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COUNCIL OF THE CITY OF PHILADELPHIA

3

STATED MEETING

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Room 401, City Hall
Philadelphia, Pennsylvania
Thursday, October 18, 2001
10:15 a.m.

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PRESENT:

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COUNCIL PRESIDENT ANNA C. VERNA

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COUNCILWOMAN JANNIE BLACKWELL
COUNCILWOMAN BLONDELL REYNOLDS BROWN

12

COUNCILMAN DARRELL L. CLARKE
COUNCILMAN FRANK J. DI CICCIO

13

COUNCILMAN WILSON W. GOODE, JR.
COUNCILMAN JAMES F. KENNEY

14

COUNCILWOMAN JOAN L. KRAJEWSKI
COUNCILMAN W. THACHER LONGSTRETH

15

COUNCILMAN RICHARD T. MARIANO
COUNCILWOMAN DONNA REED MILLER

16

COUNCILMAN MICHAEL A. NUTTER
COUNCILMAN BRIAN J. O'NEILL

17

COUNCILMAN ANGEL L. ORTIZ
COUNCILMAN FRANK RIZZO

18

COUNCILWOMAN MARIAN B. TASCO

19

PATRICIA RAFFERTY, CHIEF CLERK

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1 INVOCATION

2 COUNCIL PRESIDENT Verna: Good morning,
3 everyone. I note that the hour has come and that a
4 quorum of this Council is present. Council will
5 come to order. Members will take their seats, and
6 visitors will retire to the seats outside the rail.

7 To give our invocation this morning, the
8 Chair welcomes Rabbi Robert Rubin of the
9 Congregation Beth T'Fillah. He is here today as the
10 guest of Councilman Nutter. Will guests and members
11 please rise.

12 RABBI RUBIN: I thank you for the honor
13 of being here today, especially thanks to Councilman
14 Nutter for extending the invitation. It is indeed a
15 special moment. I'm very humbled by this
16 opportunity. I think the presence here together, of
17 course, in this room, a room where you work here on
18 a regular basis, it's easy for take it for granted,
19 but democracy in action is something very special.

20 I've been asked to give an invocation.
21 I'd like to share with you my thoughts. My question
22 really sometimes comes to me, what is an invocation.
23 An invocation is an opportunity to invoke God's
24 name, God's presence among us. But actually, God's
25 presence is already here. The prophet Isaiah

1 INVOCATION

2 teaches us in the biblical Hebrew, "Kadosh Kadosh
3 Kadosh Adonai Tz'vaot m'lo chol ha-aretz k'vodo."

4 "Holy, holy, holy is the Lord of hosts,
5 the whole earth is full of his glory."

6 The whole universe is full of God's
7 presence and God's glory. It's only up to us to
8 appreciate that and have a relationship with God.
9 And so if that's true, then what is an invocation?
10 It's an opportunity to reflect on that. How do we
11 manifest? How do we reflect God's presence among
12 us? I think our very presence here, our being
13 together to take care of the needs of the community,
14 to come together and debate the issues of the day,
15 to share with one another our opinion, to disagree
16 if need be but to disagree, as it's been said, to
17 disagree agreeably; to respect one another, all
18 those things help reflect God's presence among us.

19 The Bible again in the book of Psalms in
20 the biblical Hebrew, "Hinay ma tov u-manayim shevet
21 achim gam yachad."

22 "Behold how good and pleasant it is for
23 people, for brethren to dwell together in unity."

24 These are all different ways to reflect
25 God's presence. And I pray that we'll be able to

1 APPROVAL OF JOURNAL

2 continue to do that on a daily basis through our
3 daily lives, taking care of our national needs, our
4 local needs, and our personal needs. Amen.

5 COUNCIL PRESIDENT VERNA: The Chair
6 thanks Rabbi Rubin for his inspiring invocation.

7 Council will be at ease.

8 (Council at ease.)

9 COUNCIL PRESIDENT VERNA: The next order
10 of business is the approval of the Journal of the
11 meeting of October 11, 2001. And the Chair
12 recognizes Councilwoman Blackwell.

13 COUNCILWOMAN BLACKWELL: Thank you,
14 Madam President. I move that the Journal of the
15 meeting of Thursday, October 11, 2001, stand
16 approved.

17 COUNCIL PRESIDENT VERNA: Is there a
18 second?

19 (Duly seconded.)

20 COUNCIL PRESIDENT VERNA: It has been
21 moved and properly seconded that the Journal of the
22 meeting of Thursday, October 11, 2001, stand
23 approved.

24 All in favor will signify by saying aye.

25 (Aye.)

1 WELCOME AND PRESENTATIONS

2 COUNCIL PRESIDENT Verna: Those
3 opposed?

4 (No response.)

5 COUNCIL PRESIDENT Verna: The ayes have
6 it. The motion carries. The Journal of the meeting
7 of Thursday, October 11, 2001, stands approved.

8 The next order of business is requests
9 for leaves of absence. The Chair recognizes
10 Councilwoman Blackwell.

11 COUNCILWOMAN BLACKWELL: Thank you,
12 Madam President. A leave of absence is requested
13 for Councilman Cohen.

14 COUNCIL PRESIDENT Verna: Leave will be
15 granted.

16 The Chair recognizes Councilman O'Neill.

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

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

22 The Chair will dispense with the regular
23 order of business to recognize the guests and
24 visitors joining us in Chambers this morning. On
25 behalf of all Members of City Council, I welcome you

1 WELCOME AND PRESENTATIONS

2 to our Council Session. We appreciate your taking
3 the time to join us as we attend to the legislative
4 affairs of our City. We certainly invite you to
5 come again.

6 I believe I see in the audience one of
7 our former colleagues Councilman Rafferty. Would
8 you stand please, so that we can recognize you.

9 (Applause.)

10 COUNCIL PRESIDENT VERNA: At this time
11 the Chair recognizes Councilman Mariano who will
12 make a presentation. And I would ask that two of my
13 colleagues from South Philadelphia, Councilmembers
14 Kenney and DiCicco, please join the Councilman. The
15 honorees are Mr. Edward "Babe" Heffron and Mr. Bill
16 Guarneri. Will Mr. Heffron and Mr. Guarneri and
17 those accompanying him please join the
18 Councilmembers at the podium, please.

19 COUNCILMAN MARIANO: Resolution honoring
20 Edward "Babe" Heffron and Bill Guarneri.

21 Whereas, Mr. Babe Heffron and Mr. Bill
22 Guarneri were both brought up in South Philadelphia,
23 married young women and raised their families in the
24 neighborhood and lived just one parish from each
25 other, yet they never knew each other until

1 WELCOME AND PRESENTATIONS

2 E Company of 506 parachute infantry regime brought
3 them together at the start of the World War II; and

4 Whereas, E Company which was brought
5 into combat on D-Day, fought in France, Belgium,
6 Luxemburg, Germany, and Austria, their courage and
7 heroism became part of "Band of Brothers," a
8 best-selling book by Steven E. Ambrose. Now the
9 book has been transferred into a major miniseries
10 produced by Tom Hanks and Steven Spielberg and
11 Sergeant Bill Guarnere and Private 1st Class Edward
12 Heffron as key characters; and

13 COUNCILMAN KENNEY: Whereas, E Company
14 was reputed to be a crack fighting members were part
15 of an elite all-volunteer outfit because of their
16 brains, stamina, and courage. They may have felt
17 like all other soldiers, but they were different, a
18 unique and loyal band of brothers; and

19 Whereas, after the war, Edward "Babe"
20 Heffron and Bill Guarnere became separated, but not
21 for long. Babe found his platoon sergeant, and once
22 he found him, they became inseparable. And so it
23 was that the two friends came to Hatfield, England,
24 where the film is being shot. They met the actors,
25 collaborated on the details and will be guests in

1 WELCOME AND PRESENTATIONS

2 France as other E Company veterans; and

3 COUNCILMAN DICICCO: Whereas, Bill
4 Guarneri and Edward "Babe" Heffron are getting used
5 to being famous. It has not changed their sense of
6 humor, their humility, their sadness for their loss
7 of their comrades or their great spirit of true
8 friendship. They are a credit to America, to
9 Philadelphia, and to their community.

10 Now, therefore, resolved by the Council
11 of City of Philadelphia that we hereby honor and
12 commend Edward "Babe" Heffron and Bill Guarneri. We
13 thank them for what they have been to America and
14 for what they mean to us today.

15 Resolved that engrossed copies of this
16 resolution be presented to Mr. Edward "Babe" Heffron
17 and Bill Guarneri as evidence of the sincere
18 admiration and lasting respect of this legislative
19 body. This is a true and correct copy of the
20 original resolution adopted by the Council of the
21 City of Philadelphia on the 6th day of September,
22 2001. Presented by Council President Anna C. Verna,
23 introduced by Councilman Mariano and Council
24 President Verna, and cosponsored by all Members of
25 City Council. Congratulations.

1 WELCOME AND PRESENTATIONS

2 COUNCIL PRESIDENT VERNA: They deserve a
3 standing ovation.

4 (Standing ovation.)

5 COUNCIL PRESIDENT VERNA: We're very,
6 very proud of both you. Thank you so much.

7 The Chair at this time recognizes Mr.
8 Guarneri for a few remarks.

9 MR. GUARNERI: Don't use my other alias.
10 It's a pleasure being here. I lived in Philadelphia
11 all my life, in South Philly, and I never knew this
12 joint existed. This is the first time I ever been
13 here, and it's my pleasure.

14 But I want to say this: On behalf of
15 Mr. Heffron and I, there are a couple other men from
16 South Philadelphia who are in our company, too. One
17 died; his name is Ralph Trapuzzano (ph) from South
18 Philadelphia, E Company man. The man was a medic
19 Ralph Spina (ph). He lives in Fort Worth, Texas.
20 He was from South Philadelphia and he was a medic in
21 our company, too. I want to make sure that I
22 remember all those other men that served in the
23 company and in the Allied Forces during World War
24 II, army, the navy, the air force, the marines. We
25 all fought together. We are not heroes; we are

1 COMMUNICATIONS

2 survivors. Thank you.

3 (Applause.)

4 COUNCIL PRESIDENT Verna: Council will
5 be at ease.

6 (Council at ease.)

7 COUNCIL PRESIDENT Verna: The next order
8 of business is communications. The Chair requests
9 that the Sergeant-at-Arms deliver the messages from
10 the Mayor 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 today, October 11, 2001,
16 I signed the following bill that was passed by
17 Council at its session on October 4, 2001: Bill No.
18 000716.19 And I am returning herewith as
20 disapproved Bill No. 000629, passed by the Council
21 on October 4, 2001.22 And I am transmitting herewith for the
23 introduction and consideration of your honorable
24 body the proposed ordinance entitled, an ordinance
25 amending Title 14 of the Philadelphia Code entitled

1 INTRODUCTION OF BILLS AND RESOLUTIONS

2 "Zoning and Planning," by amending Chapter 14-1800
3 entitled "Zoning Board of Adjustment," by amending
4 Section 14-1807 entitled "Appeals to the Courts," by
5 amending language regarding appeals, under certain
6 terms and conditions.

7 COUNCIL PRESIDENT VERNA: The messages
8 will be printed in the Journal.

9 The Clerk will please read any other
10 communications in her possession.

11 THE CLERK: That's all I have, Madam
12 President.

13 COUNCIL PRESIDENT VERNA: Thank you.

14 The next order of business is the
15 introduction of bills and resolutions. The Chair
16 recognizes Councilwoman Blackwell for a motion.

17 COUNCILWOMAN BLACKWELL: Thank you,
18 Madam President. I move that the Rules of Council
19 be suspended so as to permit immediate consideration
20 of resolutions at their time of introduction.

21 (Duly seconded.)

22 COUNCIL PRESIDENT VERNA: It has been
23 moved and properly seconded that the rules of
24 Council be suspended so as to permit immediate
25 consideration of resolutions at the time of

1 INTRODUCTION OF BILLS AND RESOLUTIONS

2 introduction.

3 All in favor will indicate by saying
4 aye.

5 (Aye.)

6 COUNCIL PRESIDENT VERNA: Those opposed?

7 (No response.)

8 COUNCIL PRESIDENT VERNA: The ayes have
9 it and the motion carries.

10 The Chair recognizes Councilman Kenney.

11 COUNCILMAN KENNEY: Thank you, Madam
12 President. I have no bills or resolutions today.

13 COUNCIL PRESIDENT VERNA: Thank you.

14 The Chair recognizes Councilwoman Blackwell.

15 COUNCILWOMAN BLACKWELL: Thank you,
16 Madam President. I have two bills this morning that
17 I introduce on your behalf.

18 COUNCIL PRESIDENT VERNA: Thank you.

19 The Clerk will please read the title of
20 the first bill.

21 THE CLERK: An ordinance granting
22 permission to Nick Mangini, also known as Mangini
23 Newsstand, owner of the newsstand located on the
24 north footway of Oregon Avenue, west of Swanson
25 Street.

1 INTRODUCTION OF BILLS AND RESOLUTIONS

2 COUNCIL PRESIDENT Verna: The bill will
3 be referred to the appropriate committee.

4 THE CLERK: And an ordinance amending
5 Title 14 of the Philadelphia Code entitled "Zoning
6 and Planning," by adding a new chapter entitled
7 "Military Conversion Districts," providing that no
8 use shall be permitted within any such district
9 unless a master plan for development of such
10 district has been approved.

11 COUNCIL PRESIDENT Verna: This bill will
12 also be referred to the appropriate committee.

13 The Chair recognizes Councilwoman
14 Krajewski.

15 COUNCILWOMAN KRAJEWSKI: Madam
16 President, I have no bills or resolutions.

17 COUNCIL PRESIDENT Verna: Thank you.
18 The Chair recognizes Councilman Mariano.

19 COUNCILMAN MARIANO: Madam President, I
20 have no bills or resolutions.

21 COUNCIL PRESIDENT Verna: Thank you.

22 The Chair recognizes Councilwoman Tasco.

23 COUNCILWOMAN TASCO: Madam. President, I
24 have two resolutions.

25 COUNCIL PRESIDENT Verna: The Clerk will

1 INTRODUCTION OF BILLS AND RESOLUTIONS

2 please read the title of the first resolution.

3 THE CLERK: A resolution recognizing
4 November 2001 as National Alzheimer's Disease Month
5 in the City of Philadelphia.

6 COUNCIL PRESIDENT Verna: The Chair
7 recognizes Councilwoman Tasco.

8 COUNCILWOMAN TESCO: I move for the
9 adoption of the resolution.

10 (Duly seconded.)

11 COUNCIL PRESIDENT Verna: It has been
12 moved and properly seconded that the resolution be
13 adopted.

14 All in favor will signify by saying aye.
15 (Aye.)

16 COUNCIL PRESIDENT Verna: Those opposed?
17 (No response.)

18 COUNCIL PRESIDENT Verna: The ayes have
19 it, and the motion carries.

20 The Clerk will please read the title of
21 the second resolution.

22 THE CLERK: A resolution declaring
23 November as Energy Help Awareness Month.

24 COUNCIL PRESIDENT Verna: The Chair
25 recognizes Councilwoman Tasco.

1 INTRODUCTION OF BILLS AND RESOLUTIONS

2 COUNCILWOMAN TASC0: Madam President, I
3 move for the adoption of the resolution.

4 (Duly seconded.)

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

8 All in favor will signify by saying aye.

9 (Aye.)

10 COUNCIL PRESIDENT VERNA: Those opposed?

11 (No response.)

12 COUNCIL PRESIDENT VERNA: The ayes have
13 it, and the motion carries.

14 The Chair recognizes Councilwoman
15 Miller.

16 COUNCILWOMAN MILLER: Thank you, Madam
17 President. Today I offer no bills or resolutions.

18 COUNCIL PRESIDENT VERNA: Thank you.

19 The Chair recognizes Councilman Nutter.

20 COUNCILMAN NUTTER: Thank you, Madam
21 President. I offer two bills.

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

24 THE CLERK: An ordinance adopting an
25 amendment to the Articles of Incorporation of the

1 INTRODUCTION OF BILLS AND RESOLUTIONS

2 Manyunk Special Service District of Philadelphia to
3 extend the term of that authority.

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

6 THE CLERK: And an ordinance
7 establishing a no truck parking and tow away zone
8 regulation on Vine Street.

9 COUNCIL PRESIDENT Verna: The bill will
10 be referred to the appropriate committee.

11 The Chair recognizes Councilwoman Brown.

12 COUNCILWOMAN BROWN: Thank you, Madam
13 President. No bills or resolutions.

14 COUNCIL PRESIDENT Verna: Thank you.

15 The Chair recognizes Councilman Goode.

16 COUNCILMAN GOODE: No bills or
17 resolutions.

18 COUNCIL PRESIDENT Verna: The Chair
19 recognizes Councilman Ortiz.

20 COUNCILMAN ORTIZ: No bills or
21 resolutions.

22 COUNCIL PRESIDENT Verna: Thank you.

23 The Chair recognizes Councilman DiCicco.

24 COUNCILMAN DICICCO: Thank you, Madam
25 President. I offer one bill and one resolution.

1 INTRODUCTION OF BILLS AND RESOLUTIONS

2 COUNCIL PRESIDENT Verna: The Clerk will
3 please read the title of the bill.

4 THE CLERK: An ordinance authorizing the
5 Arden Theater Company, 40 North Second Street, to
6 construct and maintain a steel and glass marquis
7 with two electrified icon signs attached to the
8 building.

9 COUNCIL PRESIDENT Verna: The bill will
10 be referred to the appropriate committee.

11 THE CLERK: And a resolution honoring
12 and commending Philadelphia print collaborative for
13 recognizing Philadelphia's Prominence as a
14 print-making center dating back to the 1930s and for
15 creating consortium of cultural organizations
16 committed to reviving print-making in Philadelphia.

17 COUNCIL PRESIDENT Verna: The chair
18 recognizes Councilman DiCicco.

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

22 (Duly seconded.)

23 COUNCIL PRESIDENT Verna: It has been
24 move and properly seconded that the resolution be
25 adopted.

1 INTRODUCTION OF BILLS AND RESOLUTIONS

2 All in favor will signify by saying aye.

3 (Aye.)

4 COUNCIL PRESIDENT VERNA: Those opposed?

5 (No response.)

6 COUNCIL PRESIDENT VERNA: The ayes have
7 it. The resolution has been adopted.

8 The Chair recognizes Councilman O'Neill.

9 COUNCILMAN O'NEILL: Madam President, I
10 have no bills or resolutions.

11 COUNCIL PRESIDENT VERNA: Thank you.

12 The Chair recognizes Councilman Clarke.

13 COUNCILMAN CLARKE: Thank you, Madam
14 President. I have one bill.

15 COUNCIL PRESIDENT VERNA: The Clerk will
16 please read the title of the bill.

17 THE CLERK: An ordinance authorizing the
18 revision of lines and grades on a portion of City
19 Plan No. 307 by striking from the City Plan vacating
20 Cuthbert Street from 17th Street to 18th Street.

21 COUNCIL PRESIDENT VERNA: This bill will
22 be referred to the appropriate committee.

23 The Chair recognizes Councilman
24 Longstreth. Councilman Longstreth, do you have any
25 bills or resolutions to introduce today?

1 INTRODUCTION OF BILLS AND RESOLUTIONS

2 COUNCILMAN LONGSTRETH: I have no bills
3 or resolutions.

4 COUNCIL PRESIDENT VERNA: Thank you.
5 The Chair recognizes Councilman Rizzo.

6 COUNCILMAN RIZZO: Madam President, I
7 have one resolution today.

8 COUNCIL PRESIDENT VERNA: The Clerk will
9 please read the title of the resolution.

10 THE CLERK: A resolution honoring the
11 retiring members of the Philadelphia Office of the
12 Selective Service System for the 20 years of service
13 to America ensuring our national defense.

14 COUNCIL PRESIDENT VERNA: The Chair
15 recognizes Councilman Rizzo.

16 COUNCILMAN RIZZO: I move for adoption
17 of this resolution.

18 (Duly seconded.)

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

22 All if favor will signify by saying aye.

23 (Aye.)

24 COUNCIL PRESIDENT VERNA: Those opposed.

25 (No response.)

1 REPORTS FROM COMMITTEES

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

4 The next order of business is reports
5 from committees. And the Chair recognizes
6 Councilwoman Krajewski for a report from the
7 Committee on Appropriations.

8 COUNCILWOMAN KRAJEWSKI: Madam
9 President, the Committee on Appropriations reports
10 two bills out with a favorable recommendation.

11 COUNCIL PRESIDENT Verna: The Clerk will
12 please read the report.

13 THE CLERK: To the President and Members
14 of the Council of the Philadelphia, the Committee on
15 Appropriations to which was referred Bill No. 010542
16 entitled, an ordinance authorizing transfers in
17 appropriation for Fiscal Year 2002 from the General
18 Fund, the Director of Finance, provisions for other
19 grants to the General Fund, certain or all city
20 offices.

21 COUNCIL PRESIDENT Verna: The Chair
22 recognizes Councilwoman Krajewski.

23 THE CLERK: I have one more, Madam
24 President.

25 COUNCIL PRESIDENT Verna: Oh, I'm sorry.

1 REPORTS FROM COMMITTEES

2 THE CLERK: And Bill No. 010569
3 entitled, an ordinance authorizing transfers in
4 appropriation for Fiscal Year 2002 within the
5 General Fund from certain or all City offices,
6 departments, boards and commissions, to certain or
7 all City offices, departments, boards, and
8 commissions, respectfully reports it has considered
9 and amended the same and returns the attached bills
10 to Council with a favorable recommendation.

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

13 COUNCILWOMAN KRAJEWSKI: Madam Chair, I
14 move the rules of Council be suspended so as permit
15 first reading this day of Bill Nos. 010542, 010569.

16 (Duly seconded.)

17 COUNCIL PRESIDENT Verna: It has been
18 moved and properly seconded that Rules of Council be
19 suspended so as to permit first reading of this day
20 of Bill Nos. 010542 and 010569.

21 All in favor will signify by saying aye.
22 (Aye.)

23 COUNCIL PRESIDENT Verna: Those opposed?
24 (No response.)

25 COUNCIL PRESIDENT Verna: The ayes have

1 REPORTS FROM COMMITTEES

2 it. And Bill Nos. 010542 and 010569 will be placed
3 on today's First Reading Calendar.

4 The Chair recognizes Councilman Mariano
5 for a report from the Committee on Licenses and
6 Inspections.

7 COUNCILMAN MARIANO: Thank you, Council
8 President. The Committee on Licenses and
9 Inspections reports two bills with a favorable
10 recommendation.

11 COUNCIL PRESIDENT Verna: The Clerk will
12 please read the report.

13 THE CLERK: The Committee on Licenses
14 and Inspections to which was referred Bill No.
15 010498 entitled, an ordinance adding a new Chapter
16 9-2500 to the Philadelphia Code entitled "Fire
17 Suppression System Workers," providing for the
18 examination and certification of fire suppression
19 system workers and permitting fire suppression
20 system apprentices.

21 And an ordinance amending Title 9 of the
22 Philadelphia Code entitled, "Regulation of
23 Businesses, Trades, and Professions," by amending
24 the provisions of Section 9-618 relating to the sale
25 of spray paint containers and indelible markers to

1 FIRST READING CALENDAR

2 include the sale of etching acid and to make certain
3 technical changes, respectfully reports it has
4 considered the same returns the attached bills to
5 Council with a favorable recommendation.

6 COUNCIL PRESIDENT VERNA: The Chair
7 recognizes Councilman Mariano.

8 COUNCILMAN MARIANO: Madam Chairwoman, I
9 move that the rules of Council be suspend so as to
10 permit first reading this day of Bill Nos. 010498
11 and 010555.

12 (Duly seconded.)

13 COUNCIL PRESIDENT VERNA: It has been
14 moved and properly seconded that the rules of
15 Council be suspended so as to permit first reading
16 this day of Bill Nos. 010498 and 010555.

17 All in favor, signify by saying aye.

18 (Aye.)

19 COUNCIL PRESIDENT VERNA: Those opposed?

20 (No response.)

21 COUNCIL PRESIDENT VERNA: The ayes have
22 it. And Bill Nos. 010498 and 010555 will be placed
23 on today's First Reading Calendar.

24 The next order of business is
25 consideration of the Calendar. The Clerk will

1 FIRST READING CALENDAR

2 please read the bills on the First Reading Calendar.

3 THE CLERK: Bill No. 010542, an
4 ordinance authorizing transfers in appropriation for
5 Fiscal Year 2002 from the General Fund, the Director
6 of Finance, to the General Fund, certain or all City
7 offices, departments, boards and commissions.

8 COUNCIL PRESIDENT Verna: The Chair
9 agrees.

10 THE CLERK: And Bill No. 010569, an
11 ordinance authorizing transfers in appropriation
12 for Fiscal Year 2002 within the General Fund from
13 certain or all City offices, departments, boards and
14 commissions, to certain or all City offices,
15 departments, boards, and commissions.

16 COUNCIL PRESIDENT Verna: The Chair
17 agrees.

18 THE CLERK: And Bill No. 010498, an
19 ordinance adding a new Chapter 9-2500 to the
20 Philadelphia Code entitled "Fire Suppression System
21 Workers," providing for the examination and
22 certification of fire suppression system workers and
23 permitting fire suppression system apprentices, all
24 under certain terms and conditions.

25 COUNCIL PRESIDENT Verna: The Chair

1 SECOND READING AND FINAL PASSAGE CALENDAR

2 agrees.

3 THE CLERK: And Bill No. 010555, an
4 ordinance amending Title 9 of the Philadelphia Code
5 entitled, "Regulation of Businesses, Trades, and
6 Professions," by amending the provisions of Section
7 9-618 relating to the sale of spray paint containers
8 and indelible markers to include the sale of etching
9 acid and to make certain technical changes.

10 COUNCIL PRESIDENT Verna: The Chair
11 agrees.

12 The bills read by the Clerk will be
13 placed on the Second Reading and Final Passage
14 Calendar for our next session. That concludes our
15 First Reading Calendar.

16 The Chair recognizes Councilwoman
17 Blackwell for calling up the bills on the Second
18 Reading and Final Passage Calendar.

19 COUNCILWOMAN BLACKWELL: Thank you,
20 Madam President. Today Bill No. 010371 is being
21 called up for second reading and final passage. All
22 other bills are being held.

23 COUNCIL PRESIDENT Verna: I'm sorry. I
24 believe there are two bills that are being called
25 for consideration.

1 SECOND READING AND FINAL PASSAGE CALENDAR

2 COUNCILWOMAN BLACKWELL: No, the sponsor
3 of the second bill decided to hold it.

4 COUNCIL PRESIDENT VERNA: So we're only
5 considering Bill No. 010371?

6 COUNCILWOMAN BLACKWELL: Yes, Madam
7 President.

8 COUNCIL PRESIDENT VERNA: Thank you.
9 The Clerk will please read the title of
10 the bill.

11 THE CLERK: Bill No. 010371, an
12 ordinance amending Title 14 of the Philadelphia Code
13 entitled "Zoning and Planning," by amending Chapter
14 14-200 entitled "Residential Districts," by amending
15 Section 14-203 entitled "R2 Residential District,"
16 and by amending Section 14-204 entitled "R3
17 Residential District," and by making certain
18 technical amendments, under certain terms and
19 conditions.

20 COUNCIL PRESIDENT VERNA: This bill
21 having been read on two different days, the question
22 now is shall the bill pass finally?

23 The Clerk will please call the role.

24 COUNCILMAN KENNEY: Point of
25 information.

1 SECOND READING AND FINAL PASSAGE CALENDAR

2 COUNCIL PRESIDENT VERNA: Yes, sir.

3 COUNCILMAN KENNEY: Madam President, I
4 know this bill went through the -- I assume it went
5 through the Rules Committee. I don't remember
6 missing any Rules Committee meetings. I really
7 don't remember what specifically this bill does.
8 And because of the technical nature, I would
9 appreciate if you would ask the Councilmember if he
10 could at least just give a short explanation of what
11 the bill is.

12 COUNCILMAN O'NEILL: Gladly.
13 Councilman, this bill actually goes back in the May
14 time frame. And what it does, it takes R2 Zoning
15 and basically makes it identical to R1 and R1-A in
16 terms of the uses allowed. Makes it purely
17 residential with the exception of an amendment to
18 the bill that went in it at the hearing that
19 Councilwoman Reynolds-Brown which allows the day
20 care provision, which we had just passed I think a
21 week before the hearing to remain the same. So the
22 day care provision is in here as it was in the
23 Councilwoman's bill.

24 COUNCILMAN KENNEY: So this all involves
25 solely residential, not commercial property?

1 SECOND READING AND FINAL PASSAGE CALENDAR

2 COUNCILMAN O'NEILL: That's right.

3 COUNCILMAN KENNEY: Thank you very much.

4 Thank you, Madam President.

5 COUNCIL PRESIDENT VERNA: Thank you.

6 The Clerk will please call the role.

7 THE CLERK: Councilwoman Blackwell.

8 COUNCILWOMAN BLACKWELL: Aye.

9 THE CLERK: Councilman Clarke.

10 COUNCILMAN CLARKE: Aye.

11 THE CLERK: Councilman DiCicco.

12 COUNCILMAN DI CICC0: Aye.

13 THE CLERK: Councilman Goode.

14 COUNCILMAN GOODE: Aye.

15 THE CLERK: Councilman Kenney.

16 COUNCILMAN KENNEY: Aye.

17 THE CLERK: Councilwoman Krajewski.

18 COUNCILWOMAN KRAJEWSKI: (Recorded as

19 voting aye.)

20 THE CLERK: Councilman Longstreth.

21 COUNCILMAN LONGSTRETH: Aye.

22 THE CLERK: Councilman Mariano.

23 COUNCILMAN MARIANO: Aye.

24 THE CLERK: Councilwoman Miller.

25 COUNCILWOMAN MILLER: Aye.

1 SPEECHES

2 THE CLERK: Councilman Nutter.

3 COUNCILMAN NUTTER: Aye.

4 THE CLERK: Councilman O'Neill.

5 COUNCILMAN O'NEILL: Aye.

6 THE CLERK: Councilman Ortiz.

7 COUNCILMAN ORTIZ: Aye.

8 THE CLERK: Councilwoman Reynolds-Brown.

9 COUNCILWOMAN REYNOLDS-BROWN: Aye.

10 THE CLERK: Councilman Rizzo.

11 COUNCILMAN RIZZO: Aye.

12 THE CLERK: Councilwoman Tasco.

13 COUNCILWOMAN TASCO: Aye.

14 THE CLERK: Council President Verna.

15 COUNCIL PRESIDENT VERNA: Aye.

16 The ayes are 15, the nays are 0. A

17 majority of all Members of Council having voted in

18 the affirmative, the bill passes.

19 COUNCIL PRESIDENT VERNA: I want to take

20 this opportunity to extend our best wishes for a

21 happy birthday to Councilwoman Brown who, I believe,

22 celebrated her birthday on Tuesday the 17th. Happy

23 belated birthday.

24 COUNCILWOMAN REYNOLDS-BROWN: Thank you,

25 Madam President.

1 SPEECHES

2 COUNCIL PRESIDENT Verna: That concludes
3 our calendar for today.

4 Are there any speeches on the part of
5 the minority?

6 Are there speeches on the part of the
7 majority?

8 The Chair recognizes Councilman DiCicco.

9 COUNCILMAN DICICCO: Thank you, Madam
10 President. Two points of information. On the
11 Thursday after the tragedy of September 11th, I
12 announced that we were going to look to move up our
13 City Council blood drive, but because of the
14 overwhelming success of the drive in Philadelphia,
15 Red Cross has indicated to me that they actually
16 have a surplus at the moment, so we'll probably go
17 back to our normal January or February blood drive.
18 And I want too thank everyone who's been inquiring
19 about that.

20 Also I want to take this opportunity to
21 thank all of those who expressed concern for Andrew
22 Morteletti, a member of my staff who took ill last
23 week, last Friday in my office. Andy,
24 unfortunately, is still in a coma, but as a result
25 of some of the tests that have been taken as recent

1 SPEECHES

2 as Tuesday where there was no brain activity going
3 into Tuesday morning, they now have a lot brain
4 activity. He opened his eyes yesterday and the day
5 before a few times. While that's encouraging, he's
6 still certainly not out of the woods. There will be
7 additional tests that will be taken tomorrow to
8 determine the extent of the brain damage. So I
9 wanted to take this opportunity thank all the people
10 throughout City Hall who have been calling our
11 office for concern for Andrew. He's certainly in
12 all of our prayers. And I want to thank everyone
13 for that.

14 COUNCIL PRESIDENT VERNA: Thank you.
15 And, Councilman, I know that you have been praising
16 the work that the policeman did at that time, and I
17 think it's very important that we acknowledge that.

18 COUNCILMAN DICICCO: At a later date I
19 wanted to do something in Council for that
20 recognition. Without that police offer, I don't
21 think Andy would have had any chance at all today.
22 He immediately entered my office, began CPR until
23 the emergency personnel showed up on the scene. And
24 as a result of that, we think that there was enough
25 oxygen going to his brain at that particular time

1 SPEECHES

2 that at least gives him a fighting chance going in.

3 So thank you, Madam President.

4 COUNCIL PRESIDENT Verna: Thank you.

5 The Chair recognizes Councilman Ortiz.

6 COUNCILMAN ORTIZ: Thank you, Madam

7 Chair.

8 COUNCIL PRESIDENT Verna: Excuse me,

9 Councilman.

10 Councilwoman Krajewski.

11 COUNCILWOMAN KRAJEWSKI: I would like to

12 be recorded aye on Bill 010371.

13 COUNCIL PRESIDENT Verna: The record

14 will so reflect that. Thank you.

15 The Chair recognizes Councilman Ortiz.

16 COUNCILMAN ORTIZ: Thank you, Madam

17 Chair. First I want to thank Mayor Street for

18 vetoing Bill 000629. I think it shows a victory for

19 the people of Philadelphia and the citizens and

20 taxpayers. I was not going to speak on that, but it

21 goes along --

22 (Laughter.)

23 COUNCILMAN ORTIZ: Since my colleague

24 Dave Cohen is not here to thank the Mayor himself

25 personally, I think it's a well-thought-out

SPEECHES

1
2 decision.

3 But nevertheless, I rise up, Madam
4 Chair, because as I go around the City and I talk to
5 people in different aspects of life and
6 organizations, teachers, leadership, and I talk to
7 them about the schools and what is going to be done
8 with the schools, the thing that comes back is,
9 "It's a done deal. The deal between Harrisburg and
10 the Mayor's Office and Edison is a done deal.
11 There's nothing that you can do about it. There's
12 nothing that this body can do about it. There's
13 nothing that the citizens and parents who have kids
14 in the school system can do about it. It's done."
15 And part of it comes out because they go back to the
16 inertia of Philadelphia politics of groupings of
17 people being able to mobilize themselves to oppose a
18 decision that they know is wrong, that will
19 balkinize the City and balkinize public education,
20 that it will create a different public school system
21 in West Philadelphia and a different one in
22 Northwest, a different one in Southwest
23 Philadelphia, all separate and unequal. And
24 confronted with this reality, the statements that I
25 get as I go around is, "It's a done deal."

1 SPEECHES

2 This body has not been consulted. We
3 will not be consulted. The referendum that we
4 thought we could put on the ballot in November was
5 vetoed, a veto I oppose as I support this veto
6 today. So the people are shut out of the discussion
7 that is going to be taking place because it's a done
8 deal.

9 Last week, my colleague Jim Kenney put
10 forward a bill, \$75 million to start a debate to
11 begin saying in essence that this Council wants to
12 have a say as to how we are going to reformulate the
13 issue of public schools in the City of Philadelphia.
14 But, again, we may not have that opportunity because
15 it is a done deal. And we should say to the Mayor,
16 It cannot be a done deal. You cannot sign anything
17 with Harrisburg without consulting this body and the
18 people and the parents of Philadelphia. And the
19 parents of public school children should demand,
20 should demand, should organize, should rebel and say
21 it is not a done deal until we say it's a done deal,
22 paraphrasing Yogi Berra. And we have to be very
23 careful because this is a decision that is going to
24 affect and impact many families across Philadelphia,
25 most of the families across Philadelphia.

1 SPEECHES

2 And if we're talking about blight, we've
3 got to begin the fight against blight at the public
4 school level. Without a good public school system,
5 there is no solution to the blight problem of this
6 City because people will refuse to move back in.
7 The middle class will leave and we will only be left
8 with the very rich and the very poor and a school
9 system that serves neither. I don't care whether
10 you have charters, whether you have whatever it is,
11 it will not work. If we're going to fight blight,
12 it has to begin with the public schools. If we can
13 create stadiums and go into hock and put the
14 taxpayers of this City into hock for stadiums and
15 other paraphernalia that just goes to please the
16 rich and the very powerful, then we should be able
17 to go into hock for the children of Philadelphia.

18 Flight is fought by creating a public
19 school system that prepares kids for this society.
20 Blight is not fought just by putting out a bond
21 issue that goes for demolition. We begin with
22 public schools. That's where we should begin.
23 That's where we should start. As Jane Carville (ph)
24 said during the 1991-92 Clinton election, at that
25 point it was, is the economy stupid. Well, it is

1 SPEECHES

2 the schools this time around in the City of
3 Philadelphia. And either we are going to be
4 involved, either the people of Philadelphia are
5 going to be involved, the parents, before a deal is
6 done. We cannot just be satisfied with the
7 Philadelphia tradition of the deal done behind
8 closed doors, done by politicians, done without
9 consulting the people. We've got to stop this
10 impression, this reality that is out there that said
11 there's nothing you can do about it, it is a done
12 deal.

13 So as I thank the Mayor about 000629, I
14 tell him, don't make a deal, don't make a deal on
15 the schools. It is the schools that is the issue.
16 Thank you, Madam Chair.

17 COUNCIL PRESIDENT VERNA: Thank you.
18 The Chair recognizes Councilman Mariano.

19 COUNCILMAN MARIANO: Thank you, Madam
20 President. Madam President, last week Councilman
21 Nutter made a very elegant speech where he invoked
22 the names of many great -- his personal heros and
23 American heros, John F. Kennedy, Abraham Lincoln.
24 And I made a comment in the paper that that's good
25 we can get together and sing "Kum Ba Yah." Since

1 SPEECHES

2 someone has taken the privilege to add another
3 paragraph to the "Kum Ba Yah," the old folk song, I
4 was wondering if we could sing that last paragraph
5 before we leave, and I would gladly start that by
6 saying, (singing).

7 "Someone's not getting paid, Lord. Kum
8 ba yah.

9 "Someone's not getting paid, Lord. Kum
10 ba yah.

11 "Someone's not getting paid, Lord. Kum
12 ba yah.

13 "Oh, Lord, kum ba yah."

14 (Applause.)

15 COUNCIL PRESIDENT VERNA: I hope your
16 mother didn't pay for singing lessons.

17 (Laughter.)

18 COUNCILMAN MARIANO: Council President,
19 the good sisters of Holy Innocence Immaculate Heart
20 tried, but I was a lost case. But I can dance
21 pretty good.

22 COUNCIL PRESIDENT VERNA: Thank you.
23 The Chair recognizes Councilman DiCicco.

24 COUNCILMAN DICICCO: Thank you, Madam
25 President. You took the words right out of my

1 SPEECHES

2 mouth. Even though we're not being paid, I think
3 you've been hanging around here for a while.

4 COUNCIL PRESIDENT VERNA: Certainly not
5 going to be able to go out and sing, that's for
6 sure.

7 COUNCILMAN DICICCO: This is true. He's
8 probably the only Italian that can't sing, but
9 that's beside the point.

10 (Laughter.)

11 COUNCILMAN DICICCO: I really had no
12 intentions of speaking on the Bill 00629, but since
13 my colleague raised the issue, I think I do owe it
14 to the folks who stayed with me for 7, 8, 10 months,
15 I forgot how long it's been, those folks who've
16 supported the bill to thank them publicly for that.
17 And even to the folks who in this room, my
18 colleagues in this room who did not support the
19 bill, we had a lot of good dialog going on
20 throughout that process. And it is a process. And
21 that's what we get paid to do. Sometimes we
22 introduce bills not are not very popular with the
23 public. It isn't the first time that has happened,
24 and I'm certainly sure that it won't be the last
25 time it happens. As to the bill and the veto, I am

SPEECHES

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2 disappointed. I think it is not, as Councilman
3 Ortiz said, a good day for the citizens of this
4 City. I think it's a bad day for the neighborhoods
5 of this City. I think what this indicates now that
6 anyone throughout the Commonwealth or throughout the
7 region who has a particular disagreement on a
8 philosophical issue will be able to come into any
9 community throughout the City and basically dictate
10 what occurs in that community regardless, regardless
11 of what the elected officials in that community feel
12 about that application or the community immediately
13 impacted have to say about it. I think if I had
14 done this, being from South Philadelphia, had I
15 entered into an agreement with a company for a
16 half-million-dollar payoff in return for my
17 withdrawal of a court matter in front of the
18 Commonwealth Common Pleas Court, I would be a
19 cellmate today to Joey Merlino. I think this opened
20 up political extortion to the fullest extent.
21 Groups are going to come in here and dictate what
22 goes on in each and every Councilmatic district
23 regardless of who we are and the people who elected
24 us. So I don't think it's a good day for the
25 citizens. I think it's a bad day. Thank you, Madam

1 SPEECHES

2 President.

3 COUNCIL PRESIDENT Verna: Thank you.

4 The Chair recognizes Councilwoman
5 Blackwell.

6 COUNCILWOMAN BLACKWELL: Thank you,
7 Madam President. As I heard and have been following
8 the issue with Councilman DiCicco's staff member, I
9 am reminded that this is a particular time where we
10 need to review our emergency response workers, not
11 only for Council, but for all of us who work in City
12 Hall and in government buildings. As you know, for
13 two years we went through this process with the
14 School District and ultimately won a battle to have
15 them post health emergency signs in all school
16 offices or somewhere in their buildings. I'm not
17 sure they're there because the last few schools I've
18 visited, I didn't see them, but they're supposed to
19 be there. And certainly, I would like to work with
20 Councilman DiCicco on some review response
21 procedure. Maybe we could have an area in the
22 building where we have medical equipment available
23 where we know who's trained in CPR.

24 COUNCIL PRESIDENT Verna: Councilwoman,
25 a memo will be going out very shortly indicating

1 SPEECHES

2 that because we do have employees who are certified.
3 The problem is, I guess, one office doesn't know
4 that the other office has someone who is qualified
5 to do that. But a memo is going out very shortly
6 regarding that.

7 COUNCILWOMAN BLACKWELL: Thank you,
8 Madam President.

9 COUNCIL PRESIDENT Verna: Are there any
10 speeches on the part of the majority?

11 Seeing none, the Chair recognizes
12 Councilwoman Tasco for a motion to adjourn.

13 COUNCILWOMAN TESCO: Thank you, Madam
14 President. I move that Council stand adjourned
15 until Thursday, October 25th at 10:00 a.m., 2001.

16 COUNCIL PRESIDENT Verna: Thank you. Do
17 I hear a second?

18 (Duly seconded.)

19 COUNCIL PRESIDENT Verna: It has been
20 moved and properly seconded that the Council stand
21 adjourned until Thursday, October 25, 2001, at
22 10:00 a.m.

23 All in favor will signify by saying aye.

24 (Aye.)

25 COUNCIL PRESIDENT Verna: Those opposed?

1 SPEECHES

2 (No response.)

3 COUNCIL PRESIDENT VERNA: The ayes have
4 it. The motion carries. Thank you very much.

5 (Council adjourned at 11:00 a.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 October 18, 2001, were reported
fully and accurately by me, and that this is a
correct transcript of the same.

RE: STATED MEETING

Lisa C. Bradley, RPR
and Notary Public