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COUNCIL OF THE CITY OF PHILADELPHIA

3

COMMITTEE ON RULES

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Room 400, City Hall
Philadelphia, Pennsylvania
Monday, September 24, 2007
10:10 a.m.

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PRESENT:

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COUNCIL PRESIDENT ANNA C. VERNA, CHAIR

COUNCILMAN DARRELL L. CLARKE

COUNCILMAN FRANK DiCICCO

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COUNCILMAN WILLIAM GREENLEE

COUNCILMAN JACK KELLY

12

COUNCILMAN JAMES F. KENNEY

COUNCILMAN BRIAN J. O'NEILL

13

COUNCILWOMAN BLONDELL REYNOLDS BROWN

COUNCILMAN DANIEL SAVAGE

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BILL 070512 - An ordinance approving the third
amendment of the redevelopment proposal for
the Independence Mall Urban Renewal Area, Unit
No. 3...

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BILL 070540 - An ordinance re-establishing a
neighborhood improvement district in an area
that generally includes both sides of
Frankford Avenue from Torresdale Avenue to
Bridge Street...

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V A R A L L O Incorporated
Litigation Support Services
Eleven Penn Center
1835 Market Street, Suite 600
Philadelphia, Pennsylvania 19103
215.561.2220 215.567.2670

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COUNCIL PRESIDENT Verna: Good morning, everyone. This is a public hearing of the Rules Committee.

I would ask Mr. McPherson to please read the title of Bill No. 070512.

MR. McPHERSON: An ordinance approving the third amendment of the redevelopment proposal for the Independence Mall Urban Renewal Area, Unit No. 3, being the area beginning at the intersection of the westerly side of 7th Street and the northerly side of Race Street projected, including the third amendment to the urban renewal plan and the first amendment to the relocation plan, which provides, inter alia, for a change of the land use and related controls for the southeast corner of 5th and Market Streets from commercial to institutional uses.

COUNCIL PRESIDENT Verna: Do we have someone to testify on this?

MR. DEMA: Good morning.

COUNCIL PRESIDENT Verna: Good

1 9/24/07 - RULES - BILLS 070512 & 070540
2 morning. Please identify yourself for
3 the record.

4 MR. DEMA: Nicholas Dema,
5 Deputy Executive Director of the
6 Redevelopment Authority.

7 COUNCIL PRESIDENT VERNA: Do we
8 have copies of your testimony?

9 MR. DEMA: Yes.

10 COUNCIL PRESIDENT VERNA:
11 Please proceed with your testimony.

12 MR. DEMA: Madam Chairperson
13 and members of the Committee, I am here
14 to speak in support of Bill No. 070512,
15 which is the third amendment to the
16 redevelopment proposal and urban renewal
17 plan for the Center City redevelopment
18 area, Independence Mall Urban Renewal
19 Area, Unit No. 3.

20 There are no acquisitions
21 included in this bill. However, the bill
22 will change the permitted land use for
23 the parcel located at the southeast
24 corner of 5th and Market Streets,
25 referred to as 440 Market Street. The

1 9/24/07 - RULES - BILLS 070512 & 070540
2 permitted land use will change from
3 commercial to institutional. The City
4 Planning Commission on May 22nd of this
5 year approved these changes.

6 This parcel was recently
7 purchased by the National Museum of
8 American Jewish History, who will
9 demolish the existing building and
10 construct approximately a \$140 million
11 museum that will house cultural
12 exhibitions and programs. The Museum
13 anticipates attracting more than a
14 quarter of a million visitors per year.

15 No families or individuals will
16 be displaced or relocated as part of this
17 development plan.

18 Madam Chairperson and members
19 of the Committee, I respectfully request
20 favorable consideration of Bill No.
21 070512 and would also ask the suspension
22 of Council rules to allow first reading
23 on September 27th of this year.

24 COUNCIL PRESIDENT VERNA: Thank
25 you.

1 9/24/07 - RULES - BILLS 070512 & 070540

2 Can you tell us what is the
3 property being used for at the present
4 time?

5 MR. DEMA: It's the former KYW
6 facility at 4th and Market.

7 COUNCIL PRESIDENT VERNA: Will
8 the property have to be rezoned? If so,
9 what is the current zoning and what will
10 the new zoning designation be?

11 MR. DEMA: We believe it has to
12 be rezoned for the intended use.

13 COUNCIL PRESIDENT VERNA: There
14 have been no objections to this; have
15 there been?

16 MR. DEMA: No.

17 COUNCIL PRESIDENT VERNA: And
18 the new building will be used solely for
19 the purpose of operating a museum?

20 MR. DEMA: That is correct.

21 COUNCIL PRESIDENT VERNA: What
22 are the sources of funding for this
23 project?

24 MR. DEMA: The majority of it,
25 I believe, has been from fundraising.

1 9/24/07 - RULES - BILLS 070512 & 070540

2 Yes, it's been all fundraising.

3 COUNCIL PRESIDENT VERNA: What
4 are the proposed commencement and
5 completion dates of the project?

6 COUNCILMAN DiCICCO: Madam
7 President, if I may.

8 COUNCIL PRESIDENT VERNA: The
9 Chair recognizes Councilman DiCicco.

10 COUNCILMAN DiCICCO: If I may.
11 Thank you. KYW has relocated out of the
12 property. The property is actually, as
13 we speak, being demolished. The
14 foundation that is building the museum
15 has been raising money for the last
16 couple of years. I think the price tag
17 is like a hundred million dollars or
18 something, the project, and they are very
19 close to meeting its goal.

20 But, again, demolition has
21 begun a few weeks ago, and I think in the
22 next month or so demolition will have
23 been complete. There will be a
24 ground-breaking ceremony sometime in the
25 next week or two, three weeks at the

1 9/24/07 - RULES - BILLS 070512 & 070540
2 most. So construction would be starting
3 almost immediately after demolition is
4 complete.

5 COUNCIL PRESIDENT VERNA: When
6 do they anticipate it will be completed?

7 COUNCILMAN DiCICCO: I'm not
8 certain of that. I'm not certain of
9 that.

10 COUNCIL PRESIDENT VERNA: Thank
11 you.

12 Are there any questions from
13 members of the Committee?

14 (No response.)

15 COUNCIL PRESIDENT VERNA: Do we
16 have anyone else to testify on this bill?

17 (No response.)

18 COUNCIL PRESIDENT VERNA:
19 Seeing no one, I would ask Mr. McPherson
20 to please read the title of the next
21 bill, Bill No. 070540.

22 MR. McPHERSON: An ordinance
23 re-establishing a neighborhood
24 improvement district in an area that
25 generally includes both sides of

1 9/24/07 - RULES - BILLS 070512 & 070540
2 Frankford Avenue from Torresdale Avenue
3 to Bridge Street and certain side
4 streets, including portions of Kensington
5 Avenue, Foulkrod Street, Gillingham
6 Street, Griscom Street, Margaret Street,
7 Meadow Street, Orthodox Street, Paul
8 Street, Pratt Street, Darrah Street and
9 Unity Street, to be known as the
10 Frankford Special Services District.

11 COUNCIL PRESIDENT VERNA: Do we
12 have anyone testifying on this bill?

13 MR. FRISHKOFF: Good morning,
14 Madam Chairwoman and members of City
15 Council. My name is Andrew Frishkoff.
16 I'm the Director of Neighborhood Economic
17 Development for the Neighborhood
18 Transformation Initiative. I'm here
19 today to provide testimony in support of
20 Bill No. 070540. This bill will allow
21 for the approval of the re-establishment
22 of the Frankford Special Services
23 District as a neighborhood improvement
24 district.

25 The creation of neighborhood

1 9/24/07 - RULES - BILLS 070512 & 070540
2 improvement districts is consistent with
3 the objectives of our newly launched
4 ReStore Philadelphia Corridors program,
5 designed to help re-establish
6 neighborhood commercial corridors as
7 central places to work, shop and meet
8 neighbors. NTI is working with the
9 office of Councilman Savage and community
10 representatives, some of whom are here
11 with me, to install new trees, banners
12 and planters on Frankford Avenue. The
13 Frankford CDC, which has provided
14 management services in the past to the
15 NID, has participated in the City's Main
16 Street program since 2005. Three
17 business properties on the Frankford
18 Avenue Main Street corridor have received
19 \$20,000 in Main Street Facade Challenge
20 grant funds that have leveraged another
21 \$45,000 in private and public funds.

22 NIDs are one of the best
23 examples of collaboration between the
24 City and our neighborhood commercial
25 corridors. Like their counterparts in

1 9/24/07 - RULES - BILLS 070512 & 070540
2 the East Passyunk Avenue NID and the Port
3 Richmond Industrial Development
4 Enterprise NID, the Frankford businesses,
5 entrepreneurs and property owners
6 recognize the need to improve the
7 environment within which they and their
8 customers live and work. Their efforts
9 to make the Frankford Avenue commercial
10 corridor clean, safe and attractive will
11 directly impact the stability of the
12 entire community, and as the community
13 prosper, the economic vitality of the
14 commercial center will also be
15 strengthened.

16 The result of this successful
17 collaboration will be a dynamic
18 neighborhood improvement district that
19 promotes the long-term growth and
20 viability of the Frankford Avenue
21 corridor in Frankford. This worthwhile
22 effort deserves the support of the City.
23 I urge your support of Bill No. 070540.

24 Thank you for your
25 consideration. I will be happy to answer

1 9/24/07 - RULES - BILLS 070512 & 070540

2 any questions you may have.

3 COUNCIL PRESIDENT VERNA: Thank
4 you very much.

5 The proposed bill is to
6 re-establish the district, the original
7 term of which expired December 31, 2005.
8 Bill No. 060957, which was approved April
9 12, 2007, authorized the City Solicitor
10 to file for the retroactive revival and
11 to extend the term of the district and
12 the authority.

13 Have all of the necessary
14 filings been done and approvals received
15 to allow City Council to now re-establish
16 the district?

17 MR. FRISHKOFF: I can't answer
18 that question definitively. It's my
19 understanding, yes, that they have, but I
20 don't know that positively.

21 COUNCIL PRESIDENT VERNA: Well,
22 I think we should know.

23 COUNCILMAN SAVAGE: Madam
24 President?

25 COUNCIL PRESIDENT VERNA: Yes.

1 9/24/07 - RULES - BILLS 070512 & 070540

2 COUNCILMAN SAVAGE: I think
3 that Tracy O'Drain would be better at
4 answering that question.

5 COUNCIL PRESIDENT VERNA:
6 Ms. O'Drain, can you answer that
7 question?

8 MS. O'DRAIN: Yes. I believe
9 everything has been filed for us to
10 establish the Frankford Special Services
11 District as a business improvement
12 district. Public notices have been sent
13 out, everything.

14 COUNCIL PRESIDENT VERNA: Does
15 the making of City Council's approval of
16 the revival of the district retroactive
17 mean that the authorized assessment on
18 properties will be done retroactively?

19 MS. O'DRAIN: The district's --
20 we had not planned on doing that, no,
21 ma'am.

22 COUNCIL PRESIDENT VERNA:
23 Please identify yourself for the record.

24 MS. O'DRAIN: I'm sorry?

25 COUNCIL PRESIDENT VERNA:

1 9/24/07 - RULES - BILLS 070512 & 070540

2 Please identify yourself for the record.

3 MS. O'DRAIN: I'm Tracy
4 O'Drain. I am currently the Frankford
5 Community Development Corporation's
6 Manager of Economic Development Programs,
7 but I also help manage the Frankford
8 Special Services District.

9 COUNCIL PRESIDENT VERNA: Well,
10 if assessments are to be retroactively
11 imposed, I'm led to believe that it
12 probably wouldn't be legal. Is that your
13 understanding?

14 MS. O'DRAIN: That is, yes.
15 The Frankford Special Services District
16 has continued to provide the cleaning
17 services through grants and volunteer
18 service throughout the period of 2006 and
19 up to now in 2007 and will continue to do
20 so until such time that they are able to
21 assess.

22 COUNCIL PRESIDENT VERNA: Have
23 the tax-exempt property owners offered
24 any cash or in-kind services?

25 MS. O'DRAIN: We have had some

1 9/24/07 - RULES - BILLS 070512 & 070540
2 that have offered in-kind services, yes,
3 ma'am.

4 COUNCIL PRESIDENT VERNA: But
5 not all?

6 MS. O'DRAIN: No, not all.

7 COUNCIL PRESIDENT VERNA: How
8 many properties are within the district,
9 and can you tell us how many of them are
10 industrial or commercial?

11 MS. O'DRAIN: The exact number,
12 I couldn't give you the exact number off
13 the top of my head. It's six hundred --
14 450. I'm sorry. 450. And to my
15 knowledge, I don't think there are any
16 industrial. I believe they're all
17 commercial. There are several that have
18 second floor residential as well as
19 storefront commercial, and there are a
20 number of residential properties within
21 the districts, which we have not
22 assessed.

23 COUNCIL PRESIDENT VERNA: Has
24 anyone objected to the re-establishment
25 of the district? If so, what percentage

1 9/24/07 - RULES - BILLS 070512 & 070540
2 of property owners within the district do
3 they represent?

4 MS. O'DRAIN: To my knowledge,
5 no one has come to our office to object
6 so far. Whether there's -- not in
7 writing or to me directly. That's the
8 best I can answer that question.

9 COUNCIL PRESIDENT VERNA: Okay.
10 The Chair recognizes Councilman Greenlee.

11 COUNCILMAN GREENLEE: Thank
12 you, Madam President.

13 I'm not sure who is best to
14 answer this. Maybe Ms. O'Drain can. How
15 were notices sent out? What list did you
16 use? And you might know the reason,
17 because I saw you talking to individuals
18 over here who own apparently two
19 properties and only got notified about
20 one.

21 MS. O'DRAIN: Right. The City
22 provided us a database, which they do --
23 my understanding is that they provide
24 that database to all special services
25 districts or BIDs. Ours in particular

1 9/24/07 - RULES - BILLS 070512 & 070540
2 was not up to date. It was not
3 completely correct. For instance, the
4 database I was provided had several City
5 Ave addresses on it, over 100 I believe,
6 and that's not even anywhere close to our
7 district.

8 So the notices that were sent
9 out went to the addresses that were
10 listed in that database that are within
11 the legislated Frankford Special Services
12 District, those addresses that were read
13 earlier.

14 COUNCILMAN GREENLEE: Do you
15 know how up to date that list is?
16 Because apparently one of the things was
17 that this property was sold like two
18 years ago, but there wasn't --

19 MS. O'DRAIN: I can't answer
20 that. I will tell you it was provided to
21 me in 2006, in November, early December
22 of 2006.

23 COUNCILMAN GREENLEE: I guess
24 I'm just concerned that there will be
25 people that won't -- they'll come back

1 9/24/07 - RULES - BILLS 070512 & 070540
2 later and say, Geez, I didn't know about
3 this.

4 MS. O'DRAIN: Yes. The ones
5 that we know -- there were a few on there
6 that we know. For instance, I can give
7 you an example. One store that's located
8 on Frankford Avenue that's been there for
9 several -- I don't know how long, at
10 least 12 years I know and his address,
11 according to the City, is on Orthodox
12 Street, but we know that he's there. So
13 we changed his address. We sent it to
14 both, the one that's on the list, then to
15 his address now that he uses.

16 COUNCILMAN GREENLEE: Are you
17 getting your own database? Are you going
18 to be getting your own records on this to
19 kind of double-check, or whatever you
20 want to say?

21 MS. O'DRAIN: Yeah. Actually,
22 our intention is to do a store by store.

23 COUNCILMAN GREENLEE: Just so
24 people don't come back later and say, I
25 didn't know about this.

1 9/24/07 - RULES - BILLS 070512 & 070540

2 MS. O'DRAIN: Right. We would
3 go and make sure we have address changes.

4 COUNCILMAN GREENLEE: Like in
5 this particular case, I understand the
6 property owner also owns next door, so
7 that's how they knew about it, but it
8 could be a situation where if you only
9 own one property and you didn't get
10 notified --

11 MS. O'DRAIN: Right. And a lot
12 of time it's hard to tell how many
13 properties are included.

14 COUNCILMAN GREENLEE: So you're
15 saying you're going to be doing a
16 store-by-store notification?

17 MS. O'DRAIN: Yes.

18 COUNCILMAN GREENLEE: All
19 right. Thank you.

20 Thank you, Madam President.

21 COUNCIL PRESIDENT VERNA:
22 You're welcome.

23 Are there any other questions
24 from members of the Committee?

25 (No response.)

1 9/24/07 - RULES - BILLS 070512 & 070540

2 COUNCIL PRESIDENT VERNA: Do we
3 have anyone else that would like to
4 testify on this bill?

5 Please approach the witness
6 table.

7 I'm sorry, sir. Did you want
8 to testify?

9 MR. MCCARTHY: Yes, ma'am.

10 COUNCIL PRESIDENT VERNA:
11 Please identify yourself for the record.

12 MR. MCCARTHY: My name is James
13 McCarthy and I'm a business owner and
14 developer on Frankford Avenue.

15 Good morning, Madam Chairman
16 and members of City Council. My name is
17 James McCarthy and I'm a business owner
18 and developer on Frankford Avenue, as
19 well as Vice-Chairperson of the FSSD. I
20 am here today to provide testimony in
21 support of Bill No. 070540.

22 Frankford is on the cusp of
23 real revitalization. The Special
24 Services District makes the business
25 corridor more aesthetically pleasing for

1 9/24/07 - RULES - BILLS 070512 & 070540

2 consumers, residents and workers.

3 Without this service, the revitalization
4 of this great historic neighborhood will
5 be extremely difficult.

6 Since the FSSD lapsed last
7 year, it has been unable to take in
8 revenue from assessments. With a highly
9 motivated Board, the FSSD has allocated
10 grant money to provide cleaning to
11 continue for the 2007 fiscal year. This
12 is how much we as a Board and myself as a
13 business owner believe in the merits of
14 the Frankford Special Services District.

15 Your community cannot thrive
16 without a stable business corridor, and
17 the Frankford business corridor cannot
18 thrive without the FSSD. I urge you to
19 support Bill No. 070540.

20 Thank you for your
21 consideration, and I will be happy to
22 answer any questions.

23 COUNCIL PRESIDENT VERNA: Thank
24 you, sir.

25 The Chair recognizes Councilman

1 9/24/07 - RULES - BILLS 070512 & 070540
2 Greenlee.

3 COUNCILMAN GREENLEE: Thank
4 you, Madam President.

5 Again, I guess kind of to
6 repeat what the Council President asked
7 earlier, are you aware, Mr. McCarthy, of
8 anybody who has concerns about this, who
9 does not like the idea, have come to you
10 with any kind of concerns?

11 MR. MCCARTHY: I actually am
12 not. Everyone that I talked to on the
13 business corridor is very supportive of
14 this.

15 COUNCILMAN GREENLEE: And
16 everybody obviously seems know about it,
17 too, right, as far as you know?

18 MR. MCCARTHY: Yes. Yes.

19 COUNCILMAN GREENLEE: Thank
20 you.

21 COUNCIL PRESIDENT VERNA: Thank
22 you.

23 The Chair recognizes
24 Councilwoman Brown.

25 COUNCILWOMAN BROWN: Good

1 9/24/07 - RULES - BILLS 070512 & 070540
2 morning, everyone.

3 You said to your knowledge, you
4 believe that all members of the corridor
5 have been contacted. Do you know what
6 means by which all these stakeholders
7 were contacted and when?

8 MS. O'DRAIN: They were sent a
9 letter notifying them of what would
10 happen and that the public hearing was
11 today, and I believe we were required for
12 a 30-day notice.

13 COUNCILWOMAN BROWN: Did you
14 get any phone calls, any e-mails, any
15 feedback at all?

16 MS. O'DRAIN: I have not
17 received any.

18 COUNCILWOMAN BROWN: Sir?

19 MS. O'DRAIN: There are other
20 members who have been involved. There
21 are other Board members that have helped
22 put this together, and they may have, but
23 me personally, I have not received any.

24 COUNCILWOMAN BROWN: Okay.

25 Sir, to your knowledge?

1 9/24/07 - RULES - BILLS 070512 & 070540

2 MR. MCCARTHY: I have not, no,
3 ma'am.

4 COUNCILWOMAN BROWN: Okay,
5 then. Thank you very much.

6 MR. MCCARTHY: You're welcome.

7 COUNCIL PRESIDENT VERNA: The
8 Chair recognizes Councilman Savage.

9 COUNCILMAN SAVAGE: Thank you,
10 Madam President.

11 Today, with Bill No. 070540
12 we're not voting it out of Committee
13 today. We are just proposing amendments.
14 This is a public hearing, and there will
15 be another public hearing on October
16 25th. I just wanted that to be recorded
17 for the record.

18 COUNCIL PRESIDENT VERNA: Thank
19 you. Thank you very much.

20 I understand we have other
21 witnesses that would like to testify.
22 Kindly approach the witness table.

23 MS. GOLDSHLACK: Good morning,
24 Councilwoman.

25 COUNCIL PRESIDENT VERNA: Good

1 9/24/07 - RULES - BILLS 070512 & 070540
2 morning. You can be seated. Be careful.
3 MS. GOLDSHLACK: Thank you.
4 COUNCIL PRESIDENT VERNA:
5 Identify yourself for the record, please.
6 MS. GOLDSHLACK: My name is
7 Diana Goldshlack and I'm here with my
8 husband, who is a business owner but
9 slightly hearing impaired and I wanted to
10 assist him.
11 COUNCIL PRESIDENT VERNA: Fine.
12 MS. GOLDSHLACK: Thank you.
13 COUNCIL PRESIDENT VERNA:
14 You're welcome.
15 MR. GOLDSHLACK: Good morning.
16 COUNCIL PRESIDENT VERNA: Good
17 morning, sir.
18 MR. GOLDSHLACK: My name is
19 William Goldshlack. I own the property
20 in Frankford at 5205 Frankford Avenue.
21 My son and I have run a business there
22 for over 25 years. I want it understood
23 that we strongly oppose a business
24 district that makes mandatory an
25 additional tax on us.

1 9/24/07 - RULES - BILLS 070512 & 070540

2 I'm sure Council is aware of
3 the already high taxes we pay. We have
4 real estate taxes, which just went up 25
5 percent, business use and occupancy,
6 business privilege, net profits tax, food
7 license, health license, alarm license,
8 sign license, cigarette license and
9 lottery license, as well as state taxes.
10 We are entitled to regular City services
11 for our existing taxes. We should not
12 have to pay extra to get the services.

13 The Frankford Business
14 Association seems to go in the wrong
15 direction. They should try to help
16 individual businesses expand, not
17 increase the tax burden. The Frankford
18 area has been a special services district
19 for which I paid for the past five years
20 that I know of. It did not do the job.
21 We have not seen any betterment to our
22 area in spite of having services for five
23 years. It was money spent with no
24 results. I don't want to continue
25 spending for a lost cause.

1 9/24/07 - RULES - BILLS 070512 & 070540

2 The decision to increase my
3 taxes was made by an association that
4 consists of very few business owners that
5 I know of. I was not consulted. I must
6 have missed a meeting because I didn't
7 know that 51 percent of the businesses
8 are needed to object to the special
9 services district. Why isn't the
10 Association required to get 51 percent to
11 okay it? Is it a goal to just make it
12 hard for the businesses to object but not
13 the Association?

14 As an aside, we had a last
15 session. I had some signed, sent-in
16 forms. I never found out what they got,
17 how they got, how many they got, and I
18 can't find out.

19 The Association is not an
20 elected group that has a right to spend
21 my money. We have struggled through many
22 years of the transportation center
23 development, and I'm sorry to say that
24 the net result for avenue businesses has
25 been completely negative. SEPTA not only

1 9/24/07 - RULES - BILLS 070512 & 070540
2 changed the pattern of the transportation
3 customer, they also created competition
4 to all the businesses by establishing
5 businesses inside the terminal. Is it
6 fair that I should have to pay more taxes
7 to clean up an area that gives them an
8 exemption for the cost of their -- for
9 extra services?

10 Seven years ago I wanted to
11 develop a property next to mine. At that
12 time, SEPTA stopped using the building.
13 I felt I could add the space to my
14 business, and it has been impossible to
15 get any action. SEPTA said it was up to
16 the City. The City said it was up to
17 SEPTA. The net result was we have now,
18 after spending hundreds of thousands of
19 dollars to tear down a building, we
20 gained a fenced-in, trash-strewn empty
21 lot.

22 The Pratt Street property was a
23 match to the Bridge Street property that
24 has cost almost a million dollars to
25 restore. The Frankford Business

1 9/24/07 - RULES - BILLS 070512 & 070540

2 Association has done nothing to help
3 develop our business area, so why should
4 they have the right to create a special
5 services district that would raise my
6 taxes? When they get support and
7 approval of 51 percent of the businesses,
8 maybe then there could be some successful
9 improvement.

10 COUNCIL PRESIDENT VERNA: Thank
11 you very much.

12 Are there any questions from
13 members of the Committee?

14 (No response.)

15 COUNCIL PRESIDENT VERNA: Thank
16 you very much for coming in to testify.

17 Do we have anyone else that
18 would like to testify?

19 While the gentleman is
20 approaching the witness table, I would
21 like the record to reflect that we do in
22 fact have a quorum. To my extreme left
23 is Councilman O'Neill. Next to him is
24 Councilwoman Brown, Councilman Greenlee.
25 To my extreme right is Councilman Kenney,

1 9/24/07 - RULES - BILLS 070512 & 070540

2 Councilman Savage and Councilman Clarke.

3 COUNCILMAN KENNEY: Madam

4 President? I'm sorry.

5 COUNCIL PRESIDENT VERNA: Yes.

6 COUNCILMAN KENNEY: If someone
7 after the witnesses testify can answer
8 these following questions. They may have
9 to go get the information first or look
10 it up with their paperwork. How many
11 property -- because it's not businesses,
12 it's property owners that pay the
13 assessment. Because I'm on the Board of
14 the East Passyunk Avenue Business
15 Improvement District. It's the owners of
16 the properties that pay the assessment.
17 So it's not 51 percent of the businesses.
18 It's 51 percent of the property owners.

19 How many properties in the
20 district and what is the average
21 assessment, if there is an average
22 assessment. What are we talking? Are we
23 talking \$100 a year? Are we talking \$150
24 a year? Are we talking \$1,000 a year?

25 I know in our district we have

1 9/24/07 - RULES - BILLS 070512 & 070540
2 a large supermarket. They pay a bigger
3 assessment, but they pay it happily.
4 They're happy to pay it. There are other
5 larger properties, square foot
6 properties, that pay more than a regular
7 retail business.

8 So can you give us an idea how
9 many properties are in the district and
10 what the average assessment is for a
11 property owner?

12 MS. O'DRAIN: Yes, sir. Tracy
13 O'Drain.

14 The number of businesses,
15 there's approximately 450 businesses --
16 excuse me. Excuse me. Let me correct
17 myself. 450 properties. The average --
18 I couldn't give you an exact number. I
19 can tell you they're usually below \$150.
20 There are some, as you say, there are
21 some that are \$400, \$500. There are
22 some -- I looked at one the other day
23 that was \$35. So there's a range.

24 COUNCILMAN KENNEY: What is
25 your highest assessment?

1 9/24/07 - RULES - BILLS 070512 & 070540

2 MS. O'DRAIN: The highest I
3 think I've seen is 454.

4 COUNCILMAN KENNEY: That's the
5 highest?

6 MS. O'DRAIN: I think.

7 COUNCILMAN KENNEY: That's not
8 bad.

9 MS. O'DRAIN: That I've
10 noticed. I've only been doing this for a
11 short time.

12 COUNCILMAN KENNEY: Because
13 some of the properties in our district
14 pay -- the Acme, for example, pays about
15 \$1,200, \$1,300 a year.

16 MS. O'DRAIN: Right. The
17 only -- we have the Holiday Thriftway.
18 SEPTA, of course, is exempt. I'm trying
19 to think of any other -- now, there may
20 be multiple properties. A particular
21 property owner may have five to ten
22 properties and so together they would be
23 more than that average.

24 COUNCILMAN KENNEY: So we're
25 talking anywhere between \$100 and \$200 on

1 9/24/07 - RULES - BILLS 070512 & 070540
2 average?

3 MS. O'DRAIN: If I had to put a
4 number on it, I would say average would
5 be about \$100, \$125.

6 COUNCILMAN KENNEY: Fine. So
7 we know the context of what we're talking
8 about. Okay. Thank you.

9 COUNCIL PRESIDENT VERNA: Thank
10 you.

11 I would also like the record to
12 reflect that Councilman Kelly is present.

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

16 MR. TOBIN: Good morning. My
17 name is Terry Tobin. I'm the Executive
18 Director of the new Frankford community
19 Y, which is a community center in
20 Frankford. I'm also on the Board of the
21 Frankford Special Services District.

22 Although I don't have a
23 prepared testimony, but although I can
24 understand the frustration of the
25 gentleman that just spoke as a business

1 9/24/07 - RULES - BILLS 070512 & 070540
2 owner, I believe some of the things that
3 he stated was really incorrect. There
4 has been -- in Frankford right now we're
5 going through -- what we are trying to do
6 is go through a revitalization of the
7 community, and without the Frankford
8 Special Service District, that
9 revitalization is going to be very, very
10 difficult. To develop on Frankford
11 Avenue, economic development on Frankford
12 Avenue, there's really no other
13 organization that's going to be available
14 to do that.

15 In addition, the commitment
16 from the Board of the Frankford Special
17 Service District is that even though we
18 haven't been able to make assessments and
19 collect any money, we have obtained some
20 grants and we do have plans for the
21 future, such as returning not only
22 cleaning the avenue but returning to the
23 Ambassador program that we once had,
24 which was to have employees of the
25 special service district in uniform

1 9/24/07 - RULES - BILLS 070512 & 070540
2 patrol up and down Frankford Avenue
3 during various hours of the day, and
4 we're hoping to expand that into the
5 night and the weekend. And that was a
6 big deterrent. Since that program
7 stopped, crime on the avenue has been
8 going up, and that's statistically
9 available.

10 So I just want to speak in
11 support of the Frankford Special Service
12 District and the plans that it has and
13 the importance for the revitalization of
14 the Frankford community.

15 Thank you.

16 COUNCIL PRESIDENT VERNA: Thank
17 you.

18 The Chair recognizes Councilman
19 Kenney.

20 COUNCILMAN KENNEY: Thank you,
21 Madam President.

22 So I understand the context,
23 the special service district was in
24 existence, correct?

25 MR. TOBIN: Yes.

1 9/24/07 - RULES - BILLS 070512 & 070540

2 COUNCILMAN KENNEY: And then
3 the authority to collect the assessments
4 lapsed?

5 MR. TOBIN: Right.

6 COUNCILMAN KENNEY: How long of
7 a period of time has the authority been
8 not there?

9 MR. TOBIN: Has not assessed?

10 COUNCILMAN KENNEY: Yes. How
11 long have you not had the ability to
12 assess?

13 MS. O'DRAIN: December 2005.

14 MR. TOBIN: About two years.

15 COUNCILMAN KENNEY: It's been
16 that long?

17 How long was it in existence
18 prior to December 2005?

19 MS. O'DRAIN: Five years.

20 MR. TOBIN: Five years.

21 COUNCILMAN KENNEY: So it was
22 in place for five years and it's been
23 kind of in this limbo for two?

24 MS. O'DRAIN: Correct.

25 MR. TOBIN: Right.

1 9/24/07 - RULES - BILLS 070512 & 070540

2 COUNCILMAN KENNEY: I hear
3 everything you're saying, because I sit
4 on the Board myself and sometimes I
5 wonder why I sit on the Board, because
6 people enjoy complaining more than they
7 do working together to get things done,
8 and that's a cultural attitudinal change
9 you need to get within the business
10 community. Because on our business
11 strip, we have older businesses that have
12 been there for generations. Their
13 mortgages are paid, their buildings -- I
14 mean, basically what it is they make,
15 they keep, other than their inventory.
16 So they have a different attitude about
17 us asking them or assessing them money to
18 do plantings and to do upgrade and to
19 clean the sidewalks and to have some
20 additional security. They don't want to
21 do that. We have newer, more recent
22 business owners and operators that
23 understand that it works in Manayunk, it
24 works in South Street, it works in Center
25 City and it can work in neighborhoods if

1 9/24/07 - RULES - BILLS 070512 & 070540
2 people kind of work together and try to
3 get it done.

4 So you're going to have to just
5 kind of put your blinders and earphones
6 on to the people who want to see
7 something or continually believe
8 something is going to fail, because it
9 really doesn't fail in the end. It does
10 work. And people will complain and
11 nothing will be perfect, but I urge you
12 just to keep at it, because it works in
13 neighborhood strips and it's working in
14 South Philly, which is a newer one, and I
15 think it can work anywhere. So just hang
16 in there.

17 The one thing you do, once you
18 get the authority back, you got to stay
19 on the assessments. You got to stay on
20 the assessments. You got to stay on the
21 collections, because once people think
22 that they don't have to pay, they will
23 not pay.

24 And the other thing I think you
25 need to articulate to them is, this is

1 9/24/07 - RULES - BILLS 070512 & 070540
2 not a tax where the money is going to the
3 General Fund of the City of Philadelphia
4 so we can waste it. It's going to a fund
5 that they have some control over and some
6 input in when it comes to setting
7 priorities on what's important. Are
8 facade improvements important, is street
9 cleaning important, is security
10 important. And then you have the ability
11 through that Board to direct your own
12 money into those services. And I think
13 the model works nationwide and hopefully
14 we'll look forward to voting for this
15 when it comes up out of Committee again.

16 Thanks.

17 MR. TOBIN: Thank you.

18 COUNCIL PRESIDENT VERNA: Thank
19 you.

20 Are there any other questions
21 or comments from members of the
22 Committee?

23 (No response.)

24 COUNCIL PRESIDENT VERNA: Thank
25 you, sir. We appreciate your coming in

1 9/24/07 - RULES - BILLS 070512 & 070540

2 to testify.

3 Do we have anyone else that
4 would like to testify?

5 Please approach the witness
6 table.

7 MS. RICHARDS: I've never done
8 this before, so I'm quite nervous.

9 COUNCIL PRESIDENT VERNA: No.
10 It's fine. You're among friends.

11 Please identify yourself.

12 MS. RICHARDS: My name is Nancy
13 Richards. I live in Frankford.

14 I got all this information
15 about three weeks ago. I don't know why
16 it was sent to me. My house is zoned for
17 business. I don't know if that had
18 anything to do with it.

19 I didn't hear anything. I
20 didn't see anything in the News Gleaner.
21 I didn't hear anything about a bill that
22 was up to redevelop Frankford. I heard
23 nothing about it.

24 I have major concerns over the
25 things that I see on Frankford Avenue, on

1 9/24/07 - RULES - BILLS 070512 & 070540
2 my street. Prostitution is running
3 rampant in Frankford. I don't see
4 anything addressed in the bill to address
5 that.

6 The street cleaning that the
7 sweepers that they have, they don't work.
8 I have gone out there for a couple years,
9 swept all the stuff off the sidewalk.
10 They come by. They most of the time
11 leave like a quarter of the trash still
12 there. So any work that you do and these
13 machines, it blows the stuff right back
14 up. So most of it sounds like in the
15 bill you're going to keep doing the same
16 things. So that's not working, this
17 whole thing about cleaning the streets in
18 Frankford.

19 There are signs posted, not
20 supposed to park on certain sides of the
21 street certain days of the week. That's
22 not working either. I personally have
23 heard two things. The meter people that
24 are walking around -- I live on Sellers
25 Street. Marshall School is right there.

1 9/24/07 - RULES - BILLS 070512 & 070540

2 Health center is on the corner. When
3 teachers come into the area, they can
4 park wherever they want. The crossing
5 guard told them, It's okay, you won't get
6 a ticket there. As a homeowner, I live
7 there, I get tickets if I don't get up in
8 time and move my car.

9 I heard a meter maid -- I don't
10 know what they're called now -- tell a
11 school teacher who got a ticket -- she
12 parked this far away from the fire
13 hydrant. I heard her say, Well, if it
14 was me, I wouldn't have given you a
15 ticket.

16 So all these things are going
17 on, and what you're talking about
18 redeveloping Frankford, there's a whole
19 bunch of stuff going on in Frankford. So
20 it's really kind of hard to support
21 something when you want people that live
22 there to do something when the laws
23 themselves aren't getting enforced or the
24 people who are supposed to be enforcing
25 them aren't doing -- I don't know who it

1 9/24/07 - RULES - BILLS 070512 & 070540
2 is, the City or -- this is all new to me,
3 being a homeowner. I don't understand
4 how this works, but it just seems like
5 this is just cosmetic stuff that you're
6 trying to do. There's so many issues in
7 Frankford that passing another bill I
8 really don't think is going to solve or
9 bring Frankford back.

10 I grew up in Frankford. It
11 used to be a beautiful place. I feel
12 like I live in the slums now. I don't
13 know what's going to have to happen.

14 Thank you.

15 COUNCIL PRESIDENT VERNA: Just
16 a moment, please.

17 The Chair recognizes Councilman
18 Savage.

19 COUNCILMAN SAVAGE: Yes. I
20 appreciate you coming down here.

21 Frankford, you talked about
22 parking. There's been a lot of changes.
23 We brought back the meter parking on
24 Frankford Avenue to 6 o'clock. It used
25 to go to 9:30.

1 9/24/07 - RULES - BILLS 070512 & 070540

2 MS. RICHARDS: I'm talking
3 about on my street.

4 COUNCILMAN SAVAGE: Okay.
5 Frankford Special Service District is a
6 special service district that cleans the
7 business corridor, and at one time they
8 used to have safety ambassadors, too. I
9 think it's a great program. And I think
10 that any community that can be cleaner
11 can be a safer community, too. Do you
12 disagree with that?

13 MS. RICHARDS: No. I agree.
14 But when you spend a lot of time and you
15 see those trash machines come along, I
16 don't know if they're filled all the time
17 and they're not emptied enough, but it
18 blows the stuff right back there, and
19 then you think, well, you had to get up
20 and move your car so this machine would
21 come through and clean the street and
22 they're not working.

23 COUNCILMAN SAVAGE: Well, the
24 Frankford Special Service District is
25 basically based on the Center City

1 9/24/07 - RULES - BILLS 070512 & 070540
2 Special Service District, too, and if you
3 go in Center City, there's different
4 people going around cleaning with trash
5 cans and by hand, and that's the same
6 thing that's happening on Frankford
7 Avenue.

8 So I'd have to say I strongly
9 disagree with you being that this is
10 cosmetic, because it's a separate -- it's
11 one step in many steps to making
12 Frankford a better neighborhood.

13 MS. RICHARDS: I guess I'm
14 telling you just to let you know that
15 when those machines go by, they're not
16 picking trash up. In some cases --
17 actually, three weeks ago, I sat there
18 and watched it blow all the stuff right
19 back up that I spent 45 minutes trying to
20 get in the street so that the machine
21 would come. I'm saying that maybe the
22 machines or whoever is running the
23 machines that do the cleaning need to
24 make sure they're empty or go back and
25 empty them or something. Something is

1 9/24/07 - RULES - BILLS 070512 & 070540

2 wrong with the machines.

3 COUNCILMAN SAVAGE: Once again,
4 the Frankford Special Service District
5 does not use the machines.

6 MS. RICHARDS: Well, whoever
7 comes by and sits in the machine and they
8 have little twirly things on the back of
9 it --

10 COUNCILMAN SAVAGE: That's the
11 City of Philadelphia street services, but
12 I will look into that and I appreciate
13 you coming here today. Thank you.

14 COUNCILMAN KENNEY: Just one
15 suggestion.

16 COUNCIL PRESIDENT VERNA: The
17 Chair recognizes Councilman Kenney.

18 COUNCILMAN KENNEY: One
19 question. Do you have a commercial
20 property?

21 MS. RICHARDS: I have a house,
22 a three-story house, and it's zoned for
23 business.

24 COUNCILMAN KENNEY: Is there a
25 business in it?

1 9/24/07 - RULES - BILLS 070512 & 070540

2 MS. RICHARDS: No, there's not
3 a business in it. I've been thinking of
4 starting a business. So this is all like
5 what is going on with the businesses.

6 COUNCILMAN KENNEY: That's
7 probably why you got the information sent
8 to you, because it's zoned commercial.

9 MS. RICHARDS: Which makes me
10 wonder, if that was true, how come I
11 didn't get any information that there
12 wasn't this 51 percent of people showing
13 up or not showing up, or however it was
14 worded. I wasn't told that, and I
15 thought, well -- it sort of seemed like
16 it was all done secretly or something.

17 COUNCILMAN KENNEY: Do you have
18 a corner property?

19 MS. RICHARDS: Pardon?

20 COUNCILMAN KENNEY: Do you have
21 a corner property?

22 MS. RICHARDS: No.

23 COUNCILMAN KENNEY: So you're
24 in the middle of the block?

25 MS. RICHARDS: There's five

1 9/24/07 - RULES - BILLS 070512 & 070540
2 houses on my block, a health center and
3 then there's five houses. I'm the only
4 one that owns my property with those five
5 houses.

6 COUNCILMAN KENNEY: But there's
7 not commercial activity going on in there
8 now?

9 MS. RICHARDS: Next door to me
10 is a beauty parlor, which is --

11 COUNCILMAN KENNEY: No, no.
12 Yours.

13 MS. RICHARDS: Mine? No.

14 COUNCILMAN KENNEY: Because if
15 you're not going to start a business, you
16 ought to get that zoning changed to a
17 residential zoning. You'll save, I
18 think, on taxes overall, because I think
19 the commercial properties are taxed at a
20 higher --

21 MS. RICHARDS: I could do that,
22 but then I'm also thinking if I'm going
23 to start a business, I'd like to know
24 what's going on.

25 COUNCILMAN KENNEY: Right. And

1 9/24/07 - RULES - BILLS 070512 & 070540
2 the other issue for the service district,
3 we've had a very successful -- well,
4 first of all, people in South
5 Philadelphia don't like moving their cars
6 at all, as we've learned, very unhappily
7 we've learned. We asked them to put
8 their car on their back and carry it to
9 City Hall. But we had to stop a number
10 of street-cleaning programs.

11 One of the things I'd suggest
12 is to get a hold of the Community Court,
13 because we've had very successful
14 interaction with the Community Court,
15 having people come down and hand clean to
16 get rid of their public service
17 requirements when they get convicted of a
18 -- it's not a misdemeanor. It's a
19 summary offense: underage drinking,
20 loitering, whatever the smaller offenses
21 are. They get so many hours of community
22 service. You can coordinate the
23 hand-cleaning people, and they're very
24 good. I mean, actually they've been very
25 successful. They're under supervision of

1 9/24/07 - RULES - BILLS 070512 & 070540
2 the court person or whoever your
3 maintenance person is for Frankford
4 Special Service District. They can get
5 under cars and they can actually clean up
6 stuff pretty well. And the court needs
7 it, because there's so many people that
8 need to get rid of their hours. So just
9 a suggestion.

10 Thanks.

11 COUNCIL PRESIDENT VERNA: Thank
12 you.

13 Are there any other questions
14 or comments from members of the
15 Committee?

16 (No response.)

17 COUNCIL PRESIDENT VERNA: Do we
18 have anyone else that would like to
19 testify?

20 (No response.)

21 COUNCIL PRESIDENT VERNA:
22 Anyone else that would like to testify?

23 (No response.)

24 COUNCIL PRESIDENT VERNA:
25 Seeing no one, this will conclude our

1 9/24/07 - RULES - BILLS 070512 & 070540
2 public hearing. We will now go into our
3 public meeting, and the Chair recognizes
4 Councilman Clarke regarding Bill No.
5 070512.

6 COUNCILMAN CLARKE: Thank you,
7 Madam President. Madam President, I move
8 that Bill 070512 be reported out of
9 Committee with a favorable recommendation
10 and a request for a rules suspension as
11 to allow reading at the next session of
12 Council.

13 (Duly seconded.)

14 COUNCIL PRESIDENT VERNA: It
15 has been moved and properly seconded that
16 Bill No. 070512 be reported out of
17 Committee with a favorable
18 recommendation, also a recommendation
19 that the rules of Council be suspended so
20 as to permit first reading at our next
21 session of Council.

22 All in favor will say aye.

23 (Aye.)

24 COUNCIL PRESIDENT VERNA: Those
25 opposed?

1 9/24/07 - RULES - BILLS 070512 & 070540

2 (No response.)

3 COUNCIL PRESIDENT VERNA: The
4 ayes have it and the motion carries.

5 Bill No. 070540 will be
6 continued until October 25th -- the Chair
7 recognizes Councilman Savage.

8 COUNCILMAN SAVAGE: Thank you,
9 Madam President. I move to adopt the
10 proposed amendments to Bill No. 070540
11 that have been circulated to all my
12 colleagues.

13 (Duly seconded.)

14 COUNCIL PRESIDENT VERNA: It
15 has been moved and seconded that the
16 amendments proposed by Councilman Savage
17 be adopted.

18 All in favor will say aye.

19 (Aye.)

20 COUNCIL PRESIDENT VERNA: Those
21 opposed?

22 (No response.)

23 COUNCIL PRESIDENT VERNA: The
24 ayes have it and the motion carries.
25 Bill No. 070540 is amended and the public

1 9/24/07 - RULES - BILLS 070512 & 070540
2 hearing is continued to October 25th at
3 9:00 a.m.

4 Thank you all very much.

5 (Committee on Rules adjourned
6 at 10:50 a.m.)

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I HEREBY CERTIFY that the

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foregoing matter on September 24, 2007, and

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that this is a true and correct transcript of

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RPR-Notary Public

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