

Minutes of the Old City District Board of Directors Meeting

Wednesday, April 18, 2012 4:00 pm
231 Market Street, Philadelphia, PA

In Attendance: Sheryl Bar, Ryan Berley (OCCA), Lynn Martin Haskin, Avram Hornik, Pat Lavelle, Christopher McGill, David Neff, Carolyn Pfeiffer, Joseph Ritchie, Peter Rothberg, Luca Sena, Harvey Spear, Albert Taus, Laurie Townsend-Rapp, Ellen Yin.
Graham Copeland (Executive Director), Greg Diehl (Economic Development Coordinator), Josh Grimes (Counsel), Brett Mapp (Operations Director)
Absent: Jane Cowley (NPS), Christopher Laufer, Michael Mattioni
Guests: Janet Kalter, Joe Schiavo

Call to Order: Chairman Joe Ritchie called the meeting to order at 4:07.

Minutes:

Minutes for the March 2012 meeting were previously circulated to board members via email.

- Motion by D. Neff to accept the March 2012 board minutes, subject to a clarification in the vote to approve a repayment agreement with John Paul Primiano, to reflect that P. Rothberg abstained, with his disclosure of a business relationship, in which he represents Mr. Primiano to sell real estate/2nd P. Rothberg. All in favor, approved.

Chairman's Report: No report

Executive Director's Report: G. Copeland

- Assessment collection - 2012 YTD revenues= \$625,891, compared to \$565,983.99, an increase of \$59,907 or 10.6%. This represents 92.7% of our collection goal. Brett has sent out our 1st reminder letter, and we have received payment from 17 out of largest 20 rate payers.
- Delinquent accounts - 2 have paid in full: 124 N. 3rd (AA Realty) and 137 N. 3rd (Electra 137 LLC/Samuel Machinery property).
- Repayment plans - executed: Front St. Properties/Pacitti, Primiano, and Picorella. Pending: Cosenza. Jud Borck recently passed away; no agreement in place.
- Commercial assessment appeals - 47 properties on appeal totaling \$352,000 in assessment revenue; all properties have paid in full except for 9, totaling \$19,459 outstanding revenue. We now estimate the potential reduction in assessment revenue to be 20 - 25% (of the appealing properties only); actual amount yet to be determined.
- Residential/investment properties: received correspondence from the owner of income-producing residential properties challenging our practice of assessing these as commercial properties; J. Grimes has responded with a letter explaining our practice.
- Broker Breakfast - the efforts of Joe Ritchie, Avram Hornik, Peter Rothberg, Pat Lavelle, Luca Sena, Greg Diehl & Brett were acknowledged for a great job and a successful event.

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- Transportation plan - PPA has agreed to offer the \$5 discounted parking arrangement at the Independence Mall garage on weekends, to complement the new taxi zone. Staff is preparing communications now that includes both messages.
- Holiday trash pickup issue - Good Friday experienced widespread trash issues emanating mainly from upper-floor residents in small mixed-use properties; referred to the Clean & Safe Committee

Treasurer's Report: C. McGill

- A review of the balance sheet and income statement shows that assessment income and expenses are on target; nothing extraordinary.
- Collection agreement with Darin Picorella - motion by E. Yin to approve/2nd C. McGill. All in favor, approved.
- Collection agreement with Andrew Cosenza - motion by P. Lavelle to approve contingent upon the reinsertion of penalty clauses for late payment and returned checks/ 2nd P. Rothberg. All in favor, approved.

Committee Reports:

- **Marketing:** S. Bar
 - Branding project - the committee is working with agency Mighty Engine, which is doing focus groups within the next two weeks. The process will include the board via questionnaire. Results of the project are anticipated within six to eight weeks.
- **Clean & Safe:** H. Spear
 - Taxi zone - signs have been installed at the preferred location on the 300 block of Market St. Next steps include the communication plan with nightlife establishments, taxi operators and media outreach; enforcement via police and PPA. E. Yin commented that the signs are confusing and motorists seeking on-street parking do not know what days it is in force.
 - Zento/Grey Social Lounge, 132 Chestnut St. - committee members met with the operator to ensure that they are operating as a restaurant with a focus on the food program and not as a nightclub/lounge. With that assurance and understanding, the committee directed G. Copeland to give testimony in Common Pleas Court in support of the establishment.
 - Philadelphia Bar & Restaurant, 120 Market St. - the establishment owners did not agree to the terms of a revised Conditional License Agreement; they are seeking a Special Assembly License due to a recent citation from L&I; however this violates the terms of their existing CLA. The matter was referred back to committee.
 - Ben Franklin Beer Distributor, 27 S. 2nd St. - the committee met with prospective operator Gianni Pignetti; A. Hornik drafted an agreement based on the meeting

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and Mr. Pignetti's statements describing his intended operations. Most of the terms were agreed upon, excepting hours of operation. The board reviewed this draft document; with the suggestions to include a clause requiring bond or escrow payment to enable enforcement of the agreement; and a clause to restrict the applicant from applying for a loading zone on 2nd Street.

- Motion by H. Spear to refer the matter back to the Clean & Safe Committee, to send the agreement document to J. Grimes for review, and to authorize the Clean & Safe Committee to execute the agreement/2nd A. Hornik. In favor: A. Hornik, P. Lavelle, C. McGill, D. Neff, C. Pfeiffer, J. Ritchie, P. Rothberg, L. Sena, H. Spear, A. Taus, L. Townsend-Rapp. Opposed: S. Bar, L. Martin Haskin, E. Yin. Motion approved.
- Rain Lounge, 120 Chestnut St. - H. Spear, P. Rothberg & G. Copeland met with Coco Harrison of Concrete Promotions, which now is operating the establishment, along with the Mark Stein, the current owner. There are concerns for the promotion and operation of this establishment as a nightclub, which may be in violation of the Conditional License Agreement and a PLCB hearing. G. Copeland to send a letter of concern to the owner and operator.
- **Economic Development:** A. Hornik
 - Broker Breakfast - the event had 60 in attendance with presentations from Mayor Nutter, J. Ritchie, R. Berley and representatives of several prominent Old City development projects. Committee members who contributed to make the event a success were J. Ritchie, P. Rothberg and P. Lavelle; and staffers G. Diehl, B. Mapp and G. Copeland.
- **Executive:** J. Ritchie
 - The OCD five-year plan and budget need to be updated. A subset of the Executive Committee has been formed to work on this.
- **Board Development:** P. Lavelle
 - Financial disclosure forms are due, with a firm deadline of May 1 to be in compliance with state regulations.

Old Business: none

New Business:

- L. Sena: sidewalk leveling platform - the Phila. City Planning Commission rejected his application for a platform for seating and dining. There is a new city program to create "parklets" in the streets.
- E. Yin: 312 Market Street - demolition is now happening, which she believes is illegal, due to a possible lack of permits. This is an L&I issue, and the request was made for the Clean & Safe Committee to monitor this situation.

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- H. Spear: food vending truck - there is a question with legality of this operator, located in the parking lot on 2nd Street below Chestnut. G. Copeland to research code violations and citations via Police and L&I.

Public Comment: none

Adjournment: P. Lavelle motioned to adjourn the meeting/2nd C. McGill. All in favor, approved. The meeting adjourned at 5:33 pm.

The next meeting will be held on Wed. May 16, 4:15 pm, at 231 Market Street.