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COUNCIL OF THE CITY OF PHILADELPHIA

3

STATED MEETING

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Room 696, City Hall
Philadelphia, Pennsylvania
Thursday, September 18, 2003
10:30 a.m.

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PRESENT:

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COUNCIL PRESIDENT ANNA C. VERNA

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COUNCILWOMAN JANNIE BLACKWELL

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COUNCILMAN DARRELL L. CLARKE

COUNCILMAN FRANK J. DICICCO

13

COUNCILMAN W. WILSON GOODE, JR.

COUNCILMAN JAMES F. KENNEY

14

COUNCILWOMAN JOAN L. KRAJEWSKI

COUNCILMAN RICHARD T. MARIANO

15

COUNCILMAN MICHAEL A. NUTTER

COUNCILMAN BRIAN J. O'NEILL

16

COUNCILMAN ANGEL L. ORTIZ

COUNCILMAN RICHARD T. MARIANO

17

COUNCILWOMAN DONNA REED MILLER

COUNCILWOMAN BLONDELL REYNOLDS BROWN

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COUNCILMAN FRANK RIZZO

COUNCILWOMAN MARIAN B. TASCO

19

PATRICIA RAFFERTY, CHIEF CLERK

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1 091803 - STATED - INVOCATION

2 COUNCIL PRESIDENT VERNA: I note that
3 the hour has come and that a quorum of this Council
4 is present. Council will please come to order.
5 Members will take their seats.

6 To give our invocation this morning, the
7 Chair welcomes the Reverend Martin Shaw, Pastor of
8 the African Episcopal Church of St. Thomas. He is
9 here today as the guest of Councilman Nutter.

10 All members and guests will please rise.

11 REVEREND SHAW: As we begin this meeting
12 of the Philadelphia City Council, we ask God's
13 blessing upon this time together. Let us pray.

14 Oh, God, our help in ages past, our hope
15 for years to come, be thou our God while life shall
16 last in our eternal home.

17 We thank you, oh, God, for this day and
18 for all the blessings that you have bestowed upon
19 us, your people. We ask thy continual blessing upon
20 this City, those who reside in this City, our Mayor,
21 and those who serve in this Council. Send forth
22 upon this Council the spirit of compassion, the
23 spirit of truth, the spirit of integrity, the spirit
24 of love, the spirit of hope, the spirit of vision,
25 the spirit of wisdom, the spirit of charity, and the

1 091803 - STATED - APPROVAL OF JOURNAL
2 spirit of justice, that with steadfast purpose it
3 may continue faithfully to serve and promote the
4 well-being of your people. We ask this in the name
5 of God the Father, God the Son, God the Holy Spirit.
6 Amen.

7 COUNCIL PRESIDENT Verna: The Chair
8 thanks Reverend Shaw for his very inspiring
9 invocation.

10 (Council at ease.)

11 COUNCIL PRESIDENT Verna: The next order
12 of business is the approval of the Journal of the
13 meeting of September 11, 2003.

14 And the Chair recognizes Councilwoman
15 Blackwell.

16 COUNCILWOMAN BLACKWELL: Thank you,
17 Madam President. I move that the Journal of the
18 meeting of September 11, 2003, stand approved.

19 (Duly seconded.)

20 COUNCIL PRESIDENT Verna: It has been
21 moved and properly seconded that the Journal of the
22 meeting of Thursday, September 11, 2003, stand
23 approved.

24 All in favor will indicate by saying
25 aye.

1 091803 - STATED - LEAVES OF ABSENCE

2 (Aye.)

3 COUNCIL PRESIDENT Verna: Those opposed?

4 (No response.)

5 COUNCIL PRESIDENT Verna: The ayes have
6 it. The motion carries. The Journal of the meeting
7 of Thursday, September 11, 2003, is approved.

8 The next order of business is requests
9 for leaves of absence.

10 The Chair recognizes Councilwoman
11 Blackwell.

12 COUNCILWOMAN BLACKWELL: Thank you,
13 Madam President. On behalf of the Majority, there
14 are no requests for leaves of absence.

15 COUNCIL PRESIDENT Verna: The Chair
16 thanks the Councilwoman.

17 The Chair recognizes Councilman O'Neill.

18 COUNCILMAN O'NEILL: Madam President,
19 there are no requests for leaves of absence on
20 behalf of the Republicans.

21 COUNCIL PRESIDENT Verna: The Chair
22 thanks the gentleman.

23 The Chair will dispense with the regular
24 the order of business to recognize the guests and
25 visitors joining us in Chambers this morning. On

1 091803 - STATED - COMMUNICATIONS

2 behalf of all Members of City Council, I welcome you
3 to this Council Session. We appreciate your taking
4 the time to join us as we attend to the legislative
5 affairs of our City. We certainly invite you to
6 come again.

7 The next order business is
8 communications. The Chair requests that the
9 Sergeant-at-Arms deliver the messages from the Mayor
10 to the Clerk.

11 The Clerk will please read the messages
12 from the Mayor.

13 THE CLERK: To the President and Members
14 of the Council of the City of Philadelphia, I am
15 pleased to advise you that on September 17, 2003, I
16 signed Bill No. 030342 that was passed by Council at
17 its Session on September 11, 2003.

18 And in accordance with the provisions of
19 Section 4-101 of the Philadelphia Home Rule Charter,
20 I am pleased to transmit an amendment to FY 2004
21 Capital Budget to include Section 2, General
22 Provisions.

23 COUNCIL PRESIDENT VERNA: Thank you.
24 The messages will be printed in the Journal.

25 The Clerk will please read any other

1 091803 - STATED - INTRO. OF BILLS & RESOLUTIONS

2 communications in her possession.

3 THE CLERK: That's all I have, Madam
4 President.

5 COUNCIL PRESIDENT Verna: Thank you.

6 The next order of business is the
7 introduction of bills and resolutions.

8 The Chair recognizes Councilwoman
9 Blackwell for a motion.

10 COUNCILWOMAN BLACKWELL: Thank you,
11 Madam President. I move that the Rules of Council
12 be suspended so as to permit immediate consideration
13 of resolutions at their time of introduction.

14 (Duly seconded.)

15 COUNCIL PRESIDENT Verna: It has been
16 moved and properly seconded that the Rules of
17 Council be suspended so as to permit immediate
18 consideration of resolutions at the time of
19 introduction.

20 All in favor of the motion will indicate
21 by saying aye.

22 (Aye.)

23 COUNCIL PRESIDENT Verna: Those opposed?

24 (No response.)

25 COUNCIL PRESIDENT Verna: The ayes have

1 091803 - STATED - INTRO. OF BILLS & RESOLUTIONS

2 it and the motion carries.

3 The Chair recognizes Councilman Kenney.

4 COUNCILMAN KENNEY: Thank you, Madam
5 President. I offer one resolution and one bill on
6 behalf of myself, Councilman DiCicco, and Councilman
7 Ortiz.

8 COUNCIL PRESIDENT VERNA: Thank you.

9 The Clerk will please read the title of
10 the bill.

11 THE CLERK: An ordinance amending Title
12 22 of the Philadelphia Code, entitled "Public
13 Employees Retirement Code," by amending Chapter
14 22-300, entitled "Retirement Benefits," by providing
15 for the discontinuation of the existing test,
16 Deferred Retired Option Plan, DROP, and by providing
17 for a new test DROP, all under certain terms and
18 conditions.

19 COUNCIL PRESIDENT VERNA: The bill will
20 be referred to the appropriate committee.

21 The Clerk will please read the title of
22 the resolution.

23 THE CLERK: A resolution calling upon
24 the Board of the Philadelphia Industrial Development
25 Corporation to explore changing its name to the

1 091803 - STATED - INTRO. OF BILLS & RESOLUTIONS

2 Philadelphia Economic Development Corporation.

3 COUNCIL PRESIDENT VERNA: The Chair
4 recognizes Councilman Kenney.

5 COUNCILMAN KENNEY: Move the adoption of
6 the resolution.

7 (Duly seconded.)

8 COUNCIL PRESIDENT VERNA: It has been
9 moved and seconded that the resolution be adopted.

10 All in favor will say aye.

11 (Aye.)

12 COUNCIL PRESIDENT VERNA: Those opposed?

13 (No response.)

14 COUNCIL PRESIDENT VERNA: The ayes have
15 it and the resolution has been adopted.

16 The Chair recognizes Councilwoman
17 Blackwell.

18 COUNCILWOMAN BLACKWELL: Thank you,
19 Madam President. This morning, I introduce one bill
20 and two resolutions.

21 COUNCIL PRESIDENT VERNA: The Clerk will
22 please read the title of the bill.

23 THE CLERK: An ordinance amending Bill
24 No. 030003, entitled an Ordinance to adopt the
25 Fiscal 2004 Capital Budget by providing for certain

1 091803 - STATED - INTRO. OF BILLS & RESOLUTIONS
2 terms and conditions relating to the 2004 Capital
3 Budget.

4 COUNCIL PRESIDENT Verna: The bill will
5 be referred to the appropriate committee.

6 THE CLERK: And a resolution authorizing
7 the Commissioner of Public Property to execute and
8 deliver to the redevelopment authority deeds located
9 in the 6th and 51st Wards of the City of
10 Philadelphia.

11 COUNCIL PRESIDENT Verna: The Chair
12 recognizes Councilwoman Blackwell.

13 COUNCILWOMAN BLACKWELL: Thank you,
14 Madam President. I move for the adoption.

15 (Duly seconded.)

16 COUNCIL PRESIDENT Verna: It has been
17 moved and seconded that the resolution be adopted.

18 All in favor of the adoption of the
19 resolution will signify by saying aye.

20 (Aye.)

21 COUNCIL PRESIDENT Verna: Those opposed?

22 (No response.)

23 COUNCIL PRESIDENT Verna: The ayes have
24 it, and the resolution has been adopted.

25 The Clerk will please read the title of

1 091803 - STATED - INTRO. OF BILLS & RESOLUTIONS
2 the next resolution.

3 THE CLERK: A resolution authorizing the
4 Commissioner of Public Property to execute and
5 deliver to the Redevelopment Authority of the City
6 deeds located in the 27th and 51st Wards of the City
7 of Philadelphia.

8 COUNCIL PRESIDENT Verna: The Chair
9 recognizes Councilwoman Blackwell.

10 COUNCILWOMAN BLACKWELL: I move for the
11 adoption.

12 (Duly seconded.)

13 COUNCIL PRESIDENT Verna: It has been
14 moved and seconded.

15 All in favor of the adoption of the
16 resolution will signify by saying aye.

17 (Aye.)

18 COUNCIL PRESIDENT Verna: Those opposed?

19 (No response.)

20 COUNCIL PRESIDENT Verna: The ayes have
21 it and the resolution has been adopted.

22 The Chair recognizes Councilman Cohen.

23 COUNCILMAN COHEN: Madam President, I
24 have no bills or resolutions.

25 COUNCIL PRESIDENT Verna: The Chair

1 091803 - STATED - INTRO. OF BILLS & RESOLUTIONS

2 thanks the gentleman.

3 The Chair recognizes Councilwoman
4 Krajewski.

5 COUNCILWOMAN KRAJEWSKI: Thank you,
6 Madam President. I offer one resolution.

7 COUNCIL PRESIDENT Verna: The Clerk will
8 please read the title of the resolution.

9 THE CLERK: A resolution recognizing
10 September 2003 as Childhood Cancer Awareness Month
11 and proclaim September 27, 2003, as Gold Ribbon Day
12 in honor of childhood cancer patients, caregivers,
13 survivors, and those children who have succumbed to
14 the disease.

15 COUNCIL PRESIDENT Verna: The Chair
16 recognizes Councilwoman Krajewski.

17 COUNCILWOMAN KRAJEWSKI: Move for the
18 adoption of the resolution.

19 (Duly seconded.)

20 COUNCIL PRESIDENT Verna: All in favor
21 of the adoption of the resolution will signify by
22 saying aye.

23 (Aye.)

24 COUNCIL PRESIDENT Verna: Those opposed?

25 (No response.)

1 091803 - STATED - INTRO. OF BILLS & RESOLUTIONS

2 COUNCIL PRESIDENT Verna: The ayes have
3 it and the resolution has been adopted.

4 The Chair recognizes Councilman Mariano.

5 COUNCILMAN MARIANO: Madam President, I
6 have one resolution.

7 COUNCIL PRESIDENT Verna: The Clerk will
8 please read the title of the resolution.

9 THE CLERK: A resolution authorizing the
10 Commissioner of Public Property to execute and
11 deliver to the Redevelopment Authority of the City
12 deeds located in the 7th, 19th, and 23rd Wards of
13 the City of Philadelphia.

14 COUNCIL PRESIDENT Verna: The Chair
15 recognizes Councilman Mariano.

16 COUNCILMAN MARIANO: Madam President, I
17 move for the adoption.

18 (Duly seconded.)

19 COUNCIL PRESIDENT Verna: It has been
20 moved and seconded that the resolution be adopted.

21 All in favor of the adoption of the
22 resolution will signify by saying aye.

23 (Aye.)

24 COUNCIL PRESIDENT Verna: Those opposed?

25 (No response.)

1 091803 - STATED - INTRO. OF BILLS & RESOLUTIONS

2 COUNCIL PRESIDENT VERNA: The ayes have
3 it and the resolution has been adopted.

4 The Chair recognizes Councilwoman Tasco.

5 COUNCILWOMAN TASCO: Madam President, I
6 have no bills or resolutions today.

7 COUNCIL PRESIDENT VERNA: Thank you.

8 The Chair recognizes Councilwoman
9 Miller.

10 COUNCILWOMAN MILLER: Thank you, Madam
11 President. I have no bills or resolutions today.

12 COUNCIL PRESIDENT VERNA: Thank you.

13 The Chair recognizes Councilman Nutter.

14 COUNCILMAN NUTTER: Thank you, Madam
15 President. I have no bills or resolutions today.

16 COUNCIL PRESIDENT VERNA: The Chair
17 thanks the gentleman.

18 The Chair recognizes Councilwoman Brown.

19 COUNCILWOMAN REYNOLDSS BROWN: Thank
20 you, Madam President. I offer no bills or
21 resolutions this morning.

22 COUNCIL PRESIDENT VERNA: Thank you.

23 The Chair recognizes Councilman Goode.

24 COUNCILMAN GOODE: Thank you, Madam
25 President. I have no bills or resolutions.

1 091803 - STATED - INTRO. OF BILLS & RESOLUTIONS

2 COUNCIL PRESIDENT Verna: The Chair
3 recognizes Councilman Ortiz.

4 COUNCILMAN ORTIZ: Thank you, Madam
5 President. I have no bills or resolutions.

6 COUNCIL PRESIDENT Verna: At this time,
7 the Chair recognizes Councilman DiCicco.

8 COUNCILMAN DICICCO: Thank you, Madam
9 President. I offer three bills and three
10 resolutions.

11 COUNCIL PRESIDENT Verna: The Clerk will
12 please read the title of the first bill.

13 THE CLERK: An ordinance authorizing
14 Neighborhood Improvement District Management
15 Associates to provide for interest to accrue upon
16 assessment fees levied on property owners within a
17 neighborhood improvement district if such fees are
18 not paid when due and authorizing liens to be filed
19 for nonpayment of such interest, all under certain
20 terms and conditions.

21 COUNCIL PRESIDENT Verna: Thank you.
22 This bill will be referred to the appropriate
23 committee.

24 THE CLERK: And an ordinance amending
25 Section 9-602 of the Philadelphia Code, entitled

1 091803 - STATED - INTRO. OF BILLS & RESOLUTIONS
2 "Outdoor Advertising," by adding requirements for
3 the issuance of a license to erect or maintain an
4 outdoor advertising sign.

5 COUNCIL PRESIDENT VERNA: The bill will
6 be referred to the appropriate committee.

7 THE CLERK: And an ordinance amending
8 Title 21 of the Philadelphia Code, entitled
9 "Miscellaneous," by adding provisions requiring the
10 Department of Records to submit an annual report
11 entitled "Philadelphia Regulations Codified."

12 COUNCIL PRESIDENT VERNA: This bill will
13 be referred to the appropriate committee.

14 The Clerk will please read the title of
15 the first resolution.

16 COUNCIL PRESIDENT VERNA: A resolution
17 authorizing the Commissioner of Public Property to
18 execute and deliver to the Redevelopment Authority
19 of the City deeds located in the 5th, 25th, and 39th
20 Wards of the City of Philadelphia.

21 COUNCIL PRESIDENT VERNA: The Chair
22 recognizes Councilman DiCicco.

23 COUNCILMAN DICICCO: Thank you, Madam
24 President. I move for the adoption of the
25 resolution.

1 091803 - STATED - INTRO. OF BILLS & RESOLUTIONS

2 (Duly seconded.)

3 COUNCIL PRESIDENT VERNA: It has been
4 moved and seconded.

5 All in favor of the adoption of the
6 resolution will signify by saying aye.

7 (Aye.)

8 COUNCIL PRESIDENT VERNA: Those opposed?

9 (No response.)

10 COUNCIL PRESIDENT VERNA: The ayes have
11 it, and the resolution is adopted.

12 The Clerk will please read the title of
13 the second resolution.

14 COUNCIL PRESIDENT VERNA: A resolution
15 commending the Friends of William Penn, nonprofit
16 educational society dedicated to reaffirming his
17 holy experiment on the occasion of William Penn's
18 birthday, October 24th.

19 COUNCIL PRESIDENT VERNA: The Chair
20 recognizes Councilman DiCicco.

21 COUNCILMAN DICICCO: Thank you, Madam
22 President. I move for the adoption of the
23 resolution.

24 (Duly seconded.)

25 COUNCIL PRESIDENT VERNA: It has been

1 091803 - STATED - INTRO. OF BILLS & RESOLUTIONS

2 moved and seconded that the resolution be adopted.

3 All in favor will signify by saying aye.

4 (Aye.)

5 COUNCIL PRESIDENT Verna: Those opposed?

6 (No response.)

7 COUNCIL PRESIDENT Verna: The ayes have
8 it and the resolution has been adopted.

9 THE CLERK: And a resolution authorizing
10 the Commissioner of Public Property to execute and
11 deliver to the Redevelopment Authority of the City
12 deeds located in the 39th Ward of the City of
13 Philadelphia.

14 COUNCIL PRESIDENT Verna: The Chair
15 recognizes Councilman DiCicco.

16 COUNCILMAN DICICCO: Thank you, Madam
17 President. I move for the adoption of the
18 resolution.

19 (Duly seconded.)

20 COUNCIL PRESIDENT Verna: It has been
21 moved and seconded that the resolution be adopted.

22 All in favor will signify by saying aye.

23 (Aye.)

24 COUNCIL PRESIDENT Verna: Those opposed?

25 (No response.)

1 091803 - STATED - INTRO. OF BILLS & RESOLUTIONS

2 COUNCIL PRESIDENT Verna: The ayes have
3 it and the resolution is adopted.

4 The Chair recognizes Councilman O'Neill.

5 COUNCILMAN O'NEILL: Madam President, I
6 have no bills or resolutions.

7 COUNCIL PRESIDENT Verna: The Chair
8 thanks the gentleman.

9 The Chair recognizes Councilman Clarke.

10 COUNCILMAN CLARKE: Thank you, Madam
11 President. I introduce three bills, one cosponsored
12 by Donna Miller Reed and myself.

13 COUNCIL PRESIDENT Verna: Thank you.

14 The Clerk will please read the title of
15 the first bill.

16 THE CLERK: An ordinance amending
17 Section 9-206 of the Philadelphia Code, entitled
18 "Designated Neighborhood Business Districts," by
19 adding to a Section C entitled "Germantown Corridor
20 Business District," consisting of the area
21 Germantown Avenue extending south from York Street
22 and north of Butler Street, all under certain terms
23 of conditions.

24 COUNCIL PRESIDENT Verna: The bill will
25 be referred to the appropriate committee.

1 091803 - STATED - REPORTS

2 THE CLERK: And an ordinance granting
3 permission to Lougeswaran Vijayhratnam, owner of the
4 newsstand of the southeast corner of 18th Street and
5 Chestnut Street to construct, use and maintain an
6 electric conduit with an electrical service line and
7 conduit with a service line.

8 COUNCIL PRESIDENT VERNA: This bill
9 referred to the appropriate committee.

10 THE CLERK: And an ordinance amending
11 Title 14 of the Philadelphia Code relating to zoning
12 and planning by amending Chapter 14-1600 entitled
13 "Miscellaneous" by adding a new section entitled
14 "Special Controls for Chestnut Street," under terms
15 and conditions.

16 COUNCIL PRESIDENT VERNA: This bill will
17 be referred to the appropriate committee.

18 The Chair recognizes Councilman Rizzo.

19 COUNCILMAN RIZZO: No bills or
20 resolutions, Madam President.

21 COUNCIL PRESIDENT VERNA: The Chair
22 thanks the gentleman.

23 At this time the Chair recognizes
24 Councilwoman Blackwell for a report from the
25 Committee on Finance.

1 091803 - STATED - SPECIAL BUSINESS

2 COUNCILWOMAN BLACKWELL: Thank you,
3 Madam President. The Committee on Finance reports
4 out one bill with a favorable recommendation.

5 COUNCIL PRESIDENT Verna: The Clerk will
6 please read the report.

7 THE CLERK: To the President and Members
8 of the Council of the City of Philadelphia, the
9 Committee on Finance to which was referred Bill No.
10 03487 entitled an ordinance amending Chapter 19-200
11 of the Philadelphia Code entitled "City Funds,
12 Deposits, Investments and Disbursements" by amending
13 Section 19-201 entitled "City Depositories," by
14 authorizing the City Treasurer to deposit funds in
15 Fleet Bank, under certain terms and conditions;
16 respectfully reports it has considered the same and
17 returns the attached bill to Council with a
18 favorable recommendation.

19 COUNCIL PRESIDENT Verna: Bill No.
20 030487 will be placed on the First Reading Calendar
21 for our next Session of Council.

22 Council will now proceed under a special
23 order of business to the reconsideration of Bill No.
24 030340. This bill was passed by the Council at its
25 June 12, 2003 session and was returned disapproved

1 091803 - STATED - SPECIAL BUSINESS

2 by the Mayor to the last week Session of Council.

3 At this time the Chair recognizes Councilman Nutter.

4 COUNCILMAN NUTTER: Thank you, Madam
5 President. I move that Council reconsider Bill No.
6 030340 which was approved by Council on June 12,
7 2003.

8 COUNCIL PRESIDENT VERNA: Do I hear a
9 second?

10 (Duly seconded.)

11 COUNCIL PRESIDENT VERNA: All of favor,
12 let it be known by saying aye.

13 (Aye.)

14 COUNCIL PRESIDENT VERNA: Those opposed?
15 (No response.)

16 COUNCIL PRESIDENT VERNA: The ayes have
17 it; the motion carries.

18 Council will now reconsider the vote by
19 which Bill No. 030340 was passed. The Chief Clerk
20 will please read the title of the bill.

21 COUNCIL PRESIDENT VERNA: An ordinance
22 amending Title 20 of the Philadelphia Code, entitled
23 "Officers and Employees, by providing for certain
24 health and welfare benefits for pensioned employees,
25 all under certain terms and conditions.

1 091803 - STATED - SPECIAL BUSINESS

2 THE COURT: This bill having been read
3 on two different, was duly approved by City Council
4 on June 12, 2003, and was returned to Council by the
5 Mayor as disapproved at last week's Session of
6 Council. The question is, shall Bill No. 030340
7 pass notwithstanding the Mayor's disapproval?

8 Please note that a vote aye is a vote to
9 override the Mayor's veto. And a vote no is a vote
10 to sustain the mayor's veto.

11 I would ask the Clerk at this time to
12 please call the roll.

13 COUNCILMAN NUTTER: Madam President.

14 COUNCIL PRESIDENT VERNA: Yes. I'm
15 sorry. I didn't see your light on. Councilman
16 Nutter.

17 COUNCILMAN NUTTER: Thank you, Madam
18 President. I will be brief. Madam President, while
19 we call it a bill, this is not a story just about a
20 bill or some general matter of public policy; this
21 is about a person, about a real person with a real
22 life trying to make their way as a retired public
23 servant. It's about a person who gave 18 and a half
24 years of their time and their duty to this
25 government. It's a person that has a superior work

1 091803 - STATED - SPECIAL BUSINESS

2 record in this government. And through no fault of
3 her own, having served in this government with
4 distinction, is now faced with the prospect of being
5 treated very differently than many other public
6 employees, whether they are Civil Service or even in
7 the exempt class. And I just want to put on the
8 record, Madam President, a couple of facts in this
9 particular situation.

10 Ms. Libby Blackman -- I had asked you to
11 think about this as the Members consider their vote
12 -- who happens to be here with us today to see what
13 is going to happen with her life here in her
14 government is sitting in the audience and wrote to
15 me and I think wrote to other members. But her
16 letter says a great deal, while it is brief. And
17 she writes:

18 "Dear Councilman Nutter, this Thursday,
19 September 18th, you will be asked to reconsider the
20 Mayor's veto of Bill 030340. In June City Council
21 passed this bill unanimously. At that time I
22 thanked each of you for your help. Bill 030340 was
23 an effort to create equity between Civil Service
24 employees and exempt employees at minimal cost to
25 the City.

1 091803 - STATED - SPECIAL BUSINESS

2 "The facts of my case remain simple.

3 One, I started at the Free Library in 1974 and
4 worked for 14 1/2 years. In 1989, I became a
5 registered nurse and worked as a visiting nurse for
6 10 years in a non-profit agency. During the 10
7 years, I left my pension with the City and was an
8 AFSCME member throughout both careers. I returned
9 to City Government at the library in 1998 for 4 1/2
10 before retiring in 2002. My Civil Service rating
11 were all superior or outstanding. Currently, I'm
12 denied the five years of continued health benefits
13 for me and my son because I did not work a full 10
14 years before returning to the library. My pension,
15 however, is based on my 18 1/2 years of service to
16 the City. Had I done my career sequence in reverse,
17 for example, worked 4 and a half years, left to
18 become a registered nurse and returned for 14 and a
19 half years, I would be eligible for these same
20 benefits without question.

21 "Voting to override the veto of Bill
22 030340 will restore fairness in applying the time
23 and benefits to Civil Service employees. This bill
24 will affect, in reality, very few employees. But
25 the issue of establishing a fair, consistent policy

1 091803 - STATED - SPECIAL BUSINESS

2 is significant.

3 Thank you for your consideration.

4 Sincerely yours, Libby Blackman."

5 The issue here, Madam President is one
6 in which exempt employees are not required to have
7 their 10 years of service continuous directly before
8 becoming a pensioned employee. The can leave the
9 government, come back to the government, leave the
10 government again and come back, and as long as they
11 have 10 years of service, they receive the five
12 years of health benefit. The only thing Ms.
13 Blackman did is work 14 1/2 years, go and have a
14 different type of career to offer her services, her
15 talents, her time to another group of people, come
16 back for 4 years with the City and somehow under the
17 most bizarre set of circumstances for health
18 benefits purposes is only considered a four-year
19 employee while the pension system bases her pension
20 on 18 1/2 years of service.

21 The Administrative Board which governs
22 the administrative and executive branch exempt
23 employees changed this particular rule in 2000, such
24 that exempt employees only have to have 10 years of
25 credited service. It does not have to be continuous

1 091803 - STATED - SPECIAL BUSINESS

2 before retirement. And so there is an inequity
3 here. And I think that this Council has, not only
4 the opportunity, but I believe the responsibility to
5 right this wrong. Ms. Blackman deserves the five
6 years of health care service. Any of us who served
7 more than 10 years and certainly anyone who served
8 18 1/2 years deserves this particular benefit. And
9 I ask my colleagues to vote yes on this particular
10 bill and reestablish some sense of justice and
11 fairness in this particular system. Thank you,
12 Madam President.

13 COUNCIL PRESIDENT VERNA: Thank you.
14 The Chair recognizes Councilman Cohen.

15 COUNCILMAN COHEN: Thank you, Madam
16 President. I speak in support of the very eloquent
17 statement just made by Councilman Nutter. It seems
18 to me that that's the purpose of a legislative body,
19 to correct injustices when they occur. For the City
20 Civil Service Commission to correct this injustice,
21 they have to change the whole rule. City Council
22 doesn't have to change the rule. We want to steady
23 it because it seems as if the rule may itself be
24 totally unfair. But one thing is very clear, in
25 this case, it works extremely unfairly and unjustly

1 091803 - STATED - SPECIAL BUSINESS

2 and I think makes Philadelphia a laughing stock to
3 say somebody with 18 1/2 years of service is not
4 entitled to the health benefits that most 10-year
5 employees would get. Therefore, I think it's our
6 duty to act to correct this injustice and I
7 overwhelmingly support the idea of a change. I hope
8 in the meantime the Civil Service Commission
9 re-studies the whole thing and corrects it so that
10 this will never happen again.

11 Thank you, Madam President.

12 COUNCIL PRESIDENT Verna: Thank you.

13 I would like, again, reiterate that an
14 aye is a vote to override the Mayor's veto and a no
15 vote is to sustain the Mayor's veto.

16 The Clerk will please call the roll.

17 THE CLERK: Councilwoman Blackwell.

18 COUNCILWOMAN BLACKWELL: Aye.

19 THE CLERK: Councilman Clarke.

20 COUNCILMAN CLARKE: Aye.

21 THE CLERK: Councilman Cohen.

22 COUNCILMAN COHEN: Aye.

23 THE CLERK: Councilman DiCicco.

24 COUNCILMAN DICICCO: Aye.

25 THE CLERK: Councilman Goode.

1 091803 - STATED - SPECIAL BUSINESS
2 COUNCILMAN GOODE: Aye.
3 THE CLERK: Councilman Kenney.
4 COUNCILMAN KENNEY: Aye.
5 THE CLERK: Councilwoman Krajewski.
6 COUNCILWOMAN KRAJEWSKI: Aye.
7 THE CLERK: Councilman Mariano.
8 COUNCILMAN MARIANO: Aye.
9 THE CLERK: Councilwoman Miller.
10 COUNCILWOMAN MILLER: Aye.
11 THE CLERK: Councilman Nutter.
12 COUNCILMAN NUTTER: Aye.
13 THE CLERK: Councilman O'Neill.
14 COUNCILMAN O'NEILL: Aye.
15 THE CLERK: Councilman Ortiz.
16 COUNCILMAN ORTIZ: Aye.
17 THE CLERK: Councilwoman Reynolds Brown.
18 COUNCILWOMAN REYNOLDS BROWN: Aye.
19 THE CLERK: Councilman Rizzo.
20 COUNCILMAN RIZZO: Aye.
21 THE CLERK: Councilwoman Tasco.
22 COUNCILWOMAN TASCO: Aye.
23 THE CLERK: Council President Verna.
24 COUNCIL PRESIDENT VERNA: Aye.
25 The ayes are 16, the nays are 0. A

1 091803 - STATED - 2ND READING & FINAL PASSAGE
2 two-thirds majority of all Members of Council having
3 voted in the affirmative, the Mayor's veto is
4 overridden.

5 (Applause.)

6 COUNCIL PRESIDENT VERNA: Our next item
7 of business is the consideration of the Calendar.
8 There are no bills on the First Reading Calendar.
9 Therefore, the Chair now recognizes Councilwoman
10 Blackwell for the purpose of calling up the bills on
11 the Second Reading and Final Passage Calendar to be
12 considered today.

13 COUNCILWOMAN BLACKWELL: Thank you,
14 Madam President. Today, Bill No. 030222AA is being
15 called up for second reading and final passage. All
16 other bills are being held.

17 COUNCIL PRESIDENT VERNA: Thank you.

18 The Clerk will please read the title of
19 Bill No. 030222AA.

20 THE CLERK: An ordinance creating the
21 Progress Plaza Tax Increment Financing District
22 being the area generally bounded by Broad Street on
23 the west, Oxford Street on the north, 3th Street on
24 the east, and Jefferson Street on the south, and do
25 all things necessary to carry out the intent of this

1 091803 - STATED - 2ND READING & FINAL PASSAGE

2 ordinance.

3 COUNCIL PRESIDENT Verna: This bill
4 having been read on two different days, the question
5 now is shall the bill pass finally?

6 The Clerk will please call the roll.

7 THE CLERK: Councilwoman Blackwell.

8 COUNCILWOMAN BLACKWELL: Aye.

9 THE CLERK: Councilman Clarke.

10 COUNCILMAN CLARKE: Aye.

11 THE CLERK: Councilman Cohen.

12 COUNCILMAN COHEN: Aye.

13 THE CLERK: Councilman DiCicco.

14 COUNCILMAN DICICCO: Aye.

15 THE CLERK: Councilman Goode.

16 COUNCILMAN GOODE: Aye.

17 THE CLERK: Councilman Kenney.

18 COUNCILMAN KENNEY: Aye.

19 THE CLERK: Councilwoman Krajewski.

20 COUNCILWOMAN KRAJEWSKI: Aye.

21 THE CLERK: Councilman Mariano.

22 COUNCILMAN MARIANO: Aye.

23 THE CLERK: Councilwoman Miller.

24 COUNCILWOMAN MILLER: Aye.

25 THE CLERK: Councilman Nutter.

1 091803 - STATED - 2ND READING & FINAL PASSAGE
2 COUNCILMAN NUTTER: Aye.
3 THE CLERK: Councilman O'Neill.
4 COUNCILMAN O'NEILL: Aye.
5 THE CLERK: Councilman Ortiz.
6 COUNCILMAN ORTIZ: Aye.
7 THE CLERK: Councilwoman Reynolds Brown.
8 COUNCILWOMAN REYNOLDS BROWN: Aye.
9 THE CLERK: Councilman Rizzo.
10 COUNCILMAN RIZZO: Aye.
11 THE CLERK: Councilwoman Tasco.
12 COUNCILWOMAN TASCO: Aye.
13 THE CLERK: Council President Verna.
14 COUNCIL PRESIDENT VERNA: Aye.
15 The ayes are 16, the nays are 0. A
16 majority of all Members having voted in the
17 affirmative, the bill passes.
18 COUNCIL PRESIDENT VERNA: That concludes
19 our Calendar for today.
20 Are there any speeches on the part of
21 the Minority?
22 (No response.)
23 COUNCIL PRESIDENT VERNA: Are there
24 speeches on the part of the Majority?
25 (No response.)

1 091803 - STATED - ADJOURNMENT

2 COUNCIL PRESIDENT Verna: I think before
3 we adjourn, I would just like to recognize one of
4 our colleagues celebrated a birthday yesterday. And
5 I'm sure that we all wish you the very best
6 Councilman Clarke and many happy returns.

7 (Applause.)

8 COUNCIL PRESIDENT Verna: At this time
9 the Chair recognizes Councilwoman Tasco for a motion
10 to adjourn.

11 COUNCILWOMAN TESCO: Madam President, I
12 move that Council stand adjourned until Thursday,
13 September 25th at 10:00 a.m.

14 (Duly seconded.)

15 COUNCIL PRESIDENT Verna: It has been
16 moved and properly seconded that Council stand
17 adjourned until Thursday, September 25, 2003.

18 All in favor will say aye.

19 (Aye.)

20 COUNCIL PRESIDENT Verna: Those oppose?

21 (No response.)

22 COUNCIL PRESIDENT Verna: The ayes have
23 it, and the motion carries.

24 (Council adjourned at 11:00 a.m.)

25 - - - -

1 091803 - STATED - ADJOURNMENT
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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 September 18, 2003, were reported
fully and accurately by me, and that this is a
correct transcript of the same.

RE: STATED MEETING

Lisa C. Bradley, RPR