or so  
7           since there's a concentrated effort or an  
8           increased effort in the Kensington Avenue area  
9           is that in South Philadelphia along Broad  
10          Street the numbers are prostitutes is going  
11          up. So we know the history of this. It's  
12          just like the drug dealers. You move them off  
13          one corner, they'll move to another. It all  
14          follows each other around. So unless we do  
15          this as a no tolerance City-wide I think we  
16          are just spinning our wheels. We have been  
17          for a long time. So I just wanted that for  
18          the record in case have any of my constituents  
19          are listening. In fact, I have a meeting  
20          tomorrow night that deals with this very  
21          problem in South Philadelphia.

22                   Let the record also note that  
23          Councilwoman Donna Reed Miller is here. She  
24          is also a member of this Committee.

25                   Councilman Rizzo.

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2                   COUNCILMAN RIZZO: I guess I'll ask  
3 my question to the Police Department.

4                   Sergeant, how you doing?

5                   MR. HEALY: Good, sir.

6                   COUNCILMAN RIZZO: Counselor -- so  
7 everybody knows, you're a lawyer too, right,  
8 Sarge?

9                   MR. HEALY: That's correct, sir

10                  COUNCILMAN MARIANO: But he was a  
11 cop first.

12                  COUNCILMAN RIZZO: Police officer  
13 first and then an attorney. Congratulations.  
14 That's a great accomplishment.

15                  MR. HEALY: Thank you, sir.

16                  COUNCILMAN RIZZO: What in the  
17 process of confiscating a vehicle for  
18 soliciting a prostitute, the vehicle then is  
19 -- explain the process. Would an immediate  
20 search of the vehicle -- what if they found a  
21 weapon or drugs in the vehicle that they  
22 confiscated? What will happen?

23                  MR. HEALY: As one of the exceptions  
24 to the warrant requirement, any vehicle that's  
25 impounded is routinely inventoried just to

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2           make sure that we can safeguard anything that  
3           would be valuable in the car. In that  
4           process, should any contraband or illegal  
5           substances be found, they would be confiscated  
6           by the police and the individuals arrested for  
7           possession of whatever it is, illegal guns,  
8           drugs, or whatever the case may be.

9                   COUNCILMAN RIZZO: Does that happen  
10          on the scene or does it happen after the  
11          vehicle towed away?

12                  MR. HEALY: It would most likely  
13          happen after the vehicle is towed away because  
14          there may be -- it all depends. If the  
15          vehicle is inventory on scene with the  
16          individual there, an arrest could be  
17          immediate. If the individual's already being  
18          processed for the prostitution elsewhere and  
19          the vehicle is inventoried at a different a  
20          location, a warrant would probably be the  
21          safest bet.

22                  COUNCILMAN RIZZO: Being realistic,  
23          that scenario sounds like it has a flaw in it.  
24          It sounds like the chain the custody that you  
25          guys always talk about, the minute that that

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2           car leaves the scene and it's taken to an  
3           impounding lot and a weapon or drugs would be  
4           found, don't you think it would be very  
5           difficult to prosecute someone at that point?

6                   MR. HEALY: We do it regularly. A  
7           lot of the cars that are brought to the  
8           impound lot on other issues, owners are  
9           prosecuted for possession of whatever  
10          contraband's in the car. The most important  
11          think for us as a law enforcement agency is to  
12          prove the chain of custody. The cars are  
13          transported, they're in our custody from Point  
14          A to Point B. It's not as if we put them into  
15          an independent salvers type of situation where  
16          there could be some doubt as to who possessed  
17          the vehicle.

18                   COUNCILMAN RIZZO: Would it be  
19          difficult, Sergeant, to have a process where  
20          that would happen at the scene before the  
21          vehicle leaves the location of the arrest?

22                   MR. HEALY: Nothing is impossible.  
23          But it may be extremely difficult. A lot of  
24          these things are done as sting operations in  
25          certain locations. So what you have may have



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2           is you may have four or five people being  
3           arrested at one time. And for us to hold up  
4           the processing of the prisoners until we can  
5           get enough either tow trucks to move the cars  
6           or whatever the case may be, maybe actually  
7           not in the best police officer safety issue.  
8           We want to get people off the street once  
9           they're arrested, get them off the street  
10          immediately.

11                   COUNCILMAN RIZZO: I'm not  
12          suggesting that be delayed. I'm talking about  
13          you stop the vehicle, a person is arrested for  
14          solicitation, and before the vehicle is towed  
15          away or driven away, whatever, don't you think  
16          it would make your case tighter --

17                   MR. HEALY: Sure. Without a doubt  
18          it does. The problem is when we have these  
19          stings, we don't want to do that right then  
20          and there because that kind of interferes the  
21          sting.

22                   COUNCILMAN RIZZO: You know where  
23          I'm heading.

24                   MR. HEALY: If we could afford te  
25          manpower to have other police officers present

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2           to do the inventory search right then and  
3           there, yes. But the cars will ultimately be  
4           inventoried again when they get to the impound  
5           lot just for safety sake, in case there are  
6           valuables in the car that could end up missing  
7           eventually. So a lot of times the contraband  
8           isn't in open places. A lot of times guns and  
9           stuff are under the seat. And on the scene,  
10          the officers probably wouldn't -- they may,  
11          but they may not have the full time to do a  
12          full detailed search looking in the car  
13          because the inventory search is really not a  
14          search for weapons or contraband. The purpose  
15          of that search is just for valuables that  
16          could be easily removed from the car. So  
17          we're not going to take the car apart and do  
18          that type of stuff. If things are in plain  
19          view pretty much in the seats and all that  
20          stuff and if the trunk is secure, there's no  
21          reason to go into the trunk, per se.

22                   COUNCILMAN RIZZO: And these  
23          vehicles will be handled only by the Police  
24          Department and taken to a secure Police  
25          Department facility?

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2                   MR. HEALY: I believe that's how  
3 they're now done now. Under the proposal, I  
4 believe the Parking Authority is going to be  
5 -- that would undermine --

6                   COUNCILMAN RIZZO: That gives my  
7 concerns some --

8                   MR. HEALY: That would be a problem  
9 to prosecute anything found by -- if the  
10 Parking Authority impound something, does an  
11 inventory search.

12                  COUNCILMAN RIZZO: Then I really  
13 encourage that the process be that the vehicle  
14 is inspected before it's turned over to the  
15 Parking Authority, because the last thing you  
16 want is a gun going to the impound lot or a  
17 couple bags of cocaine.

18                  MR. HEALY: I'll try to work out  
19 with vice --

20                  COUNCILMAN RIZZO: I would  
21 appreciate if you could, if it's okay with the  
22 sponsor of the legislation.

23                  MR. HEALY: I'll work out with vice  
24 to see exactly how the process they use to  
25 make sure the impound is done as soon as

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2           possible before any vehicle leaves our  
3           custody.

4                   COUNCILMAN RIZZ0:   Thank you,  
5           Sergeant.

6                   COUNCILMAN DICICCO:   Thank you.

7                   Any other questions for these  
8           witnesses from the Committee?

9                   (No response.)

10                  COUNCILMAN DICICCO:   Gentlemen, it  
11           might be easier if you just take a seat on  
12           this side of the rail in case you need to come  
13           back up.

14                  I understand the Parking Authority  
15           is next to testify.

16                  You were late because you were out  
17           quarters, is that correct?

18                  MR. FENERTY:   I was what?

19                  COUNCILMAN DICICCO:   You were  
20           looking for quarters for the meter.

21                  MR. FENERTY:   I use a smart card.

22                  COUNCILMAN DICICCO:   Just to get off  
23           of this bill for a moment, Councilwoman  
24           Miller, all the meters in the City are now set  
25           up to accept the smart card, is that correct?

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2                   MR. FENERTY: 14,500, yes, they all  
3 have smart cards.

4                   COUNCILWOMAN MILLER: Someone had  
5 told me they weren't -- I guess when you  
6 started installing whatever it is you did to  
7 the meters, you did it in Center City and  
8 worked out?

9                   MR. FENERTY: We started in Center  
10 City, primarily in Center City, and then went  
11 to the outlying areas. They've all been done  
12 since November.

13                  COUNCILWOMAN MILLER: Oh, I didn't  
14 know that.

15                  MR. FENERTY: And what it is, the  
16 old meters are gone. They look the same.  
17 Inside the meters, Councilwoman, they're all  
18 electronic. There are no more springs. You  
19 actually can see how much time is on it and  
20 how much time has elapsed since the meter's  
21 last been paid.

22                  COUNCILWOMAN MILLER: How much is a  
23 card?

24                  MR. FENERTY: Twenty. A \$20 smart  
25 card, and what it is 25 cent intervals, when

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2           you put the card in it clicks it off to a  
3           maximum that that meter would except or to  
4           what you want to put in. If you only want an  
5           hour, you would click a dollar off.

6                   COUNCILWOMAN MILLER: Thank you.

7                   COUNCILMAN DICICCO: Thank you.

8                   Mr. Fenerty, do you have prepared  
9           testimony?

10                  MR. FENERTY: No, Councilman.

11                  COUNCILMAN DICICCO: Do you have  
12           questions?

13                  COUNCILMAN MARIANO: I just want to  
14           know how they're going to handle the cars. I  
15           think Councilman Rizzo --

16                  COUNCILMAN DICICCO: Well,  
17           Councilman Rizzo, why don't you follow-up on  
18           your question to Fran.

19                  COUNCILMAN RIZZO: My concern, Mr.  
20           Fenerty was that -- and I learned late in the  
21           conversation that presently the police  
22           Department, when they tow a vehicle, do a  
23           vehicle search by officers. And I was  
24           concerned that when we arrest a person  
25           soliciting a prostitute that in that vehicle

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2           there could be drugs, there could be guns and  
3           any other contraband. And I think the  
4           sergeant realizes where I was heading with  
5           this. That search should be conducted by  
6           police prior to that vehicle being taken away  
7           by the Parking Authority, because the last  
8           thing you want is a live gun.

9                   MR. FENERTY: The program would be  
10          done the same way as Live Stop Program.  
11          Currently, when a vehicle is taken for Live  
12          Stop, the police officer on the scene does an  
13          inventory of what's in the vehicle. The  
14          Parking Authority tow driver then does the  
15          same inventory. They concur each other before  
16          the vehicle is taken. There is a search of  
17          each vehicle done for contraband, for  
18          firearms, for any type of weapons that may be  
19          in there on the scene of the Live Stop. The  
20          same thing would be done for a towing of a  
21          john's car.

22                   COUNCILMAN RIZZ0: That's great.

23                   COUNCILMAN DICICCO: Thank you.

24                   Councilwoman Miller.

25                   COUNCILWOMAN MILLER: Good afternoon

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2           again. So these vehicles, if the owners don't  
3           come and get these within 30 days, do these  
4           also end up on the auction lot?

5                   MR. FENERTY: Yes, they would. It  
6           would be exactly the same procedure. When I  
7           had initially spoke to Councilman Mariano  
8           about this, there would be no additional cost  
9           to the Parking Authority, no additional  
10          employees to do this. It would just be  
11          additional tow duties by the current drivers  
12          that are there. At any time during the day,  
13          we have drivers who are not on assignment  
14          which may be waiting for assignment for a Live  
15          Stop. There's always a little bit of down  
16          time. For the amount of tows that would come  
17          from this program, there would be no direct  
18          cost at all of any type.

19                   COUNCILWOMAN MILLER: So the only  
20          additional cost would be the \$300 fine?

21                   MR. FENERTY: What would happen,  
22          when the vehicle is impounded, there's a \$300  
23          citation would be given to the owner which  
24          would have to be paid prior to the vehicle  
25          being released. Also, the towing cost which



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2           is currently \$100 as outlined under Section  
3           12-2400 of the Code, plus the storage fees  
4           would incur, the same with any tow, the same  
5           guideline.

6                   COUNCILWOMAN MILLER: If the person,  
7           if the john is not the owner of the vehicle,  
8           what happens?

9                   MR. FENERTY: If the john is not the  
10          owner of the vehicle, the owner of the vehicle  
11          can claim the vehicle, but it would be  
12          according to how we want to follow the  
13          ordinance, how the ordinance would be  
14          proscribed. The \$300 ticket would have to be  
15          paid. We look at it as the \$300 would have to  
16          be paid. That \$300, if we collect 20 of them  
17          or 1 or 200 in a month would be a separate  
18          fund and it would be turned over to the City  
19          separately than the other money. That's a  
20          direct turnover to the City. I believe the  
21          ordinance says goes to the fund to fight this  
22          type of crime.

23                   COUNCILWOMAN MILLER: Thank you.

24                   COUNCILMAN DICICCO: And those tow  
25          truck drivers are available 24 hours a day?

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2                   MR. FENERTY: Yes, 24 hours a day,  
3                   365 days a year. They work Christmas,  
4                   everything.

5                   COUNCILMAN DICICCO: Any other  
6                   questions for these witnesses from the  
7                   Committee?

8                   (No response.)

9                   COUNCILMAN DICICCO: Let the record  
10                  note that Councilman Clarke is also a member  
11                  of this Committee and he is now present.

12                  Thank you, Mr. Fenerty.

13                  MR. FENERTY: Councilman, I have one  
14                  thing to add. We would follow the same  
15                  guidelines as Live Stop. There would be a  
16                  response. A tow truck is there in 20 minutes  
17                  or less. It will be no problem.

18                  COUNCILMAN DICICCO: Thank you.

19                  Are you going to be testifying?

20                  MR. FENERTY: This is Carl Zigler,  
21                  he's the Director of Enforcement at the  
22                  Parking Authority. He would be in charge of  
23                  the program.

24                  COUNCILMAN DICICCO: Any questions  
25                  for these witnesses from the Committee?

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2           Councilman Mariano?

3                   COUNCILMAN MARIANO: No.

4                   COUNCILMAN DICICCO: Thank you.

5                   If you're here to testify on this  
6           bill, would you please see that young  
7           gentleman who is coming across floor now.  
8           Give him your name so we can call you up in  
9           the order in which you're on.

10                   Good afternoon. Please identify  
11           yourself for the record and proceed with your  
12           testimony.

13                   MR. FORKIN: Good afternoon, Mr.  
14           Chairman. My name is Tom Forkin. I'm the  
15           current President of the American Street Erie  
16           Avenue Business Association.

17                   I actually don't have any prepared  
18           testimony. I was here for another bill. But  
19           our Association is taking an active interest  
20           in Councilman Mariano's bill. Our members are  
21           impacted by the prostitution at Kensington and  
22           Allegheny, on Kensington Avenue, and they've  
23           asked us to testify today in support of  
24           Councilman Mariano's bill as a pilot project  
25           which hopefully could spread out to other

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2           areas of the City. We believe it will improve  
3           the quality of life, we would lower crime and  
4           help our business owners remain active in the  
5           adjacent American Street corridor. Thank you,  
6           Madam Chair.

7                   COUNCILMAN DICICCO: Any questions  
8           for Mr. Forkin?

9                   (No response.)

10                  COUNCILMAN DICICCO: Valerie Lewis  
11           and Sharon Whaley, please approach the witness  
12           table.

13                  Good afternoon, ladies. Please  
14           identify yourself for the record and proceed  
15           with your testimony.

16                  MS. LEWIS: Hi. My name is Valerie  
17           Lewis, and I represent the Hunting Park  
18           section of Philadelphia. We wholeheartedly  
19           support the bill, the community, everyone. We  
20           have also experienced an increase since this  
21           thing has started with the pictures and  
22           everything. Our area has also -- we've been  
23           seeing an increase in the prostitution and the  
24           transvestites since this whole thing has gone  
25           about. And we feel anything that can be done,

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2           we would like to support it if it helps.

3                   And I agree with you also that it  
4           needs to be City-wide because if it doesn't,  
5           it's just going to go from one area, it's  
6           going to go back and forth to whatever area is  
7           not taken care of.

8                   COUNCILMAN DICICCO: Thank you.

9                   MS. WHALEY: My name is Sharon  
10          Wheley, I live in the 1300 block of Colwyn  
11          Street. My mother's home is in the 4000 block  
12          of Old York Road.

13                   I was just recently at a community  
14          meeting, and I was telling the 25th District  
15          of the problems that we consistently have  
16          since the weather changed. Since the police  
17          are out in full force, we have a squeeze  
18          factor going on where the prostitutes are  
19          leaving one area and coming into another.

20                   We have just problems. Our quality  
21          of life is just diminishing. We have working  
22          class people that are fighting just to keep  
23          their homes as nice as possible. It feels  
24          like a losing battle.

25                   Now, taking the cars from the johns

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2           would be a really good idea, but I'm not sure  
3           that's that all we can do. We still need more  
4           help. We're just not getting enough help. At  
5           this point, the police are out but they're not  
6           seeing everything that's going on.

7                   On Saturday night, we had a traffic  
8           jam for the prostitutes holding up the traffic  
9           on Old York Road. This is unacceptable.  
10          People get up and go to church on Sunday  
11          morning. But we're not having this because  
12          we're not getting all that we need done in our  
13          area. And I'm sure it's not just us, I'm sure  
14          it's all over the City. So we're feeling like  
15          we're losing.

16                  COUNCILMAN DICICCO: I agree and I  
17          understand your plight. I live in South  
18          Philadelphia. I represent an area from Oregon  
19          Avenue along the river all the way up to just  
20          below the Oxford Circle, so I have a very  
21          diverse community.

22                  Prostitution, some people refer to  
23          as the oldest enterprise known to mankind,  
24          knows no boundaries. It will appear in the  
25          poorest neighborhoods, in the wealthiest

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2           neighborhoods, and everywhere else in between.

3           I agree that I think that even our best

4           efforts with this bill, we're still going to

5           have some problems. It's not going to go away

6           overnight, again, because this has been going

7           on a couple thousand years.

8                   I think -- and I'm probably going to

9           get myself in a little bit of trouble, but at

10          some point in time as legislators, whether it

11          be at the City, the local level or the state

12          level, we really need to think about a way in

13          which we can, for lack of a better word,

14          legalize this and create areas where this kind

15          of activity, which is going to go on whether

16          we like it or not, is at least controlled to

17          some degree. That's not a very popular

18          statement I made, but I think we need at some

19          point to have the personal fortitude to figure

20          something out and look at this and deal with

21          the religious organizations and those who will

22          certainly oppose it because it's a losing

23          battle.

24                   I'm hopeful that we get some relief,

25          and I think we will out of this, but I believe

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2           it will just keep moving. I don't mean to  
3           discredit this bill because I'm supporting  
4           ing, but we need to go beyond this. So at  
5           some point we have to bite the bullet and  
6           figure out what we can do and look to other  
7           countries and how they do in other  
8           municipalities. It will never go away  
9           completely under those circumstances, but it  
10          certainly, I think, will reduce it.

11                   Councilman Ramos.

12                   COUNCILMAN RAMOS: Ma'am, you said  
13           that this activity was holding up traffic at  
14           Old York Road and what street?

15                   MS. WHALEY: It was at Old York Road  
16           between and -- between Pike and Luzerne. It's  
17           a bridge there and it's dark in that area.

18                   COUNCILMAN RAMOS: Very familiar  
19           with that. I've gotten a number of complaints  
20           and I've called them into the police. And  
21           while you're here, I'm going to call up to my  
22           office and make sure that we reach the police  
23           captain at the 35th and let him know that  
24           you're here testifying.

25                   MS. WHALEY: And the 25th also.



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2                   COUNCILMAN RAMOS: So he can take a  
3 look at this intersection. I know that  
4 they've been working very hard to eliminate  
5 this. This is a very big problem. I will  
6 definitely call up there and make sure that  
7 the police captain knows that you're here and  
8 that we want something done about it.

9                   MS. WHALEY: And we really  
10 appreciate it. We really work -- the  
11 community works very hard with the 25th.  
12 Whatever information or whatever we can do,  
13 they are there to help us, but it's only so  
14 many of them and it's a large area and it's  
15 very hard to control that kind of activity at  
16 2 o'clock in the morning, at 3 o'clock in the  
17 morning. Because this is when we hear it, 2,  
18 3 o'clock in the morning.

19                  COUNCILMAN RAMOS: I think than I  
20 can speak on behalf of all of Members of this  
21 City Council that we need for you to continue  
22 to fight this fight and that you're not alone.  
23 Sometimes you feel that you're alone, but  
24 don't be disheartened. We're with you and we  
25 need more people in the community to speak up

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2           like you are and do something about this  
3           problem. Thank you for coming out.

4                   COUNCILMAN DICICCO: And just to  
5           follow up, South Broad Street I use as an  
6           example. My oldest son is a dentist and he  
7           has his own practice. He has an office on  
8           Broad and Mifflin. I'm not promoting him, by  
9           the way. He's a great dentist in case you're  
10          interested, very good. But there is a young  
11          lady who would use his step during the day as  
12          his patients were going in. And I'd  
13          personally go out there and chase her away and  
14          sometimes it works and then she comes back.  
15          So, again, as Councilman Ramos said, on behalf  
16          of all of us, none of us are away from this.  
17          We all experience it in some way, shape or  
18          form.

19                   Thank you for coming in and  
20           testifying today.

21                   Any other questions or comments for  
22           these witnesses?

23                   Councilwoman Miller.

24                   COUNCILWOMAN MILLER: Hi. It's good  
25           to see you again. I know you were here the

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2           other week for the other half of this bill.

3           And as I indicated then, I used to represent a  
4           small portion of this area and certainly that  
5           portion of Old York Road that you're referring  
6           to. I know that the Philadelphia Police Vice  
7           Squad has been there very, very heavy. And  
8           when we had meetings in the past, they said  
9           pretty much like more than 65 percent of the  
10          arrests they made City-wide were made in that  
11          area and, of course, up the street at the  
12          Hunting Park. So I do know that the  
13          Philadelphia Police is knowledgeable about  
14          that. Old York Road has historically had a  
15          problem with not just the prosecution but also  
16          with dumping and all kinds of activity. As  
17          Councilman Ramos said, it does take citizens  
18          like you to come in and keep us on the alert,  
19          the police department on the alert because  
20          everybody is really trying to do everything  
21          they can to prevent it. And I kind of agree  
22          with Councilman DiCicco about legalization. I  
23          know it's an issue, but we can control it  
24          better.

25                   MS. LEWIS: I understand. It took

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2           me back when he first said it, but it's  
3           something that is not going away. And, I  
4           mean, you really have to start looking at -- I  
5           don't know if is the absolute answer, but we  
6           might need to -- it's something we might need  
7           to look into.

8                   COUNCILMAN DICICCO: I don't think  
9           there's any absolute in this matter.

10                  A trip to Italy a couple years ago  
11           in the mountains, in these back roads, there's  
12           prostitutes standing on these little roads out  
13           in the middle of nowhere. It's there. But in  
14           ancient times in Pompeii they actually had  
15           street designated 2000 years ago, and I was  
16           wondering if they didn't have the same  
17           problems, or maybe they didn't have the  
18           problems because they did have a designated  
19           area. So maybe we've got to go back in time  
20           and look at history and see how our ancestors  
21           dealt with these problems.

22                  MS. LEWIS: It's certainly something  
23           to think about.

24                  COUNCILWOMAN MILLER: The other half  
25           of that too that we can't leave out are the

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2           social problems that create prostitution. We  
3           have to do more around drug prevention, drug  
4           education, et cetera.

5                   COUNCILMAN DICICCO: Most of what  
6           you have out there is drug related.

7                   Councilman Rizzo.

8                   COUNCILMAN RIZZO: Thank you.

9                   Just quickly. Thanks. You put a  
10          lot of time and effort into this and your  
11          community will be better place for your  
12          efforts. Thanks.

13                  MS. WHALEY: Thanks

14                  MS. LEWIS: Thank you very much.

15                  COUNCILMAN DICICCO: Thank you.

16                  Any other witnesses to testify on  
17          this bill?

18                  (No response.)

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

22                  THE CLERK: Bill No. 040400, an  
23          ordinance amending Section 9-204 of the  
24          Philadelphia Code relating to Sidewalk Vendors  
25          in Center City and Section 9-205 of the

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2       Philadelphia Code relating to Sidewalk Sales  
3       to permit farmers' markets on the south side  
4       of Walnut Street on the sidewalk abutting  
5       Rittenhouse Square, and providing that  
6       provisions shall expire after a specified  
7       period of time, all under certain terms and  
8       conditions.

9                   COUNCILMAN DICICCO: While the  
10       witnesses are gathering, you may note that the  
11       bills are being called up not necessarily in  
12       order in which they've been printed. There  
13       are various reasons why that occurs.  
14       Councilman Mariano had an a prior engagement  
15       and he asked that his bill be heard first. We  
16       will also list some of the parking bills in an  
17       order so we can get as many of them done at  
18       one time rather than having witnesses come up,  
19       leave, come back up, leave, and come back up.  
20       It does work better. However, if you're the  
21       last one on list, I'm sure you will disagree  
22       with that, but we'll try to get through this  
23       as quickly as possible.

24                   Good afternoon, Mr. Haigler. Please  
25       identify yourself for the record and proceed

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2           with your testimony.

3                   MR. HAIGLER: Good day, Councilman  
4           DiCicco and Members of the Committee. I am  
5           Otis Haigler, Jr., Legislative and Regulatory  
6           Affairs Manager for the Department of Licenses  
7           and Inspections. Today, I'm here to provide  
8           testimony on 040400, which if enacted will  
9           permit a farmers' market on the south side of  
10          Walnut Street abutting Rittenhouse Square.

11                   Based on the bill that was submitted  
12          or introduced, the Department offers no  
13          objection to the enactment of Bill 040400.  
14          This is within the sponsor's prerogative.  
15          However, I received amendments as I was  
16          entering Council Chambers today which slightly  
17          modify the bill that was introduced. And at  
18          this point, we will need some further time to  
19          review those amendments before we can sign off  
20          on those amendments. So I need to review  
21          those amendments with the senior management of  
22          L&I and the Administration because there might  
23          be some issues in there that we need to  
24          discuss before we sign off on there.

25                   COUNCILMAN DICICCO: Understood.

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2           What I'd like to do is proceed with the  
3           testimony and get all the information on the  
4           record and then yourself and the sponsor of  
5           the bill can talk about this on the side  
6           whether we get this bill out of Committee or  
7           not today. But let's at least get the  
8           testimony out. Thank you.

9                   Is that okay, Councilman Clarke?

10                  COUNCILMAN CLARKE: Yes.

11                  COUNCILMAN DICICCO: Whoever else is  
12           testifying next, please yourself for the  
13           record and proceed.

14                  MR PIERSON: Good afternoon. My  
15           name is Bob Pierson. I'm happy to be here to  
16           testify on behalf of this bill. I'm Program  
17           Director of Farm to City. It's a small  
18           business that unites communities, families,  
19           and farmers year-round through good local  
20           food. I have planned and managed farmers'  
21           markets for past nine years, over a thousand  
22           market days in all in Philadelphia and nearby  
23           towns.

24                  Farm to City is prepared to open a  
25           flagship outdoor market at Rittenhouse Square



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2           and make heroes of its supporters. And I'd  
3           like to acknowledge my Councilman, Frank  
4           DiCicco, is the one that really got me started  
5           in this about nine years ago for the South and  
6           Passyunk farmers' market which has been going  
7           strong ever since and helped me through the  
8           regulatory maze, let's put it that way, with  
9           Revenue and L&I back then when we got that one  
10          started.

11                   Urban market places are as old as  
12          civilization and play an important role in the  
13          formation of cities in the civic life of their  
14          citizens. Today, the ever increasing number  
15          of outdoor farmers' markets reflects these  
16          origins by providing a civilized and  
17          democratic gathering place for people to meet  
18          and purchase agriculture products from the  
19          region.

20                   More and more families and culinary  
21          professionals realize the importance of  
22          locally grown food for the health of their  
23          family members and customers, for the survival  
24          of family farms, for the preservation of  
25          farmland and open space, and for the security

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2           of the region's food supply.

3                   I'm very pleased to testify today in  
4           favor of this bill. I've worked with members  
5           of the Center City Farmers' Market Committee  
6           to establish a farmers' market on Rittenhouse  
7           Square. Again in 2001, we brought a large  
8           tent full of farmers to the Rittenhouse Row  
9           Spring Festival. It was a very popular  
10          addition to the festival. Then last fall we  
11          sponsored a one-day harvest festival. It was  
12          a beautiful day just after the hurricane came  
13          through. We had the farmers in white tents up  
14          and down the sidewalk on the north side of  
15          Rittenhouse Square just where we will have our  
16          weekly market if this bill passes. The  
17          Harvest Festival was a great success.  
18          Thousands of people came that day to meet the  
19          farmers buy their locally grown fruits and  
20          vegetables. Over a thousand people signed a  
21          petition in favor of the market and we've  
22          submitted this petition to the Council.

23                  Rick Nichols, food columnist for the  
24          Inquirer, wrote a positive article about it.  
25          We have letters of support from the Center

1                   05/26/04 - STREETS - BILL 040400  
2           City District, the Center City Residents  
3           Association, Fairmount Park Commission, Philly  
4           walks, the pedestrian advocacy group,  
5           Metropolitan Bakery, from Cindy Bourne (ph), a  
6           Center City business person, and the Barnes  
7           and Noble Bookstore.

8                   Earlier this year, we sent our  
9           request to legislative assistant to Councilman  
10          Darrell Clarke with copies to Council  
11          President Anna Verna and all the other Council  
12          People. And you may recognize this. You  
13          should have gotten one of like this in the  
14          mail in January.

15                  Provided this bill is approved, we  
16          will be ready to open the market on July 10th  
17          and offer the bounty from our local farms to  
18          the residents of Center City.

19                  Several of my colleagues bring other  
20          viewpoints in favor of this market, and at  
21          this time I would like to turn the microphone  
22          over to them.

23                  I urge you to vote favorably on this  
24          bill, and I thank you again for the  
25          opportunity to come and speak before you.

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2                   COUNCILMAN DICICCO: Good afternoon.

3                   Please identify yourself for the record and  
4                   proceed.

5                   MS PIRELLO: I'm Christina Pirello.

6                   I host the national public television series,  
7                   "Christina Cooks," and I hold my Master's in  
8                   nutrition from Drexel University. I'm happy  
9                   to be here to testify in support of this bill.  
10                  I can talk to you from many standpoints on it,  
11                  but the one that I'll take is that as we all  
12                  know America's health is appalling. And one  
13                  of the things that is one of the main factors  
14                  of that is the diet that we all consume which  
15                  is, of course, the path that my life has taken  
16                  in terms of my own work. Ninety percent of  
17                  the illnesses that affect adults and children  
18                  in our country can be directly related to the  
19                  foods that they choose. So not only as an  
20                  urban community can we support world economies  
21                  and reconnect with the food and the people  
22                  that grow it, but we have a really strong  
23                  chance here to make more accessible to  
24                  everybody on every level fresh foods locally  
25                  produced and grown in our area so that people

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2           can get the most nutrition pack, if you will,  
3           for their dollar. So that's the standpoint  
4           that I come to to support the market. There'd  
5           be one on every corner if I had my way.

6                   COUNCILMAN DICICCO: Well, as a  
7           young boy growing up, there was a produce  
8           store on just about every corner in my  
9           neighborhood, fresh produce. It was a great  
10          experience.

11                   Thank you for your testimony.

12                   MS. SUTNICK: Good afternoon. My  
13          name is Mona Sutnick, and I am very pleased to  
14          be able to speak in support of the market.  
15          And I bring two points of view, that of a  
16          neighbor and, like Christina, a nutritionist.  
17          I also hold a degree from Drexel and a  
18          doctorate from Temple.

19                   I've lived in the Rittenhouse Square  
20          neighborhood for 40 years and in that time  
21          seen a lot of changes in the area, most of  
22          them improvements which benefit those of us  
23          who live here in town and everybody who comes  
24          and enjoys Rittenhouse Square, and that, as  
25          you know, is a lot of people. A weekly

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2       farmers' market would be a wonderful resource  
3       for all of us. I've talked to neighbors about  
4       it, and they're all excited at the prospect of  
5       having fresh local produce right there in the  
6       park every week.

7                   Last fall, I volunteered at the  
8       Harvest Festival which Bob mentioned, and the  
9       question people asked most often was "Will  
10      this happen every week," and all wanting it to  
11      happen every week. My answer was "We hope so.  
12      We're trying to make it happen." And there  
13      was enormous support among the people who came  
14      out that day to have this as a regular event.

15                  As a nutrition educator and  
16      registered dietician, a lot of my professional  
17      life has been spent helping people learn to  
18      eat more healthfully. And we know, as  
19      Christina said, that generous amounts of  
20      fruits and vegetables are basic to good health  
21      and also that convenience plays a really  
22      important role in people's food choices. So  
23      that a farmers' market that makes it  
24      convenient for Philadelphians to buy fresh  
25      locally grown produce can certainly contribute

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2           to the health as well as to the enjoyment of  
3           all of us around Rittenhouse Square. Thank  
4           you.

5                   COUNCILMAN DICICCO: Thank you for  
6           your testimony.

7                   MS. CROOK: Hi there. My name is  
8           Bridget Crook (ph). I work for the White Dog  
9           Cafe Foundation, I'm the co-director and  
10          specifically a program called Fair Food in  
11          which promote and support local agriculture  
12          and try to bring in as much local fresh  
13          produce and animal products as possible. And  
14          specifically a couple of the things that we do  
15          that are related to this is we connect  
16          restaurants with farmers and we also partner  
17          with Bob Pierson in Farm to City on a Buy  
18          Fresh Buy Local Campaign. And through that,  
19          we put out a guide -- and I have copies of  
20          this for all of you if you'd like a copy -- of  
21          all the places you can go to find locally  
22          grown food, including farmers' markets, farms  
23          that deliver into the City, restaurants,  
24          retail stores. And we get an incredible  
25          amount of inquiries from people about getting

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2           the guide and specifically about where  
3           farmers' markets are. That's probably the top  
4           inquiry we get. I would say I get about 10 to  
5           15 calls a week from people wanting a copy of  
6           the guide and asking where they can find the  
7           closest farmers' market to them. And we have  
8           a mailing list of about 2500 to 3,000 people;  
9           and about 15 percent of that are within  
10          walking distance of Rittenhouse Square. So, I  
11          mean, we see this as absolutely integral to  
12          the work we do of promoting local and fresh  
13          produce, meat, dairy, and other agricultural  
14          products and supporting local farmers and  
15          promoting the local community.

16                  If you look at some of the other  
17          cities that have thriving downtowns, if you  
18          look at Washington, D.C., they have a flagship  
19          market at Dupont Circle. If you look at New  
20          York City, Union Square, and that's a thriving  
21          farmers' market.

22                  While Philadelphia has some amazing  
23          farmers' markets around the City, those  
24          central farmers' markets also support the  
25          other farmers' markets around the City and



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2           make those farmers' markets successful. So we  
3           see having one central farmers' market that's  
4           a really strong farmers' market that everyone  
5           thinks of as the main farmers' market is not  
6           only bringing tourists in, bringing the  
7           community together, but also supporting those  
8           other farmers' markets that are on other days  
9           of the week in neighborhoods throughout the  
10          City, in lower income neighborhoods, in a  
11          variety of places. So we absolutely see this  
12          as integral to our work of promoting local  
13          farm products, supporting local farmers and  
14          trying to rebuild our community through  
15          creating urban world connections.

16                   COUNCILMAN DICICCO: Thank you.  
17          Thank you for your testimony.

18                   My understanding is that this  
19          farmers' market would be one day a week?

20                   MR. CROOK: Yes.

21                   COUNCILMAN DICICCO: Mr. Haigler,  
22          would you come to the witness table? I have a  
23          question for you. It's somewhat related to  
24          this issue.

25                   At various times of the year,

1                   05/26/04 - STREETS - BILL 040400  
2       special occasion days, Mother's Day, Easter,  
3       stuff like that, vendors appear on many  
4       locations throughout the City. What is  
5       requirement for those folks? Is it a  
6       requirement for them to vend just for that one  
7       day or weekend? If the's Mother's Day or  
8       Easter, they will start vending generally on a  
9       Thursday or Friday, Saturday, Sunday.

10                  MR. HAIGLER: I believe there are  
11       special license requirements in the  
12       Philadelphia Code to deal with the sale Easter  
13       flowers or flowers or that type of activity.  
14       There are special license provisions in the  
15       Code that provide for that. Off the top of my  
16       head, I don't know the precise requirements,  
17       but I can get that back to you. But there are  
18       special requirements for that.

19                  COUNCILMAN DICICCO: I would like to  
20       see that because I would like to see what the  
21       difference, if there is a difference, I assume  
22       there is, as to what their requirements are  
23       and what we're requiring a farmers' market  
24       that needs to go through all this to get to be  
25       able to establish a vending location. It's a

1                   05/26/04 - STREETS - BILL 040400

2       farmers' market, but it's outside vending. I  
3       have problems and I'm sure other districts  
4       have problems sometimes. Often times with  
5       these vendors who literally pop up overnight,  
6       sell their wares and leave, and what they  
7       leave behind is whatever they didn't sell and  
8       all the boxes and containers that everything  
9       that they were selling remains on site and  
10      then we have a problem getting it cleaned up  
11      and all. I have no problem against  
12      entrepreneurs and people wanting to make a  
13      legitimate dollar, but when we have a  
14      situation where we have a farmers' market  
15      which really is done properly and tastefully  
16      that we have we have to go and do this  
17      legislation which I support and I think is  
18      good and others may not have to be subject to  
19      the same guidelines, I'd like to address that  
20      other issue as well. It's not related to bill  
21      but maybe it's a separate entity. So if you  
22      could get some information to me, I would  
23      appreciate that.

24                   MR. HAIGLER: I will do that

25                   COUNCILMAN DICICCO: Any questions

1                   05/26/04 - STREETS - BILL 040400

2           for these witnesses?

3                   Councilman Clarke.

4                   COUNCILMAN CLARKE: Thank you, Mr.

5           Chair. Just for the record, was there any

6           contact with the Friends of Rittenhouse Park

7           with respect to support of this particular

8           operation?

9                   COUNCILMAN DICICCO: Bob. Identify  
10          yourself again for the record.

11                  MR. PIERSON: Bob Pierson, Farm to  
12          City. From the beginning we have kept them  
13          informed of everything that we're doing.  
14          Three has not been any correspondence that's  
15          come back to us. We've left phone messages,  
16          we've sent them copies of the proposal, we  
17          sent them letters just saying what our steps  
18          were in this process.

19                  COUNCILMAN CLARKE: We don't have  
20          any written letters of support?

21                  MR. PIERSON: Nothing from them, no.

22                  COUNCILMAN CLARKE: Can you do me a  
23          favor? Can you just get me something -- I'm  
24          assuming based on my discussions with some of  
25          the members --

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2                   MR. PIERSON: If they will respond,  
3 I will, yes. I'll do my best. In other  
4 words, I'll keep trying.

5                   COUNCILMAN DICICCO: I would suggest  
6 that you do a letter to the entity that the  
7 Councilman is talking about so at least  
8 there's a paper trail that you've made an  
9 attempt. In the event that they don't answer  
10 is one thing, but at least there's  
11 documentation.

12                  COUNCILMAN CLARKE: You may want to  
13 cc me on the letter so they know that I've  
14 gotten a copy.

15                  COUNCILMAN DICICCO: Thank you. Any  
16 further questions?

17                  (No response.)

18                  COUNCILMAN DICICCO: Anyone else  
19 here who wishes to testify on this bill?

20                  (No response.)

21                  COUNCILMAN DICICCO: Seeing none,  
22 the Clerk will read the title of the next  
23 bill.

24                  Thank you all for coming in today,  
25 and good luck.

1                   05/26/04 - STREETS - BILL 040364

2                   THE CLERK: Bill No. 040364, an  
3 ordinance amending Section 9-205 of the  
4 Philadelphia Code, entitled "Sidewalk Sales,"  
5 by prohibiting vending on portions of Chestnut  
6 and Market Streets between 55th and 58th  
7 Streets, portions of 56th and 57th Streets in  
8 the area between Walnut and Arch Streets, and  
9 Ludlow Street between 57th and 58th Streets.

10                  MR. HAIGLER: Good day Councilman  
11 DiCicco, Members of the Committee. I am Otis  
12 Haigler, Jr., Legislative and Regulatory  
13 Affairs Manager for the Department of Licenses  
14 and Inspections. Today I'm here to provide  
15 testimony on Bill 040364, which if enacted  
16 will prohibit vending on portions Chestnut and  
17 Market Streets between 55th and 58th Streets,  
18 portions of 56th and 57th streets in the area  
19 between Walnut and Arch Streets and Ludlow  
20 Street between 57th and 58th Streets.

21                  The Department offers no objection  
22 to the enactment of Bill 040364. This is  
23 within Council's prerogative under Section  
24 9-205(8)(p) of The Philadelphia Code. The  
25 Committee and Council, however, should be

1                   05/26/04 - STREETS - BILL 040471  
2           mindful continued limitations placed on  
3           locations where vending is permitted will  
4           impact on this type of activity in the City  
5           since legal locations to conduct vending  
6           operations will be at the premium.

7                   Thank you. I'll be happy to answer  
8           questions at this time.

9                   COUNCILMAN DICICCO: Any questions  
10          for this witness from the Committee?

11                   (No response.)

12                   COUNCILMAN DICICCO: Anyone here who  
13          wishes to testify for or against this bill?

14                   (No response.)

15                   COUNCILMAN DICICCO: Seeing none,  
16          the Clerk will read the title of the next  
17          bill.

18                   THE CLERK: Bill No. 040471, an  
19          ordinance amending Chapter 12-900 of the  
20          Philadelphia Code entitled "Parking  
21          Regulations and Penalties" specifically  
22          Section 12-917 entitled "Valet Parking Zones"  
23          by amending Subsection 6 relating to  
24          off-street parking of vehicles and also  
25          amending Section 12-2809 entitled "Civil

1                   05/26/04 - STREETS - BILL 040471  
2       Penalties and Costs" by increasing the fine  
3       for violation of Section 12-971(6) and  
4       amending the title of the same.

5                   COUNCILMAN DICICCO: Parking  
6       Authority, would you please come to the  
7       witness table?

8                   The Chair recognizes Councilman  
9       Clarke for a statement.

10                  COUNCILMAN CLARKE: Thank you, Mr.  
11       Chair.

12                  Mr. Chairman, I introduced this bill  
13       after several discussions with Members of  
14       Council and several opportunities I witnessed  
15       myself, the flagrant violation of the valet  
16       parking laws on numerous occasions. It is  
17       clear to me that under the current valet  
18       parking laws, there is an area that has been  
19       authorized by the City and the Authority where  
20       it is essentially a cueing area, they're  
21       allowed to cue vehicles for a time, then  
22       subsequently those vehicles are to be taken to  
23       an off-street parking lot. But in fact what  
24       is happening is that people are using the  
25       cueing area for the purpose of parking



1                   05/26/04 - STREETS - BILL 040471

2           vehicles, not paying the meters and sometimes  
3           taking meters, particularly after the hours of  
4           the traditional regulations, a lot of these  
5           areas where there are restaurants particularly  
6           in West Philadelphia and some of the other  
7           area where we have a substantial amount of new  
8           restaurants that don't have the 12 o'clock  
9           meters, they have meters that are 8 o'clock  
10          and a lot of the restaurant goers  
11          traditionally come to dinner after 8 o'clock  
12          and these valet parking entities are coming in  
13          and they're taking up meters along the street  
14          leaving the vehicles there, not having to  
15          place money in the meter, not taking them to  
16          the garage. First of all, it's taking  
17          opportunities away from people who want to  
18          park on the street without using valet  
19          parking. Second, we get no revenue because  
20          the revenue that we get is as the result of  
21          the fees associated with parking at a garage.

22                   While I didn't think that we could,  
23           frankly speaking, change the valet parking and  
24           I would not necessarily want to do that. One  
25           of the things that we wanted to do was to

1                   05/26/04 - STREETS - BILL 040471  
2           increase the penalty associated with violation  
3           of the current laws in hopes that it would  
4           give us an opportunity to be more aggressive  
5           if we were required to have additional people  
6           out on the street to enforce these laws. So  
7           we put this bill in in the hope of getting  
8           more aggressive enforcement.

9                   I'd like Mr. Fenerty, if at all  
10          possible, to talk about the process of current  
11          enforcement and if there's any need associated  
12          with your ability to do additional  
13          enforcement, how these penalties would support  
14          your needs to do so.

15                  MR. FENERTY: Currently, the problem  
16          with valet parkers is exactly as Councilman  
17          Clarke had explained. The problem becomes --  
18          the ordinance is very clear. You have to have  
19          a license as a valet. You have to have a  
20          licensed private lot to take the vehicles  
21          which you're valeting to. The revenue that  
22          the Councilman said is robbed by not using the  
23          lot is the 15 percent parking tax that goes to  
24          the City from the parking operator. What they  
25          do is they take a car, they move it from the

1                   05/26/04 - STREETS - BILL 040471

2           valet zone or leave it in the valet zone too  
3           long, but primarily they take it out of the  
4           valet zone, they do a dump on it, dump it at  
5           the meter, an unregulated meter, which means  
6           after 8 o'clock or 9 o'clock at night or 7  
7           o'clock at night, according to where the  
8           restaurant is, they dump it at a meter and  
9           leave it there. They in turn are charging  
10          whatever price they're charging for the valet,  
11          15 or \$20, they make a hundred percent profit  
12          on it. They do not pay the private lot. In  
13          turn, the private lot does not pay the parking  
14          privilege tax of 15 percent to the City.

15                 The other thing comes at risk that  
16          the Authority and Police Department and also  
17          District Councilmen and State Representatives  
18          get a lot of complaints about is the Parking  
19          Authority or the Police gave me a ticket, it  
20          couldn't have happened, they're wrong. I got  
21          this notice in the mail. And what has  
22          happened is the valet dumps it in a loading  
23          zone or even some valet will dump them in  
24          active meters. They get the ticket on the  
25          windshield, the valet operator takes it, next

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2           thing you know the Parking Authority, the  
3           Police or the City are bad guys and residents  
4           of Philadelphia or the suburbs who come in to  
5           eat don't want to come back in town and  
6           patronize the restaurants.

7                   What we do is we investigate it. If  
8           it's a valet zone, we now transfer the  
9           responsibility of the ticket from the citizen  
10          who made a complaint, if it's found to be  
11          valid, to the operator of the valet zone.  
12          They're very hard to collect on because  
13          they're not associated with a tag and you  
14          can't take a booting enforcement action.

15                  It's the position of the Parking  
16          Authority if the fine were higher, we can  
17          enforce it more strict, it would deter the  
18          operators and force them into the profit lots.  
19          And valets are, to put it bluntly, are a  
20          headache. We're enforcing it more and more.  
21          We have a valet squad. We go out, we issue  
22          warnings in conjunction with L&I who also  
23          monitors the zones to try to eliminate this.  
24          But the person that's hurt the most is, number  
25          1, the restaurant when they don't get the

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2           clientele to come back; number 2, the City  
3           because when it's not going into a private  
4           lot, you have no parking privilege tax.

5                   The other thing that we also find  
6           that it's not only the companies' position to  
7           do that. Some times the valet company has  
8           unscrupulous employees who do it on their own.  
9           They take the car, they dump it around the  
10          cornering. Then that valet runner himself has  
11          his own business. If he does five of them a  
12          night at \$20 a night, the only way the valet  
13          company knows what's going on is by it going  
14          into the lot with a ticket. You grab Mr.  
15          Zigler's car, go park it. Mr. Zigler comes  
16          back, sees you, you know where the car is, you  
17          made the whole 20 plus maybe the gratuity, the  
18          tip on top of it. You could have made \$25 for  
19          that night. So the higher fine will force the  
20          valet company to also police its employees a  
21          little bit better.

22                   COUNCILMAN DICICCO: I understand  
23          that -- Councilman Ramos and I were having a  
24          little sidebar. You eloquently described some  
25          of the problems with it. And in addition to

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2           the loss of revenue, we actually lose  
3           customers. And that word spreads throughout  
4           the community where those folks come from,  
5           primarily non-Philadelphia residents. And I  
6           know many, many cases where the restaurateur  
7           is actually eaten, taken the responsibility  
8           and paid for the ticket because they don't  
9           want to lose that customer, and as a show of  
10          good faith which is somewhat ridiculous in a  
11          way because that's the profit sometimes that  
12          the restaurateur made on that individual  
13          customer or customers.

14                  I was one of the original -- I'm not  
15          sure if Councilman Clarke was here at the  
16          time, but myself, Councilman Kenney and  
17          someone else, we did the original bill, the  
18          valet bill, and we went through extensive  
19          discussions with the valet companies.  
20          Unfortunately, most of them have not paid  
21          attention to that and they're not listening to  
22          us.

23                  I don't if the fines -- and I  
24          support this legislation, but I don't know if  
25          that gets us to where we need to get to and I

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2           don't really have a total answer for it.  
3           Maybe we need to do some drastic things in  
4           this City and say there is no longer going to  
5           be a valet service because if we start  
6           affecting the valet companies and their  
7           pocket, then maybe they'll begin to pay  
8           attention. Because as it goes right now,  
9           they're still making money. The people who  
10          work for them are doing their side deals if  
11          they're doing it. And in the process, the  
12          City gets another black eye because the people  
13          who come here and get that think it's the City  
14          that's doing it to them.

15                   MR. FENERTY: And the majority of  
16          the time they think it's the Parking  
17          Authority.

18                   COUNCILMAN DICICCO: And the police  
19          and the Parking Authority are doing their job.  
20          If you've got a meter expired or you're  
21          parking in a no parking zone, you're doing  
22          your job in writing a ticket, but people are  
23          of the opinion that the City is doing this  
24          intentionally to raise revenue. And it  
25          becomes an another black eye for us, another

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2           area where we have to go out and put out all  
3           these little fires that get started outside  
4           the Philadelphia community that it's not us,  
5           it's valets. Then they go "Well, what are you  
6           going to do about it?"

7                   I support the legislation. I hope  
8           it helps out, but my guess is it's just going  
9           to be another one of those issues where unless  
10          -- and I don't know if eliminating valet  
11          parking is going to be the answer.

12                   I notice where it's more prevalent  
13          is those areas where you pay to valet as  
14          opposed to the smaller restaurants throughout  
15          the neighborhoods where they offer free  
16          valet --

17                   MR. FENERTY: It's the pay valets.

18                   COUNCILMAN DICICCO: -- because they  
19          generally have a designated place to park.

20                   MR. FENERTY: It's the pay valets,  
21          Councilman, it's not the free ones.

22                   COUNCILMAN DICICCO: That's the  
23          irony of the whole thing. The companies that  
24          are being paid to park your car are the ones  
25          that are bigger violators than the non-paying



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2           valets.

3                   MR. FENERTY: The restaurant itself,  
4           the smaller restaurant, they take it to a lot.  
5           The valet takes it there. He's responsible to  
6           handle no cash. It's a free park. The valet  
7           gets paid to park it and they work and a  
8           gratuity.

9                   It's where the valet has a service  
10          that they have to take it to a lot. Every car  
11          that they don't have to take to that lot is  
12          100 percent profit for the valet company or a  
13          windfall to the valet runner, and he's  
14          cheating not only the City but he's cheating  
15          employer out of his employer's park. So it's  
16          twofold problem which we now -- we even do it  
17          on Sunday night. We do it on an overtime  
18          rotation where the supervisor and a couple  
19          officers on Sunday night. And it wasn't as a  
20          revenue generator, it was to keep the zones  
21          free. Because, believe it or not, the people  
22          who do come into Center City, using a valet to  
23          come in and spend their money at these  
24          restaurants feel safer if they valet the car.  
25          What we found when we weren't out there on

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2       Sunday nights, the valets themselves were  
3       using the valet zones as a parking lot and  
4       then they were using the secondary lane,  
5       especially on Walnut Street and Christopher  
6       Columbus Boulevard as a parking lane to do the  
7       valet service. So then if you recall about  
8       three months ago there was a backup on  
9       Delaware Avenue due to a valet and then there  
10      was a major accident at Spring Garden Street  
11      involving a police officer. You couldn't get  
12      the emergency vehicles through because  
13      everything was backed up. And that was one of  
14      the wake-up calls when we started Sunday night  
15      and much more stricter enforcement.

16                The running lane is not to valet.  
17      The valet zone is to valet. If you park in  
18      the valet zone, we're going to write the  
19      ticket to the operator and we're going to tow  
20      the vehicle. Now, usually when we roll the  
21      tow truck out, it's a deterrent and they move  
22      it because the last thing the Parking  
23      Authority wants to do is to tow a vehicle out  
24      of the valet to inconvenience that customer  
25      and the restaurant because we know that

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2           customer is not coming back and we're not here  
3           to put people out of business; we're here to  
4           help bring business in the City. And we're  
5           very, very cautious about not hurting the  
6           person.

7                   Is this a profit maker for the  
8           Parking Authority? Absolutely not. This is a  
9           public service. We don't make money on this  
10          one; we lose money on this. But for every  
11          dollar that we keep here, we feel it's worth  
12          it.

13                   COUNCILMAN DICICCO: I agree.

14                  Again, I think this is something  
15          that's not going to go away. I think we need  
16          more discussion about this over the next few  
17          months to try to come up with something tight.

18                   MR. FENERTY: We need to we rotate  
19          our officers who enforce these areas. The  
20          officers cannot become overly friendly with  
21          the valet operators we rotate in and out. We  
22          rotate the supervisor in and out. The only  
23          person there longer than a six-month period is  
24          the head supervisor who oversees it. We've  
25          taken every precaution we can so there will be

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2           no questionable conduct regarding this.

3                   COUNCILMAN DICICCO: Councilman  
4           Rizzo.

5                   COUNCILMAN RIZZO: I want to make  
6           sure that I'm understanding what you're  
7           saying, because I get calls regularly -- let  
8           me describe what occurs. You pull up to a  
9           valet spot. They pick up the car, they take  
10          it around the corner, they park it at a meter.  
11          The Parking Authority Police come and put a  
12          ticket on the vehicle. You come out from  
13          dinner. The person that works for the valet  
14          goes to the car, sees that they got a ticket,  
15          rips the ticket up, throws it on the ground  
16          because they don't want to bring, obviously,  
17          the car back with a ticket. The person then  
18          gets a summons, whatever it's called now.

19                   MR. FENERTY: A delinquency notice.

20                   COUNCILMAN RIZZO: And they say, "I  
21          was at dinner, I was a restaurant for four  
22          hours and I parked my car valet."

23                   Well, they don't know that the car  
24          wound up around the corner either in a bus  
25          stop loading zone. The car got a ticket. The

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2           valet guy/gal rips it up. Two weeks later,  
3           whatever, they get the ticket. What do they  
4           do?

5                   COUNCILMAN DICICCO: Councilman, I  
6           think you may have been out of the room when  
7           Mr. Fenerty went through that whole process  
8           about if the Authority is notified by an  
9           individual who claims that that has happened  
10          to them, the Parking Authority will do further  
11          investigation. And if they determine that the  
12          complaint is accurate, they will dismiss the  
13          ticket or transfer the responsibility to the  
14          valet.

15                  COUNCILMAN RIZZO: I heard that, but  
16          I just wanted to make sure I was understanding  
17          the same scenario I give you.

18                  MR. FENERTY: That's exactly the  
19          same scenario.

20                  One of the things we ask for is if  
21          you pay for dinner with a credit card, it  
22          makes a very clean-cut case, you were in the  
23          restaurant, this is what happened. We  
24          transfer to the valet or ask for a letter.

25                  If we can't do the transfer, it goes

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2           on the weight of the complaint. We take it  
3           down the Bureau of Administrative Adjudication  
4           and the cases are reviewed by a hearing  
5           officer. We advocate for the people who make  
6           this claim. And we also look at their  
7           records. If you have somebody who's done it  
8           two or three or four times, we know there's  
9           problem. They're usually single occurrences.

10                   COUNCILMAN RIZZO: Let me give you  
11           another scenario since we're using examples.  
12           I hope you can fix this or maybe the Police  
13           Department needs to do it. I'll be real  
14           specific even though I don't like to be on  
15           this particular issue. Sydenham and Walnut,  
16           there's a valet area. Do you know there's a  
17           restaurant that we all enjoy going to on  
18           Sydenham between Walnut and Locust. I'm  
19           walking from City Hall down and that street  
20           runs south. Well, all of a sudden a car comes  
21           racing up going the wrong direction on  
22           Sydenham Street and I jump up on the sidewalk  
23           and one of the people that works at one of the  
24           restaurants says, "That happens all night  
25           here. It's the valet person. They don't want

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2           to go around the block so they race northbound  
3           on Sydenham Street to bring the car back to  
4           Sydenham and Walnut. It's really a dangerous  
5           situation.

6                   MR. FENERTY: That one is a Police  
7           Department problem. The operator of the  
8           vehicle can be cited for a one-way street  
9           violation which carries points on his license.

10                  COUNCILMAN RIZZO: Could you mention  
11           possibly to the operator that's conduct that's  
12           not appropriate for them to bring vehicles  
13           back the wrong way on a one-way street?

14                  MR. FENERTY: There are two or three  
15           operators in that area. I will have our valet  
16           people talk to them Thursday night.

17                  COUNCILMAN RIZZO: That's great  
18           because that is really a bad situation. And  
19           it's so bad that the person standing at the  
20           door of one of the restaurants said, "Don't  
21           get all wound up about that; that happens all  
22           day here because they don't want to have to  
23           come around the block. They just buck traffic  
24           to get to Sydenham and Walnut."

25                  MR. FENERTY: I will do that. I

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2           will also notify the captain of the traffic  
3           and the captain at the 9th.

4                   COUNCILMAN RIZZO: I called the  
5           captain on that, but your part would be  
6           appreciated to let them know that we're  
7           watching.

8                   MR. FENERTY: No problem.

9                   COUNCILMAN RIZZO: Thanks

10                  COUNCILMAN DICICCO: I have one  
11       other question and comment and then we'll wrap  
12       this hearing on this bill up.

13                  You mentioned earlier when you were  
14       testifying that when you do the transfer of  
15       responsibility from the person who the ticket  
16       was issued to back to the valet --

17                  MR. FENERTY: If there is  
18       significant evidence then, we can do that,  
19       yes.

20                  COUNCILMAN DICICCO: And if you do  
21       that, did you say that there's not much you  
22       can do after that in terms of collecting?

23                  MR. FENERTY: We can dun them by  
24       mailings and put it on their credit history.  
25       There is no --



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2                   COUNCILMAN DICICCO: Well, that's  
3                   what I'm going to get to. Councilman Clarke  
4                   is on the phone, but maybe we need to do  
5                   something by way of an amendment that suggest  
6                   any outstanding parking violations that that  
7                   company has will cause them not to be able to  
8                   get a renewal of their valet license, similar  
9                   to what we do with a liquor license. If you  
10                  have any outstanding liens to the City, you  
11                  cannot get your liquor license even though  
12                  it's a state issued license renewed in the  
13                  City of Philadelphia or I guess anywhere in  
14                  the Commonwealth until you clear up those  
15                  liens.

16                 MR. FENERTY: Or, Councilman, if  
17                 it's rather a yearly renewal, you could  
18                 possibly set a threshold of 5 or 10 open  
19                 citations, the valet company gets suspended.

20                 COUNCILMAN DICICCO: We can decide  
21                 what number of tickets that are outstanding  
22                 and for how long, but I think that that may  
23                 get you some teeth.

24                 MR. FENERTY: That would give us a  
25                 lot of teeth.

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2                   COUNCILMAN DICICCO: Do you agree,  
3 Councilman Clarke?

4                   COUNCILMAN CLARKE: Sounds good.

5                   COUNCILMAN DICICCO: Maybe somebody  
6 can think about doing some amendment to this  
7 bill rather than do a whole new bill, right?  
8 What do you think?

9                   I don't know if it would mess the  
10 title up or we have a separate -- maybe we  
11 could do it separately.

12                  COUNCILMAN CLARKE: Based on the  
13 Calendar, it seems like we're going to be here  
14 a little while.

15                  COUNCILMAN DICICCO: If we can't do  
16 it today, we'll be having another Streets and  
17 Services Committee in about two weeks which I  
18 was not aware of last week, so maybe we can  
19 get something drafted for that Streets and  
20 Services Committee as well.

21                  MR. FENERTY: The suggestions could  
22 be non-renewal or we could do a quarterly run  
23 and if they found to have X number of open  
24 violations --

25                  COUNCILMAN DICICCO: Councilman

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2           Clarke will have someone on his staff talk to  
3           you and your agency about that and make sure  
4           the legislation passes the mustard, all right?

5                   MR. FENERTY:   Okay.

6                   COUNCILMAN DICICCO:   Thank you.

7                   Any other questions?

8                   (No response.)

9                   COUNCILMAN DICICCO:   The Clerk will  
10          read the title of the next bill.

11                  THE CLERK:   040370, an ordinance  
12          amending the ordinance approved January 3,  
13          1992, Bill No. 1205-AA, which pursuant  
14          Subsection 9-204(8)(a) of The Philadelphia  
15          Code, designates locations in Center City at  
16          which vending is permitted, by deleting all  
17          permitted vendor locations on both sides of  
18          Eighth Street between Market and Chestnut  
19          Streets.

20                  MR. HAIGLER:   Good day, Councilman  
21          DiCicco and Members the Committee, I'm Otis  
22          Haigler, Jr., Legislative and Regulatory  
23          Affairs Manager for the Department of Licenses  
24          and Inspections.   Today, I am here to provide  
25          testimony on Bill 040370 which, if enacted,

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2           will prevent vending on both sides of Eighth  
3           Street between Market and Chestnut Streets.

4                   In general, the Department offers no  
5           objections to the enactment of this bill.  
6           However, the Committee and Council should be  
7           mindful to enforce the provisions of Bill  
8           040370, the Department will have to expend its  
9           limited resources to evict and relocate  
10          vendors who may have operated legally for some  
11          time since the enactment of Bill 1205-AA,  
12          regulating vending in Center City.

13                   The provisions of Bill 205AA become  
14          law on January 3, 1992, and its purpose was to  
15          establish 300 locations in specific areas in  
16          Center City where vending operations would be  
17          allowed.

18                   Continued alterations to Bill  
19          1205-AA and limitation locations where vending  
20          is permitted may have an impact on this type  
21          of activity in Center City since legal  
22          locations to conduct vending operations will  
23          be at a premium.

24                   Thank you. I'll be happy to answer  
25          questions at this time.

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2                   COUNCILMAN DICICCO: Mr. Haigler,  
3 are you aware of any vendors in this location  
4 presently?

5                   MR. HAIGLER: Not personally.

6                   COUNCILMAN DICICCO: Is there anyone  
7 else who wishes to testify on this bill?

8                   (No response.)

9                   COUNCILMAN DICICCO: Seeing none,  
10 the Clerk will read the title of the next  
11 bill.

12                  THE CLERK: Bill No. 040371, an  
13 ordinance amending Section 9-402 of the  
14 Philadelphia Code, entitled "Animal Drawn  
15 Carriages," by authorizing the Department of  
16 Streets to make temporary alterations to the  
17 approved routes for animal drawn carriages;  
18 all under certain terms and conditions.

19                  COUNCILMAN DICICCO: Before you  
20 begin your testimony, Mr. Haigler, just for a  
21 point of information, I believe there is one  
22 vendor in that area somewhere between Market  
23 and Walnut on Eighth. If you get a complaint  
24 or the Department hears anything from that  
25 individual, I'd be more than willing to talk

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2           about relocating that individual to another  
3           area on Eighth Street away from where they are  
4           now. Because this was brought to me basically  
5           by a complaint from one of the jewelers that  
6           has a business on Eighth Street where the  
7           vendor is literally in front of the doorway  
8           and it does cause a problem. So I'm not  
9           trying to knock someone out of business, but  
10          maybe I can relocate him to the other side the  
11          Chestnut Street. So if you hear anything  
12          about that, direct them to my office and I'll  
13          certainly try to accommodate them.

14                   MR. HAIGLER: We'll certainly do  
15          that.

16                   COUNCILMAN DICICCO: Thank you, Mr.  
17          Haigler.

18                   Good afternoon. Please identify  
19          yourself.

20                   MR. DENNY: Good afternoon, Mr.  
21          Chairman, Members of the Committee. Thank you  
22          for the opportunity to appear before you  
23          today. My name is Charles Denny and I'm the  
24          Assistant Chief Traffic Engineer of the  
25          Department of Streets. I am here to offer

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2           testimony on Bill 040371.

3                   Bill No. 040371 is an ordinance  
4           amending Section 9-402 of The Philadelphia  
5           Code entitled "Animal Drawn Carriages" by  
6           authorizing the Department of Streets to make  
7           temporary alterations to the approved routes  
8           for animal drawn carriages.

9                   The Streets Department supports this  
10          bill. Normal construction and emergency  
11          repairs make the temporary detour of carriage  
12          routes necessary for the safe and efficient  
13          movement of traffic.

14                  Thank you for the opportunity to  
15          appear before you today. I'd be happy to  
16          answer any questions you have at this time.

17                  COUNCILMAN DICICCO: Thank you.

18                  Any questions for this witness from  
19          the Committee?

20                  (No response.)

21                  COUNCILMAN DICICCO: Anyone else  
22          here who wishes to testify for or against the  
23          bill?

24                  (No response.)

25                  COUNCILMAN DICICCO: Seeing none,

1                   05/26/04 - STREETS - BILL 040464

2           the Clerk will read the title of the next  
3           bill.

4                   THE CLERK: Bill No. 040464, an  
5           ordinance establishing a no stopping anytime  
6           regulation on the east side of State Road,  
7           between Ashburner Street and Linden Avenue,  
8           and a no truck parking regulation on the west  
9           side of State Road, between Ashburner Street  
10          and Linden Avenue.

11                  MR. DENNY: Good afternoon, Mr.  
12          Chairman and Members of the Committee. Thank  
13          you for the opportunity to be appear before  
14          you today. My name is Charles Denny, I'm  
15          Assistant Chief Traffic Engineer for the  
16          Department of Streets. I'm here to offer  
17          testimony today on Bill No. 040464.

18                  The Streets Department has no  
19          objections to the bill. The signs were posted  
20          under a trial ordinance last October. We have  
21          had no objections since then.

22                  Thank you for the opportunity to  
23          appear before you today.

24                  COUNCILMAN DICICCO: Thank you, Mr.  
25          Denny.



1                   05/26/04 - STREETS - BILL 040517

2                   Any questions for this witness from  
3 the Committee?

4                   (No response.)

5                   COUNCILMAN DICICCO: Anyone else  
6 here who wishes to testify for or against the  
7 bill?

8                   (No response.)

9                   COUNCILMAN DICICCO: Seeing none,  
10 the Clerk will read the title of the next  
11 bill.

12                  THE CLERK: Bill No. 040517, an  
13 ordinance authorizing the installation of  
14 all-way stop signs at the intersection Second  
15 Street and Poplar Street.

16                  MR. DENNY: Good afternoon again,  
17 Mr. Chairman and Members of the Committee.  
18 Thank you for the opportunity to appear before  
19 you today. My name is Charles Denny. I'm the  
20 Assistant Traffic Engineer for the Department  
21 of Streets. I'm here to offer testimony on  
22 Bill 040517.

23                  The Pennsylvania Vehicle Code  
24 requires PennDOT to develop regulations  
25 governing traffic control devices in

1                   05/26/04 - STREETS - BILL 040517  
2           accordance with the Federal Highway  
3           Administration Manual and Uniform Traffic  
4           Control Devices. These regulations apply to  
5           all public highways in the Pennsylvania, and  
6           the City Solicitor has ruled the Streets  
7           Department is legally obligated to comply with  
8           the Vehicle Code and related PennDOT  
9           regulations.

10                   The federal and State criteria  
11           require that an all-way stop control be  
12           warranted by an engineering study of traffic  
13           conditions, police accident records, traffic  
14           volumes, speed, and sight distance. The study  
15           conducted as a result of this request  
16           concluded that the present day conditions at  
17           this location do not satisfy the Federal and  
18           State warrants for an all-way stop control.

19                   Second Street is a major signalized  
20           arterial. The placement of a stop control is  
21           inappropriate, particularly with overhead  
22           signals at Second and Brown Street which is  
23           450 feet south. Drivers who are coming south  
24           on Second Street which has a signal control  
25           from Erie Avenue will see the signal at Brown

1                   05/26/04 - STREETS - BILL 040517

2           easier than the stop sign at Poplar Street.  
3           This will lead to an increase number of rear  
4           end crashes at Second and Poplar Street. When  
5           installing additional traffic control at any  
6           intersection, the results should be a safer  
7           intersection. Installing stop controls  
8           against Second Street at Poplar will not  
9           accomplish that goal. The streets Department  
10          cannot comply with this request.

11                   The Streets Department is  
12          redesigning Second Street from Poplar Street  
13          to Fairmount Avenue. The design includes  
14          bump-outs at each of the three intersections.  
15          The provides shorter pedestrian crossings and  
16          also allows for better placement of traffic  
17          signals. The design also includes back-in  
18          angle parking. Backing into a parking space  
19          is safer than backing out. The redesign is to  
20          provide safer operation on Second Street from  
21          Poplar Street to Fairmount Avenue. We are  
22          using federal funds to build these changes.  
23          Streets with unwarranted stop controls are not  
24          eligible for federal funds. Therefore, we  
25          would lose \$352,000 in funding for these

1                   05/26/04 - STREETS - BILL 040517

2           changes if we installed an all way stop.

3                   We have reviewed the crash history  
4           for the last two years available. There has  
5           been a reduction in crashes from 10 crashes  
6           occurring between November 2001 to October  
7           2002 to four crashes occurring between  
8           November 2002 to October 2003. The primary  
9           reduction in crashes is angle crashes going  
10          from six with three injuries in the earlier  
11          time period to one injury angle crash in the  
12          time period. This is a significant reduction.  
13          We believe the construction of the bump-outs  
14          will improve the safe operation at this  
15          intersection.

16                   At Second and Poplar Street, we are  
17          dealing with the situation in which prevailing  
18          traffic conditions indicate that establishing  
19          an all-way stop control would lead to a safety  
20          problem.

21                   Thank you for the opportunity to  
22          appear before you today. I'll be happy to  
23          answer any questions you have at this time.

24                   COUNCILMAN COHEN: Mr. Denny, what  
25          is your position with the Streets Department?

1                   05/26/04 - STREETS - BILL 040517

2                   MR. DENNY: Assistant Chief Traffic  
3 Engineer.

4                   COUNCILMAN COHEN: That means  
5 there's one person above you or two people?

6                   COUNCILMAN KENNEY: There's the  
7 Chief Traffic Engineer who reports to the  
8 Chief Engineer and Surveyor who reports to the  
9 Streets Commissioner.

10                  COUNCILMAN COHEN: What are your  
11 duties generally?

12                  COUNCILMAN KENNEY: To oversee the  
13 engineering section of the Traffic Engineering  
14 Division.

15                  COUNCILMAN COHEN: Thank you.

16                  COUNCILMAN DICICCO: Thank you for  
17 your testimony, Mr. Denny. As you know, I'm  
18 very involved in the redesign of Second  
19 Street. I've been representing that district  
20 for a better part of almost 8 years, 9 years  
21 now. And I understand the bump-outs that  
22 we've agreed to from Poplar to Brown. The  
23 problem still remains, though, is the high  
24 rate of speed at which vehicles are traveling  
25 from Girard Avenue to Brown. I'm not in total

1                   05/26/04 - STREETS - BILL 040517  
2       agreement with you -- you're the expert, I'm  
3       not -- that people will have a better view of  
4       the Brown Street signal as opposed to the  
5       Poplar because Second Street kind of goes on  
6       in a slight incline from somewhere between  
7       Girard and Poplar and midway between there,  
8       I'm not sure what the street would be, and  
9       then it kind of goes up on a gradual incline  
10      to get to popular. So I don't know how you  
11      kind of see over that. But that being said,  
12      the area of Second and Poplar has changed  
13      dramatically and has been changing and in the  
14      last year has changed dramatically. In  
15      addition to the Standard Tap Pub, we have a  
16      number of other restaurants. We have a huge  
17      catering operation there right next to or a  
18      couple doors away from the Standard Tap. On  
19      the southeast corner there's a condo  
20      development that is under construction. On  
21      the northwest corner there's apartments or  
22      condos. So it is going to be a much more  
23      busier intersection in all aspects than it's  
24      ever been before. And when and if the Smith's  
25      Brewery site gets developed and the Liberty

1                   05/26/04 - STREETS - BILL 040517

2       Walk and all that other stuff, we're going to  
3       have literally thousands of cars and  
4       pedestrians who will be residing in that  
5       neighborhood and using that and hopefully  
6       coming to that neighborhood to shop and dine  
7       in addition to what we already have now. I  
8       mean, there's probably thousands of people who  
9       now converge on that intersection either  
10      walking, driving, or what have you today than  
11      there were two years ago or even a year ago.

12                So from my perspective, I wonder if  
13      it would not be in the best interest to have  
14      some sort of device there to slow the traffic  
15      down before it gets to Brown. It's a highway.  
16      It's not unlike what we went through a few  
17      years ago before you got in your position when  
18      Charley was there Third Street. From Spring  
19      Garden to Girard there were no signals. One  
20      was eventually put at Brown because there were  
21      always accidents at Third and Brown. We  
22      fought back and forth and we got a stop sign,  
23      thank you, at Third and Wildey I think it was,  
24      either George and Wildey. So to me, the Third  
25      Street situation is not unlike the Second

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2       Street situation, but in fact Second Street is  
3       probably worse because Third Street has  
4       residents but it doesn't have as much retail  
5       commercial activity from Brown to Wildey.  
6       Where Second and Poplar, that is, I mean  
7       there's more stuff going on there than goes on  
8       at Second and Fairmount.

9                   So I'm concerned about the position  
10       that your Department is taking that it may  
11       cause accidents when in fact -- you're right,  
12       it may cause car accidents; I don't know. I  
13       can't predict the future. But it always seems  
14       that we're more concerned with the vehicles as  
15       opposed to pedestrians. And that's why I  
16       introduced this bill because I was at that  
17       catering hall about a month ago and it was  
18       dangerous for me getting out of my car. I was  
19       parked on the west side of Second just north  
20       of Poplar. And I literally was taking my life  
21       in my hand trying to get out of my car. I  
22       wasn't even trying to jaywalk, I was just  
23       trying to get out of the car. Those cars,  
24       they didn't care who was there. They just  
25       keep flying by. And I don't know what the



1                   05/26/04 - STREETS - BILL 040340

2                   average speed was. I'll bet you it's got to  
3                   be a minimum, minimum of 40 miles an hour.  
4                   And they're probably doing faster than that.

5                   Councilman Cohen.

6                   COUNCILMAN COHEN: I would like to  
7                   ask Mr. Denny, the traffic engineer, but I  
8                   notice there were other people here and I was  
9                   wondering if he's going to be here on other  
10                  bills later this afternoon.

11                  MR. DENNY: This is the last one

12                  COUNCILMAN COHEN: Because if we can  
13                  hold it until later so that we don't hold up  
14                  all the other people --

15                  COUNCILMAN DICICCO: Mr. Denny,  
16                  would you mind waiting around?

17                  MR. DENNY: No.

18                  COUNCILMAN DICICCO: Thank you.  
19                  We'll hold that bill for further hearing and  
20                  proceed with the next bill.

21                  THE CLERK: Bill No. 040340, an  
22                  ordinance authorizing the construction of  
23                  sewers in portions of Garnet street.

24                  COUNCILMAN DICICCO: You can  
25                  proceed.

1                   05/26/04 - STREETS - BILL 040340

2                   MR. MCCLOSKEY: Good afternoon, Mr.  
3 Chairman and Members of the Committee. My  
4 name is Paul McCloskey representing the Water  
5 Department of the City of Philadelphia.

6                   Bill No. 040340 authorizes the Water  
7 Department to construct a sewer in Garnet  
8 Street from Dauphin Street to York Street.  
9 This block consists of row houses in the North  
10 Philadelphia section of the City. The  
11 properties are currently being serviced by a  
12 private sewer. The sewer has outlived its  
13 usefulness and requires total replacement.  
14 The failure of the sewer has created an  
15 unsanitary condition. In light of the fact  
16 the residents are serviced by public water,  
17 the residents have requested a public sewer.  
18 An assessment shall be levied against the  
19 owners having frontage in order to absorb a  
20 portion of the cost of construction.

21                   We recommend that this bill be  
22 favorably reported out of committee and also  
23 recommend that the Rules be suspended so it  
24 can be heard at the next Council hearing

25                   COUNCILMAN DICICCO: Councilman

1                   05/26/04 - STREETS - BILL 040340

2           Rizzo.

3                   COUNCILMAN RIZZO: Thank you.

4                   Could you give me a feel for the  
5           assessment?

6                   MR. MCCLOSKEY: The assessment is  
7           currently \$9 a foot. It has not changed since  
8           1967.

9                   COUNCILMAN RIZZO: Typical, how many  
10          feet are involved here?

11                  MR. MCCLOSKEY: Typically, it's  
12          roughly, I believe, 15-foot frontages ed on  
13          these houses.

14                  COUNCILMAN RIZZO: That has not  
15          changed since when?

16                  MR. MCCLOSKEY: Since 1967. In  
17          fact, we would like to change it, obviously.  
18          But what we'd also like to report is that  
19          there are many blocks similar to this where  
20          it's a private sewer, it's a hundred years  
21          old, people don't even know it's a private  
22          sewer, and under the current laws we're forced  
23          when we replace it to charge them the  
24          assessment. We would prefer not to because  
25          they've already paid a hundred years worth of

1                   05/26/04 - STREETS - BILL 040340

2           water bills and the capitalization for the  
3           rest of the people, so we'd like perhaps in  
4           the future put a bill in to raise the  
5           assessments to current costs but also to  
6           include that in as a clause.

7                   COUNCILMAN RIZZO: At \$9 a foot,  
8           what would you believe the realistic --

9                   MR. MCCLOSKEY: We believe that the  
10          realistic cost right now is roughly \$180 a  
11          foot.

12                  COUNCILMAN RIZZO: From 9 to 180?

13                  MR. MCCLOSKEY: Yes.

14                  COUNCILMAN RIZZO: We don't want to  
15          discourage people from correcting an  
16          unsanitary condition. Could that do that or  
17          would you move forward on the replacement even  
18          without their approval?

19                  MR. MCCLOSKEY: How it's currently  
20          structured is the people have come to us in  
21          one street, and there's a sister bill to this  
22          that they have not come to us. We know it's  
23          exactly the same situation. We met with the  
24          community at a local Baptist church and  
25          explained the situation, that it's necessary

1                   05/26/04 - STREETS - BILL 040340

2           that -- we don't want to force people out of  
3           their houses. The area is financially  
4           depressed, very poor people, they're  
5           struggling. We would prefer not to charge  
6           them, but unfortunately we have to. And how  
7           it's structured is that the contractor who  
8           puts the silver in collects the assessment.  
9           So it's up to him to collect, to put a  
10          mechanics lien against the house or whatever.  
11          If they choose not to pay, the house would --  
12          the estate if think died would then pay off  
13          the assessment to the contract.

14                   COUNCILMAN RIZZO: I don't  
15          particularly like that. We have no input on  
16          what the tactics the contractor uses.

17                   MR. MCCLOSKEY: That's current  
18          policy, that's the current Code.

19                   COUNCILMAN RIZZO: If we do  
20          legislation, could we possibly -- we probably  
21          have identified already the problem areas.  
22          Could we put them on notice that they would do  
23          the \$9 deal if they do it promptly and then  
24          anything after a certain date they go to the  
25          new number?

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2                   MR. MCCLOSKEY: Well, we take these  
3 situations on a case-by-case basis. Basically  
4 we receive requests made from a half dozen to  
5 a dozen communities a year. Some we can help,  
6 some we can't help. And we proceed with the  
7 ones that are the most feasible and  
8 economically viable.

9                   COUNCILMAN RIZZO: Well, you know  
10 I've been talking about this since I've known  
11 you about the number of septic systems that we  
12 still have in the county of Philadelphia. But  
13 I think also you would know where these  
14 problematic areas are.

15                  MR. MCCLOSKEY: There's roughly 200  
16 locations, 200 blocks of the area that we're  
17 aware of. Strangely enough, this is in North  
18 Philly. There's a lot in South Philly.  
19 Chestnut Hill is a barren area for sewers.

20                  COUNCILMAN RIZZO: The last thing I  
21 would want to see is -- you described it as a  
22 poor area -- to add to the burden of a bill or  
23 a lien, you'd probably create a very situation  
24 for some of these people 180 or \$190 a foot to  
25 make that repair, we'd probably put some

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2           people in their grave.

3                   MR. MCCLOSKEY: Right now if we  
4           don't step in, we're looking at a \$30,000  
5           repair. We're stepping up to the plate to try  
6           to help them as much as we can.

7                   Thank you, Mr. Chairman.

8                   COUNCILMAN DICICCO: Thank you. I  
9           do like your comment and your recommendation  
10          about fees and how that could be used to  
11          offset those private sewer issues that we have  
12          because I have a few of them in my district  
13          and they're very painful to the residents,  
14          through no fault of theirs or the City's for  
15          that matter. They've been living in the house  
16          for decades and all of sudden they find out  
17          that they're responsible to replace a sewer  
18          because it happens to be in the back of their  
19          house as opposed to the of the house. And the  
20          people down the other end of the block don't  
21          have to pay for sewer replacement when it has  
22          to be replaced because it's out front. So I'd  
23          like to work with you on whatever it is we  
24          need to do to adjust that so we don't have to  
25          deal with the problem that we've had. And we

1                   05/26/04 - STREETS - BILL 040340

2           were in court, I think, two weeks ago for  
3           South Sixth Street in my district for the very  
4           issue. And many of those cases are senior  
5           citizens who just can't afford to replace a  
6           sewer system.

7                   COUNCILMAN RIZZO: Councilman, I'd  
8           like to join you this that.

9                   COUNCILMAN DICICCO: You're joined.

10                  MR. MCCLOSKEY: We would love to  
11           modernize and bring it up to date and also  
12           avoid the situation where we're punishing  
13           people who paid -- you know, my sewer needs to  
14           be replaced; I don't have to pay for it. Why  
15           should they?

16                  COUNCILMAN DICICCO: It's a double  
17           standard.

18                  MR. MCCLOSKEY: Unfortunately, it's  
19           a bitter pill that we have to feed them every  
20           town hall meeting we go to. Councilman Rizzo  
21           is well aware of a lot of these meetings that  
22           I've had to go to.

23                  COUNCILMAN DICICCO: I'd like to  
24           work on that during the summer and have some  
25           legislation ready for the fall.



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2                   COUNCILMAN RIZZO: Count me in.

3                   MR. MCCLOSKEY: I'll report back to  
4 my Commissioner your support on it. I can  
5 proceed to give you a bill that we have  
6 prepared we'd like to go through.

7                   COUNCILMAN DICICCO: My legislative  
8 assistant, Mr. Abernathy, get it to him and  
9 I'll share it with this Committee and we'll do  
10 the legislation.

11                  MR. MCCLOSKEY: Thank you the  
12 Committee for their support. Thank you very  
13 much.

14                  COUNCILMAN DICICCO: Thank you.

15                  Any other questions for this  
16 witness?

17                  (No response.)

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

21                  (No response.)

22                  COUNCILMAN DICICCO: Seeing none,  
23 the Clerk will read the title of the next bill  
24 that has to do with those three folks who have  
25 been waiting patiently.

1                   05/26/04 - STREETS - BILL 040265

2                   THE CLERK: Bill No. 040265, an  
3 ordinance authorizing the Department of  
4 Veterans Affairs to construct and maintain a  
5 pedestrian bridge over and across University  
6 Avenue between Curie Boulevard and Civic  
7 Center Boulevard, under certain terms and  
8 conditions.

9                   COUNCILMAN DICICCO: Whoever is  
10 testifying, you can all come up to the witness  
11 table at this time.

12                  MR. LONIE: Good afternoon, Mr.  
13 Chairman and Members of the Committee. My  
14 name is Paul Lonie, Survey Bureau Manager for  
15 the Department of Streets. The Department  
16 would like to offer the following testimony on  
17 Bill 040265:

18                  This is not an Administration  
19 ordinance, but an ordinance requested by  
20 Michael Sullivan, Director of the Veterans  
21 Affairs Medical Center and University,  
22 Woodland Avenue, Philadelphia. The purpose of  
23 this ordinance is construct a pedestrian  
24 bridge that will connect the Veterans Affairs  
25 Medical Center parking garage with the VANC

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2           Nursing Home Care Unit.

3                   This ordinance is supported by the  
4           Department of Streets and is recommended to  
5           your Committee for favorable action.

6                   COUNCILMAN DICICCO: Good afternoon  
7           and thank you for patience. Please identify  
8           yourself for the record and proceed with your  
9           testimony.

10                  MS. CAPLAN: I'm Margaret O'Shea  
11           Caplan and I'm the Chief Operating Officer of  
12           the VA Medical Center in Philadelphia. I just  
13           wanted to share a little bit of information  
14           with you about the nursing home and the  
15           facility and why this is so important to us.

16                  We operate a 240-bed nursing home  
17           care unit which is across the street from the  
18           main medical center. Currently, the census in  
19           the nursing home is about 100 patients larger  
20           than our acute care facility. Due to changes  
21           in health care delivery, we treat more  
22           patients now on an outpatient basis than we do  
23           on an in-patient basis. So we have a larger  
24           population at the nursing home. For any time  
25           when a resident of the nursing home needs

1                   05/26/04 - STREETS - BILL 040265

2           specialty care, dental care, to see a  
3           pulmonologist, cardiologist, neurologist, they  
4           have to come over to the medical center in  
5           order to be seen by that specialist.  
6           Currently, we have no mechanism to get them  
7           across the street other than to use either  
8           commercial transport such as an ambulance or  
9           to use one of our vehicles if it happens to be  
10          during the day. So it's a rather inconvenient  
11          way to move residents back and forth and it  
12          also is a costly way to move our residents  
13          back and forth.

14                 So the bridge would not only ease in  
15          the movement of residents and patients, but it  
16          also would allow our staff to move back and  
17          forth more easily and more freely. We have  
18          had several employees who have been hit by  
19          crossing that street and have sustained  
20          numerous injuries, some quite serious. One  
21          employee actually had to have hip surgery as a  
22          result of crossing the street and getting hit  
23          by an automobile. University Avenue is a busy  
24          street, gets busier all the time. And this  
25          bridge would allow and ensure safer transport,

1                   05/26/04 - STREETS - BILL 040265

2           not only for patients but for our staff.

3                   I have Phil Hatsis (ph), our chief  
4           engineer with me as well. We have some  
5           drawings we'd be happy to show you. And if  
6           you have any technical questions, he can  
7           assist in answering those.

8                   COUNCILMAN DICICCO: Thank you.

9                   Councilman Rizzo.

10                  COUNCILMAN RIZZO: Is it enclosed so  
11           that in foul weather the patients and the  
12           staff are protected from the weather?

13                  MS. CAPLAN: It's enclosed and  
14           climate controlled, yes.

15                  COUNCILMAN RIZZO: Very good. Thank  
16           you.

17                  MR. LONIE: And, Councilman, these  
18           plans have been reviewed by the Streets  
19           Department structural engineers to make sure  
20           everything is safe is very nice.

21                  COUNCILMAN DICICCO: Thank you.

22                  Any other questions for these  
23           witnesses?

24                  (No response.)

25                  COUNCILMAN DICICCO: Thank you again

1                   05/26/04 - STREETS - BILL 040497

2           for your patience.

3                   Seeing none, the Clerk will read the  
4           title of the next bill.

5                   THE CLERK: Bill No. 040497, an  
6           ordinance granting permission to Campus  
7           Technologies, Inc., a Pennsylvania  
8           corporation, its successors, assigns and  
9           agents, to construct, maintain and operate,  
10          replace, and remove a telecommunications  
11          system along, in, over and under the public  
12          rights-of-way and City streets, by placing  
13          such telecommunications system within and/or  
14          attached to the existing facilities owned by  
15          PECO Energy Company and/or other entities  
16          authorized by other City ordinances, subject  
17          to such owner's consent; all under certain  
18          terms and conditions.

19                  MR. MAUTZ: Good afternoon Chairman  
20          and Members of the Committee. My name is  
21          William Mautz. I'm a construction engineer  
22          with the Streets Department. I'm here to  
23          offer the following testimony for Bill No.  
24          040497.

25                  This bill grants permission to

1                   05/26/04 - STREETS - BILL 040497

2           Campus Technologies, Inc. to construct,  
3           maintain and operate, replace and remove an  
4           aerial telecommunications system attached to  
5           existing PECO facilities in and over the  
6           public rights-of-way and City streets in  
7           University City area. The proposed aerial  
8           telecommunications system will provide voice  
9           and data transmission to properties owned and  
10          managed by the parent could Campus Property  
11          management, Inc.

12                   The Streets Department has reviewed  
13          the proposed build out routes for this project  
14          and has no objection to the passage of the  
15          bill.

16                   COUNCILMAN DICICCO: Thank you.

17                   Any questions for this witness from  
18          the Committee?

19                   Councilman Rizzo.

20                   COUNCILMAN RIZZO: I wasn't focused  
21          when you started your conversation. Are you  
22          telling me we are going to install aerial  
23          wire?

24                   MR. MAUTZ: That's correct.

25                   COUNCILMAN RIZZO: Why in this day

1                   05/26/04 - STREETS - BILL 040497

2           and age would we be installing aerial and not  
3           trying to utilize access that may be  
4           underground? The clutter with aerial  
5           facilities is bad enough, rather than in 2004  
6           start to add more?

7                   MR. MAUTZ: The Campus Technologies,  
8           that is there designated method of providing  
9           the services to their buildings.

10                  COUNCILMAN RIZZO: I would really --  
11           and I'll ask the Chair. I'd really like some  
12           rationale why. I understand it's cheap and  
13           the way to go, but I'd like to find out more  
14           why there isn't a proposal that this facility  
15           be put underground.

16                  COUNCILMAN DICICCO: Any other  
17           questions from this witness from the  
18           Committee?

19                  Is there anyone else here who wishes  
20           to testify?

21                  MR. LAVER: Good afternoon, Mr.  
22           Chairman and Members of Council. Adam Laver  
23           of Klehr, Harrison, Harvey, Branzburg &  
24           Ellers. And with me is Andrew Marshall.

25                  Could you please state your name and



1                   05/26/04 - STREETS - BILL 040497

2           title for the record?

3                   MR. MARSHALL: Andrew Marshall,  
4           Chief Technology Officer of Campus  
5           Technologies, Inc.

6                   MR. LAVER: Mr. Marshall would like  
7           to address Councilman Rizzo's question  
8           regarding the aerial lines.

9                   COUNCILMAN DICICCO: Thank you.  
10          Please proceed.

11                  MR. MARSHALL: Councilman, it's a  
12          very limited area of construction in  
13          University City. And in area in which we're  
14          planning to construct, there are no  
15          underground facilities. The other only  
16          facilities there are available are actually  
17          aerial. So there isn't -- particularly on  
18          41st, 42nd, and 45th Street in that area,  
19          there are no underground facilities at all.

20                  COUNCILMAN RIZZO: But they could be  
21          put underground at an additional expense to  
22          you, correct?

23                  MR. MARSHALL: I'm sorry, I'm not  
24          qualified to answer that particular question.

25                  COUNCILMAN RIZZO: My speculation is

1                   05/26/04 - STREETS - BILL 040497

2           that it would be doable; am I right?

3                   MR. MARSHALL: Anything is doable,  
4           but understand that the actual underground  
5           construction in that area is because it's  
6           actually quite old. It actually goes back  
7           over a hundred years. There's quite a lot  
8           underground there and actually building  
9           underground facilities would be complicated  
10          and expensive.

11                   COUNCILMAN RIZZO: But you can  
12          understand I'm trying to look out for the  
13          community and making sure that we're not  
14          adding to aerial -- you know there's  
15          ordinances right now the Public Utility  
16          Commission won't allow you to build a more  
17          than X number of homes, then they require  
18          under grounds facilities. So West  
19          Philadelphia is a neighborhood that's really  
20          moving forward and all I'm asking is why  
21          wasn't there a proposal to put these  
22          facilities underground. And the District  
23          Councilperson is here. As a Councilmember  
24          at-large, we work very closely together and  
25          I'm sure the District Councilperson would want

1                   05/26/04 - STREETS - BILL 040497

2           to assure that the job is done the best way  
3           humanly possible. And in this day and age  
4           most facilities like this are placed  
5           underground, if possible, or required.

6                   COUNCILMAN DICICCO: I'd like to  
7           acknowledge the presence of Councilwoman  
8           Jannie Blackwell who is a sponsor of this  
9           bill. She's joined us and she has some  
10          comments.

11                   Councilwoman Blackwell.

12                   COUNCILWOMAN BLACKWELL: Thank you,  
13          Madam Chair.

14                   Let me thank everyone for being here  
15          and thank my colleague for his questions about  
16          this project. We have worked with the City,  
17          we've worked with Public Property, and we can  
18          assure you that this project was ready to go.  
19          We support it. We'd like to get this reported  
20          out if we can, Mr. Chairman, so that it can be  
21          voted on before our Council adjourns.  
22          Everybody was satisfied. We have no problems  
23          with it, and we worked with all the varying  
24          people in the community from the university to  
25          residents. And we're satisfied that there are

1                   05/26/04 - STREETS - BILL 040497

2           no problems and that the project will be done  
3           well and that it will be done as it should.  
4           The City worked with us on it. I see Paul  
5           Lonie here. We've kind of worked it out. It  
6           wasn't always easy, but we've come through and  
7           we worked out the kinks so we're satisfied  
8           with the project.

9                   COUNCILMAN RIZZO: Councilwoman, I  
10          just wanted to point out, and I'm sure you  
11          appreciate me pointing out, the fact is that  
12          there is an alternative to putting more wires  
13          on existing wood poles cluttering up a  
14          community unnecessarily. If there is an  
15          alternative, it should have been considered in  
16          the proposal to put these facilities  
17          underground.

18                  COUNCILWOMAN BLACKWELL: I would  
19          love to tell you I know anything about this  
20          subject; however, I only know about our end of  
21          it. And once we put all the principals  
22          together and the varying City departments and  
23          they came back along with community support,  
24          then I assume that we're fine with it. I  
25          would like to -- if everyone would support it,

1                   05/26/04 - STREETS - BILL 040503

2           to move ahead.

3                   COUNCILMAN DICICCO: To the folks  
4           from Campus Technologies, I assume that you  
5           have a schedule and this may be time  
6           sensitive; is that correct?

7                   MR. LAVER: That is correct, Mr.  
8           Chairman.

9                   COUNCILMAN DICICCO: Thank you. I  
10          just wanted that for the record. Thank you.

11                  COUNCILWOMAN BLACKWELL: Thank you,  
12          Mr. Chairman.

13                  COUNCILMAN DICICCO: Any other  
14          questions for these witnesses from the  
15          Committee?

16                  (No response.)

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

20                  (No response.)

21                  COUNCILMAN DICICCO: Seeing none,  
22          the Clerk will read the title of the next  
23          bill.

24                  THE CLERK: Bill No. 040503, an  
25          ordinance authorizing Mayfair Community

1                   05/26/04 - STREETS - BILL 040503  
2       Development Corporation, 6810 Frankford  
3       Avenue, Philadelphia, its successors and  
4       assigns to construct own and maintain raised  
5       planters and benches from Harbison Avenue to  
6       Rhawn Street, and Cottman Avenue from  
7       Frankford Avenue to Leon Street, under certain  
8       terms and conditions.

9                   MR. DENNY: Good afternoon, Chairman  
10       and Members of the Committee. My name is  
11       William Mautz and I'm a Construction Engineer  
12       with the Streets Department. I'm here to  
13       offer the following testimony for Bill No.  
14       0404503:

15                   This bill authorizes the Mayfair  
16       Community Development Corporation to  
17       construct, own and maintain raised planters  
18       and benches on the public footways of  
19       Frankford Avenue from Harbison to Rhawn Street  
20       and Cottman Avenue from Frankford to Leon.

21                   The encroachment describe follows:

22                   The Benches: The metal benches,  
23       colored black with anti-graffiti coating will  
24       not display any advertisement. The benches,  
25       located approximately 3 feet off the curbline

1                   05/26/04 - STREETS - BILL 040503

2           come in two sizes, a 4 foot length near the  
3           corners and a 6 foot length mid block. The  
4           benches, placed parallel to the curblane  
5           facing the building facade, will be anchored  
6           to the existing concrete sidewalk. It is  
7           anticipated that four benches will be  
8           installed per side per block face.

9                   Raised Planters: The metal  
10          planters, colored black with an anti-graffiti  
11          coating, are 30 inches in diameter by 30  
12          inches high, located approximately three feet  
13          off the curblane. It is anticipated that four  
14          planters will be installed per side per block.  
15          Each planter will contain a tree.

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

19                  COUNCILMAN DICICCO: Thank you.

20                  Any questions for this witness from  
21          the Committee?

22                  (No response.)

23                  COUNCILMAN DICICCO: Mr. Forkin, do  
24          you wish to testify?

25                  MR. FORKIN: Just to say, Mr.

1                   05/26/04 - STREETS - BILL 040503

2           Chairman --

3                   COUNCILMAN DICICCO: Identify  
4           yourself again .

5                   MR. FORKIN: My name is Tom Forkin.  
6           I'm Vice Chairman of the Mayfair Community  
7           Development Corporation. Just to say that  
8           obviously we're in total support of this  
9           particular bill. We will purchase, install  
10          and maintain the benches at our own cost.  
11          This is something that the merchants along  
12          Frankford Avenue and Cottman Avenue have asked  
13          us to do as well as their customers as well as  
14          visitors and other people that frequent the  
15          Avenue. We think this is a quality of life  
16          issue for the people in Mayfair, and we think  
17          this ultimately will be a good thing for the  
18          people that live, work and shop in the Mayfair  
19          area. Thank you.

20                   COUNCILMAN DICICCO: Will the  
21          benches have a third arm in the center?

22                   MR. FORKIN: Yes.

23                   COUNCILMAN DICICCO: Thank you.

24                   Any other questions?

25                   Anyone else who wishes to testify?



1                   05/26/04 - STREETS - BILL 040509

2                   MR. FORKIN: Just for the record,  
3                   this Al Merchandante (ph) the operations  
4                   manager at the Mayfair CDC. He does the bulk  
5                   of the work.

6                   COUNCILMAN DICICCO: Welcome. Thank  
7                   you. Good luck to you.

8                   The Clerk will read the title of the  
9                   next bill.

10                  THE CLERK: Bill No. 040509, an  
11                  ordinance authorizing the revision of City  
12                  Plan No. 296 by relocating a portion of a  
13                  certain right-of-way for drainage purposes,  
14                  which lies between Shawmont Avenue and Cross  
15                  Street, under certain terms and conditions.

16                  MR. LONIE: I'm sorry, Mr. Chairman,  
17                  the number of that bill again?

18                  COUNCILMAN DICICCO: 509.

19                  Mr. LONIE: Thank you.

20                  Good afternoon, Mr. Chairman. My  
21                  name is Paul Lonie, Survey Bureau Manager with  
22                  the Department of Streets, and the Department  
23                  would like to offer the following testimony on  
24                  Bill No. 040509:

25                  This is not an Administration

1                   05/26/04 - STREETS - BILL 040341  
2           ordinance but an ordinance requested by Mr.  
3           William O'Brien of the Manayunk Law Office,  
4           4322 Main Street for Valley Building &  
5           Construction Corporation.

6                   The purpose of ordinance is to  
7           relocate a portion of a certain right-of-way  
8           to facilitate new residential development.

9                   This ordinance is supported by the  
10          Department of Streets and is recommended to  
11          your Committee for favorable action.

12                   COUNCILMAN DICICCO: Thank you.

13                   Any questions for this witness from  
14          the committee?

15                   (No response.)

16                   COUNCILMAN DICICCO: Are there any  
17          non-government folks here who have to testify  
18          on a particular bill?

19                   If so, just tell me the Bill No. And  
20          we can do that one next.

21                   The Clerk read the title of the neck  
22          bill.

23                   THE CLERK: Bill No. 040341, an  
24          ordinance authorizing the construction of  
25          sewers and appurtenant work on portions of

1                   05/26/04 - STREETS - BILL 040341

2           Opal Street.

3                   MR. MCCLOSKEY: Good afternoon  
4           again, Mr. Chairman and Members of the  
5           Committee. My name is Paul McCloskey, I'm  
6           representing the Water Department of the City  
7           of Philadelphia.

8                   Bill No. 040341 authorizes the Water  
9           Department to construct a sewer in Opal Street  
10          from Dauphin Street to York Street. This  
11          block consist of row houses in the North  
12          Philadelphia area of the City. The properties  
13          are currently being serviced by a private  
14          sewer. The sewer has outlived its usefulness  
15          and requires total replacement. The failure  
16          of the sewer has created unsanitary  
17          conditions. In light of the fact that the  
18          residents are serviced by public water, the  
19          residents have requested a public sewer. An  
20          assessment shall be levied against the owners  
21          having frontage in order to absorb a portion  
22          of the cost of construction.

23                   We recommend that this bill be  
24          favorably reported out of Committee and also  
25          request a suspension of the Rules in light of

1                   05/26/04 - STREETS - BILL 040469

2           the impending recess of City Council.

3                   COUNCILMAN DICICCO: Thank you.

4                   Any questions for this witness from  
5           the Committee?

6                   (No response.)

7                   COUNCILMAN DICICCO: Anyone else  
8           here who wishes to testify?

9                   (No response.)

10                  COUNCILMAN DICICCO: Seeing none,  
11           the Clerk will read the title of the next  
12           bill.

13                  THE CLERK: Bill No. 040469, an  
14           ordinance authorizing the construction of  
15           sewers and appurtenant work in a portion of  
16           right-of-way for drainage, sewer and water  
17           main purposes in the bed of a private street  
18           known as Blakiston Lane.

19                  MR. MCCLOSKEY: Good afternoon, Mr.  
20           Chairman and Members of the Committee. My  
21           name is Paul McCloskey. I'm with the City of  
22           Philadelphia Water Department.

23                  Blakiston lane is a private street  
24           in the Holmsburg area of the City. The bed of  
25           the street for the most part is a right-of-way

1                   05/26/04 - STREETS - BILL 040469  
2       for drainage and sewer and water main  
3       purposes. The south side of the street is a  
4       grouping of single family dwellings. The  
5       north side of the street is St. Dominic's  
6       Roman Catholic Cemetery. The block is  
7       currently being serviced by a water main, a  
8       private drain and a public sewer. The private  
9       drain has become deteriorated and outlived  
10      it's usefulness. The homeowners have  
11      requested the construction of a public sewer.  
12      An assessment will be levied against the  
13      homeowners having frontage in order to absorb  
14      a portion of the cost of construction in  
15      accordance with the Philadelphia Code.

16                   We recommend that this bill be  
17      favorably reported out of Committee and also  
18      request a suspension the Rules. Thank you  
19      very much.

20                   COUNCILMAN DICICCO: How soon will  
21      this proceed?

22                   MR. MCCLOSKEY: Roughly these things  
23      take about two years.

24                   COUNCILMAN DICICCO: So we may have  
25      that other legislation in place that would

1                   05/26/04 - STREETS - BILL 040469

2           cover some of the cost.

3                   MR. MCCLOSKEY: Basically, what I've  
4           already done is initially the community had  
5           asked for us to take over the water main. The  
6           water main I discovered was constructed by the  
7           Holmesburg Water Company in around 1840. The  
8           Administration agreed with me that it was a  
9           public water main that we inherited from this  
10          defunct water company. In order to go in and  
11          maintain it, we asked the residents to grant  
12          us a right-of-way. An ordinance was passed  
13          last year for that, and most of the agreements  
14          has been signed. Seeing that the water main  
15          was going to be replaced, they developed  
16          problems with their sewers. Luckily I had put  
17          in the provisions for a sewer in the  
18          right-of-way agreement. Now we can just  
19          reconstruct the entire street. The Streets  
20          Department has agreed that we construct the  
21          water main and sewer that they will pave it  
22          for us.

23                   COUNCILMAN DICICCO: Thank you.

24                   Any questions for this witness from  
25          the Committee?

1                   05/26/04 - STREETS - BILL 040335

2                   (No response.)

3                   COUNCILMAN DICICCO: Anyone else who  
4 wishes to testify?

5                   (No response.)

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

9                   THE CLERK: Bill No. 040335, an  
10 ordinance authorizing Samuel Rappaport, Ltd.,  
11 a.k.a. Samson Asset Management, 722 Market  
12 Street, Philadelphia, PA 19106, its successors  
13 and assigns, to construct, own and maintain  
14 raised planters on the public footways for  
15 nine properties in Center City, under certain  
16 terms and conditions.

17                  MR. MAUTZ: Good after, Chairman and  
18 Members of the Committee. My name is William  
19 Mautz and I'm a Construction Engineer with the  
20 Streets Department. I'm here to offer the  
21 following testimony for Bill 040335.

22                  This bill authorizes Samuel  
23 Rappaport Limited, a.k.a. Samson Asset  
24 Management to construct, own and maintain  
25 raised planters on the public footways for

1                   05/26/04 - STREETS - BILL 040339

2           nine properties located in Center City. All  
3           planters, which are 26 inches high with a  
4           variable diameter, 21 inches at the base to 30  
5           inches at the top, will be place adjacent to  
6           the building face. A total of 30 planters are  
7           proposed which will encompass the following  
8           properties: 219 South Broad, 227-31 South  
9           Broad, 337 South Broad, 1308 Chestnut, 1517  
10          Chestnut, 1624 Chestnut, 2100 Chestnut, 722  
11          Market and 726 Market street.

12                   The Streets Department has reviewed  
13          the plans and has no objection to the passage  
14          of the bill.

15                   COUNCILMAN DICICCO: Thank you.

16                   Any questions for this witness from  
17          the Committee?

18                   (No response.)

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

22                   THE CLERK: Bill No. 040339, an  
23          ordinance granting permission to Ratilal  
24          Patel, owner of the newsstand at the southwest  
25          corner of 15th Street and Ranstead Street, to



1                   05/26/04 - STREETS - BILL 040339  
2       construct, use and maintain an electrical  
3       conduit with an electrical service line and a  
4       telecommunications conduit with a telephone  
5       service line in and under the public  
6       rights-of-way for the purpose of supplying  
7       electrical service and telephone service to  
8       the newsstand, under certain terms and  
9       conditions.

10                  MR. MAUTZ: Good afternoon, Chairman  
11       and Members of the Committee. My name is  
12       William Mautz and I'm a Construction Engineer  
13       with the Streets Department. I am here to  
14       offer the following testimony for Bill No.  
15       040339.

16                  This bill grants permission to  
17       Ratilal Patel, owner of the newsstand at the  
18       southwest corner of 15th and Ranstead Street  
19       to construct, use and maintain electrical  
20       conduit with electric service line and a  
21       telecommunications conduit with a telephone  
22       service line in and under the public  
23       rights-of-way for the purpose of supplying  
24       electrical and telephone service to the  
25       newsstand.

1                   05/26/04 - STREETS - BILL 040368

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

5                   COUNCILMAN DICICCO: Thank you.

6                   Any questions for this witness from  
7                   the Committee?

8                   (No response.)

9                   COUNCILMAN DICICCO: Seeing none,  
10                  The Clerk will read the title of the next  
11                  bill.

12                  THE CLERK: Bill 040368, an  
13                  ordinance granting permission to Well  
14                  Grounded, a Comfortable Coffee, Inc., located  
15                  at 3720-3724 Midvale Avenue, Philadelphia, PA  
16                  19129, to operate and maintain an open air  
17                  sidewalk cafe on the east sidewalk of Midvale  
18                  Avenue north of Ridge Avenue, under certain  
19                  terms and conditions.

20                  MR. MAUTZ: Good afternoon, Chairman  
21                  and Members of the Committee. My name IS  
22                  William Mautz and I'm a Construction Engineer  
23                  with the Streets Department. I'm here to  
24                  offer the following testimony for Bill No.  
25                  040368.

1                   05/26/04 - STREETS - BILL 040399

2                   This bill grants permission to Well  
3                   Grounded, a Comfortable Coffee, Incorporated  
4                   located at 3720-3724 Midvale Avenue to operate  
5                   and maintain an open air sidewalk cafe on the  
6                   east sidewalk of Midvale Avenue adjacent to  
7                   the property. Four tables are proposed for  
8                   the east sidewalk of Midvale Avenue. No rails  
9                   will be used. A minimum of 14 feet clear  
10                  width will be maintained for pedestrians.

11                  The Streets Department has reviewed  
12                  the cafe plan and has no objection to the  
13                  passage of the bill.

14                  COUNCILMAN DICICCO: Thank you.

15                  Any questions for this witness from  
16                  the Committee?

17                  (No response.)

18                  COUNCILMAN DICICCO: Seeing none,  
19                  the Clerk will read the title of the next  
20                  bill.

21                  THE CLERK: Bill No. 040399, an  
22                  ordinance authorizing Peter Capolino, 604  
23                  South Front Street, Philadelphia, PA 19147,  
24                  owner of the property 604 South Front Street,  
25                  Philadelphia, his successors and assigns to

1                   05/26/04 - STREETS - BILL 040399

2           construct and maintain a terrace projection,  
3           under certain terms and conditions.

4                   MR. MAUTZ: Good afternoon, Chairman  
5           and Members of the Committee. My name is  
6           William Mautz, and I'm a Construction Engineer  
7           with the Streets Department. I am here to  
8           offer the following testimony for Bill No.  
9           040399:

10                   This bill authorizes Peter Capolino,  
11           owner of the property 604 South Front to  
12           construct and maintain a third floor terrace  
13           projection over the west footway of South  
14           Front Street. The terrace is 15 feet wide and  
15           will project 2 feet 6 inches over the public  
16           footway at a height of approximately 21 feet.

17                   The Streets Department has reviewed  
18           the construction plans for this project. As  
19           the encroachment does not adversely affect the  
20           public right-of-way, the Streets Department  
21           recommends passage of the bill.

22                   COUNCILMAN DICICCO: Thank you.

23                   Any questions for this witness from  
24           the Committee?

25                   (No response.)

1                   05/26/04 - STREETS - BILL 040425

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

5                   THE CLERK: Bill No. 040425, an  
6 ordinance authorizing John and Sharon Miller,  
7 7800 Jackson Street, Philadelphia, PA 19136,  
8 owners of the property 7800 Jackson Street,  
9 a.k.a. 4400 Hartel Street, their successors  
10 and assigns, to construct and maintain  
11 privately owned underground water and sewer  
12 branch mains, under certain terms and  
13 conditions.

14                  MR. MAUTZ: Good afternoon, Chairman  
15 and Members of the Committee. My name is  
16 William Mautz and I'm a Construction Engineer  
17 with the Streets Department. I am here to  
18 offer the following testimony for Bill 040425:

19                  This bill authorizes John and Sharon  
20 Miller 7800 Jackson Street, owners the  
21 property 7800 Jackson Street, also known as  
22 4400 Hartel, to construct, own and maintain  
23 privately owned water and sewer branch mains  
24 which will connect to their new residence on  
25 Hartel Street.

1                   05/26/04 - STREETS - BILL 040431

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

5                   COUNCILMAN DICICCO: Thank you.

6                   Any questions for this witness from  
7                   the Committee?

8                   (No response.)

9                   COUNCILMAN DICICCO: Seeing none,  
10                  the Clerk will read the title of the next  
11                  bill.

12                  THE CLERK: Bill No. 040431, an  
13                  ordinance authorizing Karl's Furniture,  
14                  located at 724-6 Chestnut Street,  
15                  Philadelphia, PA 19106, its successors and  
16                  assigns, to construct, own and maintain a  
17                  building addition on the north public footway  
18                  of Ionic street, under certain terms and  
19                  conditions

20                  MR. MAUTZ: Good afternoon, Chairman  
21                  and Members of the Committee. My name is  
22                  William Mautz, and I'm a Construction Engineer  
23                  with the Streets Department. I'm here to  
24                  offer the following testimony for Bill No.  
25                  040431:

1                   05/26/04 - STREETS - BILL 040502

2                   This bill authorizes Karl's  
3                   furniture, located at 724-26 Chestnut Street  
4                   to construct and maintain a building addition  
5                   on the north public sidewalk of Ionic Street  
6                   adjacent to the rear of 726 Chestnut. The  
7                   existing addition which is a steel structure  
8                   approximately 20 feet long by 3 feet by 12  
9                   feet high is used for storage of cardboard  
10                  boxes. The addition, which is mounted atop  
11                  the north sidewalk, is only accessible from  
12                  Ionic Street.

13                  As the existing addition is located  
14                  on a street used primarily for commercial  
15                  deliveries and non-roll off dumpster  
16                  placement, the structure does not adversely  
17                  affect the public right-of-way. The Streets  
18                  Department recommends passage of this bill.

19                  COUNCILMAN DICICCO: Thank you.

20                  Any questions for this witness from  
21                  the Committee?

22                  (No response.)

23                  COUNCILMAN DICICCO: Seeing non, the  
24                  Clerk will read the title of the next bill.

25                  THE CLERK: Bill No. 040502, an

1                   05/26/04 - STREETS - BILL 040502  
2 ordinance granting permission to Christy  
3 Garrett, owner of the property 201 North 36th  
4 Street, Philadelphia, PA 19104, to operate and  
5 maintain an open air sidewalk cafe on the  
6 northeast corner of North 36th and Race  
7 Streets, under certain terms and conditions.

8                   MR. MAUTZ: Good afternoon, Chairman  
9 and Members of the Committee. My name is  
10 William Mautz, and I'm a Construction Engineer  
11 with the Streets Department. I'm here to  
12 offer the following testimony for Bill No.  
13 040502.

14                   This bill grants permission to  
15 Christy Garrett, owner of the property 201  
16 North 36th Street to operate and maintain an  
17 open air sidewalk cafe on the northeast corner  
18 of North 36th and Race Streets adjacent to the  
19 property. Nine tables are proposed for the  
20 north sidewalk of Race Street. No rails will  
21 be used. A minimum of 10 feet clear width  
22 will be maintained for pedestrians.

23                   The Streets Department has reviewed  
24 the cafe plan and has no objection to the  
25 passage of the bill.



1                   05/26/04 - STREETS - BILL 040504

2                   COUNCILMAN DICICCO: Thank you. Any  
3 questions for this witness?

4                   (No response.)

5                   COUNCILMAN DICICCO: Seeing none,  
6 the Clerk will read the title of the next  
7 bill.

8                   THE CLERK: Bill No. 040504, an  
9 ordinance granting permission to TCG Delaware  
10 Valley, Inc., a Delaware corporation, its  
11 successors and assigns to construct, maintain  
12 and operate, replace, and remove  
13 telecommunications service connections and  
14 fiber optic cables for telecommunications  
15 purposes along, over, in and under the public  
16 rights-of-way of State Road, under certain  
17 terms and conditions.

18                  MR. MAUTZ: Good afternoon, Chairman  
19 and Members of the Committee. My name is  
20 William Mautz and I'm a Construction Engineer  
21 with the Streets Department. I am here to  
22 offer the following testimony for Bill No.  
23 040504:

24                  This bill authorizes TCG Delaware  
25 Valley to construct, operate and maintain an

1                   05/26/04 - STREETS - BILL 040513  
2           aerial and underground telecommunications  
3           service connection providing local telephone  
4           service to the Philadelphia prison facility on  
5           State Road.

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

9                   COUNCILMAN DICICCO: Thanks you.

10                   Any questions for this witness from  
11           the Committee?

12                   (No response.)

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

16                   THE CLERK: Bill No. 040513, an  
17           ordinance granting permission to Muhammed  
18           Shaukat, 6650 Kindred Street, Philadelphia, PA  
19           19149, owner of the newsstand at the southwest  
20           corner of 10th Street and Market Street, to  
21           construct, use and maintain an electrical  
22           conduit with an electrical service line and a  
23           telecommunications conduit with a telephone  
24           service line in and under the public  
25           rights-of-way for the purpose of supplying

1                   05/26/04 - STREETS - BILL 040513

2       electrical service and telephone service to  
3       the newsstand, under certain terms and  
4       conditions.

5                   MR. MAUTZ: Good afternoon, Chairman  
6       and Members of the Committee. My name is  
7       William Mautz and I'm a Construction Engineer  
8       with the Streets Department. I'm here to  
9       offer the following testimony for Bill No.  
10      040513:

11                  This bill grants permission to  
12      Muhammed Shaukat, owner of the newsstand at  
13      the southwest corner of 10th and Market Street  
14      to construct, use and main an electrical  
15      conduit with electrical service line and a  
16      telecommunications conduit with a telephone  
17      service line in and under the public  
18      rights-of-way for the purpose of supplying  
19      electrical and telephone service to the  
20      newsstand.

21                  The Streets Department has reviewed  
22      the proposed construction plan for this  
23      project and has no objection to the passage of  
24      the bill.

25                  COUNCILMAN DICICCO: Thank you.

1                   05/26/04 - STREETS - BILL 040515

2                   Any questions for this witness from  
3                   the Committee?

4                   (No response.)

5                   COUNCILMAN DICICCO: Seeing none,  
6                   the Clerk will read the title of the next  
7                   bill.

8                   THE CLERK: Bill No. 040515, an  
9                   ordinance authorizing Chemical Heritage  
10                  Foundation, 315 Chestnut Street, Philadelphia,  
11                  PA 19106-2702, its successors and assigns, to  
12                  construct, own and maintain a variable height  
13                  masonry retaining wall planter on the north  
14                  footway of Chestnut Street adjacent to their  
15                  property, under certain terms and conditions.

16                  MR. MAUTZ: Good afternoon, Chairman  
17                  and Members of the Committee. My name is  
18                  William Mautz and I'm a Construction Engineer  
19                  with the Streets Department. I'm here to  
20                  offer the following testimony for Bill No.  
21                  040515:

22                  This bill authorizes Chemical  
23                  Heritage Foundation, 315 Chestnut Street, to  
24                  construction and maintain a variable height  
25                  masonry retaining wall planter on the north

1                   05/26/04 - STREETS - BILL 040516

2           footway of Chestnut Street adjacent to the  
3           property. The wall is approximately 50 feet  
4           in length and encroaches 5 feet onto the north  
5           footway of Chestnut Street, leaving 12 feet of  
6           clear unobstructed footway.

7                   The Streets Department has reviewed  
8           the plans and has no objection to the passage  
9           of the bill.

10                  COUNCILMAN DICICCO: Thank you. Any  
11           questions for this witness from the Committee?

12                   (No response.)

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

16                  THE CLERK: Bill No. 040516 an  
17           ordinance granting permission to Starbucks  
18           Coffee Company, tenant of the property located  
19           at 2201-19 South Broad Street, to operate and  
20           maintain an open air sidewalk cafe on the east  
21           footway of South Broad Street south of Jackson  
22           Street, under certain terms and conditions.

23                  MR. MAUTZ: Good afternoon, Chairman  
24           and Members of the Committee. My name is  
25           William Mautz and I'm a Construction Engineer

1                   05/26/04 - STREETS - BILL 040518

2           with the Streets Department. I'm here to  
3           offer the following testimony for Bill No.  
4           040516:

5                   This bill grants permission to  
6           Starbucks Coffee Company, tenants of the  
7           property 2201-19 South Broad Street to operate  
8           an open air sidewalk cafe on the east sidewalk  
9           of Broad Street adjacent to the property.  
10          Four tables and one ADA table are proposed  
11          which will leave 15 feet of clear,  
12          unobstructed footway. No rails will be used.

13                  The Streets Department has reviewed  
14          the cafe plan as has no objection to the  
15          passage of the bill.

16                  COUNCILMAN DICICCO: Thank you.

17                  Any questions for this witness?

18                  (No response.)

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

22                  THE CLERK: Bill No. 040518, an  
23          ordinance authorizing Thomas Jefferson  
24          University, Suite 2100, 130 South Ninth  
25          Street, Philadelphia, its successors and

1                   05/26/04 - STREETS - BILL 040518

2           assigns to construct, own and maintain an  
3           underground pneumatic conduit ductbank  
4           connecting two hospital campus buildings in  
5           the vicinity of 10th and Chestnut Streets,  
6           under certain terms and conditions.

7                   MR. MAUTZ: Good afternoon, Chairman  
8           and Members of the Committee. My name is  
9           William Mautz and I'm a Construction Engineer  
10          with the Streets Department. I'm here to  
11          offer the following testimony for Bill 040519:

12                   This bill authorizes Thomas  
13          Jefferson University to construct, own and  
14          maintain an underground pneumatic ductbank  
15          connecting two hospital campus buildings in  
16          the vicinity of 10th and Chestnut Streets.  
17          The ductbank consisting of two pneumatic  
18          conduits and two spare conduits will connect  
19          hospital buildings 925 Chestnut to 1000 to  
20          1032 Chestnut Street.

21                   The Streets Department has reviewed  
22          the construction plans for this project and  
23          has no objection to the passage of the bill.

24                   COUNCILMAN DICICCO: Any questions  
25          for this witness from the Committee?

1                   05/26/04 - STREETS - BILL 040523

2                   (No response.)

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

6                   THE CLERK: Bill No. 040523, an  
7 ordinance authorizing the paving of Country  
8 Club Boulevard, Palmer Drive, Par Drive,  
9 Nicklaus Drive, and Player Drive, under  
10 certain terms and conditions.

11                  MR. LONIE: Good afternoon, Mr.  
12 Chairman and Members of the Committee. My  
13 name is Paul Lonie, Survey Bureau Manager for  
14 the Department of Streets. The Department  
15 would like to offer the following testimony on  
16 Bill 040523.

17                  This is not an Administrative  
18 ordinance, but an ordinance requested by Mr.  
19 Charles Durkin of Durkin Associates, Special  
20 Care Building, 717 Bethlehem Pike, Erdenheim,  
21 PA 19038.

22                  The purpose of this ordinance is to  
23 pave these new streets to facilitate new  
24 residential development.

25                  COUNCILMAN DICICCO: Any questions



1                   05/26/04 - STREETS - BILL 040523

2           for this witness from the Committee?

3                   COUNCILMAN COHEN: Mr. Lonie, what  
4           is your title with the Streets Department?

5                   MR. LONIE: Survey Bureau Manager.

6                   COUNCILMAN COHEN: What is your  
7           relationship compared to Mr. Denny's work?

8                   MR. LONIE: We work for the Streets  
9           Department. He's in the traffic engineer  
10          section. My relationship is kind of in the  
11          legal section of the City Plan and the streets  
12          and the surveying end of things, the lines and  
13          grades of the streets.

14                  COUNCILMAN COHEN: Does your work  
15          ever intersect?

16                  MR. LONIE: We work together on a  
17          lot of different things. Sometimes the  
18          movement or whatever the traffic coincides  
19          with the narrowing of widening of streets, the  
20          opening and closing of streets, the placing of  
21          streets on the City Plan, different things  
22          like that. We do work together quite often.

23                  COUNCILMAN COHEN: I would ask the  
24          Chairman of the Committee to continue either  
25          this case with the understanding Mr. Denny

1                   05/26/04 - STREETS - BILL 040337

2           would also be available for discussion and you  
3           would be further available until tomorrow  
4           afternoon at some point after the Council  
5           meeting at either 2 or 2:30, something like  
6           that, because I have a line of questions that  
7           I think I've got to find out about the  
8           procedure of both the inspection department  
9           and engineering department. I think you and  
10          Mr. Denny are two critical factors. So I'm  
11          going to make that request of the Chairman, to  
12          continue action on this bill and direct the  
13          two of you be available for tomorrow or as  
14          soon as the chairman is able to work that out.  
15          It has to be a time certain.

16                   MR. LONIE: Some of these bills are  
17                   time critical.

18                   COUNCILMAN COHEN: Let's recess for  
19                   one minute.

20                   (Brief recess.)

21                   COUNCILMAN DICICCO: The Clerk will  
22                   read the title of the next bill.

23                   THE CLERK: Bill No. 040337, an  
24                   ordinance amending Section 2 of an ordinance,  
25                   Bill No. 020741, approved January 23, 2003,

1                   05/26/04 - STREETS - BILL 040337  
2       entitled "An ordinance authorizing the  
3       revision of lines and grades on a portion of  
4       City Plan No. 58 by striking from the City  
5       Plan and vacating Warnock Street from Wallace  
6       Street to Melon Street; by reserving and  
7       placing on the City plan a right-of-way for  
8       drainage purposes, water main purposes and  
9       public utility purposes within the bed of  
10      Warnock Street, under certain terms and  
11      conditions," by extending the time for  
12      compliance with the conditions stated therein.

13                  MR. LONIE: Good afternoon, Mr.  
14      Chairman and Members of the Committee. I'd  
15      like to offer the following testify on Bill  
16      No. 040337.

17                  This is not an Administrative  
18      ordinance. The original purpose of this  
19      ordinance is to extend the time period to  
20      legally strike Warnock Street from the City  
21      Plan

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

25                  MR. SOFFER: Mr. Chairman, Members

1                   05/26/04 - STREETS - BILL 040337  
2           of the Streets and Services Committee, my name  
3           is Martin Soffer, City Planner, and I'm here  
4           to testify on behalf of the City Planning  
5           Commission.

6                   The proposed ordinance authorizes  
7           the striking from the City Plan and vacating  
8           of a minor street located in the West Poplar  
9           section of Lower North Philadelphia. The  
10          purpose of this ordinance is to permit the  
11          development of a nursing care facility within  
12          the Model Cities Urban Renewal Area.

13                  The Planning Commission reviewed and  
14          approved a Redeveloper's Agreement between the  
15          Redevelopment Authority and Friends  
16          Rehabilitation Program, Inc., that supports  
17          this action at its meeting of May 22, 2002.  
18          Therefore, by action at its meeting of May 22,  
19          2002, the Planning Commission recommends that  
20          Bill No. 040337 be approved. Thank you.

21                  COUNCILMAN DICICCO: Thank you.

22                  Any questions for this witness from  
23          the Committee?

24                  (No response.)

25                  COUNCILMAN DICICCO: Seeing none,

1                   05/26/04 - STREETS - BILL 040338

2           the Clerk will read the title of the next  
3           bill.

4                   THE CLERK: Bill No. 040338 an  
5           ordinance authorizing the revision of lines  
6           and grades on a portion of City Plan No. 119  
7           by striking from the City Plan and vacating  
8           Perth Street and widening Franklin Street,  
9           both from Jefferson Street to Oxford Street,  
10          under certain terms and conditions.

11                  MR. LONIE: This is not an  
12          Administrative ordinance but an ordinance  
13          requested by Housing Development Corporation,  
14          1234 Market Street, Philadelphia. The purpose  
15          of this bill is to strike and vacate Perth  
16          Street to facilitate a new housing  
17          development.

18                  This ordinance is supported by the  
19          Department of Streets and is recommended to  
20          your Committee for favorable action.

21                  MR. SOFFER: Good afternoon, Mr.  
22          Chairman and Members of the Streets and  
23          Services Committee. My name is Martin Soffer,  
24          City Planner, and I'm here to testify on  
25          behalf of the City Planning Commission. The

1                   05/26/04 - STREETS - BILL 040463  
2       proposed ordinance authorizes the striking  
3       from the City Plan and the vacating of a minor  
4       street, 30 feet wide, located in the Ludlow  
5       section of Lower North Philadelphia. The  
6       propose of this ordinance is to permit the  
7       development of 22 residential homeownership  
8       dwelling units within the Model Cities Urban  
9       Renewal Area. The Planning Commission  
10      reviewed and approved a Redeveloper's  
11      Agreement between the Redevelopment Authority  
12      and Ludlow Village Development Corporation,  
13      Inc., that supports this action at its meeting  
14      of April 7, 2003. Therefore, by action at its  
15      meeting of April 7, 2003, the Planning  
16      Commission recommends that Bill No. 040338 be  
17      approved.

18                   COUNCILMAN DICICCO: Thank you.

19                   Any questions for this witness from  
20      this Committee?

21                   (No response.)

22                   COUNCILMAN DICICCO: The Clerk will  
23      read the title of the next bill.

24                   THE CLERK: 040463, an ordinance  
25      amending Section 2 of an ordinance, Bill No.

1                   05/26/04 - STREETS - BILL 040463  
2           020430, approved November 13, 2002, entitled  
3           "An ordinance authorizing the revision of  
4           lines and grades on a portion of City Plan No.  
5           312 by striking from the City Plan and  
6           vacating the legally open portions of Jackson  
7           Street from Pearson Street to Aubrey Street,  
8           under certain terms and conditions," by  
9           extending the period for compliance with the  
10          authorization conditions therein.

11                   MR. LONIE: Good after Mr. Chairman  
12          and Members of the Committee. My name is Paul  
13          Lonie, Survey Bureau Manager of the Department  
14          of Streets, and the Department would like to  
15          offer the following testimony on Bill No.  
16          040463:

17                   This is not an Administrative  
18          ordinance, but an ordinance requested by Ms.  
19          Nina Landsberg, Esquire, 1608 Walnut Street,  
20          Suite 401, Philadelphia who represents Ray  
21          Fabrizio.

22                   The purpose of this ordinance is to  
23          extend the time period to legally strike and  
24          vacate Jackson Street from the City plan.

25                   This ordinance is supported by the

1                   05/26/04 - STREETS - BILL 040463

2           Department of Streets and is recommended to  
3           your Committee for favorable action.

4                   MR. SOFFER: Good afternoon, Mr.  
5           Chairman and Members of the Streets and  
6           Services Committee. My name his Martin  
7           Soffer, City Planner, and I'm here to testify  
8           on behalf of the City Planning Commission.

9                   The proposed ordinance authorizes  
10          the striking from the City Plan and vacating  
11          the legally open portion of an unneeded paper  
12          street located in a Torresdale section of  
13          Northeast Philadelphia.

14                  The purpose of this ordinance is to  
15          permit future residential development.  
16          Therefore, by testimony at the Streets and  
17          Services Committee hearing on October 8, 2002,  
18          the Planning Commission recommends that this  
19          street striking be approved.

20                  COUNCILMAN RAMOS: Thank you.

21                  Are there any questions for these  
22          witnesses from the Committee?

23                  (No response.)

24                  COUNCILMAN DICICCO: That being so,  
25          the Clerk will call up the next bill.



1                   05/26/04 - STREETS - BILL 040499

2                   THE CLERK: 040499, an ordinance  
3                   authorizing the revision of lines and grades  
4                   on a portion of City Plan No. 46-S in the area  
5                   of Geary Street and 20th Street, under certain  
6                   terms and conditions.

7                   MR. LONIE: Good afternoon, Mr.  
8                   Chairman and Members of the Committee. My  
9                   name is Paul Lonie, Survey Bureau Manager of  
10                  the Department of Streets, and the Department  
11                  would like to offer the following testimony on  
12                  Bill No. 040499.

13                  This is not an Administration  
14                  ordinance, but an ordinance requested by Peter  
15                  Kelson, Blank Rome LLP, One Logan Square, 18th  
16                  an Cherry Streets, Philadelphia.

17                  The purpose of ordinance is to  
18                  revise the street layout in this area to  
19                  facilitate a revised development plan proposed  
20                  by Westrum Development Company.

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

24                  MR. SOFFER: Good afternoon, Mr.  
25                  Chairman and Members of the Streets and

1                   05/26/04 - STREETS - BILL 040499

2           Services Committee. My name is Martin Soffer,  
3           City Planner, and I'm here to testify on  
4           behalf of the City Planning Commission.

5                   The proposed ordinance authorizes  
6           the striking and vacating from the City Plan  
7           of certain streets and the placing on the City  
8           Plan of certain residential streets in the  
9           Packard Park section of South Philadelphia.

10                  The purpose of this ordinance is to  
11           permit the construction of 23 semi-detached  
12           dwellings and 6 apartment buildings for a  
13           total of 228 residential units.

14                  The Planning Commission approved the  
15           preliminary plan of subdivision on January 20,  
16           2004. Therefore, by action at its meeting on  
17           January 20, 2004, the Planning Commission  
18           recommends that Bill No. 040499 be approved.

19           Thank you.

20                  COUNCILMAN RAMOS: Thank you.  
21           Anyone in favor or against this bill who wants  
22           to testify?

23                   (No response.)

24                  COUNCILMAN RAMOS: That being so,  
25           the Clerk title of the next bill.

1                   05/26/04 - STREETS - BILL 040505

2                   THE CLERK: Bill No. 040505, an  
3 ordinance authorizing the striking from City  
4 Plan Nos. 270 and 258 of Sanger Street from  
5 Tacony Street to westerly Pierhead Line of the  
6 Delaware River, under certain terms and  
7 conditions.

8                   MR. LONIE: Good afternoon, Mr.  
9 Chairman and Members of the Committee. My  
10 name is Paul Lonie, Survey Bureau Manager of  
11 the Department of Streets, and the Department  
12 would like to offer the following testimony on  
13 Bill No. 040505:

14                   This is not Administration  
15 ordinance, but an ordinance requested by Mr.  
16 Patrick Heron, Legend Properties, 625 Ridge  
17 Pike, Suite A-107, Conshohocken, PA, who  
18 represents Arsenal Associates.

19                   The purpose of this ordinance is  
20 remove this paper street from the Frankford  
21 Arsenal Business Center to facilitate economic  
22 expansion.

23                   This ordinance is supported by the  
24 Department of Streets and is recommended to  
25 your Committee for favorable action.

1                   05/26/04 - STREETS - BILL 040505

2                   MR. SOFFER: Good afternoon, Mr.  
3 Chairman and Members of the Streets and  
4 Services Committee. My name is Martin Soffer,  
5 City Planner, and I'm here to testify on  
6 behalf of the City Planning Commission.

7                   The proposed ordinance authorizes  
8 the striking from the City Plan and vacating  
9 of an unneeded paper street within the Arsenal  
10 Business Center located in the Bridesburg  
11 section of Northeast Philadelphia.

12                  The purpose of this ordinance is to  
13 permit Arsenal Associates to assemble a parcel  
14 of land for future commercial development.

15                  The Planning Commission staff  
16 reviewed and tentatively approved this street  
17 action on March 4, 2004. Therefore, the  
18 Planning Commission recommends Bill No. 040505  
19 be approved.

20                  COUNCILMAN RAMOS: Thank you.

21                  Anyone else here that wishes to  
22 testify for or against this bill?

23                  (No response.)

24                  COUNCILMAN RAMOS: That being so,  
25 the Clerk will read the title of the next

1                   05/26/04 - STREETS - BILL 040507

2       bill.

3                   THE CLERK: Bill No. 040507, an  
4       ordinance authorizing the revision of lines  
5       and grades on City Plan Nos. 286 and 288 in  
6       the vicinity of Glengarry Road and St. Andrew  
7       Road, under certain terms and conditions.

8                   MR. LONIE: Good afternoon, Mr.  
9       Chairman and Members of the Committee. My  
10      name is Paul Lonie, Survey Bureau Manager of  
11      the Department of Streets, and the Department  
12      would like to offer the following testimony on  
13      Bill No. 040507.

14                  This is not an administration  
15      ordinance, but an ordinance requested by Mr.  
16      Samuel Blake, Sparango Blake Builders,  
17      Villanova, Pennsylvania.

18                  The purpose of this ordinance is to  
19      strike Glengarry Road from the City Plan to  
20      gain more usable space.

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

24                  MR. SOFFER: Good afternoon, Mr.  
25      Chairman and Members of Streets and Services

1                   05/26/04 - STREETS - BILL 040510

2           Committee. My name is Martin Soffer, City  
3           Planner, and I'm here to testify on behalf of  
4           the City Planning Commission.

5                   The proposed ordinance authorizes  
6           the striking from the City Plan and the  
7           vacating of unneeded portion of a minor street  
8           located in the Chestnut Hill section of  
9           Northwest Philadelphia.

10                   The Planning Commission staff  
11           reviewed and tentatively approved this action  
12           on March 4, 2004. Therefore, the Planning  
13           Commission recommends that Bill No. 040507 be  
14           approved.

15                   COUNCILMAN RAMOS: Thank any.

16                   Anyone else to testify in favor or  
17           against this bill?

18                   (No response.)

19                   COUNCILMAN RAMOS: That being so,  
20           the Clerk will read the title of the next  
21           bill.

22                   THE CLERK: Bill No. 040510 an  
23           ordinance authorizing the revision of line and  
24           grades of an area of City Plan No. 196 bounded  
25           by Trenton Avenue, Cambria Street, Tulip

1                   05/26/04 - STREETS - BILL 040510

2           Street, and Rush Street, under certain terms  
3           and conditions.

4                   MR. LONIE: Good afternoon, Mr  
5           Chairman and Members of the Committee. My  
6           name is Paul Lonie, Survey Bureau Manager of  
7           the Department of Streets, and the Department  
8           would like to offer the following testimony on  
9           Bill No. 040510.

10                   This is not an administrative  
11           ordinance, but an ordinance requested by Mr.  
12           Matthew Walker, Redevelopment Authority, 1234  
13           Market Street, 16th Floor, for the  
14           Philadelphia School District.

15                   The purpose of this ordinance is to  
16           strike and vacate these streets to facilitate  
17           the construction of New Willard Elementary  
18           School.

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

22                   MR. SOFFER: Good afternoon, Mr.  
23           Chairman and Members of the Streets and  
24           Services Committee. My name is Martin Soffer,  
25           City Planner, and I'm here to testify on

1                   05/26/04 - STREETS - BILL 040512

2           behalf of the City Planning Commission. The  
3           proposed ordinance authorizes the striking  
4           from the City Plan and the vacating of three  
5           minor streets located in the Kensington  
6           section of North Philadelphia.

7                   The purpose of this ordinance is to  
8           assist the School District of Philadelphia  
9           assemble a parcel of land for the development  
10          of the Willard Elementary School.

11                  The Planning Commission reviewed and  
12          approved a Blight Certification of this area  
13          on November 18, 2003. Therefore, the Planning  
14          Commission recommends that Bill No. 040510 be  
15          approved.

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

19                         (No response.)

20                  COUNCILMAN RAMOS: That being so,  
21          the Clerk will read the title of the next  
22          bill.

23                  THE CLERK: Bill No. 040512, an  
24          ordinance amending Section 2 of an ordinance,  
25          Bill No. 020257, approved September 6, 2002,



1                   05/26/04 - STREETS - BILL 040512  
2       entitled "An ordinance authorizing the  
3       revision of lines and grads on a portion of  
4       City Plan No. 308 by relocating the northerly  
5       curb line of St. James Street approximately  
6       three feet northwardly, from West Washington  
7       Square to a point approximately 116 feet  
8       westwardly therefrom; by relocating the  
9       northerly curb line of St. James Street  
10      approximately 11 feet 6 inches northwardly  
11      from Eighth Street to a point approximately  
12      136 feet eastwardly therefrom, all under  
13      certain terms and conditions, including the  
14      dedication of widened portion of St. James  
15      Street by extending the period for compliance  
16      with the authorization conditions therein."

17               MR. LONIE: Good afternoon, Mr.  
18      Chairman and Members of the Committee. My  
19      name is Paul Lonie, Survey Bureau Manager of  
20      the Department of Streets, and the Department  
21      would like to offer the following testimony on  
22      Bill No. 040512.

23               This is not an Administrative  
24      ordinance, but an ordinance requested by Mr.  
25      Peter Shaw, P+A Associates, the Wallace

1                   05/26/04 - STREETS - BILL 040512

2           Building, 642 North Broad Street,  
3           Philadelphia, PA, who represents St. James  
4           Associates Joint Venture.

5                   The purpose of this ordinance is to  
6           extend the time period to grant the legal  
7           authority to widen the cartway of St. James  
8           Street to accommodate the entryway of a high  
9           rise complex.

10                   This ordinance is supported by the  
11           Department of Streets and is recommended to  
12           your Committee for favorable action.

13                   MR. SOFFER: Good afternoon, Mr.  
14           Chairman and Members of the Streets and  
15           Services. My name is Martin Soffer, City  
16           Planner, and I'm here to testify behalf of the  
17           City Planning Commission.

18                   The proposed ordinance authorizes  
19           the relocation of the curb and house lines of  
20           a minor street located in the Washington  
21           Square West section of Center City. The  
22           purpose of this ordinance is to allow the  
23           construction of a new entrance and turnaround  
24           for a proposed 45-story apartment building.

25                   The Planning Commission supported

1                   05/26/04 - STREETS - BILL 040522

2           variances for this development at its meeting  
3           of June 29, 1999. Therefore, by action at its  
4           meeting of June 29, 1999, the Planning  
5           Commission recommends that Bill No. 040512 be  
6           approved.

7                   COUNCILMAN RAMOS: Thank you.

8                   Anyone else to testify in favor or  
9           against this bill?

10                   (No response.)

11                   COUNCILMAN RAMOS: The Clerk will  
12           read the title of the next bill.

13                   THE CLERK: Bill No. 040522, an  
14           ordinance authorizing the revision of lines  
15           and grades on a portion of City Plan No. 396  
16           in an area bounded by Red Lion road, Global  
17           Road and Gantry Road, under certain terms and  
18           conditions.

19                   MR. LONIE: Good afternoon, Mr.  
20           Chairman and Members of the Committee. My  
21           name is Paul Lonie, Survey Bureau Manager of  
22           the Department of Streets, and the Department  
23           would like to offer the following testimony on  
24           Bill No. 040522.

25                   This is not an Administrative

1                   05/26/04 - STREETS - BILL 040522  
2           ordinance, but an ordinance requested by Mr.  
3           Charles Durkin of Durkin Associates, Special  
4           Care Building, 717 Bethlehem Pike, Erdenheim,  
5           PA.

6                   The purpose of this ordinance is to  
7           place new streets on the City Plan to  
8           facilitate new residential development.

9                   This ordinance is supported by the  
10          Department of Streets and is recommended to  
11          your Committee for favorable action.

12                  MR. SOFFER: Good afternoon, Mr.  
13          Chairman and Members of the Streets and  
14          Services Committee. My name is Martin Soffer,  
15          City Planner, and I'm here to testify on  
16          behalf of the City Planning Commission.

17                  The proposed ordinance authorizes  
18          the placing on the City Plan of new  
19          residential streets to allow for the  
20          construction of 56 single-family detached  
21          dwelling units in the Bustleton section of Far  
22          Northeast Philadelphia.

23                  The Planning Commission approved the  
24          preliminary plat of subdivision on March 24,  
25          2004. Therefore, by action at its meeting on

1                   05/26/04 - STREETS - BILL 040522

2           March 24, 2004, the Planning Commission  
3           recommends that Bill 040522 be approved.

4                   COUNCILMAN RAMOS: Anyone else to  
5           testify in favor or against this bill?

6                   (No response.)

7                   COUNCILMAN RAMOS: That being so, is  
8           there any other bills?

9                   THE CLERK: No.

10                  COUNCILMAN RAMOS: We will recess  
11          for a couple minutes.

12                  (Brief recess.)

13                  COUNCILMAN DICICCO: We are going to  
14          hold Bill No. 040370 until Friday morning, May  
15          28th at 11 o'clock a.m. in this Chambers.

16                               - - - -

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COUNCIL OF THE CITY OF PHILADELPHIA

PUBLIC MEETING

COMMITTEE ON STREETS AND SERVICES

- - - -

May 26, 2004

- - - -

Public meeting conducted by the  
Committee on Streets and Services, held in  
Room 400, City Hall, Philadelphia,  
Pennsylvania, on the above date, to consider  
action on the following:

BILLS 040265, 040335, 040337,  
040338, 040339, 040340, 040341, 040364,  
040366, 040368, 040370, 040371, 040399,  
040400, 040425, 040431, 040463, 040464,  
040469, 040471, 040497, 040499, 040502,  
040504, 040505, 040507, 040509, 040510,  
040511, 040512, 040513, 040515, 040516,  
040517, 040518, 040522, 040523.

PRESENT:

COUNCILMAN FRANK DICICCO, Chair  
COUNCILMAN DAVID COHEN  
COUNCILMAN JUAN RAMOS  
COUNCILMAN MICHAEL NUTTER  
COUNCILMAN RICHARD MARIANO  
COUNCILMAN FRANK RIZZO  
COUNCILWOMAN DONNA REED MILLER  
COUNCILMAN DARRELL CLARKE  
COUNCILWOMAN JANNIE BLACKWELL

1           05/26/04 - STREETS - PUBLIC MEETING

2           COUNCILMAN DICICCO: We will now  
3 move into the public meeting.

4           Let the record reflect that bill  
5 040400 is being held.

6           The Chair recognizes Councilman  
7 Ramos.

8           COUNCILMAN RAMOS: Mr. Chairman, is  
9 there a suspension of Rules for all these  
10 bills?

11          COUNCILMAN DICICCO: To the best of  
12 my knowledge, yes.

13          COUNCILMAN RAMOS: Mr. Chairman, I  
14 make a motion that Bill No. 040265 be reported  
15 out of Committee with a favorable  
16 recommendation with a further recommendation  
17 that the Rules of Council be suspended to  
18 allow for first reading at our next Council  
19 Session.

20          (Duly seconded.)

21          COUNCILMAN DICICCO: Properly moved  
22 and seconded that Bill No. 040265 be reported  
23 out of Committee with a favorable  
24 recommendation, and the further recommendation  
25 that the Rules of Council be suspended.

1           05/26/04 - STREETS - PUBLIC MEETING

2           All those in favor, signify by  
3 saying aye.

4           (Aye.)

5           COUNCILMAN DICICCO: Those opposed?

6           (No response.)

7           COUNCILMAN DICICCO: The bill is  
8 approved.

9           Councilman Ramos.

10          COUNCILMAN RAMOS: Mr. Chairman, I  
11 make a motion that Bill No. 040335 be reported  
12 out of Committee with a favorable  
13 recommendation with a further recommendation  
14 that the Rules of Council be suspended to  
15 allow for first reading at our next Council  
16 Session.

17          (Duly seconded.)

18          COUNCILMAN DICICCO: Properly moved  
19 and seconded that Bill No. 040335 be reported  
20 out of Committee with a favorable  
21 recommendation, and the further recommendation  
22 that the Rules of Council be suspended.

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

25          (Aye.)



1                   05/26/04 - STREETS - PUBLIC MEETING

2                   COUNCILMAN DICICCO: Those opposed?

3                   (No response.)

4                   COUNCILMAN DICICCO: The bill is  
5 approved.

6                   Councilman Ramos.

7                   COUNCILMAN RAMOS: Mr. Chairman, I  
8 make a motion that Bill No. 040337 be reported  
9 out of Committee with a favorable  
10 recommendation with a further recommendation  
11 that the Rules of Council be suspended to  
12 allow for first reading at our next Council  
13 Session.

14                   (Duly seconded.)

15                   COUNCILMAN DICICCO: Properly moved  
16 and seconded that Bill No. 040337 be reported  
17 out of Committee with a favorable  
18 recommendation, and the further recommendation  
19 that the Rules of Council be suspended.

20                   All those in favor, signify by  
21 saying aye.

22                   (Aye.)

23                   COUNCILMAN DICICCO: Those opposed?

24                   (No response.)

25                   COUNCILMAN DICICCO: The bill is

1           05/26/04 - STREETS - PUBLIC MEETING

2           approved.

3           Councilman Ramos.

4           COUNCILMAN RAMOS: Mr. Chairman, I  
5           make a motion that Bill No. 040338 be reported  
6           out of Committee with a favorable  
7           recommendation with a further recommendation  
8           that the Rules of Council be suspended to  
9           allow for first reading at our next Council  
10          Session.

11          (Duly seconded.)

12          COUNCILMAN DICICCO: Properly moved  
13          and seconded that Bill No. 040338 be reported  
14          out of Committee with a favorable  
15          recommendation, and the further recommendation  
16          that the Rules of Council be suspended.

17          All those in favor, signify by  
18          saying aye.

19          (Aye.)

20          COUNCILMAN DICICCO: Those opposed?

21          (No response.)

22          COUNCILMAN DICICCO: The bill is  
23          approved.

24          Councilman Ramos.

25          COUNCILMAN RAMOS: Mr. Chairman, I

1           05/26/04 - STREETS - PUBLIC MEETING

2           make a motion that Bill No. 040339 be reported  
3           out of Committee with a favorable  
4           recommendation with a further recommendation  
5           that the Rules of Council be suspended to  
6           allow for first reading at our next Council  
7           Session.

8                       (Duly seconded.)

9           COUNCILMAN DICICCO: Properly moved  
10          and seconded that Bill No. 040339 be reported  
11          out of Committee with a favorable  
12          recommendation, and the further recommendation  
13          that the Rules of Council be suspended.

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

16                       (Aye.)

17          COUNCILMAN DICICCO: Those opposed?

18                       (No response.)

19          COUNCILMAN DICICCO: The bill is  
20          approved.

21                       Councilman Ramos.

22          COUNCILMAN RAMOS: Mr. Chairman, I  
23          make a motion that Bill No. 040340 be reported  
24          out of Committee with a favorable  
25          recommendation with a further recommendation

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2           that the Rules of Council be suspended to  
3           allow for first reading at our next Council  
4           Session.

5                       (Duly seconded.)

6           COUNCILMAN DICICCO: Properly moved  
7           and seconded that Bill No. 040340 be reported  
8           out of Committee with a favorable  
9           recommendation, and the further recommendation  
10          that the Rules of Council be suspended.

11                  All those in favor, signify by  
12          saying aye.

13                       (Aye.)

14          COUNCILMAN DICICCO: Those opposed?

15                       (No response.)

16          COUNCILMAN DICICCO: The bill is  
17          approved.

18                  Councilman Ramos.

19          COUNCILMAN RAMOS: Mr. Chairman, I  
20          make a motion that Bill No. 040341 be reported  
21          out of Committee with a favorable  
22          recommendation with a further recommendation  
23          that the Rules of Council be suspended to  
24          allow for first reading at our next Council  
25          Session.

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2           (Duly seconded.)

3           COUNCILMAN DICICCO: Properly moved  
4           and seconded that Bill No. 040341 be reported  
5           out of Committee with a favorable  
6           recommendation, and the further recommendation  
7           that the Rules of Council be suspended.

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

10          (Aye.)

11          COUNCILMAN DICICCO: Those opposed?

12          (No response.)

13          COUNCILMAN DICICCO: The bill is  
14          approved.

15          Councilman Ramos.

16          COUNCILMAN RAMOS: Mr. Chairman, I  
17          make a motion that Bill No. 040364 be reported  
18          out of Committee with a favorable  
19          recommendation with a further recommendation  
20          that the Rules of Council be suspended to  
21          allow for first reading at our next Council  
22          Session.

23          (Duly seconded.)

24          COUNCILMAN DICICCO: Properly moved  
25          and seconded that Bill No. 040364 be reported

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2           out of Committee with a favorable  
3           recommendation, and the further recommendation  
4           that the Rules of Council be suspended.

5                   All those in favor, signify by  
6           saying aye.

7                   (Aye.)

8           COUNCILMAN DICICCO: Those opposed?

9                   (No response.)

10          COUNCILMAN DICICCO: The bill is  
11       approved.

12                   Councilman Ramos.

13          COUNCILMAN RAMOS: Mr. Chairman, I  
14       make a motion that Bill No. 040366 be reported  
15       out of Committee with a favorable  
16       recommendation with a further recommendation  
17       that the Rules of Council be suspended to  
18       allow for first reading at our next Council  
19       Session.

20                   (Duly seconded.)

21          COUNCILMAN DICICCO: Properly moved  
22       and seconded that Bill No. 040366 be reported  
23       out of Committee with a favorable  
24       recommendation, and the further recommendation  
25       that the Rules of Council be suspended.

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2           All those in favor, signify by  
3 saying aye.

4           (Aye.)

5           COUNCILMAN DICICCO: Those opposed?

6           (No response.)

7           COUNCILMAN DICICCO: The bill is  
8 approved.

9           Councilman Ramos.

10          COUNCILMAN RAMOS: Mr. Chairman, I  
11 make a motion that Bill No. 040368 be reported  
12 out of Committee with a favorable  
13 recommendation with a further recommendation  
14 that the Rules of Council be suspended to  
15 allow for first reading at our next Council  
16 Session.

17          (Duly seconded.)

18          COUNCILMAN DICICCO: Properly moved  
19 and seconded that Bill No. 040368 be reported  
20 out of Committee with a favorable  
21 recommendation, and the further recommendation  
22 that the Rules of Council be suspended.

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

25          (Aye.)

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2           COUNCILMAN DICICCO: Those opposed?

3           (No response.)

4           COUNCILMAN DICICCO: The bill is  
5 approved.

6           Councilman Ramos.

7           COUNCILMAN RAMOS: Mr. Chairman, I  
8 make a motion that Bill No. 040371 be reported  
9 out of Committee with a favorable  
10 recommendation with a further recommendation  
11 that the Rules of Council be suspended to  
12 allow for first reading at our next Council  
13 Session.

14           (Duly seconded.)

15           COUNCILMAN DICICCO: Properly moved  
16 and seconded that Bill No. 040371 be reported  
17 out of Committee with a favorable  
18 recommendation, and the further recommendation  
19 that the Rules of Council be suspended.

20           All those in favor, signify by  
21 saying aye.

22           (Aye.)

23           COUNCILMAN DICICCO: Those opposed?

24           (No response.)

25           COUNCILMAN DICICCO: The bill is



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2       approved.

3           Councilman Ramos.

4           COUNCILMAN RAMOS: Mr. Chairman, I  
5       make a motion that Bill No. 040399 be reported  
6       out of Committee with a favorable  
7       recommendation with a further recommendation  
8       that the Rules of Council be suspended to  
9       allow for first reading at our next Council  
10      Session.

11           (Duly seconded.)

12           COUNCILMAN DICICCO: Properly moved  
13      and seconded that Bill No. 040399 be reported  
14      out of Committee with a favorable  
15      recommendation, and the further recommendation  
16      that the Rules of Council be suspended.

17           All those in favor, signify by  
18      saying aye.

19           (Aye.)

20           COUNCILMAN DICICCO: Those opposed?

21           (No response.)

22           COUNCILMAN DICICCO: The bill is  
23      approved.

24           Councilman Ramos.

25           COUNCILMAN RAMOS: Mr. Chairman, I

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2           make a motion that Bill No. 040425 be reported  
3           out of Committee with a favorable  
4           recommendation with a further recommendation  
5           that the Rules of Council be suspended to  
6           allow for first reading at our next Council  
7           Session.

8                     (Duly seconded.)

9           COUNCILMAN DICICCO: Properly moved  
10          and seconded that Bill No. 040425 be reported  
11          out of Committee with a favorable  
12          recommendation, and the further recommendation  
13          that the Rules of Council be suspended.

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

16                     (Aye.)

17          COUNCILMAN DICICCO: Those opposed?

18                     (No response.)

19          COUNCILMAN DICICCO: The bill is  
20          approved.

21                  Councilman Ramos.

22          COUNCILMAN RAMOS: Mr. Chairman, I  
23          make a motion that Bill No. 040431 be reported  
24          out of Committee with a favorable  
25          recommendation with a further recommendation

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2           that the Rules of Council be suspended to  
3           allow for first reading at our next Council  
4           Session.

5                       (Duly seconded.)

6           COUNCILMAN DICICCO: Properly moved  
7           and seconded that Bill No. 040431 be reported  
8           out of Committee with a favorable  
9           recommendation, and the further recommendation  
10          that the Rules of Council be suspended.

11                  All those in favor, signify by  
12          saying aye.

13                       (Aye.)

14          COUNCILMAN DICICCO: Those opposed?

15                       (No response.)

16          COUNCILMAN DICICCO: The bill is  
17          approved.

18                  Councilman Ramos.

19          COUNCILMAN RAMOS: Mr. Chairman, I  
20          make a motion that Bill No. 040463 be reported  
21          out of Committee with a favorable  
22          recommendation with a further recommendation  
23          that the Rules of Council be suspended to  
24          allow for first reading at our next Council  
25          Session.

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2           (Duly seconded.)

3           COUNCILMAN DICICCO: Properly moved  
4           and seconded that Bill No. 040463 be reported  
5           out of Committee with a favorable  
6           recommendation, and the further recommendation  
7           that the Rules of Council be suspended.

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

10          (Aye.)

11          COUNCILMAN DICICCO: Those opposed?

12          (No response.)

13          COUNCILMAN DICICCO: The bill is  
14          approved.

15          Councilman Ramos.

16          COUNCILMAN RAMOS: Mr. Chairman, I  
17          make a motion that Bill No. 040464 be reported  
18          out of Committee with a favorable  
19          recommendation with a further recommendation  
20          that the Rules of Council be suspended to  
21          allow for first reading at our next Council  
22          Session.

23          (Duly seconded.)

24          COUNCILMAN DICICCO: Properly moved  
25          and seconded that Bill No. 040464 be reported

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2           out of Committee with a favorable  
3           recommendation, and the further recommendation  
4           that the Rules of Council be suspended.

5                   All those in favor, signify by  
6           saying aye.

7                   (Aye.)

8           COUNCILMAN DICICCO: Those opposed?

9                   (No response.)

10          COUNCILMAN DICICCO: The bill is  
11       approved.

12                  Councilman Ramos.

13          COUNCILMAN RAMOS: Mr. Chairman, I  
14       make a motion that Bill No. 040469 be reported  
15       out of Committee with a favorable  
16       recommendation with a further recommendation  
17       that the Rules of Council be suspended to  
18       allow for first reading at our next Council  
19       Session.

20                  (Duly seconded.)

21          COUNCILMAN DICICCO: Properly moved  
22       and seconded that Bill No. 040469 be reported  
23       out of Committee with a favorable  
24       recommendation, and the further recommendation  
25       that the Rules of Council be suspended.

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2           All those in favor, signify by  
3 saying aye.

4           (Aye.)

5           COUNCILMAN DICICCO: Those opposed?

6           (No response.)

7           COUNCILMAN DICICCO: The bill is  
8 approved.

9           Councilman Ramos.

10          COUNCILMAN RAMOS: Mr. Chairman, I  
11 make a motion that an amendment to Bill No.  
12 040471 be approved.

13          (Duly seconded.)

14          COUNCILMAN DICICCO: Properly moved  
15 and second that Bill No. 040471 be amended.

16          All those in favor, signify by  
17 saying aye.

18          (Aye.)

19          COUNCILMAN DICICCO: Those opposed?

20          (No response.)

21          COUNCILMAN DICICCO: The bill is  
22 amended.

23          Councilman Ramos.

24          COUNCILMAN RAMOS: Mr. Chairman, I  
25 make a motion that Bill No. 040471, as

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2           amended, be reported out of Committee with a  
3           favorable recommendation with a further  
4           recommendation that the Rules of Council be  
5           suspended to allow for first reading at our  
6           next Council Session.

7                       (Duly seconded.)

8           COUNCILMAN DICICCO: Properly moved  
9           and seconded that Bill No. 040471, as amended,  
10          be reported out of Committee with a favorable  
11          recommendation, and the further recommendation  
12          that the Rules of Council be suspended.

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

15                       (Aye.)

16          COUNCILMAN DICICCO: Those opposed?

17                       (No response.)

18          COUNCILMAN DICICCO: The bill is  
19          approved.

20                  Councilman Ramos.

21          COUNCILMAN RAMOS: Mr. Chairman, I  
22          make a motion that Bill No. 040497 be reported  
23          out of Committee with a favorable  
24          recommendation with a further recommendation  
25          that the Rules of Council be suspended to

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2           allow for first reading at our next Council  
3           Session.

4                     (Duly seconded.)

5           COUNCILMAN DICICCO: Properly moved  
6           and seconded that Bill No. 040497 be reported  
7           out of Committee with a favorable  
8           recommendation, and the further recommendation  
9           that the Rules of Council be suspended.

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

12                    (Aye.)

13           COUNCILMAN DICICCO: Those opposed?

14                    (No response.)

15           COUNCILMAN DICICCO: The bill is  
16           approved.

17                    Councilman Ramos.

18           COUNCILMAN RAMOS: Mr. Chairman, I  
19           make a motion that Bill No. 040499 be reported  
20           out of Committee with a favorable  
21           recommendation with a further recommendation  
22           that the Rules of Council be suspended to  
23           allow for first reading at our next Council  
24           Session.

25                    (Duly seconded.)



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2           COUNCILMAN DICICCO: Properly moved  
3           and seconded that Bill No. 040499 be reported  
4           out of Committee with a favorable  
5           recommendation, and the further recommendation  
6           that the Rules of Council be suspended.

7           All those in favor, signify by  
8           saying aye.

9           (Aye.)

10          COUNCILMAN DICICCO: Those opposed?

11          (No response.)

12          COUNCILMAN DICICCO: The bill is  
13          approved.

14          Councilman Ramos.

15          COUNCILMAN RAMOS: Mr. Chairman, I  
16          make a motion that Bill No. 040502 be reported  
17          out of Committee with a favorable  
18          recommendation with a further recommendation  
19          that the Rules of Council be suspended to  
20          allow for first reading at our next Council  
21          Session.

22          (Duly seconded.)

23          COUNCILMAN DICICCO: Properly moved  
24          and seconded that Bill No. 040502 be reported  
25          out of Committee with a favorable

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2           recommendation, and the further recommendation  
3           that the Rules of Council be suspended.

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

6                   (Aye.)

7           COUNCILMAN DICICCO: Those opposed?

8                   (No response.)

9           COUNCILMAN DICICCO: The bill is  
10          approved.

11                   Councilman Ramos.

12           COUNCILMAN RAMOS: Mr. Chairman, I  
13          make a motion that Bill No. 040503 be reported  
14          out of Committee with a favorable  
15          recommendation with a further recommendation  
16          that the Rules of Council be suspended to  
17          allow for first reading at our next Council  
18          Session.

19                   (Duly seconded.)

20           COUNCILMAN DICICCO: Properly moved  
21          and seconded that Bill No. 040503 be reported  
22          out of Committee with a favorable  
23          recommendation, and the further recommendation  
24          that the Rules of Council be suspended.

25                   All those in favor, signify by

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2           saying aye.

3           (Aye.)

4           COUNCILMAN DICICCO: Those opposed?

5           (No response.)

6           COUNCILMAN DICICCO: The bill is  
7           approved.

8           Councilman Ramos.

9           COUNCILMAN RAMOS: Mr. Chairman, I  
10          make a motion that Bill No. 040504 be reported  
11          out of Committee with a favorable  
12          recommendation with a further recommendation  
13          that the Rules of Council be suspended to  
14          allow for first reading at our next Council  
15          Session.

16          (Duly seconded.)

17          COUNCILMAN DICICCO: Properly moved  
18          and seconded that Bill No. 040504 be reported  
19          out of Committee with a favorable  
20          recommendation, and the further recommendation  
21          that the Rules of Council be suspended.

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

24          (Aye.)

25          COUNCILMAN DICICCO: Those opposed?

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2           (No response.)

3           COUNCILMAN DICICCO: The bill is  
4 approved.

5           Councilman Ramos.

6           COUNCILMAN RAMOS: Mr. Chairman, I  
7 make a motion that Bill No. 040505 be reported  
8 out of Committee with a favorable  
9 recommendation with a further recommendation  
10 that the Rules of Council be suspended to  
11 allow for first reading at our next Council  
12 Session.

13           (Duly seconded.)

14           COUNCILMAN DICICCO: Properly moved  
15 and seconded that Bill No. 040505 be reported  
16 out of Committee with a favorable  
17 recommendation, and the further recommendation  
18 that the Rules of Council be suspended.

19           All those in favor, signify by  
20 saying aye.

21           (Aye.)

22           COUNCILMAN DICICCO: Those opposed?

23           (No response.)

24           COUNCILMAN DICICCO: The bill is  
25 approved.

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2           Councilman Ramos.

3           COUNCILMAN RAMOS: Mr. Chairman, I  
4           make a motion that Bill No. 040507 be reported  
5           out of Committee with a favorable  
6           recommendation with a further recommendation  
7           that the Rules of Council be suspended to  
8           allow for first reading at our next Council  
9           Session.

10          (Duly seconded.)

11          COUNCILMAN DICICCO: Properly moved  
12          and seconded that Bill No. 040507 be reported  
13          out of Committee with a favorable  
14          recommendation, and the further recommendation  
15          that the Rules of Council be suspended.

16          All those in favor, signify by  
17          saying aye.

18          (Aye.)

19          COUNCILMAN DICICCO: Those opposed?

20          (No response.)

21          COUNCILMAN DICICCO: The bill is  
22          approved.

23          Councilman Ramos.

24          COUNCILMAN RAMOS: Mr. Chairman, I  
25          make a motion that Bill No. 040509 be reported

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2           out of Committee with a favorable  
3           recommendation with a further recommendation  
4           that the Rules of Council be suspended to  
5           allow for first reading at our next Council  
6           Session.

7                       (Duly seconded.)

8           COUNCILMAN DICICCO: Properly moved  
9           and seconded that Bill No. 040509 be reported  
10          out of Committee with a favorable  
11          recommendation, and the further recommendation  
12          that the Rules of Council be suspended.

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

15                       (Aye.)

16          COUNCILMAN DICICCO: Those opposed?

17                       (No response.)

18          COUNCILMAN DICICCO: The bill is  
19          approved.

20                  Councilman Ramos.

21          COUNCILMAN RAMOS: Mr. Chairman, I  
22          make a motion that Bill No. 040510 be reported  
23          out of Committee with a favorable  
24          recommendation with a further recommendation  
25          that the Rules of Council be suspended to

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2           allow for first reading at our next Council  
3           Session.

4                   (Duly seconded.)

5           COUNCILMAN DICICCO: Properly moved  
6           and seconded that Bill No. 040510 be reported  
7           out of Committee with a favorable  
8           recommendation, and the further recommendation  
9           that the Rules of Council be suspended.

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

12                   (Aye.)

13           COUNCILMAN DICICCO: Those opposed?

14                   (No response.)

15           COUNCILMAN DICICCO: The bill is  
16           approved.

17                  Councilman Ramos.

18           COUNCILMAN RAMOS: Mr. Chairman, I  
19           make a motion that Bill No. 040511 be reported  
20           out of Committee with a favorable  
21           recommendation with a further recommendation  
22           that the Rules of Council be suspended to  
23           allow for first reading at our next Council  
24           Session.

25                   (Duly seconded.)

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2           COUNCILMAN DICICCO: Properly moved  
3           and seconded that Bill No. 040511 be reported  
4           out of Committee with a favorable  
5           recommendation, and the further recommendation  
6           that the Rules of Council be suspended.

7           All those in favor, signify by  
8           saying aye.

9           (Aye.)

10          COUNCILMAN DICICCO: Those opposed?

11          (No response.)

12          COUNCILMAN DICICCO: The bill is  
13          approved.

14          Councilman Ramos.

15          COUNCILMAN RAMOS: Mr. Chairman, I  
16          make a motion that Bill No. 040512 be reported  
17          out of Committee with a favorable  
18          recommendation with a further recommendation  
19          that the Rules of Council be suspended to  
20          allow for first reading at our next Council  
21          Session.

22          (Duly seconded.)

23          COUNCILMAN DICICCO: Properly moved  
24          and seconded that Bill No. 040512 be reported  
25          out of Committee with a favorable



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2           recommendation, and the further recommendation  
3           that the Rules of Council be suspended.

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

6                   (Aye.)

7           COUNCILMAN DICICCO: Those opposed?

8                   (No response.)

9           COUNCILMAN DICICCO: The bill is  
10          approved.

11                   Councilman Ramos.

12           COUNCILMAN RAMOS: Mr. Chairman, I  
13          make a motion that Bill No. 040513 be reported  
14          out of Committee with a favorable  
15          recommendation with a further recommendation  
16          that the Rules of Council be suspended to  
17          allow for first reading at our next Council  
18          Session.

19                   (Duly seconded.)

20           COUNCILMAN DICICCO: Properly moved  
21          and seconded that Bill No. 040513 be reported  
22          out of Committee with a favorable  
23          recommendation, and the further recommendation  
24          that the Rules of Council be suspended.

25                   All those in favor, signify by

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2           saying aye.

3           (Aye.)

4           COUNCILMAN DICICCO: Those opposed?

5           (No response.)

6           COUNCILMAN DICICCO: The bill is  
7           approved.

8           Councilman Ramos.

9           COUNCILMAN RAMOS: Mr. Chairman, I  
10          make a motion that Bill No. 040515 be reported  
11          out of Committee with a favorable  
12          recommendation with a further recommendation  
13          that the Rules of Council be suspended to  
14          allow for first reading at our next Council  
15          Session.

16          (Duly seconded.)

17          COUNCILMAN DICICCO: Properly moved  
18          and seconded that Bill No. 040515 be reported  
19          out of Committee with a favorable  
20          recommendation, and the further recommendation  
21          that the Rules of Council be suspended.

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

24          (Aye.)

25          COUNCILMAN DICICCO: Those opposed?

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2           (No response.)

3           COUNCILMAN DICICCO: The bill is  
4 approved.

5           Councilman Ramos.

6           COUNCILMAN RAMOS: Mr. Chairman, I  
7 make a motion that Bill No. 040516 be reported  
8 out of Committee with a favorable  
9 recommendation with a further recommendation  
10 that the Rules of Council be suspended to  
11 allow for first reading at our next Council  
12 Session.

13           (Duly seconded.)

14           COUNCILMAN DICICCO: Properly moved  
15 and seconded that Bill No. 040516 be reported  
16 out of Committee with a favorable  
17 recommendation, and the further recommendation  
18 that the Rules of Council be suspended.

19           All those in favor, signify by  
20 saying aye.

21           (Aye.)

22           COUNCILMAN DICICCO: Those opposed?

23           (No response.)

24           COUNCILMAN DICICCO: The bill is  
25 approved.

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2           Councilman Ramos.

3           COUNCILMAN RAMOS: Mr. Chairman, I  
4           make a motion that Bill No. 040517 be reported  
5           out of Committee with a favorable  
6           recommendation with a further recommendation  
7           that the Rules of Council be suspended to  
8           allow for first reading at our next Council  
9           Session.

10          (Duly seconded.)

11          COUNCILMAN DICICCO: Properly moved  
12          and seconded that Bill No. 040517 be reported  
13          out of Committee with a favorable  
14          recommendation, and the further recommendation  
15          that the Rules of Council be suspended.

16          All those in favor, signify by  
17          saying aye.

18          (Aye.)

19          COUNCILMAN DICICCO: Those opposed?

20          (No response.)

21          COUNCILMAN DICICCO: The bill is  
22          approved.

23          Councilman Ramos.

24          COUNCILMAN RAMOS: Mr. Chairman, I  
25          make a motion that Bill No. 040518 be reported

1           05/26/04 - STREETS - PUBLIC MEETING

2           out of Committee with a favorable  
3           recommendation with a further recommendation  
4           that the Rules of Council be suspended to  
5           allow for first reading at our next Council  
6           Session.

7                       (Duly seconded.)

8           COUNCILMAN DICICCO: Properly moved  
9           and seconded that Bill No. 040518 be reported  
10          out of Committee with a favorable  
11          recommendation, and the further recommendation  
12          that the Rules of Council be suspended.

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

15                       (Aye.)

16          COUNCILMAN DICICCO: Those opposed?

17                       (No response.)

18          COUNCILMAN DICICCO: The bill is  
19          approved.

20                  Councilman Ramos.

21          COUNCILMAN RAMOS: Mr. Chairman, I  
22          make a motion that Bill No. 040522 be reported  
23          out of Committee with a favorable  
24          recommendation with a further recommendation  
25          that the Rules of Council be suspended to

1           05/26/04 - STREETS - PUBLIC MEETING

2           allow for first reading at our next Council  
3           Session.

4                   (Duly seconded.)

5           COUNCILMAN DICICCO: Properly moved  
6           and seconded that Bill No. 040522 be reported  
7           out of Committee with a favorable  
8           recommendation, and the further recommendation  
9           that the Rules of Council be suspended.

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

12                   (Aye.)

13           COUNCILMAN DICICCO: Those opposed?

14                   (No response.)

15           COUNCILMAN DICICCO: The bill is  
16           approved.

17                  Councilman Ramos.

18           COUNCILMAN RAMOS: Mr. Chairman, I  
19           make a motion that Bill No. 040523 be reported  
20           out of Committee with a favorable  
21           recommendation with a further recommendation  
22           that the Rules of Council be suspended to  
23           allow for first reading at our next Council  
24           Session.

25                   (Duly seconded.)

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2           COUNCILMAN DICICCO: Properly moved  
3           and seconded that Bill No. 040523 be reported  
4           out of Committee with a favorable  
5           recommendation, and the further recommendation  
6           that the Rules of Council be suspended.

7           All those in favor, signify by  
8           saying aye.

9           (Aye.)

10          COUNCILMAN DICICCO: Those opposed?

11          (No response.)

12          COUNCILMAN DICICCO: The bill is  
13          approved.

14          Councilman Ramos.

15          COUNCILMAN DICICCO: For the record

16          I want, to go back to Bill 040497.

17          Councilmember Rizzo wishes to be cast as a no  
18          vote on that bill.

19          I thank the Committee. Thank you  
20          for your patience and today in attending this  
21          hearing.

22          Again, I want to remind you, the  
23          Committee is recessed until 11:00 a.m. this  
24          Friday, the 28th of May. Thank you.

25          (Council adjourned at 5:00 p.m.)

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

I HEREBY CERTIFY that the foregoing  
proceedings of the Council of the City of  
Philadelphia of Wednesday, May 26, 2004, were  
reported fully and accurately by me, and that  
this is a correct transcript of the same.

RE: COMMITTEE ON STREETS AND SERVICES

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Lisa C. Bradley, RPR