

COPY



**JOURNAL of the PROCEEDINGS
of the
CITY COUNCIL
of the
CITY of CHICAGO, ILLINOIS**

Regular Meeting—Tuesday, December 29, 1981

at 10:00 A.M.

(Council Chamber---City Hall--Chicago, Illinois)

OFFICIAL RECORD.

JANE M. BYRNE
Mayor

WALTER S. KOZUBOWSKI
City Clerk

Attendance at Meeting.

Present--Honorable Jane M. Byrne, Mayor, and Aldermen Roti, Barnett, Kenner, Evans, Sawyer, Bertrand, Humes, Shaw, Huels, Majerczyk, Madrzyk, Burke, Brady, Barden, Streeter, Kellam, Sheahan, Sherman, Stemberk, Lipinski, Shumpert, Nardulli, Carothers, Davis, Hagopian, Martinez, Gabinski, Frost, Marcin, Farina, Casey, Cullerton, Laurino, Rittenberg, Pucinski, Natarus, Oberman, Merlo, Clewis, Axelrod, Schulter, Volini, Orr, Stone.

Absent--Aldermen Bloom, Vrdolyak, Kelley, Marzullo, Ray, Mell.

Call to Order.

On Tuesday, December 29, 1981 at 10:00 A.M. (the day and hour appointed for the meeting) Honorable Jane M. Byrne, Mayor, called the City Council to order. Daniel J. Burke, Deputy City Clerk, called the roll of members and it was found that there were present at that time: Aldermen Roti, Barnett, Kenner, Evans, Sawyer, Bertrand, Humes, Shaw, Huels, Majerczyk, Madrzyk, Burke, Brady, Barden, Streeter, Kellam, Sheahan, Sherman, Stemberk, Lipinski, Shumpert, Nardulli, Carothers, Davis, Hagopian, Martinez, Gabinski, Frost, Marcin, Farina, Casey, Cullerton, Laurino, Rittenberg, Pucinski, Natarus, Oberman, Merlo, Clewis, Axelrod, Schulter, Volini, Orr, Stone--44.

Quorum present.

On motion of Aldermen Nardulli and Farina, respectively, it was ordered noted in the Journal that Aldermen Ray and Marzullo were absent due to illness.

Invocation.

Alderwoman Eloise Barden, 16th Ward, opened the meeting with prayer.

***Motion to Suspend Rules--On Proposed Ordinance Authorizing Abatement
of Certain Taxes to Provide for Principal of and Interest on
City's General Obligation Notes, Series of August, 1981.***

Alderman Frost moved to *Suspend the Rules Temporarily* to take up Out of the Regular Order of Business a communication from the Mayor concerning an abatement of taxes for fiscal years 1981, 1982 and 1983. The motion *Prevailed*.

Honorable Jane M. Byrne, Mayor, submitted the following communication:

OFFICE OF THE MAYOR
CITY OF CHICAGO

December 29, 1981.

To the Honorable, The City Council of the City of Chicago:

LADIES AND GENTLEMEN--At the request of the Comptroller of the City of Chicago, I transmit herewith an Ordinance directing and authorizing the Clerks of Cook and DuPage Counties to abate for fiscal years 1981, 1982 and 1983, the total amount of taxes levied for the purpose of providing funds which would have been required to pay the principal of and interest on the City's General Obligation Notes, Series of August, 1981.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,
(Signed) JANE M. BYRNE,

Mayor.

On motion of Alderman Frost the proposed ordinance transmitted with the foregoing communication, was Passed by yeas and nays as follows:

Yeas--Aldermen Roti, Barnett, Evans, Sawyer, Bertrand, Humes, Shaw, Huels, Majerczyk, Burke, Brady, Barden, Streeter, Kellam, Sheahan, Sherman, Stemberk, Shumpert, Nardulli, Carothers, Davis, Hagopian, Martinez, Frost, Marcin, Farina, Casey, Cullerton, Laurino, Rittenberg, Natarus, Oberman, Merlo, Clewis, Axelrod, Schulter, Volini, Orr--38.

Nays--None.

The following is said ordinance as passed:

WHEREAS, By an ordinance passed on the 20th day of July, 1981, the City Council of the City of Chicago authorized the issuance and sale of \$140,000,000 aggregate amount General Obligation Notes, Series of August, 1981 in order to finance the Corporate Fund of the City; and

WHEREAS, In that same ordinance the City levied property taxes sufficient to produce the following amounts for the following years:

<i>Year of Levy</i>	<i>Amount</i>
1981	\$36,800,000
1982	\$64,400,000
1983	\$78,400,000

as security for the payment of the Notes; and

WHEREAS, The Notes were not issued or sold; now, therefore,

Be It Ordained by the City Council of the City of Chicago:

SECTION 1. The County Clerks of Cook County, Illinois and DuPage County, Illinois, are hereby directed and authorized to abate, for the fiscal years 1981, 1982 and 1983, the total amount of taxes levied for the purpose of providing the funds which would have been required to pay the principal of and interest on the City's General Obligation Notes, Series of August, 1981 (the "Notes"), had those Notes been issued; such amounts being as follows for the following years:

<i>Year of Levy</i>	<i>Amount</i>
1981	\$36,800,000
1982	\$64,400,000
1983	\$78,400,000

SECTION 2. The City Clerk is hereby directed to present to and file with the County Clerks of Cook County, Illinois and DuPage County, Illinois, a certified copy of this abatement ordinance.

SECTION 3. This ordinance shall be effective upon its passage.

On motion of Alderman Frost it was ordered noted that the record show that the foregoing ordinance was passed by the City Council, then approved and signed by the Mayor at 11:00 A.M.

Regular Order of Business Resumed.

REPORTS AND COMMUNICATIONS FROM CITY OFFICERS.

Referred---PROPOSED ORDINANCE TO AUTHORIZE LEVY OF TAXES FOR
CORPORATE PURPOSES FOR YEAR 1982.

Honorable Jane M. Byrne, Mayor, submitted the following communication, which was, together with the proposed ordinance transmitted therewith, *Referred to the Committee on Finance*:

OFFICE OF THE MAYOR
CITY OF CHICAGO

December 29, 1981.

To the Honorable, The City Council of the City of Chicago:

LADIES AND GENTLEMEN--I transmit herewith an ordinance authorizing the levy of taxes for the City of Chicago for all corporate purposes for the year 1982.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,
(Signed) JANE M. BYRNE,

Mayor.

Referred---FIVE PROPOSED ORDINANCES TO AUTHORIZE THE ISSUANCE OF
GENERAL OBLIGATION TAX ANTICIPATION NOTES AND PROVIDE FOR
LEVY OF TAXES FOR PAYMENT OF PRINCIPAL OF AND INTEREST
ON THE NOTES.

Honorable Jane M. Byrne, Mayor, submitted the following communication, which was, together with the proposed ordinance transmitted therewith, *Referred to the Committee on Finance*:

OFFICE OF THE MAYOR
CITY OF CHICAGO

December 29, 1981.

To the Honorable, The City Council of the City of Chicago:

LADIES AND GENTLEMEN--I transmit herewith five ordinances authorizing the issuance of General Obligation Tax Anticipation Notes and providing for the levy of direct annual taxes for the payment of principal of and interest on the notes. The notes will provide funds for corporate purposes, the Public Library (building and sites), Public Library (maintenance and operation), general assistance, and the judgment purposes fund.

Your favorable consideration of these ordinances will be appreciated.

Very truly yours,
(Signed) JANE M. BYRNE,

Mayor.

*Referred--*PROPOSED ORDINANCE FOR ABATEMENT OF TAXES REQUIRED TO
PAY ANNUAL RENTALS TO PUBLIC BUILDING COMMISSION.

Honorable Jane M. Byrne, Mayor, submitted the following communication, which was, together with the proposed ordinance transmitted therewith, *Referred to the Committee on Finance:*

OFFICE OF THE MAYOR
CITY OF CHICAGO

December 29, 1981.

To the Honorable, The City Council of the City of Chicago:

LADIES AND GENTLEMEN--At the request of the Public Building Commission, I transmit herewith an ordinance directing the Clerks of Cook and DuPage Counties to abate the total amount of taxes levied for the purpose of providing funds required to pay annual rentals to the Public Building Commission, as levied in an ordinance passed May 29, 1981.

Because the authorized bonds were never sold, the Lease Agreement has not been executed and the rent which would have been due thereunder, is not owing.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,
(Signed) JANE M. BYRNE,
Mayor.

*Referred--*PROPOSED ORDINANCE TO DIRECT COUNTY CLERKS OF COOK
AND DU PAGE TO REDUCE 1981 TAX LEVY ON PUBLIC BUILDING
REVENUE BONDS, SERIES OF 1963.

Honorable Jane M. Byrne, Mayor, submitted the following communication, which was, together with the proposed ordinance transmitted therewith, *Referred to the Committee on Finance:*

OFFICE OF THE MAYOR
CITY OF CHICAGO

December 29, 1981.

To the Honorable, The City Council of the City of Chicago:

LADIES AND GENTLEMEN--I am transmitting a proposed Ordinance for your consideration which would direct the County Clerks of Cook and Du Page Counties to reduce the 1981 tax levy for the City of Chicago on Public Building Revenue Bonds, Series of 1963, due to rental paid by the County of Cook for increased space in the Richard J. Daley Center.

I should like to request your favorable action on this matter.

Sincerely,
(Signed) JANE M. BYRNE,
Mayor.

*Referred--*PROPOSED ORDINANCE TO DIRECT COUNTY CLERKS OF COOK
AND DU PAGE TO REDUCE 1981 TAX LEVY ON PUBLIC BUILDING
REVENUE BONDS, SERIES "B" OF 1971.

Honorable Jane M. Byrne, Mayor, submitted the following communication, which was, together with the proposed ordinance transmitted therewith, *Referred to the Committee on Finance:*

OFFICE OF THE MAYOR
CITY OF CHICAGO

December 29, 1981.

To the Honorable, The City Council of the City of Chicago:

LADIES AND GENTLEMEN--I am transmitting a proposed Ordinance for your consideration which would direct the County Clerks of Cook and Du Page Counties to reduce the 1981 tax levy for the City of Chicago on Public Building Commission of Chicago Building Revenue Bonds Series "B" of 1971, due to rental paid by the County of Cook for Court Facilities in the Fourth and Sixth Area Police Headquarters.

I should like to request your favorable action on this matter.

Sincerely,
(Signed) JANE M. BYRNE,

Mayor.

CITY COUNCIL INFORMED AS TO MISCELLANEOUS
DOCUMENTS FILED OR RECEIVED IN
CITY CLERK'S OFFICE.

Honorable Walter S. Kozubowski, City Clerk, informed the City Council that documents have been filed or received in his office, relating to the respective subjects designated as follows:

Proclamations.

Proclamations of Honorable Jane M. Byrne, Mayor, designating times for special observances as follows:

"HEART MONTH IN CHICAGO":
February, 1982;

"TRAFFIC SAFETY DAYS IN CHICAGO":
February 27 - March 7, 1982;

"COIN MONTH IN CHICAGO":
March 18 - April 18, 1982;

"HOLIDAY PROJECT DAY IN CHICAGO":
December 22, 1981;

"LITHUANIAN INDEPENDENCE ANNIVERSARY DAY IN CHICAGO":
February 16, 1982;

"DR. MARTIN LUTHER KING, JR. WEEK IN CHICAGO":
January 12 - 17, 1982;

"INTERNATIONAL YEAR OF DISABLED PERSONS":
Year of 1981.

Acceptances and Bonds under Ordinances.

Also acceptances and bonds under ordinances as follows:

William E. Dec, Jr.: Acceptance and bond under an ordinance passed on October 22, 1981 (sunken areaway); filed on December 28, 1981;

First Chicago Building Corporation: Acceptance and bond under an ordinance passed on September 14, 1981 (subsurface passageway); filed on December 28, 1981;

Lake Shore National Bank, U/T No. 4361: Acceptance and bond under an ordinance passed on October 22, 1981 (decorative archways); filed on December 28, 1981.

*State Approval of Ordinance Concerning
M.F.T. Projects.*

Also communications from Sigmund C. Ziejewski, District Engineer, under date of December 16, 1981, announcing that the Department of Transportation of the State of Illinois has approved receipt of ordinances passed by the City Council on the dates noted (involving expenditures of Motor Fuel Tax Funds) as follows:

October 22, 1981.

Amendment to Ordinance authorizing Increase in MFT Funds for Maintenance, Repair and Painting of Existing Bridges and Viaducts during 1981;

November 4, 1981.

Funds authorized for New Street Construction 1978-6.

CITY COUNCIL INFORMED AS TO PUBLICATION
OF ORDINANCES.

Pamphlet Publication of Ordinances.

The City Clerk informed the City Council that all those ordinances which were passed by the City Council on December 18, 1981, and which were required by statute to be published in book or pamphlet form or in one or more newspapers, were published in pamphlet form on December 28, 1981, by being printed in full text in printed pamphlet copies of the Journal of the Proceedings of the City Council of the regular meeting held on December 18, 1981 [published by authority of the City Council in accordance with the provisions of Section 5-5 of the Municipal Code of Chicago, as passed on December 22, 1947], which printed pamphlet copies were delivered to the City Clerk on December 28, 1981.

MISCELLANEOUS COMMUNICATIONS, REPORTS, ETC. REQUIRING
COUNCIL ACTION (TRANSMITTED TO THE CITY COUNCIL
BY THE CITY CLERK).

The City Clerk transmitted communications, reports, etc. relating to the respective subjects listed below, which were acted upon by the City Council in each case in the manner noted as follows:

*Recommendations by Comm. of Dept. of Planning, City
and Community Dev. and Zoning Administrator
Pertaining to Sundry Proposals for Map
Amendments to Chicago Zoning
Ordinance.*

A communication signed by Martin R. Murphy, Commissioner, Department of Planning, City and Community Development under date of December 15, 1981, showing the recommendations of the Commissioner and Zoning Administrator concerning map amendments for which public hearings were held on December 15, 1981 and deferred matters on December 15, 1981 in accordance with provisions of Section 11.9-4 of the Chicago Zoning Ordinance as passed by the City Council on January 31, 1969.--Placed on File.

Zoning Reclassifications of Particular Areas.

Also applications (in triplicate) together with the proposed ordinances for amendment of the Chicago Zoning Ordinance, as amended, for the purpose of reclassifying particular areas, which were *Referred to the Committee on Buildings and Zoning*, as follows:

Samuel E. Alexander--to classify as an R3 General Residence District instead of an R2 Single-Family Residence District the area shown on Map No. 9-0 bounded by

a line 125.00 feet north of and parallel to W. Addison Street; a line 320 feet east of and parallel to N. Pacific Avenue; W. Addison Street; and N. Pacific Avenue;

Samuel E. Alexander--to classify as an R4 General Residence District instead of an R2 Single-Family Residence District the area shown on Map No. 9-0 bounded by

a line 616.08 feet north of and parallel to W. Addison Street; a line 125.00 feet east of and parallel to N. Pacific Avenue; a line 125 feet north of and parallel to W. Addison Street; and N. Pacific Avenue;

Samuel E. Alexander--to classify as an R4 General Residence District instead of an R2 Single-Family Residence District the area shown on Map No. 9-0 bounded by

W. Irving Park Road; a line 2,047.60 feet east of and parallel to N. Pacific Avenue; a line 125.00 feet south of and parallel to W. Irving Park Road; and a line 1,877.60 feet east of and parallel to N. Pacific Avenue;

American National Bank, U/T No. 50472--to classify as a Residential-Business Planned Development instead of R6 and R7 General Residence Districts the area shown on Map No. 14-C bounded by

the alley next north of and parallel to E. 56th Street; S. Hyde Park Boulevard; E. 56th Street; and a line 200.1 feet west of and parallel to S. Cornell Avenue;

First State Bank and Trust Company of Hanover Park, Trust No. 755--to classify as a Residential Planned Development instead of a Business Planned Development No. 160 the area shown on Map No. 5-J bounded by

W. McLean Avenue; a line 300.39 feet east of N. Hamlin Avenue; the alley next north of and parallel to W. Armitage Avenue; a line 450.58 feet east of N. Hamlin Avenue; W. Armitage Avenue; a line 50.06 feet east of N. Hamlin Avenue; the alley next north of and parallel to W. Armitage Avenue; and N. Hamlin Avenue;

First State Bank and Trust Company of Hanover Park, Trust No. 755--to classify as Business Planned Development No. 160, as amended, instead of a Business Planned Development No. 160 the area shown on Map No. 5-J bounded by

the alley next north of and parallel to W. Armitage Avenue; a line 83 feet east of the east line of N. Avers Avenue; W. Armitage Avenue; a line 33 feet east of the east line of Hamlin Avenue; the alley next south of and parallel to W. Armitage Avenue; N. Hamlin Avenue; a line 110.4 feet south of the south line of W. Cortland Street; the alley next west of and parallel to N. Hamlin Avenue; W. Cortland Street; the east line of the right-of-way of the Chicago, Milwaukee and St. Paul Railroad Company; W. Armitage Avenue; and N. Avers Avenue;

J. David Gonzales--to classify as a C1-2 Restricted Commercial District instead of an R4 General Residence District the area shown on Map No. 4-G bounded by

a line 216 feet south of and parallel to W. 18th Street; S. Bishop Street; and the alley next west of S. Bishop Street;

Schain, Burney & Kenny--to classify as an R4 General Residence District instead of a B4-1 Restricted Service District the area shown on Map No. 13-M bounded by

W. Higgins Road; a line 153.01 feet southeast of and perpendicular to W. Higgins Road, measured along the southwest line of W. Higgins Road; the alley next southwest of and parallel to W. Higgins Road; and N. Monitor Avenue.

Claims against City of Chicago.

Also claims against the City of Chicago, which were *Referred to the Committee on Finance*, filed by the following:

A. Z. Machine Products Co.;

Gray James;

Hernandez Al;

I & W Home Remodeling;

Mignano Tony, Mount Tom;

N. J. C. Corp. d/b/a The Sea Horse Club (2);

Rackauskas Eugenia, R & R Builders, Inc.;

Senteno Arturo, Shin Youn and Larry Gaytas, Sparta Grocery.

*Settlements of Suits with Entries of Judgments
Against City.*

Also reports from the Corporation Counsel (filed in the Office of the City Clerk on December 21, 1981) addressed to the City Council (signed by Timothy D. O'Hara, Assistant Corporation Counsel) as to suits against the City of Chicago in which settlements were made and judgments entered, as of the period ended October, 1981.--*Referred to the Committee on Finance.*

REPORTS OF COMMITTEES.

Committee reports were submitted as indicated below. *No request under the statute was made by any two aldermen present to defer any of said reports for final action thereon, to the next regular meeting of the Council, except where otherwise indicated.*

COMMITTEE ON FINANCE

**Approval Given to Mayor's Appointment of Anthony N. Fratto
as City Comptroller of the City of Chicago.**

The Committee on Finance submitted the following report:

CHICAGO, December 28, 1981.

To the President and Members of the City Council:

Your Committee on Finance to which was referred a communication dated December 18, 1981, from the Office of the Mayor concerning the appointment of Anthony N. Fratto as City Comptroller of the City of Chicago having had the same under advisement, begs leave to report and recommend that Your Honorable Body *Approve* the proposed appointment.

This recommendation was concurred in by 34 members of the committee with 1 dissenting vote.

Respectfully submitted,
(Signed) WILSON FROST,

Chairman.

On motion of Alderman Frost the committee's recommendation was *Concurred In* and said appointment was *Approved*, by yeas and nays as follows:

Yeas--Aldermen Roti, Barnett, Kenner, Sawyer, Bertrand, Humes, Shaw, Majerczyk, Madrzyk, Burke, Brady, Barden, Streeter, Kellam, Sheahan, Stemberk, Shumpert, Nardulli, Carothers, Davis, Hagopian, Martinez, Frost, Farina, Casey, Cullerton, Laurino, Rittenberg, Pucinski, Natarus, Merlo, Clewis, Schuler, Volini, Stone--35.

Nays--Alderman Oberman--1.

**Chapter 132, of the Municipal Code Amended, Adding New
Sections 132-49 and 132-50, Concerning Municipal
Automobile Renting Occupation Tax Act.**

The Committee on Finance submitted a report recommending that the City Council pass the following proposed ordinance transmitted therewith:

Be It Ordained by the City Council of the City of Chicago:

SECTION 1. Chapter 132 of the Municipal Code of Chicago is hereby amended by adding Sections 132-49 and 132-50 in *Italics*, as follows:

132-49. A tax is hereby imposed upon all persons engaged in the business of renting automobiles in the City of Chicago, pursuant to paragraph 8-11-7 of the Illinois Municipal Code, the "Municipal Automobile Renting Occupation Tax Act", at the rate of one percent of the gross receipts from such business.

132-50. Consent and authority are given to the State Department of Revenue to collect and enforce the tax imposed by Section 132-49 of this ordinance and all civil penalties that may be assessed as an incident thereto for and in behalf of the City of Chicago pursuant to the "Municipal Automobile Renting Occupation Tax Act."

SECTION 2. The City Clerk is hereby directed to transmit to the Illinois Department of Revenue a certified copy of this ordinance not later than five days after the publication of this ordinance.

SECTION 3. This ordinance shall be effective the first day of the month next following publication, as provided in paragraph 1-2-4 of the Illinois Municipal Code.

On motion of Alderman Frost the foregoing proposed ordinance was *Passed*, by yeas and nays as follows:

Yeas--Aldermen Roti, Barnett, Kenner, Sawyer, Bertrand, Humes, Shaw, Huels, Majerczyk, Madrzyk, Brady, Barden, Streeter, Kellam, Sheahan, Sherman, Stemberk, Lipinski, Shumpert, Nardulli, Carothers, Davis, Hagopian, Martinez, Gabinski, Frost, Farina, Casey, Cullerton, Laurino, Rittenberg, Pucinski, Natarus, Oberman, Merlo, Clewis, Schulter, Volini, Stone--39.

Nays--Alderman Marcin--1.

**Chapter 132.1 of the Municipal Code Amended, Adding New Sections
132.1-3 and 132.1-4, Concerning Municipal Automobile
Renting Use Tax Act.**

The Committee on Finance submitted a report recommending that the City Council pass the following proposed ordinance transmitted therewith:

Be It Ordained by the City Council of the City of Chicago:

SECTION 1. Chapter 132.1 of the Municipal Code of the City of Chicago is hereby amended by adding Sections 132.1-3 and 132.1-4 in *Italics*, as follows:

132.1-3. A tax is hereby imposed in accordance with the provisions of paragraph 8-11-8 of the Illinois Municipal Code, the "Municipal Automobile Renting Use Tax Act," upon the privilege of using in the City of Chicago an automobile which is rented from a renter outside Illinois, and which is titled or registered with an agency of this State's government, at the rate of one percent of the rental price of such automobile. Such tax shall be collected from persons whose Illinois address for titling or registration purposes is given as being in the City of Chicago.

132.1-4. Consent and authority are given to the Illinois Department of Revenue to collect and enforce the tax imposed by Section 132.1-3 of this ordinance and all civil penalties that may be assessed as an incident thereof for and in behalf of the City of Chicago pursuant to the "Municipal Automobile Renting Use Tax Act."

SECTION 2. The City Clerk is hereby directed to transmit to the Illinois Department of Revenue a certified copy of this ordinance no later than five days after the publication of this ordinance.

SECTION 3. This ordinance shall be effective the first day of the second month next following publication, as provided in paragraph 1-2-4 of the Illinois Municipal Code.

On motion of Alderman Frost the foregoing proposed ordinance was *Passed*, by yeas and nays as follows:

Yeas--Aldermen Roti, Barnett, Kenner, Sawyer, Bertrand, Humes, Shaw, Huels, Majerczyk, Madrzyk, Brady, Barden, Streeter, Kellam, Sheahan, Sherman, Stemberk, Lipinski, Shumpert, Nardulli, Carothers, Davis, Hagopian, Martinez, Gabinski, Frost, Farina, Casey, Cullerton, Laurino, Rittenberg, Pucinski, Natarus, Oberman, Merlo, Clewis, Schulter, Volini, Stone--39.

Nays--Alderman Marcin--1.

**City Comptroller Authorized to Execute Leases of Certain
Property for Municipal Purposes.**

The Committee on Finance submitted two proposed ordinances (under separate committee reports) recommending that the City Council pass said proposed ordinances transmitted therewith, to authorize the City Comptroller to lease specified parcels of property for use by City Departments and Agencies.

On separate motions made by Alderman Frost *each* of the said proposed ordinances was *Passed*, by yeas and nays as follows:

Yeas--Aldermen Roti, Barnett, Kenner, Sawyer, Bertrand, Humes, Shaw, Huels, Majerczyk, Madrzyk, Brady, Barden, Streeter, Kellam, Sheahan, Sherman, Stemberk, Lipinski, Shumpert, Nardulli, Carothers, Davis, Hagopian, Martinez, Gabinski, Frost, Farina, Casey, Cullerton, Laurino, Rittenberg, Pucinski, Natarus, Oberman, Merlo, Clewis, Schalter, Volini, Stone--39.

Nays--Alderman Marcin-1.

Said ordinances as passed read respectively as follows (the *Italic* heading in each case not being a part of the ordinance):

Department of Health.

Be It Ordained by the City Council of the City of Chicago:

SECTION 1. That the City Comptroller is authorized to execute on behalf of the City of Chicago, a renewal of lease from Palos Bank and Trust Company, as Trustee, under trust number 1-1144 (dated September 19, 1977), for approximately 4,659 square feet of office space in the building at Nos. 1455-1457 West 79th Street for Mental Health Division, Department of Health, City of Chicago; such lease to be approved by the Commissioner, Department of Health, and to be approved as to form and legality by the Corporation Counsel in the following form:

[Lease attached to this ordinance printed on page 8822 of this Journal].

SECTION 2. This ordinance shall be effective from and after the date of its passage.

Riders "A", "B" and "C" attached to this ordinance read as follows:

Rider "A"

Notification Provision

In every instance where it shall be necessary or desirable for the Lessor to serve any notice or demand upon the Lessee, it shall be necessary to send a written or printed copy thereof by United States certified or registered mail, postage prepaid, addressed to the Lessee at the premises and, in addition, to the Assistant Comptroller, Real Estate, Comptroller's Office, 205 West Randolph Street, Suite 1000, Chicago, Illinois, 60606, or at such other place as Lessee from time to time may appoint in writing in which event the notice or demand shall be deemed to have been served at the time copies are received at said locations.

Rider "B"

Rental Payment Provisions

Lessee shall pay rent for said premises during the continuance of this lease at the rate of:

One Thousand Eight Hundred Eighty-three and 01/100 dollars (\$1,883.01) per month for the period beginning on the 1st day of August, 1981 and ending on the 31st day of July, 1982;

Two Thousand Fifteen and 02/100 dollars (\$2,015.02) per month for the period beginning on the 1st day of August, 1982 and ending on the 31st day of July, 1983;

Two Thousand One Hundred Fifty-four and 79/100 dollars (\$2,154.79) per month for the period beginning on the 1st day of August, 1983 and ending on the 31st day of July, 1984.

Rent is payable in advance on the 1st day of each calendar month by the Office of the City Comptroller.

LEASE--Short Form Lease No. 24

Form C. O. No. 18

City of Chicago

5

This Agreement, Made this _____ day of _____

A. D. 19____, between Palos Bank and Trust Company as Trustee Under Trust Number 1-1144 dated September 19, 1977_____, as Lessor
and the CITY OF CHICAGO, a Municipal Corporation, as Lessee:

Witnesseth: That the Lessor do hereby lease to the Lessee the following described premises situated in the City of Chicago, County of Cook and State of Illinois, to-wit: approximately 4,659 square feet of office space located at 1455-57 West 79th Street for the Department of Health, Mental Health Division.

To have and to hold said premises unto the Lessee for a term beginning on the 1st day of August A. D. 1981, and ending on the 31st day of July A. D. 1984. Lessee has the right to terminate this lease upon sixty (60) days prior written notice at the address cited herein

Any notice from Lessee to Lessor under or in regard to this lease may be served by mailing a copy thereof to the Lessor at Florence Kuss, 13924 Citation Dr. Orland Park, Ill. 60462 or at such other place as the Lessor from time to time in writing may appoint. For Lessor to Lessee Notification Provisions See Rider "A" Attached Hereto and Made a Part Hereof

Provisions See Rider "B" Attached Hereto and Made a Part Hereof
Assessments for water tax levied against said premises for all or part of the term of this lease shall be paid by the Lessor

Lessor during the entire term of this lease shall keep in a condition of thorough repair and good order at Lessor's own expense, said demised premises and appurtenances, including catch basins, vaults and sidewalks. If the Lessor shall refuse or neglect to make needed repairs within ten days after written notice thereof sent by the Lessee, the Lessee is authorized to make such repairs and to deduct the cost thereof from rentals accruing under this lease.

For Responsibilities of Lessor and Lessee

See Rider "C"

Attached Hereto and Made a Part Hereof

Lessee shall not assign this lease or sublet said premises or any part thereof without the written consent of the Lessor, and upon the termination of this lease shall surrender said premises to the Lessor in as good condition as at the beginning of the term of this lease, less by fire or other casualty, ordinary wear and repairs chargeable to the Lessor, excepted.

Lessor shall have the right of access at reasonable times for examining or exhibiting said premises and for making repairs, and shall be allowed to place thereon notices of "To Rent" for sixty days prior to the termination of this lease, and of "For Sale" at all times, but all such notices shall be placed in positions acceptable to the Lessee.

Lessee shall have the right to make such alterations, additions and improvements on said premises as it shall deem necessary, provided that such additions and improvements whether made during the term of this lease or prior thereto, shall be regarded as removable fixtures, all or any part of which the Lessee at its election may leave on said premises, or remove prior to the termination of this lease.

In case said premises shall be rendered untenable by fire or other casualty during said term, Lessor may rebuild said premises within thirty days, but failing so to do, or if said premises shall be destroyed by fire or other casualty, this lease thereby shall be terminated; in the event of such a termination of this lease, Lessee shall be chargeable with rent only to the date of such fire or other casualty, and if Lessor shall rebuild within thirty days, Lessee shall be excused from payment of rent for the period of such rebuilding.

In Witness Whereof, this lease is signed by or on behalf of the parties hereto the day and year first above written. Approved as to form and legality, except as to property description and execution.

[Signature forms omitted]

Rider "C"

Lessor and Lessee Responsibilities

Lessor under this lease shall:

Remodel 4,659 square feet of office space, with said remodeling to be completed prior to lease execution and to include the following:

Paint 17 offices; conference room; xerox room; exit hallway; four bathrooms; kitchen and kitchen foyer

Wash 63 light panels, both sides

Replace two light panels and ceiling panel

Install new ceiling tiles where necessary

Patch plaster where needed

Paint premises with two coats of white semi-gloss enamel satin finish for washability and durability

Install chair rails or bumper guards where needed in all offices

Print male or female entries on doors to bathrooms

Rod out pipe to a drinking fountain

Remove old floor and replace with new floor and tiles throughout center

Comply with all applicable fire prevention provisions contained in City Ordinances and/or State Statutes

Provide and pay for heat when necessary for comfortable occupation on premises and maintain heating plant in good operable condition

Maintain interior and exterior of building, including all mechanical components

Comply with all provisions of the Chicago Municipal Building Code in repair, construction, and maintenance of demised premises

Provide and pay for hot and domestic water and maintain plumbing in good operable condition

Provide and maintain central air conditioning in good operable condition

Provide and maintain at all times public liability insurance in the amount of \$500,000 per occurrence and \$500,000 aggregate bodily injury and \$250,000 per occurrence property damage; with the Lessee to receive a certificate of insurance for said coverage prior to lease execution. Said annual insurance coverage shall be renewed for each year during the term of this lease with the Lessee to receive a certificate of insurance for said renewal at lease thirty (30) days prior to renewal date. Should any of the described policies be cancelled before the expiration date, the Lessor shall mail to the Lessee at the address cited herein a copy of the cancellation notice within fifteen (15) days of receipt thereof

Pay real estate taxes and other levies assessed against said improved real property within deadlines established by the respective governmental taxing bodies

Provide and pay for scavenger services

Lessee Under This Lease Shall:

Provide and pay for exterminator services on a monthly basis, or more often if required

Provide and pay for electricity as metered on said premises including electricity for air-conditioning

Have the right to terminate lease upon sixty (60) days prior written notice to Lessor at the address cited herein

Pay for plate glass insurance on said premises

Provide and pay for custodial services

Additional Terms and Conditions:

In the event of breach of the covenants, terms and conditions contained herein by Lessor, Lessee shall have the right to terminate this lease immediately upon giving written notice by certified or registered mail to Lessor at the address cited herein. Failure or neglect of Lessee to act upon a breach of one or more of the covenants, terms and conditions of this lease shall not constitute or be construed as a waiver of subsequent breach by the Lessor of any right created thereby.

In the event the Lessor should fail to furnish any alterations, repairs or services as required by this lease, or fail to remove and/or correct any fire hazards or violations of the Municipal Building Code not caused by the acts or negligence of the Lessee, and the failure continues thirty (30) days after Lessee has notified the Lessor by written notice of such failure, the Lessee may at its own option make the necessary repairs or supply the maintenance or service itself or have the hazards or Building Code violations corrected and deduct the cost and expense thereof from rental herein due under this Lease or immediately terminate this Lease by providing the Lessor written notice by certified or registered mail at the address cited herein.

Mayor's Office of Employment and Training.

Be It Ordained by the City Council of the City of Chicago:

SECTION 1. That the City Comptroller is authorized to execute on behalf of the City of Chicago, a lease from the LaSalle - Lake Investors, an Illinois Limited Partnership, as sole beneficiary under American National Bank and Trust Company, under trust number 30503, dated November 30, 1970, for approximately 19,291 square feet of office space on the eighth (8th) floor at No. 180 North LaSalle Street, for use by the Mayor's Office of Employment and Training; such lease to be approved by the Director of the Mayor's Office of Employment and Training and to be approved as to form and legality by the Corporation Counsel in the following form:

[Lease attached to this ordinance printed on page 8825 of this Journal]

SECTION 2. This ordinance shall be effective from and after the date of its passage.

Riders "A", "B" and "C" attached to this ordinance read as follows:

Rider "A"

Notification Provision

In every instance where it shall be necessary or desirable for the Lessor to serve any notice or demand upon Lessee, it shall be necessary to send written or printed copy thereof by United States registered or certified mail, postage prepaid, addressed to the Lessee at the premises and, in addition, to the Assistant Comptroller, Real Estate, Comptroller's Office, 205 West Randolph Street, Suite 1000, Chicago, Illinois, 60606, or at such other place as the Lessee from time to time may appoint in writing in which event the notice or demand shall be deemed to have been served at the time copies are received at said location.

LEASE-Short Form Lease No. 62

Form C (11-80) 1B

City of Chicago

This Agreement, Made this _____ day of _____

A. D. 19 _____, between LaSalle-Lake Investors, an Illinois Limited Partnership, as sole beneficiary
under American National Bank and Trust Company, Under Trust No. 30503, dated November 30, 1970,
and the CITY OF CHICAGO, a Municipal Corporation, as Lessee:

Witnesseth: That the Lessor doES hereby lease to the Lessee the following described premises situated in the
 City of Chicago, County of Cook and State of Illinois, to-wit: approximately 19,291 square feet of office space
on the eighth (8th) floor of the building located at 180 North LaSalle Street, Chicago,
Illinois, for the Mayor's Office of Employment and Training.

To have and to hold said premises unto the Lessee for a term beginning on the 1st day of December
 A. D. 1981, and ending on the 30th day of November A. D. 1984. Lessee has the right to
 terminate this lease upon thirty (30) days prior written notice to the Lessor at the address
cited herein.

Any notice from Lessee to Lessor under or in regard to this lease may be served by mailing a copy thereof to the Lessor at
Centre Properties LTD., Suite 3600, 180 North LaSalle St.
Chicago, Illinois, 60601, or at such other place as the Lessor from time
 to time in writing may appoint. For Lessor to Lessee Notification Provision See Rider "A" Attached Hereto
and Made a Part Hereof. For Rental Payment Provision
See Rider "B" attached Hereto and Made a Part Hereof.
 Assessments for water tax
 levied against said premises for all or part of the term of this lease shall be paid by the Lessor

Lessor during the entire term of this lease shall keep in a condition of thorough repair and good order at Lessor's
 own expense, said demised premises and appurtenances, including catch basins, vaults and sidewalks. If the Lessor shall
 refuse or neglect to make needed repairs within ten days after written notice thereof sent by the Lessee, the Lessee is author-
 ized to make such repairs and to deduct the cost thereof from rentals accruing under this lease.

For additional Responsibilities of Lessor and Lessee

See Rider "C"

Attached Hereto and Made a Part Hereof.

Lessee shall not assign this lease or sublet said premises or any part thereof without the written consent of the Les-
 sor, and upon the termination of this lease shall surrender said premises to the Lessor in as good condition as at the
 beginning of the term of this lease, loss by fire or other casualty, ordinary wear and repairs chargeable to the Lessor, excepted.

Lessor shall have the right of access at reasonable times for examining or exhibiting said premises and for making
 repairs, and shall be allowed to place thereon notices of "To Rent" for sixty days prior to the termination of this lease, and
 of "For Sale" at all times, but all such notices shall be placed in positions acceptable to the Lessee.

Lessee shall have the right to make such alterations, additions and improvements on said premises as it shall deem nec-
 essary, provided that such additions and improvements whether made during the term of this lease or prior thereto, shall be
 regarded as removable fixtures, all or any part of which the Lessee at its election may leave on said premises, or remove prior
 to the termination of this lease.

In case said premises shall be rendered untenable by fire or other casualty during said term, Lessor may rebuild
 said premises within thirty days, but failing so to do, or if said premises shall be destroyed by fire or other casualty, this lease
 thereby shall be terminated; in the event of such a termination of this lease, Lessee shall be chargeable with rent only to the
 date of such fire or other casualty, and if Lessor shall rebuild within thirty days, Lessee shall be excused from payment of
 rent for the period of such rebuilding.

[Signature forms omitted]

Rider "B"

Rental Payment Provisions

Lessee shall pay rent for said premises during the continuance of this lease at the rate of:

Twenty-three Thousand Three Hundred Nine and 95/100 (\$23,309.95) Dollars per month for the period beginning on the 1st day of December, 1981, and ending on the 30th day of November, 1982;

Twenty-four Thousand Five Hundred Fifteen and 65/100 (\$24,515.65) Dollars per month for the period beginning on the 1st day of December, 1982, and ending on the 30th day of November, 1983;

Twenty-five Thousand Seven Hundred Twenty-one and 33/100 (\$25,721.33) Dollars per month for the period beginning on the 1st day of December, 1983, and ending on the 30th day of November, 1984.

Rent is payable in advance on the 1st day of each calendar month by the Office of the City Comptroller.

Rental Rate Adjustment Provisions

- A. *Adjustment Annual Rental Rate* The annual rate of rent shall be adjusted for each portion of a calendar year following the first year of the term by adding to the annual rental rate then in effect an amount equal to (i) Lessee's proportionate share of the difference between taxes incurred by Lessor in such calendar year and taxes incurred by Lessor in calendar year 1981 (the base year), plus (ii) Lessee's proportionate share of the difference between operating expenses incurred by Lessor in such calendar year and operating expenses incurred by Lessor in the base year. (The increase under clause (ii) for any calendar year shall in no event exceed five percent (5%) of Lessor's operating expenses in the base year.)

For the purposes hereof Lessor may estimate the amount expenses not known at the time an adjustment is to become effective. When such expenses become known, an appropriate payment or refund shall be made.

- B. *Payment of Adjusted Rent* As soon as feasible after the end of each calendar year during the term Lessor shall deliver to Lessee a statement prepared by a certified public accountant selected by Lessor showing Lessor's operating expenses and taxes during such year and the Lessee's proportionate share of the amount by which they respectively exceed Lessor's operating expenses and taxes in the base year. Beginning with the month immediately following the first year of the term Lessee shall pay to the Lessor, additional rent in the amount determined under paragraph (A) above. Within ninety (90) days after the end of such calendar year Lessor shall deliver to Lessee a report based on the exact amounts and taxes and within (10) days thereafter an appropriate payment or credit shall be made to correct any underpayment or overpayment.

- C. *Definition of Lessee's Proportionate Share* "Lessee's proportionate share" means 2.81% (19,291 square feet of rentable area in the premises divided by 685,486 square feet of rentable area in the building).

- D. *Definition of Operating Expenses* "Operating expenses" means all costs, expenses and disbursements of every kind or nature which Lessor shall pay or become obligated to pay in connection with management, operation, maintenance and repair of the property and of the personal property, fixtures, machinery, equipment, systems and apparatus located therein or used in connection therewith, except the following: costs of alterations of the premises of tenants of the building, costs of capital improvements to the building, depreciation charges, real estate brokers' leasing commissions and fees, interest and principal payments on mortgages, ground rental payments, and expenditures for which Lessor has been reimbursed (otherwise than through rent escalation or adjustment provisions in leases), expenditures incurred to provide extraordinary services to tenants of the building, all taxes and assessments which are included as taxes under subparagraph (E) below, and any federal, state or local franchise, capital stock, inheritance, general income, gift or estate taxes, and expenses attributable to portions of the building rented for non-office use.

- E. *Definition of Taxes* "Taxes" means general real estate taxes and all special taxes or assessments levied by any governmental entity which Lessor shall pay or become obligated to pay because of or directly or indirectly in connection with ownership, leasing, management, control or operation of the property or of the personal property located therein plus any interest on special assessments which are payable in installments. If Lessor shall receive a refund of any taxes paid by Lessor which were included in the calculation of any adjustment of rent under this lease, then Lessee shall receive an appropriate refund.
- F. *Reduction of Taxes* Lessor shall use its best efforts to reduce taxes and keep the same as low as possible throughout the term of this lease.

Rider "C"

Lessor - Lessee Responsibilities

Lessor under this lease shall:

Maintain interior and exterior of the building, including all mechanical components.

Provide and pay for central air-conditioning and heating from 8:00 A.M. to 9:00 P.M., Monday through Friday and from 8:00 A.M. to 6:00 P.M. on Saturday, excluding holidays.

Provide and pay for operatorless elevator service in common with other tenants at all times.

Provide and pay for the prompt removal of snow and ice from sidewalks which immediately abut said premises.

Comply with all provisions of the Chicago Municipal Building Code in the repair, construction and maintenance of the demised premises.

Provide and pay for hot and domestic water and maintain plumbing in good operable condition.

At its own expense paint entire premises within sixty (60) days of lease execution.

At its own expense repair or replace damaged or worn out carpeting within sixty (60) days of lease execution.

Provide and pay for 24 hour security service.

Provide and pay for exterminator service whenever necessary.

Pay all real estate taxes and other levies assessed against said improved real property within deadlines established by the respective governmental taxing bodies.

General Cleaning - Nightly

Monday through Friday

1. Sweep all resilient tiles and hard surface floors with antibacteria impregnated sweeping cloths.
2. Vacuum clean all carpets and rugs; moving light furniture other than desks and file cabinets, etc.
3. Empty and clean all wastepaper baskets, ashtrays, receptacles, etc., and damp dust as necessary.
4. Remove waste paper and waste materials to designated area (compactor).
5. Dust all furniture including desks, chairs and tables with specially treated cloths.
6. Dust all exposed filing cabinets, bookcases and shelves with specially treated cloths.
7. Dust and sanitize all telephones.

8. Low dust all horizontal surfaces to hand height, including baseboards, sills, ledges, counters and shelves.
9. Low dust moldings, picture frames and convectors.
10. Clean upper side of all glass furniture tops.
11. Spot clean interior glass in partitions and doors.
12. Damp mop elevator cabs, lobbies and corridors.
13. All lights shall be turned off after work is completed and floors left in a neat and orderly condition.
14. Sweep all stairwells; mop as necessary.
15. Wipe clean all metal door knobs, kick plates and directory signs.

Lavatories - Nightly

1. Sweep and mop all ceramic tile floor with a germicidal solution.
2. Wash all basins, bowls and urinals using a germicidal solution.
3. Wash both sides of all toilet seats with a germicidal solution.
4. Wash and polish all mirrors, powder shelves, bright work, including flushometers, piping and toilet seat hinges.
5. Dust all partitions, tile walls and dispensers, and remove fingermarks or smudges.
6. Empty and clean paper towel and sanitary disposal receptacles.
7. Wash receptacles with a germicidal solution.
8. Fill toilet tissue holders, soap dispensers, towel dispensers, and sanitary napkin dispensers. Materials to be furnished by the Lessor.

Weekly

1. Spot clean carpets.
2. Remove fingerprints from doors, door knobs, frames, handles and railings, light switches and push plates.
3. Dust all door louvers and other ventilating louvers within reach.
4. High dust all lavatory surfaces once a week.

Monthly

1. Do all high dusting, which includes all vertical surfaces, such as walls, partitions, drapes, venetian blinds and other surfaces not reached in nightly cleanings.
2. Vacuum all grille and duct work.
3. Machine scrub all ceramic tile floors in lavatories.
4. In all lavatories, wash partitions, tile walls and enamel surfaces with a proper disinfectant.
5. Clean all interior glass in partitions and doors.

Every Three (3) Months

1. All resilient tile throughout the building, except where scheduled otherwise, shall be scrubbed and refinished, using a neutral, low alkaline washing solution and a synthetic slip resistant resin floor finish. All areas shall be buffed after they are refinished. A U/L approved slip resistant synthetic resin floor finish shall be used in all waxing operations. Also an approved low alkaline, non-injurious detergent shall be used for all floor washing operations.

2. All baseboards are to be wiped clean after each refinishing of floors.
3. Special care is to be taken to assure that chrome on legs of metal furniture is wiped clean after each refinishing of floors.
4. Use "pile lifter" on all carpeting.
5. Vacuum upholstered furniture, drapes, etc.
6. Dust all lighting fixtures.

Lessee under this lease shall:

Pay for electricity for all normal office uses (excluding air conditioning) within demised premises as separately metered and billed.

Have the right to peacefully and quietly enjoy the possession of the demised premises without any encumbrance or hindrance by, from or through Lessor, its successors or assigns, so long as Lessee shall observe and perform the covenants and agreements binding on it hereunder.

Additional Responsibilities

It is mutually agreed and understood by and between the parties hereto that the rent mentioned in this lease is payable solely from federal funds when made available by the Federal Government. If said funds are not made available from the Federal Government and as a result Lessee defaults in the payment of sums required to be paid hereunder then the Lessor's sole remedy shall be to repossess said premises.

City Comptroller Authorized to Advertise for Sale City-Owned Property located at No. 7113 S. Racine Av.

The Committee on Finance submitted a report recommending that the City Council pass the following proposed ordinance transmitted therewith:

Be It Ordained by the City Council of the City of Chicago:

SECTION 1. The City Comptroller is authorized to advertise for sale the following parcel of vacant property which is no longer necessary, appropriate, required for the use of, profitable to or for the best interest of the City of Chicago. Said parcel is described as follows:

Lot 47 in Block 2 in E. M. Condit's Subdivision of the West Half of the Northwest Quarter of the Northeast Quarter of Section 29, Township 38 North, Range 14 East of the Third Principal Meridian, in Cook County, Illinois (commonly known as No. 7113 S. Racine Avenue, Permanent Tax No. 20-29-200-010).

Subject to covenants, zoning and building restrictions, easements and conditions, if any, of record.

Bidders shall furnish Economic Disclosure Statement, as per City Ordinance, Chapter 26.1 Municipal Code.

Bids for purchase of said property are to be solicited and bidden forms shall be obtained from the City Comptroller who is authorized to prepare such bidding forms.

SECTION 2. This ordinance shall take effect and be in full force from and after date of its passage.

On motion of Alderman Frost the foregoing proposed ordinance was *Passed*, by yeas and nays as follows:

Yeas--Aldermen Roti, Barnett, Kenner, Sawyer, Bertrand, Humes, Shaw, Huels, Majerczyk, Madrzyk, Brady, Barden, Streeter, Kellam, Sheahan, Sherman, Stemberk, Lipinski, Shumpert, Nardulli, Carothers, Davis, Hagopian, Martinez, Gabinski, Frost, Farina, Casey, Cullerton, Laurino, Rittenberg, Pucinski, Natarus, Oberman, Merlo, Clewis, Schuler, Volini, Stone--39.

Nays--Alderman Marcin--1.

**Execution of Agreement Authorized for Sewer Service between
City and Village of Evergreen Park.**

The Committee on Finance submitted a report recommending that the City Council pass a proposed ordinance transmitted therewith authorizing the execution of agreement for sewer service between City and the Village of Evergreen Park.

On motion of Alderman Frost the said proposed ordinance was *Passed*, by yeas and nays as follows:

Yeas--Aldermen Roti, Barnett, Kenner, Sawyer, Bertrand, Humes, Shaw, Huels, Majerczyk, Madrzyk, Brady, Barden, Streeter, Kellam, Sheahan, Sherman, Stemberk, Lipinski, Shumpert, Nardulli, Carothers, Davis, Hagopian, Martinez, Gabinski, Frost, Farina, Casey, Cullerton, Laurino, Rittenberg, Pucinski, Natarus, Oberman, Merlo, Clewis, Schuler, Volini, Stone--39.

Nays--Alderman Marcin--1.

The following is said ordinance as passed:

Be It Ordained by the City Council of the City of Chicago:

SECTION 1. That the Mayor is authorized to execute and the City Clerk to attest, subject to approval of the Commissioner of Sewers, approval as to form and legality of the Corporation Counsel, and acceptance by the City Comptroller, an Agreement with the Village of Evergreen Park for Sewer Service, said Agreement to be in the form as attached hereto.

This Agreement made and entered into this 19th day of October, 1981, by and between the City of Chicago, a Municipal Corporation, organized and existing under and by virtue of the laws of the State of Illinois, party of the first part, hereinafter called the "City", and the Village of Evergreen Park, a Municipal Corporation of Cook County, Illinois, located within the Metropolitan Sanitary District of Greater Chicago, party of the second part, hereinafter referred to as "Evergreen Park";

Whereas, the said Evergreen Park is the owner of certain properties comprising a sewer system which services the Village of Evergreen Park; and

Whereas, certain of the property owners in Evergreen Park are indebted to City for past sewer services provided by the City; and

Whereas, Evergreen Park on behalf of said property owners, desires to pay and compromise all said claims, due and owing the City to the date of execution hereof, said claims as of August 7, 1981, being in the amount of \$915.70; and

Whereas, the said Evergreen Park desires to enter into a contract with City for sewer services on behalf of the said property owners;

Now, Therefore, for and in consideration of the mutual covenants hereinafter contained, the parties hereto agree as follows:

1. Evergreen Park will pay to the City the sum determined to be owed to date hereof by the aforesaid property owners within 10 days of the date of execution hereof in full satisfaction of said outstanding debt.

2. City agrees to continue to furnish to Evergreen Park the following connections:

48-6" connections on the west side of California Avenue between 99th and 103rd Streets.

1-6" connection from 9624 South Western Avenue, a Firestone Tire Store.

2-8" and 1-6" connections from Queen of Martyrs at the southwest corner of 103rd Street and Central Park Avenue.

1-15" storm connection from the Cemetary located at the southwest corner of West 87th Street and Kedzie Avenue.

1-6" connection from 2820 West 101st Place.

1-6" connection from the southeast corner of West 87th Street and Kedzie Avenue.

3. Initially Evergreen Park shall pay to the City an annual charge of \$2,154.00 as the annual fee for out-of-town connections. Said fee shall be payable in advance on or before the first day of each calendar year of this term. The pro rata portion of the fee for calendar year 1981 shall be paid to the City within 10 days of the execution hereof.

4. The annual fee set forth hereinabove shall be subject to any increases or decreases as directed from time to time by ordinances of the City Council of the City of Chicago with reference to charges for out-of-town sewer connections. Advice of any increase or decrease shall be communicated by the City of Chicago to the Village of Evergreen Park and shall be effective on the date set forth in said communication.

5. This contract shall be in force and continue in effect for twenty (20) years from the date hereof unless terminated sooner as herein provided.

6. Evergreen Park, at its own cost and expense, shall provide, make and keep in repair all Evergreen Park sewers. The City of Chicago, at its own expense, shall provide, make and keep in repair all systems, and equipment servicing or affecting service to Evergreen Park. Nothing contained herein shall be construed as to impose responsibility upon either party to this Agreement to maintain sewers, systems, equipment or connections owned by the other party of this Agreement.

7. Evergreen Park agrees to notify the Commissioner of Sewers of the City of Chicago as promptly as possible of all emergency and other conditions which may directly or indirectly affect the sewer connections herein designated.

8. Evergreen Park shall allow duly authorized engineers and inspectors of the City to make inspections of the condition which is causing said emergency or affecting the sewer connection with the City. This inspection shall include the requiring of tests to be made.

9. City shall not be responsible in damages for any failure to receive the service designated above or for any interruption of the service furnished hereunder. The City shall, upon notice, restore service to Evergreen Park within a reasonable time and the same deference shall be given to Evergreen Park as to the restoration of service as is given to the City of Chicago's residents and other customers.

10. Except for a change in the annual fee as set forth in paragraph 3 above, no officer, official, or agent of either party has the power to amend, modify or alter this Agreement or waive any of its conditions or to bind City by making any promise or representation not contained herein, except as modified by an amendment to this agreement authorized by ordinances passed by the City Council of the City of Chicago and Board of Trustees of the Village of Evergreen Park.

11. Evergreen Park agrees to comply with any and all present and future (a) sanitary regulations of City, (b) regulations and directives of the City of Chicago Department of Sewers, (c) rules and regulations of the Metropolitan Sanitary District of Greater Chicago, and (d) Environmental Protective Agencies of the City of Chicago, State of Illinois and United States applicable to sewage disposal as are in force in the City of Chicago Sewage Disposal System. Evergreen Park further agrees that duly authorized engineers and inspectors of the City, in collaboration with representatives of Evergreen Park, shall be allowed to make inspections and tests to determine that Evergreen Park's sewage disposal system is operating properly and complies with all the laws, ordinances and the City's Department of Sewers regulations. Upon receiving written notice by the City that certain repairs must be made, new equipment installed or procedures of operating changed, Evergreen Park shall within 120 days make such repairs or within one year make installations or operating changes, or lessor times if required by Sanitary District, County, State and Federal authorities. The failure, neglect or refusal of Evergreen Park to make said repairs, installations or changes as required by this paragraph upon notice in writing so to do from the Commissioner of Sewers of the City of Chicago within the time periods specified shall furnish sufficient grounds for City to discontinue its accepting sewage from Evergreen Park. Notwithstanding the prior provisions of the paragraph, Evergreen Park shall be required to install new equipment or modify existing equipment to conform to State and Federal regulations and to keep its systems of similar efficiency as and operational with the City of Chicago sewer system.

12. Evergreen Park agrees to appropriate annually sufficient money to provide for the payment to City of City's accepting and transmitting Evergreen Park sewage.

13. Evergreen Park agrees not to allow any other town, village, municipality or any person, corporation or organization located outside the city limits of Evergreen Park other than presently connected, to discharge their sewage into Evergreen Park pipes and thereby be transmitted into the City's sewage disposal system. This Agreement is solely for the benefit of residents of Evergreen Park.

14. In the event a dispute arises as to the responsibilities of the parties under the terms of this contract or as to the performance or non-performance of the parties of the terms, conditions and covenants of this Agreement, the parties sole remedy shall be upon application to a Court of competent jurisdiction.

15. If Evergreen Park shall fail to comply with or perform any of the conditions or obligations on its part, and, if after such failure the City shall notify Evergreen Park in writing of its intention to discontinue accepting sewage from Evergreen Park on account of such failure, refusal or neglect, then the City shall have a right to discontinue accepting sewage from Evergreen Park at the expiration of sixty (60) days after the giving of such notice and determine this contract, unless within this sixty (60) day period Evergreen Park shall make the repair or perform the conditions or obligations requested by the Commissioner of Sewers of the City of Chicago. Nothing contained herein shall reduce the grace period and provisions specified in paragraph 11 herein.

16. No assignment or transfer of this Agreement shall be made by Evergreen Park.

17. All notices or communications provided hereunder directed to the City shall be addressed to Commissioner of Sewers, City of Chicago, Room 408, City Hall, Chicago, Illinois, 60602; and directed to Evergreen Park addressed to Village Clerk, Village of Evergreen Park, 9418 South Kedzie Avenue, Evergreen Park, Illinois 60642.

In Witness Whereof, the City of Chicago, pursuant to Authority granted by its City Council, has caused this Agreement to be signed in sextuplet originals (each executed copy constituting an original) by its Mayor, approved by its Commissioner of Sewers, attested by its City Clerk, accepted by its Comptroller, its Corporate Seal hereto affixed, and approved as to form and legality by the Corporation Counsel; and the Village of Evergreen Park, pursuant to authority granted by its Board of Trustees, has caused the same to be signed in sextuplet originals (each executed copy constituting an original) by its Mayor, attested by its Village Clerk, its Corporate Seal hereto affixed, and approved as to form and legality by the Village Attorney.

[Signature forms omitted for printing purposes]

SECTION 2. This ordinance shall be in force and effect from and after its passage.

**Execution of Agreement Authorized for Water Supply Contract
between City and Justice-Willow Springs Water Commission.**

The Committee on Finance submitted a report recommending that the City Council pass a proposed ordinance transmitted therewith, authorizing the execution of an agreement for a water supply contract between the City of Chicago and Justice-Willow Springs Water Commission.

On motion of Alderman Frost the said proposed ordinance was *Passed*, by yeas and nays as follows:

Yeas--Aldermen Roti, Barnett, Kenner, Sawyer, Bertrand, Humes, Shaw, Huels, Majerczyk, Madrzyk, Brady, Barden, Streeter, Kellam, Sheahan, Sherman, Stemberk, Lipinski, Shumpert, Nardulli, Carothers, Davis, Hagopian, Martinez, Gabinski, Frost, Farina, Casey, Cullerton, Laurino, Rittenberg, Pucinski, Natarus, Oberman, Merlo, Clewis, Schalter, Volini, Stone--39.

Nays--Alderman Marcin--1.

The following is said ordinance as passed:

Be It Ordained by the City Council of the City of Chicago:

SECTION 1. That the Mayor is hereby authorized and directed to execute, the City Clerk to attest, the Commissioner of Water to approve and the City Comptroller to accept the file for record, upon the approval of the Corporation Counsel as to form and legality, a Water Supply Contract between the City of Chicago and the Justice-Willow Springs Water Commission to be substantially in the form as follows:

This Agreement made and entered into this 17th day of November, A.D. 1981, and executed in sextuplicate originals (each executed copy constituting an original) by and between the City of Chicago, a Municipal Corporation, organized and existing under and by virtue of the laws of the State of Illinois, party of the first part, hereinafter called the "City", and the Justice-Willow Springs Water Commission in Cook County, Illinois, located within the Metropolitan Sanitary District of Greater Chicago; party of the second part.

WITNESSETH:

Whereas, said City of Chicago and the Justice-Willow Springs Water Commission entered into a ten year agreement on the 23rd day of August, A.D. 1963, which has expired, for the furnishing from the City's water mains at the City limits, S. Old Harlem Avenue and W. 65th Street a supply of water for consumers located within the territorial limits of the Justice-Willow Springs Water Commission not to exceed an annual average of 690,000 gallons in 1963 increasing to 1,160,000 gallons in 1972 with the annual maximum rate of flow from the City's mains not to exceed twice the annual average daily withdrawal; and

Whereas, the City of Chicago is willing to enter into a new water supply contract with the Justice-Willow Springs Water Commission and furnish water from existing connection to City's water mains at the City limits, S. Old Harlem Avenue and W. 65th Street.

Now, Therefore, in consideration of the mutual covenants and agreements hereinafter contained, the parties agree with each other as follows:

A. Service to be Furnished

(1) The City agrees to furnish to the Justice-Willow Springs Water Commission and the Justice-Willow Springs Water Commission agrees to purchase and take from the City under and in accordance with the terms hereof, a supply of water through metered connection authorized by the Commissioner of Water and Sewers of the City from the City's water mains at the City limits, S. Old Harlem Avenue and W. 65th Street to be used by the Justice-Willow Springs Water Commission in supplying water to consumers located within the corporate limits of the Village of Justice and the Village of Willow Springs and to two (2) accounts located outside the corporate limits of the Village of Justice and the Village of Willow Springs.

(2) The Justice-Willow Springs Water Commission is further authorized to supply water to the Village of Hickory Hills and five (5) accounts outside its corporate limits.

B. Quantity of Water to be Furnished

(1) For consumers located within the corporate limits of the Village of Justice and the Village of Willow Springs and to include additional amounts of water to the Village of Hickory Hills, the quantities of water for the years are as indicated:

Year	Annual Average Daily Quantity in Gallons
1979	2,712,347
1980	2,856,496
1981	

1982

1983

1984

1985

1986

1987

1988

These quantities are in accordance with the allocations made to the separate entities by the Illinois Department of Transportation.

(2) Amounts for average daily use after 1980 during term of this agreement and any renewals thereof will be the amounts as allocated by the State of Illinois, Bureau of Resource Management. Said amounts will be added to this agreement by letter upon receipt by the City of said State allocation.

(3) The water supplied and taken in accordance with this contract shall be withdrawn at times during the 24 hours of each day in order to maintain as even an amount of withdrawal as possible with a minimum number of on-off cycles. The maximum hourly rate of withdrawal of water from the City's mains should not exceed twice the annual average daily contract amount.

(4) The Justice-Willow Springs Water Commission agrees to install a flow control system at the meter vault on existing water service connection to City's water main at the City limits, S. Old Harlem Avenue and W. 65th Street, when requested by the City, in order to regulate the flow of water as herein provided.

(5) The quantities of water to be furnished are to be supplied to the three (3) Villages for the years as indicated:

Year	Annual Average Daily Quantity in Gallons		
	Village of Justice	Willow Springs	Village of Hickory Hills
1979	870,718	689,722	1,151,907
1980	917,259	739,496	1,199,741
1981			
1982			
1983			
1984			
1985			
1986			
1987			
1988			

These quantities are in accordance with the allocations made to the separate entities by the Illinois Department of Transportation.

(6) Amounts for average daily use after 1980 during term of this agreement and any renewals thereof will be the amounts as allocated by the State of Illinois, Bureau of Resource Management. Said amounts will be added to this agreement by letter upon receipt by the City of said State allocation.

1. General

(1) This agreement shall be in force and effect for a period ending ten years from the date hereof, subject, however, to the option of the Justice-Willow Springs Water Commission to renew said agreement for successive like terms, written notice thereof to be submitted to the City six months prior to the expiration of each said ten year term.

(2) No officer, official or agent of the City has the power to amend, modify or alter this agreement or waive any of its conditions as to bind the City by making any promise or representation not contained herein.

(3) This agreement shall not be assigned or transferred by either party.

(4) This agreement will be subject to cancellation in the event a court of competent jurisdiction restricts or limits, directly or indirectly, any of the City's rights to obtain, sell, contract for or distribute Lake Michigan water.

(5) The quantity of water supplied under this contract shall not exceed the amount of Lake Michigan water allocated the Justice-Willow Springs Water Commission by the Illinois Department of Transportation.

(6) The City will not be responsible in damages for any interruption or failure to supply water and shall be saved and held harmless from all damage of any kind, nature and description which may arise as a result of making this agreement and furnishing water hereunder.

(7) The Justice-Willow Springs Water Commission may not permit any water furnished hereunder to be used to supply any party outside their territorial limits, except as provided for herein, without specific approval of the City Council of the City. This shall not apply to emergency service provided to other City water users.

II. Reporting Requirements

(8) The Justice-Willow Springs Water Commission shall submit quarterly reports to the City listing all consumers located outside their territorial limits showing location, character of occupancy and amount used by each during the period covered.

(9) The Justice-Willow Springs Water Commission shall maintain suitable records of the hourly and daily consumption of water by the consumers and these records shall be available to the City at all reasonable times.

(10) At the end of each calendar year during the term of this contract and not later than March 31st of each year, the Justice-Willow Springs Water Commission agrees to submit to the Commissioner of Water and Sewers of the City a written copy of the prevailing water rate schedule as applicable to its water consumers. It shall include all rates and relevant information and the premise on which rates have been furnished.

(11) The Justice-Willow Springs Water Commission shall submit to the City by the 10th day of each month, a report showing the amount of water received the previous month from the City and the amount furnished to consumers. The Justice-Willow Springs Water Commission shall also furnish water system plats, zoning maps and such other information regarding billing, collections and delinquencies as may be requested by the City from time to time.

III. Reservations

(12) The City reserves the right to require the Justice-Willow Springs Water Commission to deposit, in advance, a sum equal to the estimated costs for water supply during a period of ninety days at the prevailing metered rate.

(13) The City reserves the right to inspect, test, repair and replace the water meters as required. Such replacements or repairs shall be charged to and paid by the Justice-Willow Springs Water Commission.

IV. Water Quality

(14) The City shall supply the Justice-Willow Springs Water Commission with water of a quality commensurate with that furnished to its consumers within its City limits.

(15) The Justice-Willow Springs Water Commission shall receive its supply of water from the City by a means or method approved by the City's Commission of Water and Sewers. The City of Chicago water system must be safeguarded by means of an air gap at the receiving reservoir. When the requirement for a receiving reservoir is waived to permit a direct connection for emergency use, a backflow preventer, approved by the Commissioner, must be installed.

(16) The City bears no degree of responsibility for the water quality at any point beyond the meter vault. The Justice-Willow Springs Water Commission bears the responsibility for maintaining the water quality at any point beyond the meter vault and within its distribution system.

(17) The Justice-Willow Springs Water Commission shall notify and keep the City informed of the responsible individual in charge of operations.

(18) The Justice-Willow Springs Water Commission shall immediately notify the City's Commissioner of Water and Sewers of any emergency or condition which may affect the quality of water in either party's system.

(19) The City reserves the right to make inspections of those facilities which may affect the quality of the water supplied to the Justice-Willow Springs Water Commission and to perform required tests.

V. Equipment and Operation

(20) The Justice-Willow Springs Water Commission shall provide and maintain all service mains and valves and bear the costs for connecting said mains to and serving them from the City's water system. Each serving main shall be equipped with a valve located within the City limits and said valve shall be under the sole and complete control of the City and will mark the limit of the City's responsibility for maintenance of the piping system.

(21) The Justice-Willow Springs Water Commission shall provide and maintain any and all devices expressly requested by the City's Commissioner of Water and Sewers for the purpose of controlling, measuring, transmitting and recording flows of the supply of water furnished and the transmitting and recording of pressures, reservoir levels and other required operational information.

(22) The Justice-Willow Springs Water Commission shall provide the meters, vaults and sump pumps and related devices, adhering to City Standard Practices, for measuring the supply of water furnished. Meters provided must be delivered to the City Meter Shop for testing and picked up promptly after testing, all at the expense of the Justice-Willow Springs Water Commission prior to installation by them. Plans and specifications for the equipment and vault, or other protective structure, must be submitted to and be approved by the City's Commissioner of Water and Sewers before an authorization for installing the meters and related devices will be issued. The Justice-Willow Springs Water Commission shall place the meters and related devices in a vault or other protective structure near the City limits and keep the vault or protective structure accessible and safe to work in at all times.

(23) The City's representative will regularly inspect the meters measuring the supply of water furnished and will repair or replace any meter or part of a meter which has a total registration greater than authorized, or which has been in service for a period longer than authorized or which is known or suspected to be registering incorrectly. All such repairs or replacements shall be made by the City's representatives and the Justice-Willow Springs Water Commission shall pay for repairs and replacement made.

(24) When it is determined that a water meter registered incorrectly, an estimate of the amount of water furnished through the faulty meter shall be prepared by the City's Commissioner of Water and Sewers for the purpose of billing the Justice-Willow Springs Water Commission. The estimate shall be based upon the average of twelve preceding readings of the meter, exclusive of incorrect readings. When less than twelve correct readings are available, fewer readings, including some obtained after the period of incorrect registration, may be used.

(25) The Justice-Willow Springs Water Commission shall provide and maintain reservoirs of sufficient capacity to store twice the annual daily average consumption of water.

VI. Rates and Discounts

(26) Charges for water furnished to the Justice-Willow Springs Water Commission for consumers within its corporate limits and to municipalities within the Metropolitan Sanitary District of Greater Chicago served by the Justice-Willow Springs Water Commission shall be at the rate fixed for like large quantities of water furnished through meters to consumers inside the City, said rate being fixed by City Ordinance.

(27) Charges for water furnished to the Justice-Willow Springs Water Commission for consumers (private persons or corporations) not within its corporate limits shall be fifty per cent higher than the rate for like large quantities of water furnished through meters to consumers inside the City.

(28) Charges for water furnished to the Justice-Willow Springs Water Commission for consumers in unincorporated areas or for consumers not within the Metropolitan Sanitary District of Greater Chicago shall be fifty per cent higher than the rate for like large quantities of water furnished through meters to consumers inside the City.

(29) The Justice-Willow Springs Water Commission shall be entitled to the same discount for prompt payment of water bills as is allowed to metered customers inside the City.

In Witness Whereof, the City of Chicago has caused this agreement to be signed in sextuplicate originals (each executed copy constituting an original) by its Commissioner of Water and Sewers, countersigned by its Comptroller, approved by its Mayor, and its Corporate Seal to be hereto affixed and duly attested by its Clerk; the Justice-Willow Springs Water Commission has caused the same to be signed in sextuplicate originals (each executed copy constituting an original) by its Chairman of Board of Commissioners and its Corporate Seal to be hereto affixed, duly attested by its Clerk, pursuant to authority granted by its Commissioners, on the date and year first above written.

[Signature forms omitted for printing purposes.]

SECTION 2. This ordinance shall be effective from and after the date of its passage.

**Authorization of Amendment to a Water Supply Contract
between City and Village of McCook**

The Committee on Finance submitted a report recommending that the City Council pass a proposed ordinance transmitted therewith authorizing an amendment to a water supply contract between the City of Chicago and the Village of McCook.

On motion of Alderman Frost the said proposed ordinance was *Passed*, by yeas and nays as follows:

Yeas--Aldermen Roti, Barnett, Kenner, Sawyer, Bertrand, Humes, Shaw, Huels, Majerczyk, Madrzyk, Brady, Barden, Streeter, Kellam, Sheahan, Sherman, Stemberk, Lipinski, Shumpert, Nardulli, Carothers, Davis, Hagopian, Martinez, Gabinski, Frost, Farina, Casey, Cullerton, Laurino, Rittenberg, Pucinski, Natarus, Oberman, Merlo, Clewis, Schulter, Volini, Stone--39.

Nays--Alderman Marcin-1.

The following is said ordinance as passed:

Be It Ordained by the City Council of the City of Chicago:

SECTION 1. That the Mayor is hereby authorized and directed to execute, the City Clerk to attest, the Commissioner of Water to approve and the City Comptroller to accept the file for record, upon the approval of the Corporation Counsel as to form and legality, a first amendment to the Water Supply Contract between the City of Chicago and the Village of McCook to be substantially in form as follows:

This Agreement made and entered into this 2nd day of March, A.D. 1981, and executed in sextuplicate originals (each executed copy constituting an original) by and between the City of Chicago, a Municipal Corporation, organized and existing under and by virtue of the laws of the State of Illinois, party of the first part, hereinafter called the "City", and the Village of McCook in Cook County, Illinois, located within the Metropolitan Sanitary District of Greater Chicago; party of the second part.

WITNESSETH:

Whereas, said City of Chicago and the Village of McCook entered into a ten year agreement on the 16th day of June, A.D. 1980, for the furnishing from the City's water mains at the City limits, W. 31st Street and S. Kilbourn Avenue and for emergency use only at First Avenue and South right-of-way of the Chicago, Burlington and Quincy Railroad a supply of water for consumers located within the territorial limits of the Village of McCook, four (4) accounts located outside the corporate limits of the Village of McCook, the City of Countryside, one (1) account located outside the corporate limits of the City of Countryside and to the Village of Hodgkins not to exceed an annual average of 6,608,921 gallons per day in 1980 increasing to the totals of all Three (3) municipalities' water allocations per year as will be allocated by the State on Illinois, Bureau of Resource Management with the maximum rate of flow from the City's mains not to exceed twice the annual average daily withdrawal; and

Whereas, the Village of McCook signed a water supply contract with the Village of Riverside on the 11th day of August, A.D. 1980, agreeing to provide on or about the 1st day of May, A.D. 1982, with a supply of Lake Michigan water up to the water allocation made by the Illinois Department of Transportation, Division of Water Resources through the Village of McCook's water transmission system from its source of supply in the City of Chicago; and

Whereas, the Village of Riverside signed a water supply contract with the Brookfield-North Riverside Water Commission on the 10th day of December, A.D. 1980, with a provision allowing for the Village of Riverside to terminate the contract upon receipt of ninety days written notice to the Brookfield-North Riverside Water Commission from the Village of Riverside.

Now, Therefore, in consideration of the mutual covenants and agreements hereinafter contained, the parties agree with each other as follows:

(1) The City agrees to furnish to the Village of McCook and the Village of McCook agrees to purchase and take from the City under and in accordance with the terms hereto, an additional supply of water for resale to the Village of Riverside.

(2) For consumers located within the corporate limits of the Village of McCook and four (4) accounts located outside its corporate limits and to include additional amounts of water for resale to the City of Countryside and one (1) account located outside its corporate limits, the Village of Hodgkins and the Village of Riverside, the updated quantities of water for the years are as indicated:

YEAR	ANNUAL DAILY QUANTITY IN GALLONS
1981	7,768,000
1982	7,778,000

<i>YEAR</i>	<i>ANNUAL DAILY QUANTITY IN GALLONS</i>
1983	7,782,000
1984	7,785,000
1985	7,834,000
1986	7,770,000
1987	7,786,000
1988	7,803,000
1989	7,819,000

These quantities are in accordance with the allocations made to the separate entities by the Illinois Department of Transportation.

(3) The quantities of water to be furnished are to be supplied to the three (3) Villages and one (1) City for the years as indicated:

<i>YEAR</i>	<i>Village of McCook</i>	<i>City of Countryside</i>	<i>Village of Hodgkins</i>	<i>Village of Riverside</i>
1981	5,797,000	753,000	279,000	939,000
1982	5,797,000	763,000	280,000	938,000
1983	5,797,000	765,000	282,000	938,000
1984	5,797,000	767,000	284,000	937,000
1985	5,797,000	769,000	332,000	936,000
1986	5,728,000	771,000	336,000	935,000
1987	5,728,000	781,000	343,000	934,000
1988	5,728,000	792,000	350,000	933,000
1989	5,728,000	802,000	357,000	932,000

These quantities are in accordance with the allocation made to the separate entities by the Illinois Department of Transportation.

(4) The aforesaid water supply agreement made by and between the City of Chicago and the Village of McCook on the 16th day of June, A.D. 1980 shall remain in full force and effect except as amended by this amended agreement.

(5) In order to allow the Village of Riverside to take water through the Village of McCook system, the Village of Riverside must first terminate the taking of water through the Brookfield-North Riverside system.

In Witness Whereof, the City of Chicago has caused this agreement to be signed in sextuplicate originals (each executed copy constituting an original) by its Commissioner of Water, countersigned by its Comptroller, approved by its Mayor, and its Corporate Seal to be hereto affixed and duly attested by its Clerk; the Village of McCook has caused the same to be signed in sextuplicate originals (each executed copy constituting an original) by its Mayor and its Corporate Seal to be hereto affixed, duly attested by its Clerk, on the date and year first above written.

[Signature forms omitted for printing purposes]

SECTION 2. This ordinance shall be effective from and after the date of its passage.

**City Comptroller Authorized and Directed to Cancel Warrants for
Collection Issued against Certain Charitable, Educational
and Religious Institutions.**

The Committee on Finance to which had been referred (December 18, 1981,) sundry proposed orders for cancellation of specified warrants for collection issued against certain charitable, educational and religious institutions, submitted reports recommending that the City Council pass the following substitute proposed order:

Ordered, The City Comptroller is hereby authorized and directed to cancel specified warrants for collection issued against certain charitable, educational and religious institutions, as follows:

<i>Name and Address</i>	<i>Warrant No. and Type of Inspection</i>	<i>Amount</i>
Saint Mary of Perpetual Help Church, No. 1029 W. 32nd Street.	P1-110197 (Fuel Burn. Equip.)	\$ 205.00
Chicago Youth Centers/ABC Youth Center, No. 3415 W. 13th Place.	F4-924336 (Mech. Vent.)	10.00

On motion of Alderman Frost the foregoing proposed substitute order was *Passed*, by yeas and nays as follows:

Yeas--Aldermen Roti, Barnett, Kenner, Sawyer, Bertrand, Humes, Shaw, Huels, Majerczyk, Madrzyk, Brady, Barden, Streeter, Kellam, Sheahan, Sherman, Stemberk, Lipinski, Shumpert, Nardulli, Carothers, Davis, Hagopian, Martinez, Gabinski, Frost, Farina, Casey, Cullerton, Laurino, Rittenberg, Pucinski, Natarus, Oberman, Merlo, Clewis, Schuler, Volini, Stone--39.

Nays--Alderman Marcin-1.

**Authority Granted for Issuance of Free Permit and License
Fee Exemptions for Certain Charitable, Educational
and Religious Institutions.**

The Committee on Finance to which had been referred (December 18, 1981) sundry proposed ordinances transmitted therewith to authorize issuance of a free permit and license fee exemptions for certain charitable, educational and religious institutions, submitted separate reports recommending that the City Council pass the said proposed ordinances.

On separate motions made by Alderman Frost *each* of the said proposed ordinances was *Passed*, by yeas and nays as follows:

Yeas--Aldermen Roti, Barnett, Kenner, Sawyer, Bertrand, Humes, Shaw, Huels, Majerczyk, Madrzyk, Brady, Barden, Streeter, Kellam, Sheahan, Sherman, Stemberk, Lipinski, Shumpert, Nardulli, Carothers, Davis, Hagopian, Martinez, Gabinski, Frost, Farina, Casey, Cullerton, Laurino, Rittenberg, Pucinski, Natarus, Oberman, Merlo, Clewis, Schuler, Volini, Stone--39.

Nays--Alderman Marcin-1.

Said ordinances as passed read respectively as follows (the *Italic* heading in each case not being a part of the ordinance):

FREE PERMIT.

St. Elizabeth Hospital.

Be It Ordained by the City Council of the City of Chicago:

SECTION 1. That the Commissioner of Inspectional Services, the Commissioner of Public Works, the Commissioner of Streets and Sanitation, the Commissioner of Sewers, and the Commissioner of Water are hereby directed to issue all necessary permits, free of charge, notwithstanding other ordinances of the City to the contrary, to St. Elizabeth Hospital for the installation of a computerized tomographic body scanner suite, relocation of the morgue and renovation of the critical care units on the premises known as No. 1431 N. Claremont Avenue (Work to be done by the J. S. Adams Company/general contractor, Des Plaines, Illinois).

Said building shall be used exclusively for medical and related purposes and shall not be leased or otherwise used with a view of profit, and the work thereon shall be done in accordance with plans submitted.

SECTION 2. This ordinance shall take effect and be in force from and after its passage.

—
LICENSE FEE EXEMPTIONS.

Homes.

The Admiral.

Be It Ordained by the City Council of the City of Chicago:

SECTION 1. Pursuant to Section 136-5 of the Municipal Code of Chicago and in accordance with favorable investigation by the Board of Health, The Admiral, No. 909 W. Foster Avenue is hereby exempted from payment of the annual license fee provided therefor in Section 136-4, for the year 1982.

SECTION 2. This ordinance shall be in force and effect from and after its passage.

—
United Methodist Homes and Services.

Be It Ordained by the City Council of the City of Chicago:

SECTION 1. Pursuant to Section 136-5 of the Municipal Code of Chicago and in accordance with favorable investigation by the Board of Health, United Methodist Homes and Services, No. 1415 W. Foster Avenue is hereby exempted from payment of the annual license fee provided therefor in Section 136-4, for the year 1982.

SECTION 2. This ordinance shall be in force and effect from and after its passage.

—
Hospitals.

Be It Ordained by the City Council of the City of Chicago:

SECTION 1. Pursuant to Section 137-6 of the Municipal Code of Chicago and in accordance with favorable investigation by the Board of Health, the following hospitals that are not operated for gain but where a charge is made for the care of patients, shall be exempted from payment of the hospital license fee for the year 1982:

Augustana Hospital
No. 411 W. Dickens Avenue.

Central Community Hospital
No. 5701 S. Wood Street.

Children's Memorial Hospital
No. 2300 Children's Plaza.

Holy Cross Hospital
No. 2701 W. 68th Street.

Illinois Masonic Medical Center
No. 836 W. Wellington Avenue.

Louise Burg Hospital
No. 255 W. Cermak Road.

Saint Bernard Hospital
No. 326 W. 64th Street.

Saint Elizabeth Hospital
No. 1431 N. Claremont Avenue.

Saint Mary of Nazareth Hospital Center
No. 2233 W. Division Street.

SECTION 2. This ordinance shall be in force and effect from and after its passage.

**Amendatory Ordinance to Decrease Allocation of MFT Funds for
Installation of Traffic Signals at N. Clark and W. Elm Streets
to Close-Out Project.**

The Committee on Finance submitted a report recommending that the City Council pass the following proposed ordinance transmitted therewith:

Be It Ordained by the City Council of the City of Chicago:

SECTION 1. The ordinance passed by the City Council of the City of Chicago on December 4, 1979 on page 1402 of the Journal of the Proceedings of said date, authorizing and directing the Commissioner of Streets and Sanitation to install traffic signals, is hereby amended and closed as follows:

<i>Location</i>	<i>Estimated Cost</i>
M.F.T. Project No. 1709 Section 2222.2	
Actual amount appropriated by the City Comptroller	\$ 80,000.00
Be and the same is hereby amended and closed as follows:	
By deleting the estimated cost of	78,192.26
And inserting in lieu thereof the amending and closing amount of	76,290.96
And therefor the balance of funds is to be returned to the unobligated Motor Fuel Tax Funds	1,901.30

SECTION 2. Motor Fuel Tax Funds allocated for this project shall not be transferred to any other Motor

Fuel Tax Project or Motor Fuel Tax Funds allocated for any other project shall not be transferred to this project, either instance, without the prior approval of the City Council.

Upon certification of the completion of this project by the State of Illinois, Department of Transportation, any remaining Motor Fuel Tax Funds allocated shall be returned to the Motor Fuel Tax Fund.

SECTION 3. The City Comptroller shall set up a separate account for this project. The Commissioner of Streets and Sanitation shall not expend or authorize the expenditure in excess of the amount shown and the City Comptroller shall not authorize the payment of any vouchers in excess of the amount shown without having had the prior approval of the City Council.

SECTION 4. The Operating Department shall maintain a separate ledger account for each project utilizing standard account classifications acceptable under generally accepted accounting principles with all charges for direct and indirect expenses delineated, categorized and detailed for each such project.

SECTION 5. The City Comptroller and the City Treasurer are authorized and directed to make disbursements from said fund when properly approved by the Commissioner of Streets and Sanitation.

SECTION 6. The City Clerk is directed to transmit two (2) certified copies of this Ordinance to the Department of Transportation of the State of Illinois, through the Regional Transportation Engineer for the Northeast Region of said Department of Transportation.

SECTION 7. This ordinance shall be in force and effect from and after its passage.

On motion of Alderman Frost the foregoing proposed ordinance was *Passed*, by yeas and nays as follows:

Yeas--Aldermen Roti, Barnett, Kenner, Sawyer, Bertrand, Humes, Shaw, Huels, Majerczyk, Madrzyk, Brady, Barden, Streeter, Kellam, Sheahan, Sherman, Stemberk, Lipinski, Shumpert, Nardulli, Carothers, Davis, Hagopian, Martinez, Gabinski, Frost, Farina, Casey, Cullerton, Laurino, Rittenberg, Pucinski, Natarus, Oberman, Merlo, Clewis, Schuller, Volini, Stone--39.

Nays--Alderman Marcin--1.

**Ordinances Amended Concerning Allocation of MFT Funds for
Installation or Rehabilitation of Traffic Control
Signals at Specified Locations and to Close
Out Projects.**

The Committee on Finance submitted eight proposed ordinances (under separate committee reports) recommending that the City Council pass the following ordinances transmitted therewith, concerning allocation of MFT Funds for installation or rehabilitation of Traffic Control Signals at Specified Locations and to close out projects.

On motion of Alderman Frost each of the said proposed ordinances was *Passed*, by yeas and nays as follows:

Yeas--Aldermen Roti, Barnett, Kenner, Sawyer, Bertrand, Humes, Shaw, Huels, Majerczyk, Madrzyk, Brady, Barden, Streeter, Kellam, Sheahan, Sherman, Stemberk, Lipinski, Shumpert, Nardulli, Carothers, Davis, Hagopian, Martinez, Gabinski, Frost, Farina, Casey, Cullerton, Laurino, Rittenberg, Pucinski, Natarus, Oberman, Merlo, Clewis, Schuller, Volini, Stone--39.

Nays--Alderman Marcin--1.

Said ordinances as passed read respectively as follows (the italic heading in each case not being a part of the ordinance):

*S. Dearborn St. and W. Adams St.**Be It Ordained by the City Council of the City of Chicago:*

SECTION 1. The ordinance passed by the City Council of the City of Chicago on August 25, 1966 on page 7154 of the Journal of the Proceedings of said date, authorizing and directing the Commissioner of Streets and Sanitation to rehabilitate traffic signals, is hereby amended and closed as follows:

<i>Location</i>	<i>Estimated Cost</i>
M.F.T. Project No. 1383 Section: 2020.2	
Actual amount appropriated by the City Comptroller	\$ 9,362.33
Be and the same is hereby amended and closed as follows:	
By deleting the estimated costs of	\$ 9,362.33
And inserting in lieu thereof the amending and closing amount of	\$ -0-
And therefor the balance of funds is to be returned to the unobligated Motor Fuel Tax Funds	\$ 9,362.33

SECTION 2. Motor Fuel Tax Funds allocated for this project shall not be transferred to any other Motor Fuel Tax Project or Motor Fuel Funds allocated for any other project shall not be transferred to this project, in either instance, without the prior approval of the City Council.

Upon certification of the completion of this project by the State of Illinois, Department of Transportation, any remaining Motor Fuel Tax Funds allocated shall be returned to the Motor Fuel Tax Fund.

SECTION 3. The City Comptroller shall set up a separate account for this project. The Commissioner of Streets and Sanitation shall not expend or authorize the expenditure in excess of the amount shown and the City Comptroller shall not authorize the payment of any vouchers in excess of the amount shown without having had the prior approval of the City Council.

SECTION 4. The Operating Department shall maintain a separate ledger account for each project utilizing standard account classifications acceptable under generally accepted accounting principles with all charges for direct and indirect expenses delineated, categorized and detailed for each such project.

SECTION 5. The City Comptroller and the City Treasurer are authorized and directed to make disbursements from said fund when properly approved by the Commissioner of Streets and Sanitation.

SECTION 6. The City Clerk is directed to transmit two (2) certified copies of this ordinance to the Department of Transportation of the State of Illinois, through the Regional Transportation Engineer for the Northeast Region of said Department of Transportation.

SECTION 7. This ordinance shall be in force and effect from and after its passage.

*S. Franklin St. and W. Adams St.**Be It Ordained by the City Council of the City of Chicago:*

SECTION 1. The ordinance passed by the City Council of the City of Chicago on September 12, 1973 on page 6117 of the Journal of the Proceedings of said date, authorizing and directing the Commissioner of Streets and Sanitation to rehabilitate traffic signals, is hereby amended and closed as follows:

<i>Location</i>	<i>Estimated Cost</i>
M.F.T. Project No. 1391	
Section: 1010.2 C.S.	
Actual amount appropriated by the City Comptroller	\$ 24,615.83
Be and the same is hereby amended and closed as follows:	
By deleting the estimated costs of	\$ 24,615.83
And inserting in lieu thereof the amending and closing amount of	\$ -0-
And therefor the balance of funds is to be returned to the unobligated Motor Fuel Tax Funds	\$ 24,615.83

SECTION 2. Motor Fuel Tax Funds allocated for this project shall not be transferred to any other Motor Fuel Tax Project or Motor Fuel Tax Funds allocated for any other project shall not be transferred to this project, in either instance, without the prior approval of the City Council.

Upon certification of the completion of this project by the State of Illinois, Department of Transportation, any remaining Motor Fuel Tax Funds allocated shall be returned to the Motor Fuel Tax Fund.

SECTION 3. The City Comptroller shall set up a separate account for this project. The Commissioner of Streets and Sanitation shall not expend or authorize the expenditure in excess of the amount shown and the City Comptroller shall not authorize the payment of any vouchers in excess of the amount shown without having had the prior approval of the City Council.

SECTION 4. The Operating Department shall maintain a separate ledger account for each project utilizing standard account classifications acceptable under generally accepted accounting principles with all charges for direct and indirect expenses delineated, categorized and detailed for each such project.

SECTION 5. The City Comptroller and the City Treasurer are authorized and directed to make disbursements from said fund when properly approved by the Commissioner of Streets and Sanitation.

SECTION 6. The City Clerk is directed to transmit two (2) certified copies of this ordinance to the Department of Transportation of the State of Illinois, through the Regional Transportation Engineer for the Northeast Region of said Department of Transportation.

SECTION 7. This ordinance shall be in force and effect from and after its passage.

—
S. Franklin and W. Madison Sts.

Be It Ordained by the City Council of the City of Chicago:

SECTION 1. The ordinance passed by the City Council of the City of Chicago on September 12, 1973 on page 6118 of the Journal of the Proceedings of said date, authorizing and directing the Commissioner of Streets and Sanitation to rehabilitate traffic signals, is hereby amended and closed as follows:

<i>Location</i>	<i>Estimated Cost</i>
M.F.T. Project No. 1377	
Section: 2021.2 C.S.	

<i>Location</i>	<i>Estimated Cost</i>
Actual amount appropriated by the City Comptroller	\$ 23,412.72
Be and the same is hereby amended and closed as follows:	
By deleting the estimated costs of	\$ 23,412.72
And inserting in lieu thereof the amending and closing amount of	\$ -0-
And therefor the balance of funds is to be returned to the unobligated Motor Fuel Tax Funds	\$ 23,412.72

SECTION 2. Motor Fuel Tax Funds allocated for this project shall not be transferred to any other Motor Fuel Tax Project or Motor Fuel Funds allocated for any other project shall not be transferred to this project, in either instance, without the prior approval of the City Council.

Upon certification of the completion of this project by the State of Illinois, Department of Transportation, any remaining Motor Fuel Tax Funds allocated shall be returned to the Motor Fuel Tax Fund.

SECTION 3. The City Comptroller shall set up a separate account for this project. The Commissioner of Streets and Sanitation shall not expend or authorize the expenditure in excess of the amount shown and the City Comptroller shall not authorize the payment of any vouchers in excess of the amount shown without having had the prior approval of the City Council.

SECTION 4. The Operating Department shall maintain a separate ledger account for each project utilizing standard account classifications acceptable under generally accepted accounting principles with all charges for direct and indirect expenses delineated, categorized and detailed for each such project.

SECTION 5. The City Comptroller and the City Treasurer are authorized and directed to make disbursements from said fund when properly approved by the Commissioner of Streets and Sanitation.

SECTION 6. The City Clerk is directed to transmit two (2) certified copies of this ordinance to the Department of Transportation of the State of Illinois, through the Regional Transportation Engineer for the Northeast Region of said Department of Transportation.

SECTION 7. This ordinance shall be in force and effect from and after its passage.

—
S. Franklin and W. Monroe Sts.

Be It Ordained by the City Council of the City of Chicago:

SECTION 1. The ordinance passed by the City Council of the City of Chicago on September 12, 1973 on page 6119 of the Journal of the Proceedings of said date, authorizing and directing the Commissioner of Streets and Sanitation to install traffic signals, is hereby amended and closed as follows:

<i>Location</i>	<i>Estimated Cost</i>
M.F.T. Project No. 1376 Section: 1010.2 C.S.	
Actual amount appropriated by the City Comptroller	\$ 20,149.30

Be and the same is hereby amended and closed as follows:

By deleting the estimated costs of	\$ 20,149.30
And inserting in lieu thereof the amending and closing amount of	\$ -0-
And therefor the balance of funds is to be returned to the unobligated Motor Fuel Tax Funds	\$ 20,149.30

SECTION 2. Motor Fuel Tax Funds allocated for this project shall not be transferred to any other Motor Fuel Tax Project or Motor Fuel Funds allocated for any other project shall not be transferred to this project, in either instance, without the prior approval of the City Council.

Upon certification of the completion of this project by the State of Illinois, Department of Transportation, any remaining Motor Fuel Tax Funds allocated shall be returned to the Motor Fuel Tax Fund.

SECTION 3. The City Comptroller shall set up a separate account for this project. The Commissioner of Streets and Sanitation shall not expend or authorize the expenditure in excess of the amount shown and the City Comptroller shall not authorize the payment of any vouchers in excess of the amount shown without having had the prior approval of the City Council.

SECTION 4. The Operating Department shall maintain a separate ledger account for each project utilizing standard account classifications acceptable under generally accepted accounting principles with all charges for direct and indirect expenses delineated, categorized and detailed for each such project.

SECTION 5. The City Comptroller and the City Treasurer are authorized and directed to make disbursements from said fund when properly approved by the Commissioner of Streets and Sanitation.

SECTION 6. The City Clerk is directed to transmit two (2) certified copies of this ordinance to the Department of Transportation of the State of Illinois, through the Regional Transportation Engineer for the Northeast Region of said Department of Transportation.

SECTION 7. This ordinance shall be in force and effect from and after its passage.

—
S. Franklin St. and W. Jackson Blvd.

Be It Ordained by the City Council of the City of Chicago:

SECTION 1. The ordinance passed by the City Council of the City of Chicago on September 12, 1973 on page 6118 of the Journal of the Proceedings of said date, authorizing and directing the Commissioner of Streets and Sanitation to rehabilitate traffic signals, is hereby amended and closed as follows:

<i>Location</i>	<i>Estimated Cost</i>
M.F.T. Project No. 1384 Section: 2020 C.S.	
Actual amount appropriated by the City Comptroller	\$ 27,562.95
Be and the same is hereby amended and closed as follows:	
By deleting the estimated costs of	\$ 27,562.95
And inserting in lieu thereof the amending and closing amount of	\$ -0-

And therefor the balance of funds is to be returned to
the unobligated Motor Fuel Tax Funds

\$ 27,562.95

SECTION 2. Motor Fuel Tax Funds allocated for this project shall not be transferred to any other Motor Fuel Tax Project or Motor Fuel Funds allocated for any other project shall not be transferred to this project, in either instance, without the prior approval of the City Council.

Upon certification of the completion of this project by the State of Illinois, Department of Transportation, any remaining Motor Fuel Tax Funds allocated shall be returned to the Motor Fuel Tax Fund.

SECTION 3. The City Comptroller shall set up a separate account for this project. The Commissioner of Streets and Sanitation shall not expend or authorize the expenditure in excess of the amount shown and the City Comptroller shall not authorize the payment of any vouchers in excess of the amount shown without having had the prior approval of the City Council.

SECTION 4. The Operating Department shall maintain a separate ledger account for each project utilizing standard account classifications acceptable under generally accepted accounting principles with all charges for direct and indirect expenses delineated, categorized and detailed for each such project.

SECTION 5. The City Comptroller and the City Treasurer are authorized and directed to make disbursements from said fund when properly approved by the Commissioner of Streets and Sanitation.

SECTION 6. The City Clerk is directed to transmit two (2) certified copies of this ordinance to the Department of Transportation of the State of Illinois, through the Regional Transportation Engineer for the Northeast Region of said Department of Transportation.

SECTION 7. This ordinance shall be in force and effect from and after its passage.

N. Franklin St. and W. Randolph St.

Be It Ordained by the City Council of the City of Chicago:

SECTION 1. The ordinance passed by the City Council of the City of Chicago on September 12, 1973 on page 6119 of the Journal of the Proceedings of said date, authorizing and directing the Commissioner of Streets and Sanitation to rehabilitate traffic signals, is hereby amended and closed as follows:

<i>Location</i>	<i>Estimated Cost</i>
M.F.T. Project No. 1378 Section: 2121.2 C.S.	
Actual amount appropriated by the City Comptroller	\$ 24,822.11
Be and the same is hereby amended and closed as follows:	
By deleting the estimated costs of	\$ 24,822.11
And inserting in lieu thereof the amending and closing amount of	\$ -0-
And therefor the balance of funds is to be returned to the unobligated Motor Fuel Tax Funds	\$ 24,822.11

SECTION 2. Motor Fuel Tax Funds allocated for this project shall not be transferred to any other Motor Fuel Tax Project or Motor Fuel Funds allocated for any other project shall not be transferred to this project, in either instance, without the prior approval of the City Council.

Upon certification of the completion of this project by the State of Illinois, Department of Transportation, any remaining Motor Fuel Tax Funds allocated shall be returned to the Motor Fuel Tax Fund.

SECTION 3. The City Comptroller shall set up a separate account for this project. The Commissioner of Streets and Sanitation shall not expend or authorize the expenditure in excess of the amount shown and the City Comptroller shall not authorize the payment of any vouchers in excess of the amount shown without having had the prior approval of the City Council.

SECTION 4. The Operating Department shall maintain a separate ledger account for each project utilizing standard account classifications acceptable under generally accepted accounting principles with all charges for direct and indirect expenses delineated, categorized and detailed for each such project.

SECTION 5. The City Comptroller and the City Treasurer are authorized and directed to make disbursements from said fund when properly approved by the Commissioner of Streets and Sanitation.

SECTION 6. The City Clerk is directed to transmit two (2) certified copies of this ordinance to the Department of Transportation of the State of Illinois, through the Regional Transportation Engineer for the Northeast Region of said Department of Transportation.

SECTION 7. This ordinance shall be in force and effect from and after its passage.

—
S. Franklin St. and W. Van Buren St.

Be It Ordained by the City Council of the City of Chicago:

SECTION 1. The ordinance passed by the City Council of the City of Chicago on September 12, 1973 on page 6120 of the Journal of the Proceedings of said date, authorizing and directing the Commissioner of Streets and Sanitation to rehabilitate traffic signals, is hereby amended and closed as follows:

<i>Location</i>	<i>Estimated Cost</i>
M.F.T. Project No. 1419 Section: 2121.1 C. S.	
Actual amount appropriated by the City Comptroller	\$ 36,639.72
Be and the same is hereby amended and closed as follows:	
By deleting the estimated costs of	\$ 36,639.72
And inserting in lieu thereof the amending and closing amount of	\$ -0-
And therefor the balance of funds is to be returned to the unobligated Motor Fuel Tax Funds	\$ 36,639.72

SECTION 2. Motor Fuel Tax Funds allocated for this project shall not be transferred to any other Motor Fuel Tax Project or Motor Fuel Funds allocated for any other project shall not be transferred to this project, in either instance, without the prior approval of the City Council.

Upon certification of the completion of this project by the State of Illinois, Department of Transportation, any remaining Motor Fuel Tax Funds allocated shall be returned to the Motor Fuel Tax Fund.

SECTION 3. The City Comptroller shall set up a separate account for this project. The Commissioner

of Streets and Sanitation shall not expend or authorize the expenditure in excess of the amount shown and the City Comptroller shall not authorize the payment of any vouchers in excess of the amount shown without having had the prior approval of the City Council.

SECTION 4. The Operating Department shall maintain a separate ledger account for each project utilizing standard account classifications acceptable under generally accepted accounting principles with all charges for direct and indirect expenses delineated, categorized and detailed for each such project.

SECTION 5. The City Comptroller and the City Treasurer are authorized and directed to make disbursements from said fund when properly approved by the Commissioner of Streets and Sanitation.

SECTION 6. The City Clerk is directed to transmit two (2) certified copies of this ordinance to the Department of Transportation of the State of Illinois, through the Regional Transportation Engineer for the Northeast Region of said Department of Transportation.

SECTION 7. This ordinance shall be in force and effect from and after its passage.

N. Orleans St. and W. Ontario St.

Be It Ordained by the City Council of the City of Chicago:

SECTION 1. The ordinance passed by the City Council of the City of Chicago on November 28, 1966 on page 7564 of the Journal of the Proceedings of said date, authorizing and directing the Commissioner of Streets and Sanitation to install traffic signals, is hereby amended and closed as follows:

<i>Location</i>	<i>Estimated Cost</i>
M.F.T. Project No. 1431 Section: 1010.1 C. S.	
Actual amount appropriated by the City Comptroller	\$ 8,232.40
Be and the same is hereby amended and closed as follows:	
By deleting the estimated costs of	\$ 8,232.40
And inserting in lieu thereof the amending and closing amount of	\$ -0-
And therefor the balance of funds is to be returned to the unobligated Motor Fuel Tax Funds	\$ 8,232.40

SECTION 2. Motor Fuel Tax Funds allocated for this project shall not be transferred to any other Motor Fuel Tax Project or Motor Fuel Funds allocated for any other project shall not be transferred to this project, in either instance, without the prior approval of the City Council.

Upon certification of the completion of this project by the State of Illinois, Department of Transportation, any remaining Motor Fuel Tax Funds allocated shall be returned to the Motor Fuel Tax Fund.

SECTION 3. The City Comptroller shall set up a separate account for this project. The Commissioner of Streets and Sanitation shall not expend or authorize the expenditure in excess of the amount shown and the City Comptroller shall not authorize the payment of any vouchers in excess of the amount shown without having had the prior approval of the City Council.

SECTION 4. The Operating Department shall maintain a separate ledger account for each project utilizing standard account classifications acceptable under generally accepted accounting principles with all charges for direct and indirect expenses delineated, categorized and detailed for each such project.

SECTION 5. The City Comptroller and the City Treasurer are authorized and directed to make disbursements from said fund when properly approved by the Commissioner of Streets and Sanitation.

SECTION 6. The City Clerk is directed to transmit two (2) certified copies of this ordinance to the Department of Transportation of the State of Illinois, through the Regional Transportation Engineer for the Northeast Region of said Department of Transportation.

SECTION 7. This ordinance shall be in force and effect from and after its passage.

**Amendatory Ordinance to Increase Allocation of MFT Funds for
Engineering and Construction of Reverse Flow Bus
Lanes in the Central Business District.**

The Committee on Finance submitted a report recommending that the City Council pass the following proposed ordinance transmitted therewith:

Be It Ordained by the City Council of the City of Chicago:

SECTION 1. That the ordinance passed by the City Council on September 10, 1975 and appearing on page 1130 of the Council Journal, allocating funds for Engineering and Construction of "Reverse Flow Bus Lanes Only" in Central Business District be increased from \$275,600.00 to \$425,600.00 so that Section 1 of said ordinance shall read as follows:

Section 1. The City Comptroller and the City Treasurer with the approval of the Department of Transportation of the State of Illinois are authorized and directed to allocate the sum of Four Hundred Twenty Five Thousand Six Hundred Dollars (\$425,600.00) from the City's Motor Fuel Tax Fund to cover the City's cost of engineering and plan preparation, including studies, surveys, designs, estimates of costs, specifications, production of all necessary contract documents and plans for the required relocation of, and additions to, publicly owned utilities, intersection improvements, lane markings, etc. for the conversion of four downtown east-west one-way streets to provide for a curblane reverse-flow bus-only lane. These streets and the direction of the bus lane are:

1. Washington Street (westbound), Jefferson Street to Michigan Avenue.
2. Madison Street (eastbound), Clinton Street to Michigan Avenue.
3. Adams Street (eastbound), Canal Street to Michigan Avenue.
4. Jackson Boulevard (westbound), Clinton Street to Michigan Avenue.

SECTION 2. That the City Clerk is hereby directed to transmit two (2) certified copies of this ordinance to the Division of Highways, Department of Transportation of the State of Illinois, Springfield, Illinois through the District Engineer of District 1 of said Division of Highways.

SECTION 3. That this ordinance shall be in force and effect from and after its passage.

On motion of Alderman Frost the foregoing proposed ordinance was *Passed*, by yeas and nays as follows:

Yeas--Aldermen Roti, Barnett, Kenner, Sawyer, Bertrand, Humes, Shaw, Huels, Majerczyk, Madrzyk, Brady, Barden, Streeter, Kellam, Sheahan, Sherman, Stemberk, Lipinski, Shumpert, Nardulli, Carothers, Davis, Hagopian, Martinez, Gabinski, Frost, Farina, Casey, Cullerton, Laurino, Rittenberg, Pucinski, Natarus, Oberman, Merlo, Clewis, Schuller, Volini, Stone--39.

Nays--Alderman Marcin--1.

**Authority Granted for Payments for Hospital, Medical and
Nursing Services Rendered Certain Injured Members
of Police and Fire Depts.**

The Committee on Finance submitted a report recommending that the City Council pass a proposed order transmitted therewith, to authorize payments for hospital, medical and nursing services rendered certain injured members of the Police and Fire Departments.

On motion of Alderman Frost the said proposed order was *Passed*, by yeas and nays as follows:

Yeas--Aldermen Roti, Barnett, Kenner, Sawyer, Bertrand, Humes, Shaw, Huels, Majerczyk, Madrzyk, Brady, Barden, Streeter, Kellam, Sheahan, Sherman, Stemberk, Lipinski, Shumpert, Nardulli, Carothers, Davis, Hagopian, Martinez, Gabinski, Frost, Farina, Casey, Cullerton, Laurino, Rittenberg, Pucinski, Natarus, Oberman, Merlo, Clewis, Schuller, Volini, Stone--39.

Nays--Alderman Marcin--1.

Ordered, That the City Comptroller is authorized and directed to issue vouchers, in conformity with schedule herein set forth, to physicians, hospitals, nurses or other individuals, in settlement for hospital, medical and nursing services rendered to the injured members of the Police Department and/or Fire Department herein named. The payment of any of these bills shall not be construed as an approval of any previous claims pending or future claims for expenses or benefits on account of any alleged injury to the individuals named. The total amount of said claims is set opposite the names of the injured members of the Police Department and/or the Fire Department, and vouchers are to be drawn in favor of the proper claimants and charged to Account No. 100.9112.937

Mark Gibson, 279505, District 12; injured June 28, 1981	\$ 249.00
Patrick Gunnell, 310008, Enforcement Section; injured March 26, 1981	1,933.50
Donald Larisey, 453090, Area 3 Property Crimes; injured June 7, 1981	226.65
David R. Laughlin, 455538, District 4; injured June 1, 1981	107.00
Nelson Lloyd, 473090, District 2; injured June 6, 1981	286.00
Robert E. Loveless, 478756, District 14; injured June 11, 1981	121.25
Francis W. McClendon, 520193, District 11; injured June 13, 1981	58.50
Charles V. Mandel, 496470, District 4; injured June 25, 1981	55.75
Basil Manfre, 496773, District 20;	

injured June 2, 1981	\$ 122.00
Prunella A. Martin, 506191, District 3;	
injured June 12, 1981	55.00
Thomas R. Martin, 506586, District 4;	
injured June 28, 1981	93.00
Joseph A. Mastro, 509973, District 18;	
injured June 17, 1981	206.15
Michael P. Mazur, 513915, Recruit Training;	
injured June 4, 1981	47.00
Lamar Minor, 557065, District 8;	
injured June 26, 1981	30.00
Edward Moore, 515646, District 5;	
injured June 26, 1981	105.00
Michael Mulvihill, 576255, District 14;	
injured June 16, 1981	166.75
Thomas G. Murphy, 580474, District 17;	
injured June 11, 1981	50.50
Ronald A. Nergard, 590995, District 20;	
injured June 22, 1981	76.50
Thomas P. Nyhan, 602048, District 18;	
injured June 12, 1981	110.00
James N. Oddo, 618563, District 16;	
injured June 8, 1981	1,526.00
Paul R. O'Donnell, 610012, Recruit Training;	
injured June 21, 1981	47.00
Thomas F. O'Grady, 611087, Special Operations Group;	
injured June 27, 1981	100.00
James Oliver, 620160, Gang Crimes Section;	
injured June 8, 1981	117.00
Frank A. Paluch, 628181, Mass Transit Unit;	
injured June 8, 1981	187.00
Peter F. Paron, 632486, Youth Division;	
injured June 25, 1981	209.50
Johnny G. Patterson, 634560, District 6;	
injured June 9, 1981	206.00
William V. Pavlik, 636188, Special Operations Group;	
injured June 18, 1981	97.00
Charles L. Pearson, 637072, District 20;	
injured June 12, 1981	151.50
James Johnson, 385158, Traffic Division;	
injured July 20, 1981	2,760.40
Edward Klark, 423315, Traffic Safety and Training Unit;	
injured November 14, 1979	12,242.41
Charles L. Pearson, 637172, District 20;	
injured June 26, 1981	98.50
Floyd J. Pedone, 638093, Recruit Training;	
injured June 25, 1981	35.00
Russell W. Pedraza, 638160, District 14;	
injured June 26, 1981	54.00
William Phillipppo, 646712, District 3;	
injured June 19, 1981	4,008.75
Geraldine H. Poidomani, 654299, Organized Crime Division Administration;	
injured June 30, 1981	50.00
William F. Polk, 655080, Mass Transit Unit;	
injured June 12, 1981	72.00
Melvin Powers, 659986, District 14;	
injured June 27, 1981	69.00
Robert Quillinan, 668500, District 24;	
injured June 23, 1981	50.00

Everette Redwell, 677708, District 7; injured June 24, 1981	\$ 527.00
James R. Reedy, 678439, District 6; injured June 11, 1981	56.40
Jesse Richardson, 685240, Cabrini-Green Verticle Patrol; injured June 12, 1981	72.00
Ronald R. Rodgers, 694968, District 16; injured June 12, 1981	87.00
Jose Rodriguez, 695125, District 14; injured December 18, 1978	558.85
George R. Ross, 700948, District 18; injured June 6, 1981	131.00
Robert A. Rossi, 701902, District 20; injured June 13, 1981	122.50
Marshall B. Roulette, 703140, District 14; injured June 21, 1981	89.00
Albert J. Rusch, 707089, District 16; injured June 29, 1981	65.00
Timothy M. Sage, 713930, District 13; injured June 11, 1981	103.00
Patricia Schuld, 730047, District 10; injured June 25, 1981	95.00
William F. Sexton, 739105, District 10; injured June 6, 1981	97.00
Eugene H. Seyfert, 739219, District 13; injured June 1, 1981	97.00
Charles L. Sias, 747544, District 11; injured June 5, 1981	130.00
Bertram Smith, 757281, District 13; injured May 30, 1981	53.00
Jerome Soskin, 767653, District 24; injured June 15, 1981	50.00
Dominic Squillaci, 772202, District 1; injured June 5, 1980	80.00
Jackie Stewart, 780490, District 2; injured June 30, 1981	74.00
Homer R. Stinson, 781482, District 18; injured June 25, 1981	65.00
Stephan Stratton, 784150, District 19; injured June 6, 1981	86.00
Gregory K. Sweeney, 793705, District 24; injured June 14, 1981	55.25
Edward J. Swiderski, 794778, District 9; injured June 24, 1981	59.00
Michael C. Thomas, 806700, District 3; injured June 30, 1981	92.00
William E. Thomas, 807125, District 7; injured June 5, 1981	113.50
Patrick Tode, 812379, District 12; injured May 16, 1981	32.50
Curtis J. Tremble, 817736, District 8; injured June 14, 1981	30.00
Claudia Tribett, 818265, District 1; injured June 19, 1981	94.50
Benjamin F. Troupe, 819743, District 6; injured June 25, 1981	149.00
John W. Tuttle, 823875, District 18; injured June 26, 1981	115.00
Randall J. Ugorek, 825483, District 15; injured June 2, 1981	120.50

Robinson A. Urbane, 826203, District 13; injured June 18, 1981	\$ 132.00
Raphael Vega, 831672, District 13; injured June 17, 1981	86.50
Leonard H. Walker, 839868, District 2; injured June 2, 1981	125.00
Barbara E. Ware, 847276, District 8; injured June 12, 1981	1,002.50
Gerald L. West, 858102, District 20; injured June 19, 1981	395.75
Joel Westbrook, 858575, District 22; injured June 13, 1981	124.00
David Williams, 866715, District 9; injured June 11, 1981	51.00
John M. Williams, 868100, District 14; injured June 16, 1981	109.25
Nicholas M. Williams, 869106, District 5; injured June 12, 1981	111.00
Patricia L. Williams, 869189, District 24; injured June 22, 1981	101.05
Herbert L. Wilson, 872050, District 2; injured June 25, 1981	75.00
Donald J. Wolverson, 879242, District 11; injured June 21, 1981	58.50
Alfred Woodbury, 879669, District 14; injured June 26, 1981	188.65
William J. Woods, 880670, District 2; injured June 26, 1981	167.70
Phillip P. Young, 886484, District 18; injured June 4, 1981	115.15
Walter F. Young, 886773, Area 2 Violent Crimes; injured June 27, 1981	153.00
Stanley Zaborac, 887325, District 2; injured June 18, 1981	93.00
Dan T. Zelazo, 890198, District 20; injured June 24, 1981	50.00
Donald Williams, 866686, District 2; injured June 4, 1981	107.00
John J. Ahern, 004357, District 17; injured July 18, 1981	298.50
Maurice Y. Ahmed, 004513, District 21; injured July 22, 1981	183.00
Frank A. Aljinovic, 007385, District 11; injured July 20, 1981	74.90
Ronald W. Alston, 009360, District 5; injured July 4, 1980	128.00
Ross J. Anthos, 015483, District 12; injured July 18, 1981	52.00
James Antonacci, 015230, District 13; injured July 23, 1980	106.00
Joseph August, 019320, District 13; injured July 16, 1981	56.50
Frank T. Balzano, 025162, Special Function Canine; injured July 18, 1981	78.50
Lawrence J. Barnes, 027898, District 12; injured June 24, 1981	30.00
James M. Bart, 030648, District 14; injured July 20, 1981	171.00
Lawrence Beyer, 047003, District 15; injured July 30, 1981	54.00

Raymond W. Blaa, 051191, District 24; injured July 7, 1981	73.45
Juanita Bradley, 067582, District 2; injured July 9, 1981	100.00
Fred Brady, 067954, District 2; injured July 20, 1981	77.00
Robert R. Brown, 080882, District 5; injured July 25, 1981	149.00
Pamela J. Buckley, 084595, District 3; injured July 1, 1981	78.00
Geraldine J. Bukowski, 086140, Central Detention Section; injured July 11, 1981	156.70
Richard P. Burke, 089493, District 3; injured July 18, 1981	100.00
Michael J. Burns, Jr., 091391, District 1; injured July 22, 1981	140.00
James H. Butler, 093898, Cabrini-Green Verticle Patrol; injured July 23, 1981	71.75
John W. Callahan, 099935, District 16; injured July 2, 1981	85.00
Julius A. Carneckas, 107780, Criminalistics Divisions; injured July 8, 1981	55.00
Robert P. Cheslock, 120693, District 14; injured July 28, 1981	47.25
Chester Ciotuszynski, 125557, District 21; injured July 13, 1981	105.00
Robert W. Clark, 127945, District 16; injured July 3, 1981	181.00
Carol A. Clay, 129085, District 6; injured July 5, 1981	144.00
Brenda Collins, 135333, Training Division; injured June 25, 1981	168.00
Michael J. Conley, 139398, Recruit Training; injured July 23, 1981	235.60
Edward T. Conmey, 139992, Mass Transit Unit; injured July 18, 1981	157.00
Greg M. Conrath, 142775, District 1; injured July 24, 1981	65.00
Theresa Cook, 145220, District 24; injured July 13, 1981	92.90
Robert Cordaro, 147950, District 13; injured July 28, 1981	63.00
Ronald B. Craven, 154847, District 3; injured July 28, 1981	172.00
David A. Crowell, 158187, District 20; injured July 13, 1981	59.15
John A. Cruz, 158822, District 11; injured July 16, 1981	58.50
Frank T. Cusimano, 164176, District 9; injured July 4, 1981	91.00
Glen A. Daly, 168029, District 17; injured July 3, 1980	46.50
William B. Davis, 174531, District 24; injured July 7, 1981	73.45
David W. Delaney, 181987, District 18; injured July 12, 1981	242.00
George Demas, 183125, District 22; injured July 14, 1981	104.00
James A. DeMilio, 117847, District 17; injured July 19, 1981	264.25

Thomas C. Doyle, 204246, District 10; injured July 1, 1981	\$ 252.50
Albert Drink, Jr., 205750, District 11; injured July 6, 1981	106.00
Robert S. Drobniowski, 206133, District 15; injured July 9, 1981	74.65
John E. Dudek, 207894, District 21; injured July 1, 1981	274.25
Almeda Dunn, 211312, District 22; injured July 9, 1981	102.00
Henry A. Dyrcon, 215504, District 7; injured July 15, 1981	60.00
Thomas J. Eichler, 219921, District 10; injured July 29, 1980	73.50
John Eierman, 220076, District 4; injured July 7, 1981	90.50
John Eierman, 220076, District 4; injured July 27, 1981	154.00
Douglas R. Ellis, 221881, Special Operations Group; injured July 14, 1981	100.00
Patrice A. Sykes, 795465, District 3; injured August 24, 1978	194.00
Christine Erengis, 224899, District 24; injured July 13, 1981	92.90
Jude F. Evans, 227660, District 10; injured July 29, 1981	65.00
Edward A. Faust, 233829, District 14; injured July 4, 1981	54.00
George Figueroa, 238723, District 16; injured July 19, 1981	57.00
Dennis P. Fitzgerald, 242627, District 11; injured July 11, 1981	66.50
Joseph Follmer, 252163, District 20; injured July 23, 1981	49.50
Mark L. Fortuna, 254507, District 6; injured July 6, 1981	78.00
James F. Fornuto, 254000, District 7; injured July 27, 1981	84.00
Judith Francis, 256940, District 17; injured July 11, 1981	50.50
Stanley J. Galeczka, 265401, District 19; injured July 1, 1981	55.00
Charles Gary, 271820, District 3; injured July 27, 1981	113.00
Ronald Gates, 272532, District 17; injured July 24, 1981	176.25
Raymond R. Gawne, 273972, Area 6 Property Crimes; injured July 5, 1981	45.00
Thomas F. Gaynor, 274434, District 8; injured July 18, 1980	78.00
Patrick J. Gleason, 285574, District 4; injured July 5, 1981	74.40
Jerry Goffron, 288200, District 24; injured July 21, 1981	73.65
Al O. Grefsheim, 302004, Area 1 Violent Crimes; injured July 21, 1981	162.00
Clifford L. Griffin, 303364, District 3; injured July 24, 1981	149.50
Kenneth Grizzard, 305777, District 21; injured July 15, 1981	196.50

Brendan J. Hagarty, 312722, District 20; injured July 25, 1981	\$ 139.65
Kurt Hagemann, 312826, District 15; injured July 26, 1981	327.35
Ray F. Hammermeister, 316890, District 19; injured July 23, 1981	64.00
Robert A. Lebak, 459390, District 11; injured February 17, 1981	121.00
Ernestine Marcus, 500331, District 15; injured June 23, 1981	195.00
Gregory Morrisette, 569612, District 2; injured June 18, 1981	61.00
George P. Taylor, 801274, Central Detention Section; injured July 4, 1981	72.00
Roger E. Taylor, 801939, District 23; injured July 6, 1981	80.00
Edward D. Thomas, 805644, Mass Transit Unit; injured July 14, 1981	144.00
James Caccavari, 096669, District 17; injured September 5, 1981	132.00
Alfred Leisz, 461610, Criminalistics Division; injured July 21, 1981	4,229.60
George Leka, 461760, District 9; injured July 23, 1981	75.00
Robert Lemon, 462125, District 6; injured July 25, 1981	93.50
Daniel E. Levin, 465986, District 14; injured July 7, 1981	77.00
Adolf Lopez, 476737, District 14; injured July 15, 1981	130.50
Phillip D. Lyles, 483260, District 7; injured July 3, 1981	104.50
Donald R. McCoy, 521656, District 13; injured July 28, 1981	2,576.00
James G. McIntyre, 533905, District 14; injured July 11, 1981	95.00
Karen A. Makowski, 493174, District 13; injured July 20, 1981	59.00
Kenneth E. Mann, 497837, District 2; injured April 25, 1981	78.00
William R. Marback, 499364, District 8; injured July 7, 1981	30.00
Leroy Martin, 506012, District 5; injured July 15, 1981	65.00
Pasquale W. Mattera, 510857, District 18; injured July 27, 1981	148.55
Roy A. Mattioli, 511220, District 14; injured July 20, 1981	133.00
Salvatori Medici, 543244, District 9; injured July 18, 1981	60.00
Michael Micetic, 549402, Auto Theft Section; injured July 30, 1981	107.00
Anthony C. Michkel, 550472, District 2; injured July 28, 1981	188.00
Sandra Mitchell, 559031, District 3; injured July 5, 1981	62.00
James J. Molloy, 561045, District 4; injured July 6, 1981	50.00

Cornelious Morgan, 567226, District 6; injured July 1, 1981	\$ 75.00
Howard W. Morgan, 567473, District 2; injured July 31, 1981	60.00
Jerome Morgan, 567599, District 21; injured July 7, 1981	64.50
Patrick D. Murphy, 579845, District 22; injured July 19, 1981	62.00
Jerimiah D. Murray, 581405, District 3; injured July 29, 1981	241.82
Raymond J. Nichols, 593620, Special Function Canine; injured July 14, 1981	11,438.85
James Nutoni, 601994, District 20; injured July 4, 1981	110.65
Francis J. O'Donnell, 608982, District 9; injured July 2, 1981	55.00
Robert Ortiz, 623252, District 7; injured July 27, 1981	45.00
Michelle A. Owens, 625250, District 17; injured July 30, 1981	135.00
Robert E. Smith, 761905, District 11; injured July 7, 1981	122.00
Ronald P. Solner, 766110, District 8; injured July 16, 1981	60.00
Charles E. Springer, 771845, District 4; injured July 11, 1981	50.00
Stanley Artiszewski, Fire Fighter, Hook & Ladder 35; injured August 28, 1981	230.80
Russell Aufmann, Fire Fighter, Engine Company 108; injured September 9, 1981	85.00
Robert Aye, Fire Fighter, Engine Company 92; injured July 31, 1981	115.00
Robert Davis, Fire Fighter, Engine Company 84; injured September 26, 1981	100.00
George Hartsell, Battalion Chief, Battalion 7; injured October 14, 1980	27.00
Robert Helgeson, Fire Fighter, Engine Company 42; injured August 21, 1981	218.00
George Hough, Fire Fighter, Hook & Ladder 29; injured September 2, 1981	1,002.10
Michael Jakaitis, Fire Fighter, Hook & Ladder 5; injured June 19, 1981	294.00
Lawrence Kane, Lieutenant, Engine Company 68; injured August 3, 1981	150.90
James Kelly, Fire Fighter, Hook & Ladder 51; injured March 18, 1981	105.50
James Koenig, Fire Fighter, Truck 22; injured May 1, 1981	93.50
Steven Kolecki, Fire Fighter, Engine Company 63; injured August 5, 1981	266.00
David Krogstad, Fire Fighter, Hook & Ladder 28; injured January 7, 1981	197.00
Joseph Kulovits, Lieutenant, Flying Man Squad 1; injured March 29, 1981	48.00
Wilson LaBrant, Fire Fighter, Engine Company 106; injured September 2, 1981	131.00
Debra Lunt, Paramedic, Ambulance 12; injured September 5, 1981	148.30
Francis McCann, Fire Fighter, Engine Company 43; injured September 11, 1981	286.70

James McCann, Fire Fighter, Hook & Ladder 48; injured June 11, 1980	62.50
Dan McGuire, Fire Fighter, Engine Company 8; injured September 1, 1980	96.00
Thomas McGuire, Fire Fighter, Engine Company 14; injured September 19, 1981	99.50
Mary McCurrie, Paramedic, Ambulance 38; injured March 26, 1981	90.00
Michael McShane, Fire Fighter, Hook & Ladder 22; injured September 6, 1981	774.00
John Malloy, Fire Fighter, Engine Company 95; injured August 18, 1981	244.10
Patrick K. Malone, Fire Fighter, Hook & Ladder 41; injured September 16, 1981	113.00
William F. Mallory, Paramedic, South Relief; injured May 21, 1981	50.00
Ronald Mateling, Fire Fighter, Hook & Ladder 14; injured August 25, 1981	68.00
Arnold Martinez, Fire Fighter, Engine Company 1; injured July 31, 1981	102.90
John Menci, Fire Fighter, Truck 54; injured September 14, 1981	122.50
Larry D. Miller, Fire Fighter, Engine Company 43; injured September 4, 1981	121.50
Neal Millot, Fire Fighter, Squad 1; injured August 23, 1981	75.00
James V. Moscato, Captain, Engine Company; injured July 26, 1981	111.50
Harry R. Murdock, Fire Fighter, Engine Company 75; injured September 10, 1981	122.00
Thomas D. Murphy, Paramedic in Charge, Ambulance 11; injured May 13, 1981	65.00
Robert Negoski, Relief Engineer, Engine Company 61; injured August 16, 1981	329.25
Lawrence O'Boyle, Fire Fighter, Squad 5; injured July 13, 1981	148.00
Kevin O'Brien, Fire Fighter, Snorkel Squad 5; injured September 5, 1981	77.45
Dennis O'Leary, Fire Fighter, Hook & Ladder 49; injured September 21, 1981	153.00
Thomas O'Reilly, Engineer, Engine Company 49; injured August 17, 1981	232.00
Marian Ping, Paramedic, Ambulance 44; injured July 10, 1981	60.00
Marian K. Ping, Paramedic, Ambulance 19; injured July 22, 1981	97.00
Robert Prohaska, Fire Fighter, Engine Company 28; injured August 31, 1981	205.00
Peter J. Qualizza, Lieutenant, Hook & Ladder 14; injured August 14, 1981	125.40
Raymond Rapacki, Fire Fighter, Hook & Ladder 61; injured September 1, 1981	50.00
Ronald Regan, Fire Fighter, Hook & Ladder 4; injured July 3, 1981	42.25
Richard Reimer, Fire Fighter, Engine Company 78; injured August 18, 1981	135.50
Donald Rice, Engineer, Engine Company 85; injured July 13, 1981	88.00
Joseph Richards, Captain, Hook & Ladder 22; injured September 6, 1981	65.00

Paul Richards, Fire Fighter, Engine Company 98; injured August 21, 1981	\$ 1,012.25
Nick Romaniszak, Lieutenant, Engine Company 93; injured July 17, 1981	776.00 ✓
Eugene Ryan, Fire Fighter, Engine Company 121; injured September 28, 1981	62.00
Patricia Schmidt, Paramedic in Charge, 1st Squad Relief; injured August 20, 1981	229.00
Thomas Senderak, Fire Fighter, Engine Company 83; injured August 11, 1981	51.15.
Terry Sheehan, Fire Fighter, Hook & Ladder 19; injured March 21, 1981	280.75
Desragh Singh, Fire Fighter, Engine Company 16; injured August 26, 1981	61.00
Michael Spangelo, Fire Fighter, Engine Company 47; injured July 11, 1981	111.50
James Staniec, Fire Fighter, Engine Company 106; injured September 11, 1981	87.70
Penny Sullivan, Paramedic in Charge, Ambulance 45; injured August 5, 1980	209.45
Penny Sullivan, Paramedic in Charge, Ambulance 45; injured July 10, 1981	55.00
Kenneth R. Stephens, Fire Fighter, Truck 38; injured August 2, 1981	106.25
Hector Tellado, Fire Fighter, Truck 35; injured May 16, 1981	212.05
Ronald Tracy, Engineer, Engine Company 54; injured July 21, 1981	162.37
Peter Walsh, Lieutenant, Engine Company 80; injured September 10, 1981	217.25
Jacob Willens, Paramedic, Ambulance 13; injured August 13, 1981	200.00
Kenneth Wojtecki, Fire Fighter, Squad 3; injured September 19, 1981	60.25
Frank Cambria, Fire Fighter, Squad 3; injured November 18, 1981	58.00
Victor A. Ciapas, Paramedic, Ambulance 12; injured November 1, 1981	88.00
Robert Coyle, Lieutenant, Hook & Ladder 4; injured October 20, 1981	60.00
Robert Danaher, Fire Fighter, Hook & Ladder 52; injured October 30, 1981	81.90
Francis Dorgan, Engineer, Snorkel Squad 5; injured October 20, 1981	122.00
Richard A. Graf, Lieutenant, 3rd Relief; injured November 8, 1981	210.00
Sandino Guarascio, Lieutenant, Truck 30; injured November 7, 1981	70.00
Elizabeth Heierling, Paramedic in Charge, Emergency Medical Service; injured November 22, 1980	4,052.75
Charles Helmold, Fire Fighter, Hook & Ladder 16; injured October 14, 1981	222.35
Joseph La Monica, Paramedic, Ambulance 27; injured November 8, 1981	70.00
Peter Lesko, Fire Fighter, Engine Company 81; injured November 15, 1981	133.00
James McNally, Fire Fighter, Engine Company 45; injured June 5, 1981	90.00
Thomas Magliano, Fire Fighter, Squad 4; injured September 6, 1981	246.25

Frank Medinas, Engineer, Engine Company 92; injured November 6, 1981	65.40
Robert Mrozek, Fire Fighter, Hook & Ladder 7; injured July 28, 1979	57.00
Kenneth Musial, Fire Fighter, Hook & Ladder 4; injured October 20, 1981	93.65
John Oboikovitz, Fire Fighter, Engine Company 101; injured November 3, 1981	90.85
Lawrence O'Boyle, Fire Fighter, Squad 5; injured September 30, 1981	100.00
John O' Malley, Fire Fighter, Engine Company 101; injured November 7, 1981	62.00;
and	

Be it Further Ordered, That the City Comptroller is authorized and directed to issue vouchers, in conformity with the schedule herein set forth, to physicians, hospitals, nurses or other individuals, in settlement for hospital, medical and nursing services rendered the injured members of the Police Department and/or Fire Department herein named, provided such members of the Police Department and/or Fire Department shall enter into an agreement in writing with the City of Chicago to the effect that, should it appear that any of said members of the Police Department and/or Fire Department have received any sum of money from the party whose negligence caused such injury, or have instituted proceedings against such party for the recovery of damage on account of such injury or medical expenses, then in that event the City shall be reimbursed by such member of the Police Department and/or Fire Department out of any sum that such member of the Police Department and/or Fire Department has received or may hereafter receive from such third party on account of such injury or medical expense, not to exceed the amount that the City may, or shall, have paid on account of such medical expense, in accordance with Opinion No. 1422 of the Corporation Counsel of said City, dated March 19, 1926. The payment of any of these bills shall not be construed as approval of any previous claims pending or future claims for expenses or benefits on account of any alleged injury to the individuals named. The total amount of such claims, as allowed, is set opposite the names of the injured members of the Police Department and/or Fire Department, and vouchers are to be drawn in favor of the proper claimants and charged to Account No. 100.9112.937:

Chester Batey, 032968, District 8; injured June 13, 1981	\$ 154.00
Phillip Callozzo, 100526, Enforcement Section; injured June 6, 1981	251.00
Jos. Castellonas, 114678, Enforcement Section; injured June 3, 1981	190.10
James Cavanaugh, 116021, Property Crimes; injured June 17, 1981	75.00
William Curry, 163135, Enforcement Section; injured June 29, 1981	123.00
Eileen Daly, 168089, Youth Division; injured June 7, 1981	72.00
Ronnie Devance, 178897, District 18; injured June 2, 1981	70.00
Dennis Drygal, 206586, District 24; injured June 12, 1981	185.00
Patrick Forrester, 254125, District 12; injured June 28, 1981	250.00
James Freeman, 259532, District 11; injured February 19, 1981	66.50

Gene Gerali, 277039, District 13; injured June 9, 1981	\$ 47.00
Terrance Gibbons, 278880, Enforcement Section; injured April 29, 1981	1,183.15
Tom Granias, 297194, District 23; injured June 2, 1981	79.50
William Hayes, 332028, District 8; injured June 1, 1981	60.00
Lawrence Holec, 351905, District 13; injured June 21, 1981	123.50
Donald Jacobsen, 373574, Special Function Canine; injured June 8, 1981	192.00
Jerry Johnson, 385318, District 4; injured June 25, 1981	35.00
John Kardzionak, 400568, Automotive Pound Section; injured June 26, 1981	89.00
Brian Killacky, 418062, District 1; injured June 18, 1981	91.00
Daniel Kmety, 426409, District 12; injured June 18, 1981	30.00
Richard Kowitz, 435437, District 23; injured June 4, 1981	139.00
Charles Krakover, 436561, District 20; injured June 16, 1981	122.00
Edward Kroyer, 440086, Mass Transit Unit; injured June 12, 1981	117.00
Robert Long, 476042, District 17; injured June 27, 1981	60.25
Eugene McLaughlin, 536054, District 2; injured June 29, 1981	55.00
Herbert Reschke, 682617, District 20; injured June 1, 1981	241.50
Roger Reyes, 683155, Recruit Training; injured July 27, 1980	962.50
George Schell, 724201, Enforcement Section; injured June 3, 1981	484.50
Theodore Smith, 762345, Mass Transit Unit; injured June 16, 1981	264.00
Richard Stein, 777992, District 11; injured June 9, 1981	132.00
Ronald Trepac, 818009, District 10; injured June 11, 1981	116.50
Joseph Tunno, 822167, Mass Transit Unit; injured June 13, 1981	113.50
Leonard Walker, 839868, District 2; injured May 27, 1981	293.00
Michael White, 861679, District 4; injured June 1, 1981	98.00
William Wilson, 873440, District 8; injured June 13, 1981	111.00
Kenneth Woitas, 877429, District 20; injured June 16, 1981	122.00
Jerome Dorooba, 200554, Property Crimes; injured June 17, 1981	75.00

Patrick Duckhorn, 207628, Special Operations No. 6; injured June 21, 1981	\$ 137.50
Henderson Edwards, 218375, District 2; injured June 11, 1981	223.00
James McDonald, 523955, District 16; injured June 8, 1981	429.00
Thomas McSharry, 541727, District 22; injured June 30, 1981	57.20
Thomas Mander, 496616, District 11; injured June 9, 1981	264.50
Lawrence Monegain, 562256, District 7; injured May 31, 1981	114.00
Dennis Moss, 571085, District 22; injured June 30, 1981	119.70
Nunzio Evola, 228367, District 1; injured June 30, 1981	55.00
James O'Donnell, 609155, District 6; injured June 6, 1981	62.00
Charles Orick, 622414, District 11; injured April 9, 1981	213.50
Michael Parker, 631702, District 2; injured June 11, 1981	61.00
Donald Pezzuto, 644755, Enforcement Section; injured May 29, 1981	157.00
Michael W. Alvarado, 009924, District 13; injured July 12, 1981	162.00
Lucius Armstrong, 017254, District 15; injured August 9, 1981	1,381.95
David E. Bocian, 056387, District 10; injured July 30, 1981	213.50
Andrew D. Borkowski, 062003, Mass Transit Unit; injured July 13, 1981	65.00
Bruce E. Brady, 067816, Special Function Canine; injured July 8, 1981	334.50
Michael D. Brazel, 070165, District 13; injured July 12, 1981	250.00
Eugene Burkart, 088159, District 19; injured February 27, 1980	425.00
Kenneth R. Christ, 122396, District 5; injured July 26, 1981	86.00
Michael J. Clifford, 130217, District 2; injured July 14, 1981	37.00
Daniel F. Dunmore, 211259, District 8; injured July 31, 1981	60.00
Prentiss Jackson, 372687, District 15; injured August 9, 1981	485.10
Stanley Kiwala, 422993, District 12; injured March 3, 1980	40.00
Kathleen M. Leahy, 458828, District 10; injured July 30, 1981	437.50
Paul Marolis, 502895, District 18; injured October 25, 1978	230.00
Edward Meyer, 558047, District 10; injured May 26, 1981	45.00

Lyle I. Myers, 583678, District 17; injured August 10, 1981	\$ 224.50
Theodore B. Ptak, 665579, Enforcement Section; injured May 29, 1981	189.00
Clausell Ray, 675574, District 3; injured April 11, 1981	1,098.10
Donald E. Richardson, 685117, District 3; injured October 5, 1980	309.50
Luigi Riggio, 687236, District 23; injured June 4, 1981	96.00
George Sarkisian, 718681, District 1; injured May 27, 1981	25.00
John D. Seego, 735994, District 15; injured June 15, 1981	239.05
John Small, 756345, District 9; injured March 30, 1978	48.00
David A. Sokonicki, 765406, Detective Division; injured April 16, 1981	153.00
Robert J. Spiegel, 770455, District 8; injured June 23, 1981	30.00
Stephen J. Strzepak, 786137, District 15; injured December 8, 1980	1,923.60
Hedy Woods, 880226, Youth Division; injured June 7, 1981	91.00

**Authority Granted for Payments of Miscellaneous Refunds,
Compensation for Property Damage, Etc.**

The Committee on Finance submitted a report recommending that the City Council pass a proposed order transmitted therewith, to authorized payments of miscellaneous claims.

On motion of Alderman Frost said proposed order was *Passed*, by yeas and nays as follows:

Yeas--Aldermen Roti, Barnett, Kenner, Sawyer, Bertrand, Humes, Shaw, Huels, Majerczyk, Madrzyk, Brady, Barden, Streeter, Kellam, Sheahan, Sherman, Stemberk, Lipinski, Shumpert, Nardulli, Carothers, Davis, Hagopian, Martinez, Gabinski, Frost, Farina, Casey, Cullerton, Laurino, Rittenberg, Pucinski, Natarus, Oberman, Merlo, Clewis, Schuler, Volini, Stone--39.

Nays--Alderman Marcin--1.

Alderman Natarus moved to *Reconsider* the foregoing vote. The motion was *Lost*.

The following is said order as passed:

Ordered, That the City Comptroller is authorized and directed to pay to the following-named claimants the respective amounts set opposite their names, said amount to be in full and final settlement of each claim on the date and locations by type of claim; with said amount to be charged to the activity and account specified as follows:

Refund on Permit.

Department of Inspectional Services: Account No. 100.9112.934

<i>Name and Address</i>	<i>Permit No.</i>	<i>Amount</i>
Mark Thompson, Jr., 8621 S. Maryland Avenue, Chicago, Illinois 60619	572608	\$ 30.00

Damage to Vehicles.

Department of Police: Account No. 100.9112.934

<i>Name and Address</i>	<i>Date and Location</i>	<i>Amount</i>
Preston Judkins, 6938 S. Parnell Avenue, Chicago, Illinois 60621	4-17-81-- 9809 S. Cottage Grove	\$ 500.00
Robert Downs, 11555 S. Maplewood Avenue, Chicago, Illinois 60655	10-6-80-- 115th and Maplewood	96.16
State Farm Insurance Company and Richard Heuman, 5676 S. Archer Avenue, Chicago, Illinois 60638	3-4-81-- 91st Street and South Chicago Avenue	685.31
Frank DeAngelo, 910 W. Lawrence Avenue, Chicago, Illinois 60640	12-28-80-- 927 W. Lawrence Avenue	900.00
State Farm Mutual Automobile Insurance Company and Adeline Boravich, 5676 S. Archer Avenue, Chicago, Illinois 60638	7-25-80-- 2955 E. 88th Street	218.38
Genway Corporation, 500 N. Michigan Avenue, Chicago, Illinois 60611	4-22-81-- N. Pulaski Road and Grand Avenue	675.00
Vicente Casasola, 10005 S. Escanaba Avenue, Chicago, Illinois 60617	5-16-81-- 22nd Street and Wentworth Avenue	111.00
Allstate Insurance Company and James Clark, P.O. Box 127, Skokie, Illinois 60077	1-9-81-- 63rd Street and Harper	828.92
U. S. Auto Leasing Company, 1800 N. Ashland Avenue, Chicago, Illinois 60622	7-15-81-- Fullerton and Milwaukee Avenues	516.00
Anthony McDaniel, 9132 S. Aberdeen Street, Chicago, Illinois 60620	9-3-81-- 11053 S. Esmond Street	77.00
Jacques Ladadaine, 5044 N. Sayre Avenue, Chicago, Illinois 60656	9-16-81-- 902 S. Clark Street	25.00

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Jacques Iadadaine, 5044 N. Sayre Avenue Chicago, Illinois 60656	9-16-81-- 1010 S. Clark Street	25.00
Michigan Mutual Insurance Company, 55 W. 22nd Street, Lombard, Illinois 60148	3-3-81-- 2253 W. 57th Street	567.00

Damage to Property.

Department of Police: Account No. 100.9112.934

<i>Name and Address</i>	<i>Date and Location</i>	<i>Amount</i>
John Plewa, c/o 1000 Liquors, Inc. 1000 W. Belmont Avenue, Chicago, Illinois 60657	11-13-80-- 3200 N. Sheffield Avenue	\$ 360.00
James T. Walsh, 3514 W. 63rd Place, Chicago, Illinois 60629	6-29-81-- 3514 W. 63rd Place	250.00

Damage to Property.

Department of Streets and Sanitation: Account No. 100.9112.934

<i>Name and Address</i>	<i>Date and Location</i>	<i>Amount</i>
Economy Fire and Casualty Insurance Company and Waleed A. Hasan, 500 Economy Court, Freeport, Illinois 61032	1-19-81-- 4600 S. Sawyer Avenue	\$ 250.00
Vytautas Bulota, 3817 S. Campbell Avenue, Chicago, Illinois 60632	4-21-81-- 3817 S. Campbell Avenue	35.00
Illinois Bell Telephone c/o Mr. D. H. Davis, ZCD 6109 225 West Randolph Street, Hq 18E Chicago, Illinois 60606	4-3-81-- 79th Street and Hamlin Avenue	1,364.96
Carolyn and James Hull, 3619 W. 66th Place Chicago, Illinois 60629	7-2-81-- 3619 W. 66th Place	150.00
Catherine Crane, 932 S. Mayfield Avenue Chicago, Illinois 60644	9-1-80-- 932 S. Mayfield Avenue	200.00
Harriet L. Grandel, 3636 S. Clarence Avenue, Berwyn, Illinois 60402	8-29-81-- 2024 W. Shakespeare Avenue	50.00
Mildred Zappa, 2858 W. Diversey Avenue, Chicago, Illinois 60647	1-24-79-- 2858 W. Diversey Avenue	1,650.00

Damage to Vehicles.

Department of Streets and Sanitation: Account No. 100.9112.934

<i>Name and Address</i>	<i>Date and Location</i>	<i>Amount</i>
John Henry Jr., 12257 S. Throop Street, Chicago, Illinois 60643	8-7-79-- Parking Lot No. 8	\$ 90.00
Shahin Moshiri, 1950 W. Devon Avenue, No. 304 Chicago, Illinois 60660	4-27-81-- 2505 W. Grand Avenue	160.00
Douglas E. Zeit, 428 Park Blvd. No. 2 Glen Ellyn, Illinois 60137	12-6-80-- 1253 W. Foster Avenue	250.00
Shirley E. Frigo, 11245 S. Forrestville Avenue, Chicago, Illinois 60628	5-4-81-- 115th Street and Michigan Avenue	180.00
Cora E. Hughes, 4837 S. St. Lawrence Avenue Chicago, Illinois 60615	6-1-81-- E. 47th Street between Langley and Evans Streets	97.00
Philibert H. Isaacs, 2640 W. Cortland Street, Chicago, Illinois 60647	2-28-81-- 2015 Kedzie Avenue	100.00
Raymond Maraviglia, 5972 S. Archer Avenue, Chicago, Illinois 60638	7-19-81-- 5320 S. Massasoit Street	121.40
Kemper Group and National Loss Control Service Corporation, 1000 Jorie Boulevard, No. 306 Oak Brook, Illinois 60521	4-29-81-- 138th Street and the Calumet Expressway	725.00
Edward X. Esquivel, 1419 W. Farragut Street, Chicago, Illinois 60640	7-7-81-- LaSalle Street and North Avenue	246.00
Mike Kotowicz, 3710 N. Drake Avenue, Chicago, Illinois 60618	7-4-81-- 3719 N. Drake Avenue	175.00
Michael L. Clarke, 4539 W. Altgeld Street Chicago, Illinois 60639	8-11-81-- Elston and Lowell Avenues	175.00
Salvatore Mosillami, 1032 W. Taylor Street, Chicago, Illinois 60607	7-6-81-- Racine Avenue and Madison Street	350.00
Sharon Mertough, 1700 E. 56th Street Chicago, Illinois 60636	6-28-80-- Washington Street and Michigan Avenue	250.00
Edward Kus, 1330 N. LaSalle, Street No. 300, Chicago, Illinois 60610	5-5-81-- 121 N. Wacker Drive	146.00

Allstate Insurance Company and William Zakrzewski, 7770 Frontage Road, P.O. Box 127, Skokie, Illinois 60077	7-20-81-- 31st Street and Ashland Avenue	252.79
Allstate Insurance Company and Eugene Ray, P.O. Box 127, Skokie, Illinois 60077	7-15-81-- 111 S. Seeley Avenue	169.33
Allstate Insurance Company and Thaddeus L. Minor, P.O. Box 127, Skokie, Illinois 60077	8-19-81-- 6643 S. Springfield Avenue	919.61
Steve Susnjara, 6136 S. Narragansett Avenue, Chicago, Illinois 60638	9-24-81-- 6000 S. Narragansett Avenue	225.00
Anna Simpson, 7925 S. St. Lawrence Avenue, Chicago, Illinois 60619	8-5-81-- Rialto Parking Lot	98.00
Joseph Delorenzo, 5723 S. Kolmar Street, Chicago, Illinois 60629	9-21-81-- 4559 W. Archer Avenue	100.00
Anna Alvarez, 2134 N. Kedvale Avenue, Chicago, Illinois 60639	10-13-81-- Division and Crystal Streets	60.00
Norman Borger, 1524 N. Bosworth Avenue, Chicago, Illinois 60622	6-1-81-- 1520 N. Bosworth Avenue	100.00

Damage to Property.

Department of Streets and Sanitation: Bureau of Forestry
Account No. 100.9112.934

<i>Name and Address</i>	<i>Date and Location</i>	<i>Amount</i>
William Franz, 5334 S. Hermitage Avenue, Chicago, Illinois 60609	8-7-81-- 5334 S. Hermitage Avenue	\$ 106.00
Emma C. Stangl, 5135 S. Bishop Street, Chicago, Illinois 60609	7-21-81-- 5135 S. Bishop Street	175.00

and

Be It Further Ordered. That the Commissioner of Water is authorized and directed to pay to the following-named claimants the respective amounts set opposite their names, said amount to be in full and final settlement on the dates and locations by type of claim with said amount to be charged to the activity and account specified as follows:

Personal Injury.

Department of Water: Account No. 200.9112.935

<i>Name and Address</i>	<i>Location</i>	<i>Amount</i>
Patricia F. Wasilewski, 5024 S. Lockwood Avenue, Chicago, Illinois 60638	3217 N. Cicero Avenue	\$ 53.00

*Do Not Pass--SUNDRY CLAIMS FOR PAYMENT OF
DAMAGE TO VEHICLES, ETC.*

The Committee on Finance submitted the following report:

CHICAGO, December 28, 1981.

To the President and Members of the City Council:

Your Committee on Finance, to which was referred May 29, 1981 and subsequently, sundry claims as follows:

Compensation For Damage To Property:

(Oct. 6, 1981)	William C. Pfeiffer
(Nov. 30, 1981)	Annette Norman.

Compensation For Damage To Vehicles:

(May 29, 1981)	Keith Ware
(June 26, 1981)	Economy Fire and Casualty and Mark R. Erickson
(June 26, 1981)	Constitutional Casualty Company and Frank Tarshis
(June 26, 1981)	Allstate Insurance Company and Shabbir Shamsi
(July 1, 1981)	Joe Lutsky
(Aug. 12, 1981)	State Farm Mutual Automobile Insurance Company and Carmen J. Zotto
(Aug. 19, 1981)	Gwendolyn Washington
(Sept. 14, 1981)	Allstate Insurance Company and Dorothy Shy
(Oct. 6, 1981)	Thomas Elliot
(Oct. 6, 1981)	Michigan Mutual Insurance and Vincent Panowicz
(Oct. 22, 1981)	Carol Palmer
(Oct. 22, 1981)	Kenneth Dommer
(Nov. 4, 1981)	Dr. Donald Caldwell
(Nov. 13, 1981)	Brenda Joyce Harris
(Nov. 30, 1981)	National Dealer Services, Inc. and Northshore Olds
(Nov. 30, 1981)	Lena Zanzucchi
(Nov. 30, 1981)	Lettie J. King.

Compensation For Personal Injury:

(June 26, 1981)	Dasie M. Jones
(Nov. 11, 1981)	Frederick H. Voss
(Nov. 4, 1981)	Lillie B. Sumlin
(Nov. 4, 1981)	June D. Mathisen
(Nov. 4, 1981)	Serena B. Bass
(Nov. 30, 1981)	Bertha Holtzman
(Nov. 30, 1981)	Ofelia C. Franco
(Nov. 30, 1981)	Karen Eberlein
(Nov. 30, 1981)	Edward Cechota
(Nov. 30, 1981)	James Barca, Jr.
(Dec. 3, 1981)	Luisa Malanes.

having had the same under advisement begs leave to report and recommend that Your Honorable Body *Do Not Pass* said claims for payment.

These recommendations were concurred in by a viva voce vote of the members of the committee.

Respectfully submitted,
(Signed) WILSON FROST,
Chairman.

On motion of Alderman Frost the committee's recommendations were *Concurred In*, by yeas and nays as follows:

Yeas--Aldermen Roti, Barnett, Kenner, Sawyer, Bertrand, Humes, Shaw, Huels, Majerczyk, Madrzyk, Brady, Barden, Streeter, Kellam, Sheahan, Sherman, Stemberk, Lipinski, Shumpert, Nardulli, Carothers, Davis, Hagopian, Martinez, Gabinski, Frost, Farina, Casey, Cullerton, Laurino, Rittenberg, Pucinski, Natarus, Oberman, Merlo, Clewis, Schuler, Volini, Stone--39.

Nays--Alderman Marcin--1.

COMMITTEE ON ECONOMIC DEVELOPMENT.

Conditional Approval Given to Issuance of Industrial Revenue Bond of
\$1,500,000 for the Development of Project by Harrington
& King Perforating Company, Inc.

The Committee on Economic Development submitted the following report:

CHICAGO, December 29, 1981.

To the President and Members of the City Council:

Your Committee on Economic Development, having had under consideration a proposed ordinance transmitted with a communication signed by Honorable Jane M. Byrne, Mayor (which was referred on December 11, 1981) providing for the issuance of industrial revenue bonds in the amount of \$1,500,000 for the development of a project by Harrington & King Perforating Company, Inc., 5655 West Filmore Street, begs leave to recommend that Your Honorable Body *Pass* the proposed ordinance which is transmitted herewith.

This recommendation was concurred in by 8 members of the committee with no dissenting vote.

Respectfully submitted,
(Signed) EUGENE SAWYER,
Chairman.

On motion of Alderman Sawyer the proposed ordinance transmitted with the foregoing committee report was *Passed*, by yeas and nays as follows:

Yeas--Aldermen Roti, Barnett, Kenner, Evans, Sawyer, Bertrand, Humes, Shaw, Huels, Majerczyk, Madrzyk, Burke, Brady, Barden, Streeter, Kellam, Sheahan, Sherman, Stemberk, Lipinski, Shumpert, Nardulli, Carothers, Davis, Hagopian, Martinez, Gabinski, Frost, Marcin, Farina, Casey, Cullerton, Laurino, Rittenberg, Pucinski, Natarus, Oberman, Merlo, Clewis, Axelrod, Schuler, Volini, Orr, Stone--44.

Nays--None.

Alderman Natarus moved to *Reconsider* the foregoing vote. The motion was *Lost*.

The following is said ordinance as passed:

WHEREAS, Pursuant to Chapter 15.2 (the "Enabling Ordinance") of the Municipal Code of the City of Chicago, as supplemented and amended, there has been established an Economic Development Commission of the City of Chicago (the "Commission"), which Commission is empowered to enter into agreements with respect to the proposed development of industrial facilities and to recommend to the City Council that it issue industrial revenue bonds for the public purposes stated in the Enabling Ordinance; and

WHEREAS, The Commission has approved a resolution and Memorandum of Agreement relating to the issuance of not exceeding \$1,500,000 of industrial revenue bonds to finance an industrial development project in the City of Chicago to be owned and operated by Harrington & King Perforating Co., Inc., an Illinois corporation; and

WHEREAS, Such approval constitutes a recommendation to this City Council that it take all further steps necessary for the timely issuance of such bonds; now, therefore,

Be It Ordained by the City Council of the City of Chicago:

SECTION 1. The recommendation of the Commission is hereby accepted and the Memorandum of Agreement in the form submitted to this City Council is hereby approved.

SECTION 2. Upon the fulfillment of the conditions stated in the Memorandum of Agreement, this City Council will take such other actions and adopt such further proceedings as may be necessary under the Enabling Ordinance to issue such industrial revenue bonds in an amount not exceeding \$1,500,000.

SECTION 3. This ordinance shall be in full force and effect from and after its passage.

**Conditional Approval Given to Issuance of Industrial Revenue Bond
of \$2,500,000 to Finance Project by Midwest
Electric Manufacturing Corporation.**

The Committee on Economic Development submitted the following report:

CHICAGO, December 29, 1981.

To the President and Members of the City Council:

Your Committee on Economic Development, having had under consideration a proposed ordinance transmitted with a communication signed by Honorable Jane M. Byrne, Mayor (which was referred on December 11, 1981) providing for the issuance of industrial revenue bonds in the amount of \$2,500,000 for the construction of a project by Midwest Electric Manufacturing Corporation, 1639 West Walnut Street, begs leave to recommend that Your Honorable Body *pass* the proposed ordinance which is transmitted herewith.

This recommendation was concurred in by 8 members of the committee with no dissenting vote.

Respectfully submitted,
(Signed) EUGENE SAWYER,
Chairman.

On motion of Alderman Sawyer the proposed ordinance transmitted with the foregoing committee report was *Passed*, by yeas and nays as follows:

Yeas--Aldermen Roti, Barnett, Kenner, Evans, Sawyer, Bertrand, Humes, Shaw, Huels, Majerczyk, Madrzyk, Burke, Brady, Barden, Streeter, Kellam, Sheahan, Sherman, Stemberk, Lipinski, Shumpert, Nardulli, Carothers, Davis, Hagopian, Martinez, Gabinski, Frost, Marcin, Farina, Casey, Cullerton, Laurino, Rittenberg, Pucinski, Natarus, Oberman, Merlo, Clewis, Axelrod, Schalter, Volini, Orr, Stone--44.

Nays--None.

Alderman Natarus moved to *Reconsider* the foregoing vote. The motion was *Lost*.

The following is said ordinance as passed:

WHEREAS, Pursuant to Chapter 15.2 (the "Enabling Ordinance") of the Municipal Code of the City of Chicago, as supplemented and amended, there has been established an Economic Development Commission

of the City of Chicago (the "Commission"), which Commission is empowered to enter into agreements with respect to the proposed development of industrial facilities and to recommend to the City Council that it issue industrial revenue bonds for the public purposes stated in the Enabling Ordinance; and

WHEREAS, The Commission has approved a resolution and Memorandum of Agreement relating to the issuance of not exceeding \$2,500,000 of industrial revenue bonds to finance an industrial development project in the City of Chicago to be owned and occupied by Midwest Electric Mfg. Corp., an Illinois corporation, or its designee, for use in its business of manufacturing and distribution conduit fitting; and

WHEREAS, Such approval constitutes a recommendation to this City Council that it take all further steps necessary for the timely issuance of such bonds; now, therefore,

Be It Ordained by the City Council of the City of Chicago:

SECTION 1. The recommendation of the Commission is hereby accepted and the Memorandum of Agreement in the form submitted to this City Council is hereby approved.

SECTION 2. Upon the fulfillment of the conditions stated in the Memorandum of Agreement, this City Council will take such other actions and adopt such further proceedings as may be necessary under the Enabling Ordinance to issue such industrial revenue bonds in an amount not exceeding \$2,500,000.

SECTION 3. This ordinance shall be in full force and effect from and after its passage.

COMMITTEE ON POLICE, FIRE, PERSONNEL AND MUNICIPAL INSTITUTIONS.

**Approval Given Mayor's Nomination of Andres Roman as
Member of Police Board.**

The Committee on Police, Fire, Personnel and Municipal Institutions submitted the following report:

CHICAGO, December 29, 1981.

To the President and Members of the City Council:

Your Committee on Police, Fire, Personnel and Municipal Institutions, to which was referred (December 3, 1981), a communication signed by Honorable Jane M. Byrne, Mayor, nominating Andres Roman as a member of the Police Board of the City of Chicago to fill the unexpired term, expiring April 26, 1983, of David Cintron, who has resigned.

This recommendation was concurred in by a unanimous vote of the committee.

Respectfully submitted,
(Signed) EDWARD M. BURKE,
Chairman.

On motion of Alderman Burke the committee's recommendation was *Concurred In* and said nomination of Andres Roman was *Approved* by yeas and nays as follows:

Yeas--Aldermen Roti, Barnett, Kenner, Sawyer, Bertrand, Humes, Shaw, Huels, Majerczyk, Madrzyk, Burke, Brady, Barden, Streeter, Kellam, Sheahan, Stemberk, Lipinski, Shumpert, Nardulli, Carothers, Davis, Hagopian, Martinez, Gabinski, Frost, Marcin, Farina, Casey, Cullerton, Laurino, Rittenberg, Pucinski, Natarus, Oberman, Merlo, Clewis, Axelrod, Schuler, Volini, Orr, Stone--42.

Nays--None.

**Approval Given to Amendments to Agreement between City and
Fraternal Order of Police, Chicago Lodge No. 7.**

The Committee on Police, Fire, Personnel and Municipal Institutions submitted the following report:

CHICAGO, December 29, 1981.

To the President and Members of the City Council:

Your Committee on Police, Fire, Personnel and Municipal Institutions, to which was referred (December 11, 1981), an ordinance signed by Honorable Jane M. Byrne, Mayor, approving amendments to an agreement between the City of Chicago and the Fraternal Order of Police, Chicago Lodge No. 7.

This recommendation was concurred in by a unanimous vote of the committee.

Respectfully submitted,
(Signed) EDWARD M. BURKE,
Chairman.

On motion of Alderman Burke, the Memorandum of Agreement transmitted with the foregoing committee report was *Passed*, by yeas and nays as follows:

Yeas--Aldermen Roti, Barnett, Kenner, Sawyer, Bertrand, Humes, Shaw, Huels, Majerczyk, Madrzyk, Burke, Brady, Barden, Streeter, Kellam, Sheahan, Stemberk, Lipinski, Shumpert, Nardulli, Carothers, Davis, Hagopian, Martinez, Gabinski, Frost, Marcin, Farina, Casey, Cullerton, Laurino, Rittenberg, Pucinski, Natarus, Oberman, Merlo, Clewis, Axelrod, Schulter, Volini, Orr, Stone--42.

Nays--None.

The following is said Memorandum of Agreement as passed:

This Memorandum of Agreement is entered into by and between the City of Chicago (Employer) and the Fraternal Order of Police, Chicago Lodge No. 7 (Lodge) pursuant to the provisions of Section 28.2 of the current Collective Bargaining Agreement between the parties. The Employer and Lodge agree to the following terms and conditions and/or modifications to be contained in the current Agreement between the parties, pursuant and subject to the provisions of Section 28.6 A of said Agreement, and in full satisfaction of any requirements of Section 28.2 for the life of this agreement. Except as stated herein, the current Agreement and each provision shall remain in full force and effect:

1. Section 28.1 shall be amended to read as follows:

This Agreement shall be effective from January 1, 1981, and shall remain in full force and effect until December 31, 1983. It shall continue in effect from year to year thereafter unless notice of termination is given in writing by certified mail by either party no earlier than August 1, 1983, preceding expiration and no later than September 1, 1983, preceding expiration. The notices referred to shall be considered to have been given as of the date shown on the postmark. Written notice may be tendered in person, in which case the date of notice shall be the written date of receipt.

2. Section 11.3, Personal Day, shall be amended to insert the following language as a second sentence:

Effective January 1, 1982, officers shall be entitled to receive, in addition to the above, one personal day (for a total of two personal days during 1982), and, effective January 1, 1983, officers shall be entitled to receive, in addition to the above, one personal day (for a total of three personal days in 1983).

3. Section 21.3 shall be amended by adding the following language:

Provided, further, that an additional supplemental payment in the amount of One Hundred and Fifty Dollars (\$150.00) shall be payable on February 16, 1982.

4. Article 21 shall be amended to add a new section, as follows:

Section 21.4: Uniform Change or Modification. The Employer shall pay for the first issue of any change in or modification of the prescribed uniform announced and effective after November 15, 1981.

5. Section 23.2 Furlough Scheduling, shall be deleted and the following shall be substituted:

An officer shall select his furlough within the unit of assignment, or if detailed for 28 days or more prior to the date selection begins, within the unit of detail, on the basis of seniority. Officers may elect to take their full furlough or split the furlough to which they are entitled into two equal segments. The furlough selection process will consist of two steps.

In Step 1 an officer will select either a full furlough or the first segment of his split furlough. Following the completion of Step 1 the officer who has elected to split his furlough will enter Step 2 where he will select, by seniority, the second equal segment of his allotted furlough.

A full furlough will commence on the 1st day of a police period. A split furlough will commence on either the 1st or 15th day of a police period.

Compensatory time furloughs will not be scheduled for officers who split their annual furloughs; however, such officers shall be allowed to take a compensatory time furlough by utilizing compensatory time and/or personal days between regularly-scheduled weekends off, subject to manpower requirements.

Furlough schedules may be adjusted to accommodate seasonal operations, significant revision in organization, work assignments or the number of personnel in particular ranks.

6. Article 23 shall be amended to add the following new section:

Section 23.6: Overtime for Pre-planned Events. The following procedures will apply in cases of events which will require the cancellation of days off and for which the Department has received a minimum of 21 days prior notice.

In those units which have been designated to provide personnel, seniority will be the dominant factor in the selection of officers required to work their regular days off, provided that the member to be selected possesses the necessary skill or special qualifications to perform the duties required.

The Employer will post a notice of such events on the unit bulletin board and officers desiring to exercise the option to work will notify their unit commanding officer within seven days of the date the notice was posted.

Those officers who have been given the option to work their regular day off, whether the option was accepted or rejected, will not be afforded the option to work on a subsequent overtime event until all officers in the unit have been afforded this option.

For the purpose of pre-planned overtime assignments, a unit may be defined as a bureau, division, district, watch, tactical team, etc.

For duty on election or primary days, seniority will be the dominant factor in the selection of members required to work their regular day off in the polling place. Those officers who work overtime will be compensated in accordance with Sections 20.1 and 20.2.

7. Section 23.7: Holiday Assignment.

When operational considerations require that some officers of a unit work on a holiday, as defined in Section 11.1 of this Agreement, seniority will be a dominant factor in the selection of officers. The most senior officers will be given the option to work, provided that the holiday is not an officer's regular day off and that the officer possesses the necessary skill or special qualifications to perform the duties required. Those officers who have been given the option to work on a holiday, whether the option was accepted or rejected, will not be afforded the option to work on a subsequent holiday until all officers in the unit have been afforded this option.

For the purpose of holiday assignments a unit may be defined as a bureau, division, section, watch, district, etc.

8. A new Article shall be added to the contract, as follows:

ARTICLE 25A - OPTICAL COVERAGE

Effective January 1, 1982, the Employer shall provide each officer and each of their dependents with an optical plan, the cost to be borne by the Employer. Each year, for each officer and for each dependent, the Plan shall provide payment, with no deductible provision, in accord with the following schedule: for optical examination, \$25.00; for corrective lenses, \$15.00 for each lens; or, for bifocal lenses, \$20.00 for each lens; or, for trifocal lenses, \$30.00 for each lens; and, when necessary for eye glass frames, \$30.00 per pair; or, for contact lenses, \$25.00 for each lens.

9. Article 26, Wages, shall be amended to add a new section, as follows:

Section 26.2: Work Out of Grade. Any officer covered by this Agreement being paid D-1 salary who is authorized to perform the work or duties and assumes the responsibilities of a Patrol Specialist, Auto Pound Supervisor and/or Garage Supervisor for two or more hours shall be paid at a D-2 rate consistent with his own tenure for an 8-hour tour of duty, or for the time spent, whichever is greater.

Any officer covered by this Agreement being paid D-1 or D-2 salary who is authorized to perform the work or duties and assumes the responsibilities of a Desk Sergeant for two or more hours shall be paid at a D-3 rate consistent with his own tenure for an 8-hour tour of duty, or for the time spent whichever is greater.

10. Article 26 shall be further amended to provide that:

Section 26.1: Salary Schedule. Effective January 1, 1982, and thereafter, the basic salary schedule of officers shall be as reflected in Appendix A, a copy of which is appended hereto. Officers covered by this Agreement whose salaries are not reflected in the basic salary schedule shall have their present salaries increased as follows: Effective January 1, 1982, 4%; effective July 1, 1982, 4.5%; effective January 1, 1983, 5%; effective July 1, 1983, 5.5%.

In Witness Whereof, the parties hereto affix their signatures this 19th day of November, 1981.

[Signature forms omitted for printing purposes.]

[Appendix A printed on page 8877 of this Journal.]

APPENDIX A

Effective 1/1/82	Entrance Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	After 1 Year at Step 6 and 10 Yrs. of Service	Step 7	Step 8	After 1 Year at Step 7 and 15 Yrs. of Service	Step 9	After 1 Year at Step 8 and 20 Yrs. of Service	Step 10	After 1 Year at Step 9 and 25 Yrs. of Service	Step 11
D-1	19446 1620.50	19446 1620.50	20568 1714.00	21618 1801.50	22692 1891.00	23838 1986.50	24672 2056.00	25336 2128.00	26424 2202.00	27396 2283.00	28182 2348.50	28632 2386.00	29454 2454.50	30966 2580.50	32514 2709.50
D-2	20322 1620.50	20322 1620.50	21498 1791.50	22590 1882.50	23712 1976.00	24912 2076.00	25782 2148.50	26686 2224.00	27612 2301.00	28632 2386.00	29454 2454.50	30966 2580.50	32514 2709.50	34302 2858.50	36190 2989.50
D-1	20322 1693.50	20322 1693.50	21498 1791.50	22590 1882.50	23712 1976.00	24912 2076.00	25782 2148.50	26686 2224.00	27612 2301.00	28632 2386.00	29454 2454.50	30966 2580.50	32514 2709.50	34302 2858.50	36190 2989.50
D-2	21342 1778.50	21342 1778.50	22572 1881.00	23724 1977.00	24900 2075.00	26160 2180.00	27072 2256.00	28026 2335.50	28992 2416.00	30066 2505.50	30966 2580.50	32514 2709.50	34302 2858.50	36190 2989.50	38078 3139.50
D-1	22518 1876.50	22518 1876.50	23814 1984.50	25032 2086.00	26274 2189.50	27600 2300.00	28560 2380.00	29568 2464.00	30588 2549.00	31722 2643.50	32640 2720.00	34302 2858.50	36190 2989.50	38078 3139.50	39966 3329.50
D-2	22518 1876.50	22518 1876.50	23814 1984.50	25032 2086.00	26274 2189.50	27600 2300.00	28560 2380.00	29568 2464.00	30588 2549.00	31722 2643.50	32640 2720.00	34302 2858.50	36190 2989.50	38078 3139.50	39966 3329.50

MATTERS PRESENTED BY THE ALDERMEN.

(Presented by Wards, in Order, Beginning with the First Ward).

Arranged under the following subheadings:

1. Traffic Regulations, Traffic Signs and Traffic-Control Devices.
2. Zoning Ordinance Amendments.
3. Claims.
4. Unclassified Matters (arranged in order according to Ward numbers).
5. Free Permits, License Fee Exemptions, Cancellation of Warrants for Collection, and Water Rate Exemptions, Etc.

Proposed ordinances, orders and resolutions, described below, were presented by the aldermen named, as noted. Except where otherwise noted or indicated hereinbelow, unanimous consent was given to permit action by the City Council on each of said proposed ordinances, orders and resolutions without previous committee consideration, in accordance with the provisions of Council Rule 41.

1. TRAFFIC REGULATIONS, TRAFFIC SIGNS AND TRAFFIC-CONTROL DEVICES.

*Referred--*PROPOSED ORDINANCE TO ESTABLISH LOADING ZONE
AT NOS. 1212-14 N. DEARBORN STREET.

Alderman Natarus (42nd Ward) presented a proposed ordinance to establish a loading zone at Nos. 1212-1214 N. Dearborn Street from 8:00 A.M. to midnight; which was *Referred to the Committee on Traffic Control and Safety.*

*Referred--*PROPOSED ORDINANCE TO CHANGE HOURS OF
LOADING ZONE ON PORTION OF E. 83RD STREET.

Alderman Bertrand (7th Ward) presented a proposed ordinance to establish a loading zone on E. 83rd Street at No. 2742 at all times (instead of from 8:00 A.M. to 6:00 P.M. on Monday through Friday); which was *Referred to the Committee on Traffic Control and Safety.*

*Referred--*PROPOSED ORDINANCE TO LIMIT PARKING OF VEHICLES
DURING SPECIFIED HOURS ON PORTION OF W. DIVISION STREET.

Alderman Nardulli (26th Ward) presented a proposed ordinance to limit the parking of vehicles to one hour periods on W. Division Street at Nos. 1914-1916 from 6:00 A.M. to 10:00 P.M.; which was *Referred to the Committee on Traffic Control and Safety.*

*Referred--*PROPOSED ORDINANCES TO PROHIBIT AT ALL TIMES
PARKING OF VEHICLES AT SPECIFIED LOCATIONS.

The aldermen named below presented proposed ordinances to prohibit at all times the parking of vehicles at the locations designated, for the distances specified, which were *Referred to the Committee on Traffic Control and Safety*, as follows:

*Alderman**Location and Distance*

Nardulli
(26th Ward)

N. Elston Avenue (both sides) from a point 200 feet north of W. Division Street to a point 250 feet south of W. Division Street;

W. Division Street (both sides) from the Kennedy Expressway to the Chicago River;

Stone

W. Granville Avenue (south side) (50th Ward) from a point 30 feet west of N. Clark Street to a point 80 feet west thereof.

*Referred--*PROPOSED ORDINANCE TO FIX WEIGHT LIMIT OF FIVE TONS FOR VEHICLES ON PORTION OF N. ASHLAND AVENUE.

Alderman Schuller (47th Ward) presented a proposed ordinance to fix a weight limit of five tons for trucks and commercial vehicles on N. Ashland Avenue between W. Irving Park Road and N. Clark Street; which was *Referred to the Committee on Traffic Control and Safety.*

2. ZONING ORDINANCE AMENDMENTS.

None.

3. CLAIMS.

Claims against the City of Chicago were presented by the aldermen designated below, respectively, for the claimants named, which were *Referred to the Committee on Finance*, as follows:

<i>Alderman</i>	<i>Claimant</i>
Nardulli (26th Ward)	Susan Pellegrini, Michael Smysznick
Gabinski (32nd Ward)	The Butcher Block (Jack Oros)
Gabinski (32nd Ward for Mell, 33rd Ward)	Edward Bulicek
Merlo (44th Ward)	Patricia Clarke, Mileva Lazovich.

4. UNCLASSIFIED MATTERS

(Arranged in Order According to Ward Numbers).

Proposed ordinances, orders and resolutions were presented by the aldermen named below, respectively and were acted upon by the City Council in each case in the manner noted, as follows:

Presented by

ALDERMAN ROTI (1st Ward):

Drafting of Ordinance Directed for Vacation and Dedication
of Portions of Specified Public Alleys.

A proposed order reading as follows:

Ordered, That the Commissioner of Public Works is hereby directed to prepare an ordinance for the vacation of the first east-west 18-foot public alley north of E. 16th Street and providing for the dedication of the south 254 feet of the north 479 feet, more or less, of the north-south 18-foot public alley, all in the block bounded by E. 14th Street, E. 16th Street, S. Michigan Avenue, and S. Indiana Avenue for the LaSalle National Bank, Trust Nos. 31953 and 31954, (File No. 22-1-81-762); said ordinance to be transmitted to the Committee on Local Industries, Streets and Alleys for consideration and recommendation to the City Council.

On motion of Alderman Roti the foregoing proposed order was *Passed*.

Presented by

ALDERWOMAN HUMES (8th Ward) and OTHERS:

**Congratulations Extended to Tommy Briscoe upon His Re-Election as
General President of American Postal Workers Union, AFL-CIO.**

A proposed resolution, presented by Aldermen Humes, Barnett, Kenner, Sawyer, Shaw, Sherman, Shumpert, Carothers, Davis and Frost, reading as follows:

WHEREAS, Tommy Briscoe, an outstanding voice in labor leadership, recognized for his participation and defense of the rights of postal workers, the labor movement, civic and social classes, was re-elected General President of the Chicago Local of the American Postal Workers Union, AFL-CIO, on May 10, 1981; and

WHEREAS, Tommy Briscoe was born in Fitzhugh, Arkansas. He graduated from Carver High School in Augusta, Arkansas; attended Arkansas A M & N College in Pine Bluff, (now known as the University of Arkansas at Pine Bluff); served in the United States Air Force as an electronic technician where his work required a crypto security clearance, which is the highest security clearance in the military and while stationed in Fairbanks, Alaska, Briscoe was one of the three airmen with security clearance to stand guard while repairs were made on the then unknown U-2 spy plane; and

WHEREAS, Tommy Briscoe is a member of many civic and community organizations, including the Urban League, NAACP, WACA, and Operation Push, declaring April 9, 1977, as "Tommy Briscoe Day" was the way Reverend Jesse L. Jackson and Operation Push chose to honor Tommy Briscoe; now, therefore,

Be It Resolved, That we, the Mayor and Members of the City Council of the City of Chicago, gathered here on this 29th day of December, 1981, do hereby add our congratulations and best wishes to Tommy Briscoe upon his re-election as General President of APWU, AFL-CIO, with the sincere hope that the good Lord will grant him many fruitful years to continue on with his work; and

Be It Further Resolved, That a suitable copy of this resolution be presented to Tommy Briscoe.

Alderdwoman Humes moved to *Suspend the Rules Temporarily* to permit immediate consideration of and action upon the foregoing proposed resolution. The motion *Prevailed*.

On motion of Alderdwoman Humes, the foregoing proposed resolution was *Adopted*.

Presented by

ALDERMAN SHAW (9th Ward):

Honor Accorded Joe and Bertha Jackson on Having the Most Decorated Home in the Ninth Ward.

A proposed resolution reading as follows:

WHEREAS, The residents of the Ninth Ward of the City of Chicago decorated their homes for the holidays to make the community beautiful; and

WHEREAS, On December 25, 1981 Joe and Bertha Jackson of the Ninth Ward had the most decorated home in the Ninth Ward, located at 104th and King Drive, Chicago, Illinois; now, therefore,

Be It Resolved, That the wonderful efforts of Joe and Bertha Jackson of the Ninth Ward be acknowledged and they should continue their great community work in decorating their home and encourage other residents of the Ward to take this action.

Alderman Shaw moved to *Suspend the Rules Temporarily* to permit immediate consideration of and action upon the foregoing proposed resolution. The motion *Prevailed*.

On motion of Alderman Shaw, the foregoing proposed resolution was *Adopted*.

Presented by

ALDERMAN SHAW (9th Ward) and OTHERS:

*Referred--*PROPOSED RESOLUTION TO MEMORIALIZE THE U.S. CONGRESS AND PRESIDENT REAGAN TO TREAT HAITIAN REFUGEES WITH DIGNITY, ETC.

A proposed resolution, presented by Aldermen Shaw, Barnett, Kenner, Sawyer, Bertrand, Humes, Barden, Streeter, Shumpert, Carothers, Davis and Frost, which memorializes the United States Congress and President Reagan to treat Haitian refugees with dignity and grant them asylum, etc.--*Referred to the Committee on Intergovernmental Relations*.

Presented by

ALDERMAN HUELS (11th Ward):

*Referred--*PROPOSED ORDER TO ESTABLISH BUS PASSENGER SHELTER.

A proposed order to memorialize the Chicago Transit Authority to consider establishing a bus passenger shelter on the northeast corner of W. Root Street and S. Wallace Street.--*Referred to the Committee on Local Transportation*.

Presented by

ALDERMAN BURKE (14th Ward):

Chapter 193, Section 193.30 of the Municipal Code Amended Concerning Public Peace and Welfare.

A proposed ordinance reading as follows:

Be It Ordained by the City Council of the City of Chicago:

SECTION 1. That Section 193.30 of the Municipal Code of the City of Chicago is hereby amended by adding in *Italics* the following:

No person shall sell, manufacture, purchase, possess or carry any weapon from which eight (8) or more shots or bullets may be discharged by a single function of the firing device.

SECTION 2. This ordinance shall be in full force and effect from and after its passage and due publication.

Alderman Burke moved to *Suspend the Rules Temporarily* to permit immediate consideration of and action upon the foregoing proposed ordinance. The motion *Prevailed*.

Thereupon, on motion of Alderman Burke the foregoing proposed ordinance was *Passed*, by a viva voce vote.

Alderman Burke moved to *Reconsider* the foregoing vote. The motion was *Lost*.

Presented by

ALDERMAN BURKE (14th Ward) and ALDERMAN STONE (50th Ward):

*Referred--PROPOSED ORDINANCE TO AMEND CHAPTER 193 OF
MUNICIPAL CODE TO BAN THE POSSESSION OF TEAR GAS.*

A proposed ordinance to amend Chapter 193 of the Chicago Municipal Code by adding thereto a new section to be numbered Section 193-30.1 which would ban the possession of tear gas.--*Referred to the Committee on Police, Fire, Personnel and Municipal Institutions.*

Presented by

ALDERMAN NARDULLI (26th Ward):

*Referred--PROPOSED ORDINANCE TO ESTABLISH A BUS STAND
ON PORTION OF N. HALSTED ST.*

A proposed ordinance to establish a bus stand on N. Halsted Street (west curb) from a point 85 feet north of the east property line of N. Milwaukee Avenue to a point 100 feet north thereof from 9:00 A.M. to 4:00 P.M. on Monday thru Friday and from 6:00 A.M. to 10:00 P.M. on Saturdays, Sundays and holidays.--*Referred to the Committee on Local Transportation.*

*Referred--PROPOSED ORDINANCE TO GRANT PERMISSION TO C.T.A.
TO OPERATE MOTORBUS ROUTE ON PORTION OF W. OHIO ST.*

Also a proposed ordinance to grant permission to the Chicago Transit Authority to install, maintain, and operate a motorbus route on W. Ohio Street between N. Halsted Street and N. Milwaukee Avenue.--*Referred to the Committee on Local Transportation.*

Presented by

ALDERMAN MARCIN (35th Ward):

*Referred--PROPOSED ORDINANCE FOR GRANT OF PRIVILEGE
IN PUBLIC WAY.*

A proposed ordinance to grant permission and authority to Eureka X-Ray Tube Company, to maintain and use as now installed an underground hydrogen type "K" hard copper tubing in a steel casing across N. Kilpatrick Avenue located near its intersection with W. School Street for the purpose of providing the transmission of hydrogen through an underground system.--*Referred to the Committee on Local Industries, Streets and Alleys.*

Presented by

ALDERMAN RITTENBERG (40th Ward):

Congratulations Extended to the Orange Crush Team as National Champions of the Pop Warner League—Midget Division.

A proposed resolution reading as follows:

WHEREAS, The River Park Sportsman's Club has sponsored and entered a team in the Midget Division of the Pop Warner Football League for boys aged eleven to thirteen years; and

WHEREAS, Their team, the "Orange Crush," had an outstanding league record of eight (8) wins and no (0) defeats; and

WHEREAS, Their competition was able to score only one time in said competitions; and

WHEREAS, Their competition represented various communities throughout northern Illinois; and

WHEREAS, By their demonstration of teamwork, pride and courage, they have won for themselves the championship of the Pop Warner Northern Illinois Midget Division; and

WHEREAS, By virtue of said championship, the River Park Sportsman's Orange Crush Team received national recognition within the Pop Warner League and an invitation to participate in the national championship game for their division held in Orlando, Florida; and

WHEREAS, The team was coached by Mike Murtaugh and Rino Liberatore, under the direction of Sportsman's head coach, James Sirbus, with the full support of its membership and its President, Mrs. Krys Clark; and

WHEREAS, Through the financial support of the Sportsman's Club and community contributions, the Orange Crush Team traveled to Orlando, Florida, and won the national championship of the Pop Warner League--Midget Division on November 28, 1981, defeating the Apopka High School Team from Orlando, Florida, by a score of eight (8) to nothing (0); now, therefore,

Be It Resolved, That the Mayor and City Council of the City of Chicago, assembled this 29th day of December, 1981, do hereby recognize, commend and take pride in the achievements of the Orange Crush Team and extend to them, their parents, family and friends, our congratulations for their achievements and our acknowledgment and civic pride in these fine young people for having won the national championship and bringing it to Chicago.

Alderman Rittenberg moved to *Suspend the Rules Temporarily* to permit immediate consideration of and action upon the foregoing proposed resolution. The motion *Prevailed*.

On motion of Alderman Rittenberg, the foregoing proposed resolution was *Adopted*.

Presented by

ALDERMAN NATARUS (42nd Ward):

***Referred*--PROPOSED ORDERS FOR PERMITS TO CONSTRUCT AND MAINTAIN CANOPIES.**

Three proposed orders for issuance of permits to construct, maintain and use canopies attached to specified buildings or structures, which were *Referred to the Committee on Local Industries, Streets and Alleys*, as follows:

Fred Corporation, to maintain and use a canopy at No. 1548 N. Clark Street;

Inn Development & Management, Inc., to construct, maintain and use two canopies at No. 162 E. Ohio Street;

LaSalle Towers Associates, to maintain and use an existing canopy at No. 1211 N. LaSalle Street.

**5. FREE PERMITS, LICENSE FEE EXEMPTIONS, CANCELLATIONS OF
WARRANTS FOR COLLECTION, AND WATER RATE EXEMPTIONS, ETC.**

Proposed ordinances, orders, etc. described below, were presented by the aldermen named, and were Referred to the Committee on Finance, as follows:

License Fee Exemptions.

BY ALDERMAN MAJERCZYK (12th Ward):
Misericordia Home, No. 2916 W. 47th Street.

BY ALDERMAN FARINA (36th Ward):
Mont Clare Clinic, No. 7025 W. Grand Avenue.

BY ALDERMAN CULLERTON (38th Ward):
Northwest Hospital, No. 5645 W. Addison Street.

BY ALDERMAN RITTENBERG (40th Ward):
Swedish Covenant Hospital, No. 5145 N. California Avenue.

BY ALDERMAN PUCINSKI (41st Ward):
Danish Home, No. 5656 N. Newcastle Avenue.

BY ALDERMAN NATARUS (42nd Ward):
Henrotin Hospital, No. 111 W. Oak Street.

BY ALDERMAN OBERMAN (43rd Ward):
Chicago Center Hospital, No. 426 W. Wisconsin Street.

Grant Hospital, No. 550 W. Webster Avenue.

Cancellation of Warrants for Collection.

BY ALDERMAN CASEY (37th Ward):
St. Anne's Hospital, Nos. 4900-4942 W. Thomas Street--mechanical ventilation inspections (2).

APPROVAL OF JOURNAL OF PROCEEDINGS.

Journal (September 24, 1980).

Alderman Burke moved to *Correct* said printed Official Journal of the regular meeting held on September 24, 1980 as follows:

Page 3802 -- right-hand column - by deleting the twenty-fifth line up to and including the thirty-first line from the top of the page.

The motion *Prevailed*.

Journal (December 18, 1981).

The City Clerk submitted the printed Official Journal of the Proceedings of the regular meeting held on Friday, December 18, 1981, at 10:00 A.M., signed by him as such City Clerk.

Alderman Burke moved to *Approve* said printed Official Journal and to dispense with the reading thereof. The question being put, the motion *Prevailed*.

UNFINISHED BUSINESS.

Chicago Zoning Ordinance Amended to Reclassify
Particular Areas.

On motion of Alderman Roti the City Council took up for consideration the report of the Committee on Buildings and Zoning deferred and published in the Journal of the Proceedings of December 18, 1981, pages 8754-8756, recommending that the City Council pass four proposed ordinances (under separate committee reports), for amendment of the Chicago Zoning Ordinance to reclassify particular areas.

Alderman Vrdolyak moved to *Concur In* the committee's recommendations and *each* of the four proposed ordinances was *Passed* by yeas and nays as follows:

Yeas--Aldermen Roti, Barnett, Kenner, Evans, Sawyer, Bertrand, Humes, Shaw, Huels, Majerczyk, Madrzyk, Burke, Brady, Barden, Streeter, Kellam, Sheahan, Sherman, Stemberk, Lipinski, Shumpert, Nardulli, Carothers, Davis, Hagopian, Martinez, Gabinski, Frost, Marcin, Farina, Casey, Cullerton, Laurino, Rittenberg, Pucinski, Natarus, Oberman, Merlo, Clewis, Axelrod, Schuller, Volini, Orr, Stone--44.

Nays--None.

Alderman Natarus moved to *Reconsider* the foregoing vote. The motion was *Lost*.

Said ordinances, as passed, read respectively as follows (the *Italic* heading in each case not being part of the ordinance):

*Reclassification of Area Shown on Map No. 5-G
(as amended)*

Be It Ordained by the City Council of the City of Chicago:

SECTION 1. That the Chicago Zoning Ordinance be amended by changing all the B4-2 Restricted Service District and M1-2 Restricted Manufacturing District symbols and indications as shown on Map No. 5-G in the area bounded by

the alley next north of and parallel to W. Willow Street; the alley next west of and parallel to N. Fremont Street; W. Willow Street; N. Fremont Street; N. Bissell Street; N. Dayton Street; the northeasterly right-of-way of the C.T.A.; a line from a point 42 feet southeast of the intersection of W. Willow Street and N. Bissell Street as measured along the southwest line of N. Bissell Street and perpendicular to N. Bissell Street; N. Bissell Street; W. Willow Street; and the easterly right-of-way of the C.T.A.,

to those of an R4 General Residence District, and a corresponding use district is hereby established in the area above described.

SECTION 2. This ordinance shall be in force and effect from and after its passage and due publication.

Reclassification of Area Shown on Map No. 13-G.

Be It Ordained by the City Council of the City of Chicago:

SECTION 1. That the Chicago Zoning Ordinance be amended by changing all the B5-4 General Service District symbols and indications as shown on Map No. 13-G in the area bounded by:

a line 100 feet south of and parallel to W. Balmoral Avenue; N. Sheridan Road; a line 150.25 feet north of and parallel to W. Berwyn Avenue; and the alley next west of and parallel to N. Sheridan Road,

to the designation of a Residential Planned Development, which is hereby established in the area above described, subject to such use and bulk regulations as are set forth in the Plan of Development herewith attached and made a part hereof and to no others.

[Planned Development printed on pages 8887 through 8892 of this Journal.]

SECTION 2. This ordinance shall be in force and effect from and after its passage and due publication.

Reclassification of Area Shown on Map No. 14-C.

Be It Ordained by the City Council of the City of Chicago:

SECTION 1. That the Chicago Zoning Ordinance be amended by changing all the R7 General Residence District symbols and indications as shown on Map No. 14-C in the area bounded by

a line 220 feet north of and parallel to E. 56th Street; S. South Shore Drive; E. 56th Street; and a line 160 feet east of S. Everett Avenue,

to those of an R5 General Residence District and a corresponding use district is hereby established in the area above described.

SECTION 2. This ordinance shall be in force and effect from and after its passage and due publication.

Reclassification of Area Shown on Map No. 18-K.

Be It Ordained by the City Council of the City of Chicago:

SECTION 1. That the Chicago Zoning Ordinance be amended by changing all the B4-1 Restricted Service District symbols and indications as shown on Map No. 18-K in the area bounded by

a line 33 feet north of W. 79th Street; a line 97 feet east of S. Karlov Avenue; a line from a point 111 feet north of W. 79th Street and 97 feet east of S. Karlov Avenue, to a point 375 feet north of W. 79th Street along the west line of S. Pulaski Road; S. Pulaski Road; and W. 79th Street,

to those of a B2-1 Restricted Retail District, and a corresponding use district is hereby established in the area above described.

SECTION 2. This ordinance shall be in force and effect from and after its passage and due publication.

Failed to Pass--PROPOSED ORDINANCE TO AMEND CHAPTER 194A, SECTION 7.3-6 OF MUNICIPAL CODE CONCERNING ZONING FOR BANKS AND SAVINGS AND LOAN ASSOCIATIONS.

On motion of Alderman Roti the City Council took up for consideration the report of the Committee on Buildings and Zoning, deferred and published in the Journal of Proceedings of December 18, 1981, pages 8753-8754, recommending that the City Council *Do Not Pass* a proposed ordinance to amend Chapter 194A, Section 7.3-6 of the Municipal Code concerning the zoning for banks and savings and loan associations, which reads as follows:

RESIDENTIAL PLANNED DEVELOPMENTPLAN OF DEVELOPMENT STATEMENTS

1. The area delineated herein as "Residential Planned Development" is owned or controlled by Linda M. Derrig, Allen D. Friedman and Steve Weil under two Chicago Title and Trust Trust Agreements dated September 1, 1977, known as Trust Nos. 1070524 and 1070525. American Development Corp. ("Applicant"), a California corporation, is the designated agent of the owners or controllers for purposes of filing this application for a Residential Planned Development.

2. The Applicant or its successors, assignees or grantees shall obtain all applicable reviews, approvals and permits.

3. Use of land will consist of elevator high-rise apartment building, related uses, off-street parking, and recreational uses, including swimming pool.

4. Off-street parking and off-street loading facilities will be provided in compliance with this Plan of Development.

5. Any dedication or vacation of streets or alleys or re-subdivision of parcels shall require a separate submittal on behalf of the Applicant or its successors, assignees, or grantees.

6. Any service drives or other ingress or egress lanes shall be adequately designed and paved in accordance with the regulations of the Department of Streets and Sanitation and in compliance with the Municipal Code of Chicago to provide ingress and egress for motor vehicles, including emergency vehicles. There shall be no parking within such paved areas.

7. The following maps and table of controls, together with these statements, set forth data concerning a generalized land use plan of the area delineated herein as "Residential Planned Development," and illustrates that the development of such area will be in accordance with the intent and purpose of the Chicago Zoning Ordinance.

Address: 5320 North Sheridan Road

Applicant: American Development Corp.
1011 East Touhy Avenue
Des Plaines, Illinois

8. Identification signs may be permitted within the area delineated herein as "Residential Planned Development" subject to the review and approval of the Commissioner of the Department of Planning.

9. The height restriction of each building and any appurtenance attached thereto shall be subject to:

- (1) Height limitations as certified on Form FAA-117 (or on successor form or forms covering the same subject matter) and approved by the Federal Aviation Administration; and
- (2) Airport Zoning Regulations as established by the Department of Planning, Department of Aviation and Department of Law and approved by the City Council.

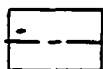
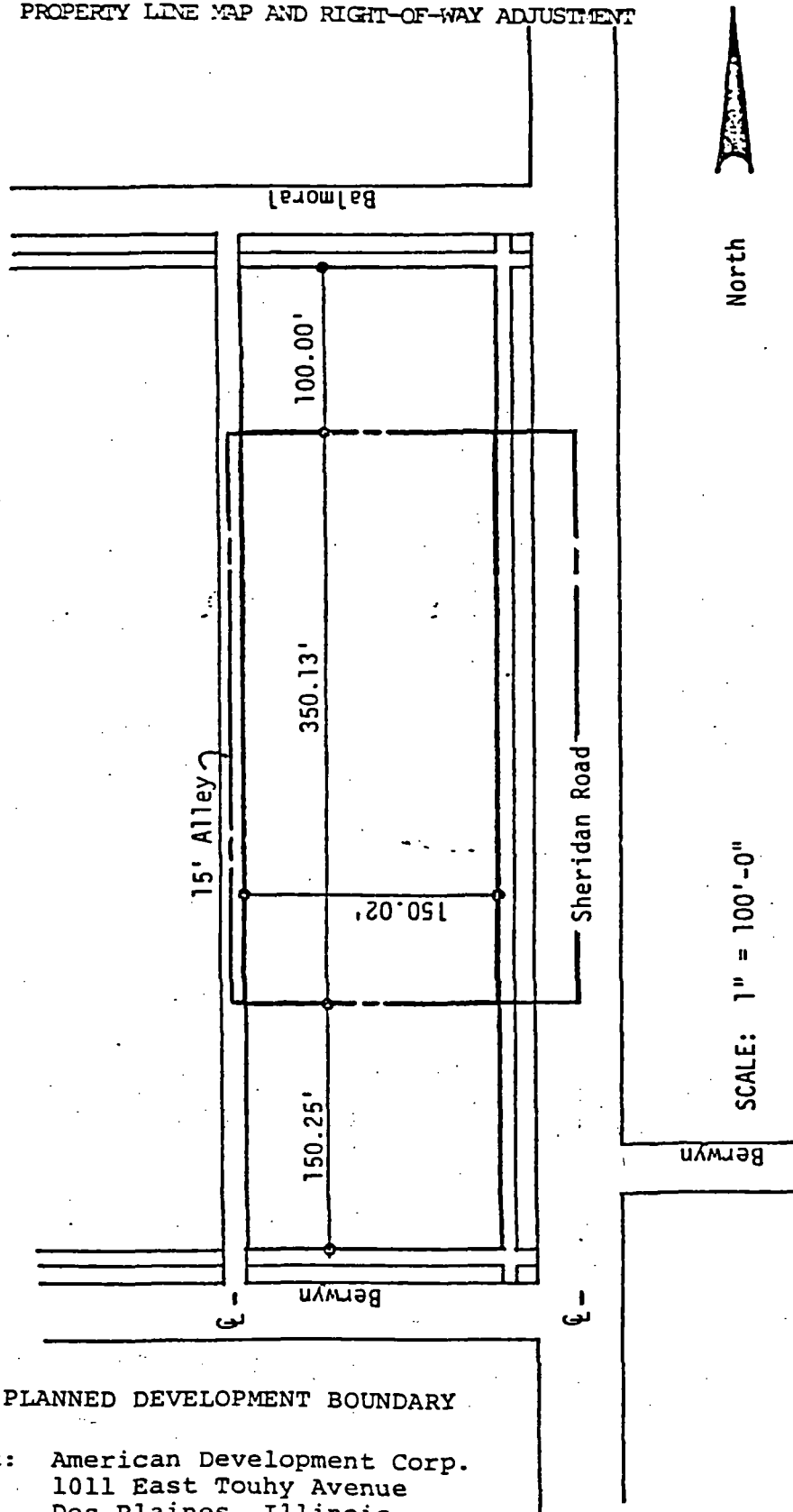
10. The Plan of Development hereby attached shall be subject to the "Rules, Regulations and Procedures in Relation to Planned Development Amendments" as promulgated by the Commissioner of the Department of Planning.

Address: 5320 North Sheridan Road

Applicant: American Development Corp.
1011 East Touhy Avenue
Des Plaines, Illinois

Date: June 10, 1981

RESIDENTIAL PLANNED DEVELOPMENT
PROPERTY LINE MAP AND RIGHT-OF-WAY ADJUSTMENT

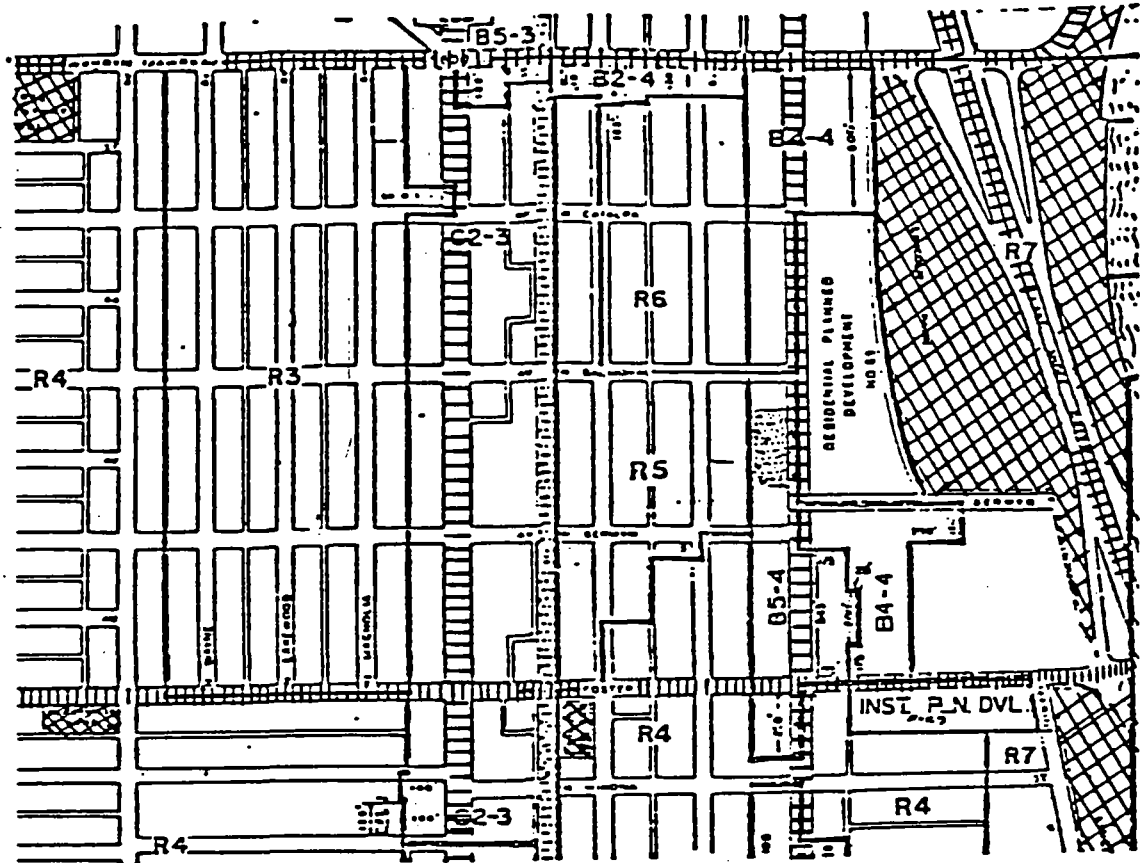


PLANNED DEVELOPMENT BOUNDARY

Applicant: American Development Corp.
1011 East Touhy Avenue
Des Plaines, Illinois

Address: 5320 North Sheridan Road

RESIDENTIAL PLANNED DEVELOPMENT
EXISTING ZONING AND PREFERENTIAL STREET SYSTEM



Proposed Planned Development



Preferential Streets



Public and Quasi-Public Uses

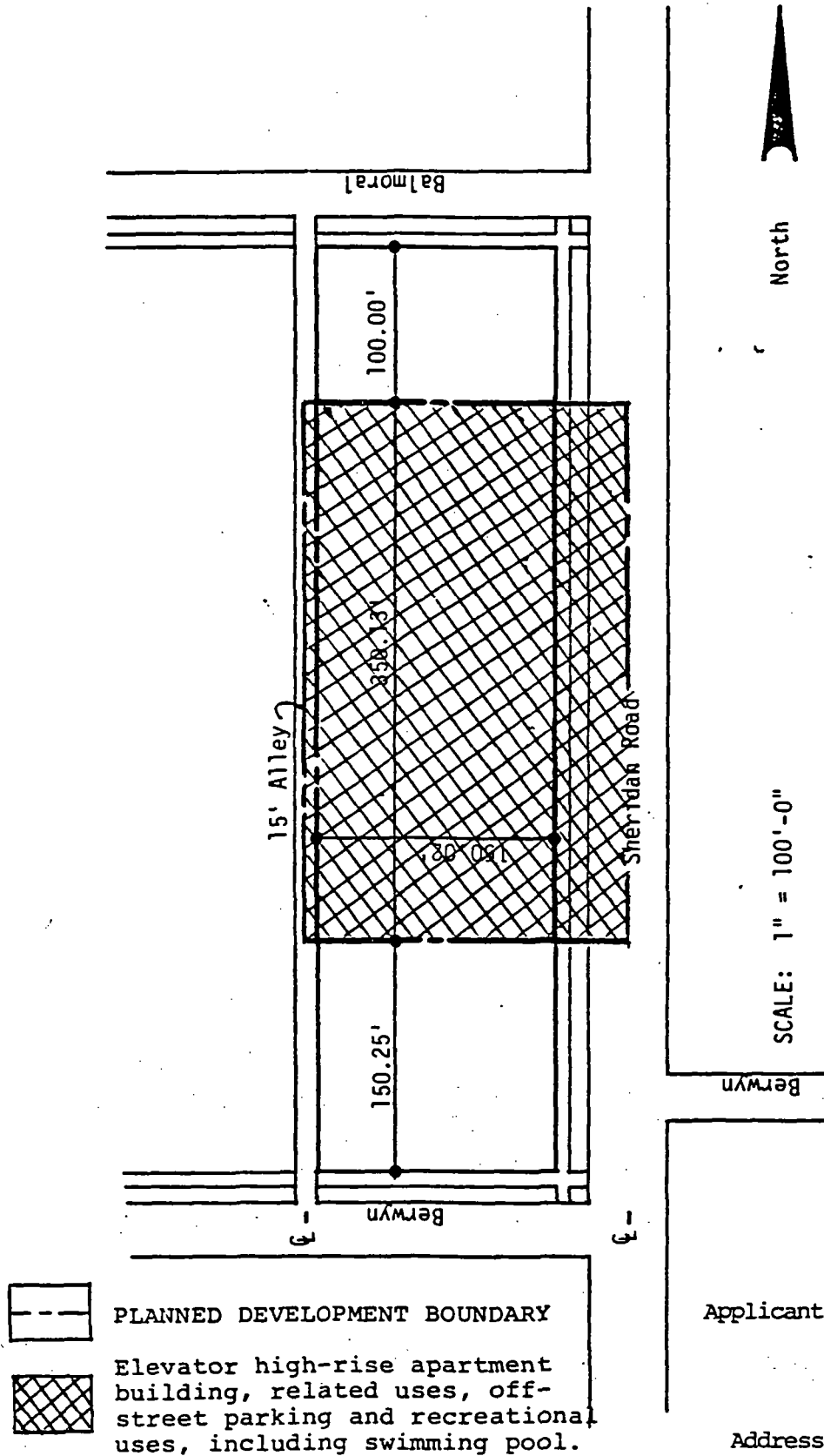
Address: 5320 North Sheridan Road

Applicant: American Development Corp.
1011 East Touhy Avenue
Des Plaines, Illinois



RESIDENTIAL PLANNED DEVELOPMENT

GENERALIZED LAND USE PLAN



Applicant: American Development Corp.
1011 East Touhy Ave.
Des Plaines, Illinois

Address: 5320 N. Sheridan Road

Date: June 10, 1981

RESIDENTIAL PLANNED DEVELOPMENT

PLANNED DEVELOPMENT USE AND BULK REGULATIONS AND DATA

Net Site Area		General Description of Land Use	Number of Dwelling Units	Maximum Floor Area Ratio	Maximum Percentage of Gound Coverage
sq.ft.	Acres				
52,500	1.2	Elevator high-rise apartment building, related uses, off-street parking, and recreational uses including swimming pool.	253	5.0	20.5%

$$\text{Gross Site Area} = \text{Net Site Area} + \text{Area of Public Streets and Alleys}$$

$$52,500 \text{ sq.ft. (1.2A)} = 52,500 \text{ sq.ft. (1.2A)} + 0 \text{ sq.ft. (0.0A)}$$

Maximum Permitted F.A.R. for Total Net Site Area:

5.0

Maximum Number of Dwelling Units allowed in Total Net Site Area:

262 without efficiencies

Minimum Number of Off-Street Parking Spaces:

192

Minimum Number of Off-Street Loading Spaces:

2

Minimum Setback:

Front 15'; Side 0'; Rear 30'

Maximum Percent of Ground Coverage for Total Net Site Area:

20.5%

Setback and Yard Requirements may be adjusted where required to permit conformance to the pattern of, or architectural arrangement related to, existing structures, or where necessary because of technical reasons, subject to the approval of the Department of Development and Planning.

Address: 5320 North Sheridan Road

Applicant: American Development Corp.
1011 East Touhy Avenue
Des Plaines, Illinois

Date: June 10, 1981

CHICAGO, December 15, 1981.

To the President and Members of the City Council:

Your Committee on Buildings and Zoning having had under consideration a proposed ordinance (referred June 20, 1979) to amend Chapter 194A, Section 7.3-6 of the Municipal Code concerning zoning for banks and savings and loan associations begs leave to recommend that Your Honorable Body *Do Not Pass* said proposed ordinance attached herewith.

This recommendation was concurred in by 7 members of the committee, with no dissenting vote.

Respectfully submitted,
(Signed) EDWARD R. VRDOLYAK,
Chairman.

(Signed) FRED B. ROTI,
Vice-Chairman.

Alderman Vrdolyak moved to *Concur In* the committee's recommendation. The question thereupon became: "*Shall the proposed ordinance Pass, notwithstanding the Committee's adverse recommendation?*" and the question being put, said proposed ordinance *Failed to Pass*, by yeas and nays as follows:

Yeas--None.

*Nays--*Aldermen Roti, Barnett, Kenner, Evans, Sawyer, Bertrand, Humes, Shaw, Huels, Majerczyk, Madrzyk, Burke, Brady, Barden, Streeter, Kellam, Sheahan, Sherman, Stemberk, Lipinski, Shumpert, Nardulli, Carothers, Davis, Hagopian, Martinez, Gabinski, Frost, Marcin, Farina, Casey, Cullerton, Laurino, Rittenberg, Pucinski, Natarus, Oberman, Merlo, Clewis, Axelrod, Schuler, Volini, Orr, Stone--44.

Alderman Natarus moved to *Reconsider* the foregoing vote. The motion was *Lost*.

Said proposed ordinance which *Failed to Pass* reads as follows:

Be It Ordained by the City Council of the City of Chicago:

Section 1. That the Chicago Zoning Ordinance, Chapter 194A, is hereby amended by the addition of the following new language in *Italics* below to Section 7.3-6, as follows:

....

(4) *Doctors Offices and Dental Offices, Banks and Savings and Loan Associations.* The foregoing uses may....

....

Section 2. This ordinance shall be in full force and effect from and after its due passage and publication.

*Failed to Pass--PROPOSED ORDINANCE FOR AMENDMENT OF CHICAGO
ZONING ORDINANCE TO RECLASSIFY AREA SHOWN ON MAP NO.
26-G (Adverse Committee Recommendation).*

On motion of Alderman Roti the City Council took up for consideration the report of the Committee on Buildings and Zoning, deferred and published in the Journal of Proceedings of December 18, 1981, page 8756, recommending that the City Council *Do Not Pass* a proposed ordinance, for amendment of the Chicago Zoning Ordinance to reclassify a particular area.

Alderman Roti moved to *Concur In* the committee's recommendation. The question thereupon became: "Shall the proposed ordinance *Pass*, notwithstanding the Committee's adverse recommendation?" and the question being so put, said proposed ordinance *Failed to Pass*, by yeas and nays as follows:

Yeas--None.

Nays--Aldermen Roti, Barnett, Kenner, Evans, Sawyer, Bertrand, Humes, Shaw, Huels, Majerczyk, Madrzyk, Burke, Brady, Barden, Streeter, Kellam, Sheahan, Sherman, Stemberk, Lipinski, Shumpert, Nardulli, Carothers, Davis, Hagopian, Martinez, Gabinski, Frost, Marcin, Farina, Casey, Cullerton, Laurino, Rittenberg, Pucinski, Natarus, Oberman, Merlo, Clewis, Axelrod, Schuler, Volini, Orr, Stone--44.

Alderman Natarus moved to *Reconsider* the foregoing vote. The motion was *Lost*.

Said proposed ordinance which *Failed to Pass*, proposed to amend the Chicago Zoning Ordinance to reclassify a particular area, and is summarized as follows:

Reclassification of Area Shown on Map No. 26-G.

An ordinance to classify as a C1-1 Restricted Commercial District instead of an R2 Single-Family Residence District, the area bounded by

a line 65.52 feet north of and parallel to W. 111th Street; S. Morgan Street; W. 111th Street; and
a line 135.0 feet west of and parallel to S. Morgan Street (Map No. 26-G).

**Chapter 136 of the Municipal Code Amended concerning Nursing Homes,
Sheltered Care Homes and Homes for Aged.**

On motion of Alderman Evans the City Council took up for consideration the report of the Committee on Health deferred and published in the Journal of the Proceedings of December 11, 1981, pages 8288-8310, recommending that the City Council pass a proposed ordinance deleting existing Chapter 136 of the Municipal Code and adding a new Chapter 136 concerning Nursing Homes, Sheltered Care Homes and Homes for Aged.

Alderman Evans presented the following amendments to the proposed ordinance.

(1) Add new Section 136-13 (a) (7)

Section 136-13 (a) (7) Resident's rights and facilities responsibilities in involuntary discharge and transfer actions; and

(2) Add new Section: 136-21 (a) (4)

Section 136-21 (a) (4) A copy of the Resident's Rights Provisions.

(3) Add new Section: 136-21 (b) (1-6)

Section 136-21 (b) Every facility shall retain the following for public inspection and shall post a sign stating that the following is available;

(1) A complete copy of every inspection report of the facility received from the City during the previous 5 years;

(2) A copy of every order or decision pertaining to the facility issued by the Commissioner or a court during the previous 5 years;

(3) A description of the services provided by the facility and the rates charged for those services and items for which a resident may be separately charged;

(4) A copy of the statement of ownership required under the provisions of Section 136-2(d) of this Chapter;

(5) A record of personnel employed or retained by the facility who are licensed, certified, or registered by the Illinois Department of Registration and Education; and

(6) A complete copy of the most recent inspection report of the facility received from the Department.

(4) Delete Section 136-27 (a) (4)

Section 136-27 (a) (4) Retaliate or discriminate against any resident or employee for contacting or providing information to the City, or for initiating, participating in, or testifying in an action for any remedy authorized under this Chapter;

(5) Add new Section 136-35

Section 136-35 No resident shall be deprived of any rights, benefits or privileges guaranteed by the Constitution of the United States, the Constitution of the State of Illinois, or the Resident's Rights as incorporated in the Illinois "Nursing Home Care Reform Act of 1979", as of the date of the passage of this Chapter.

(6) Delete Section 136-30 (e)

Section 136-30 (e) All penalties or fines shall be paid to the Department of Finance within 10 days of receipt of notice of assessment and placed in a Trust Fund for use by the Department in enforcement of this Chapter or if the penalty or fine is contested, within 10 days of receipt of the final decision of the Commissioner unless the decision is appealed and stayed by the court order. A penalty or fine assessed under this Chapter shall be collected by the Department of Finance. If the person or facility against whom a penalty has been assessed does not comply with a written demand for payment within 30 days, the Commissioner shall issue an order to do any of the following:

(1) Add the amount of the penalty to the facility's licensing fee; if the licensee refuses to make the payment at the time of application for renewal of its license, the license shall not be renewed; or

(2) Bring an action in Circuit Court to recover the amount of the penalty;

Add new Section 136-28 (e)

Section 136-28 (e) All penalties or fines shall be paid to the Department of Finance within 10 days of receipt of notice of assessment for use by the Department in enforcement of this Chapter or if the penalty or fine is contested, within 10 days of receipt of the final decision of the Commissioner unless the decision is appealed and stayed by court order. If the person or facility against whom a penalty has been assessed does not comply with a written demand for payment within 30 days, the Commissioner shall issue an order to do any of the following:

(1) Add the amount of the penalty to the facility's licensing fee; if the licensee refuses to make the payment at the time of application for renewal of its license, the license shall not be renewed; or

(2) Bring an action in Circuit Court to recover the amount of the penalty;

(7) Delete Section 136-30 (a) (2)

Section 136-30 (a) (2) Unless a greater penalty is allowed under subsections (4), (7), and (8), a person who commits a Type "B" violation is subject to a penalty computed at a rate of \$3.00 per resident in the facility for each day of the violation, commencing on the date the violation is discovered and ending on the date the violation is corrected, or a fine of not less than \$750.00, whichever is greater.

Add new Section 136-28 (a) (2)

Section 136-28 (a) (2) Unless a greater penalty is allowed under subsections (4), (7), and (8), a person who commits a Type "B" violation is subject to a penalty computed at a rate of \$3.00 per resident in the facility plus 10 cents per resident for each day of the violation, commencing on the date the violation is discovered and ending on the date the violation is corrected, or a fine of not less than \$750.00, whichever is greater.

(8) Delete Section 136-30 (a) (3)

Section 136-30 (a) (3) Unless a greater penalty is allowed under subsections (4), (7), and (8), a person who commits a Type "C" violation is subject to a penalty computed at a rate of \$1.50 per resident in the facility for each day the violation is corrected, or a fine of not less than \$500.00 whichever is greater.

Add new Section 136-28 (a) (3)

Section 136-28 (a) (3) Unless a greater penalty is allowed under subsections (4), (7), and (8), a person who commits a Type "C" violation is subject to a penalty computed at a rate of \$1.50 per resident in the facility plus 5 cents per resident for each day of the violation, commencing on the date the violation is discovered and ending on the date the violation is corrected, or a fine of not less than \$500.00 whichever is greater.

After debate Alderman Frost moved the *Previous Question*. The motion *Prevailed*.

Thereupon, on motion of Alderman Evans the foregoing amendments were *Adopted* by a viva voce vote.

Alderman Evans then moved to *Pass*, said proposed ordinance *as amended*.

The motion *Prevailed* by yeas and nays as follows:

Yeas--Aldermen Roti, Barnett, Kenner, Evans, Sawyer, Bertrand, Humes; Shaw, Huels, Majerczyk, Madrzyk, Brady, Barden, Streeter, Kellam, Sheahan, Sherman, Stemberk, Lipinski, Shumpert, Nardulli, Carothers, Davis, Hagopian, Martinez, Gabinski, Frost, Marcin, Farina, Casey, Cullerton, Laurino, Rittenberg, Pucinski, Natarus, Oberman, Merlo, Clewis, Axelrod, Schalter, Volini, Orr, Stone--43.

Nays--None.

Alderman Burke was excused from voting under the provisions of Rule 14 of the Council's Rules of Order.

Alderman Natarus moved to *Reconsider* the foregoing vote. The motion was *Lost*.

The following is said ordinance as passed.

Be It Ordained by the City Council of the City of Chicago:

SECTION 1. The Municipal Code of the City of Chicago, Chapters 136 and 136.2 are hereby amended by deleting therefrom existing Chapters 136 and 136.2 in their entirety and substituting therefor the enclosed Chapter 136 in *Italics*, as follows:

136.1 *For the purpose of this Chapter the following terms are defined to mean:*

"Abuse" means any physical or mental injury or sexual assault inflicted on a resident other than by accidental means in a facility.

"Access" means the right to:

(1) Enter any facility;

- (2) *Communicate privately and without restriction with any residents who consents to the communication;*
- (3) *Seek consent to communicate privately and without restriction with any resident;*
- (4) *Inspect the clinical and other records of a resident with the express written consent of the resident; and*
- (5) *Observe all areas of the facility except the living area of any resident who protests the observation.*

"Administrator" means a person who is charged with the general administration and supervision of a facility and licensed, if required, under the Illinois "Nursing Home Administrators Licensing Act", as now or hereafter amended.

"Affiliate" means:

- (1) *With respect to a partnership, each partner thereof.*
- (2) *With respect to a corporation, each officer, director, and stockholder thereof.*
- (3) *With respect to a natural person: any person related in the first degree of kinship to that person; each partnership and each partner thereof of which that person or any affiliate of that person is a partner; and each corporation in which that person or any affiliate of that person is an officer, director, or stockholder.*

"Applicant" means any person making application for a license.

"Board" means Chicago Board of Health.

"City" means the City of Chicago.

"Commissioner" means the Commissioner of Health of the City of Chicago or his designee.

"Department" means the Department of Health of the City of Chicago.

"Department of Consumer Services" means the Department of Consumer Services of the City of Chicago.

"Department of Finance" means the Department of Finance of the City of Chicago.

"Department of Inspectional Services" means the Department of Inspectional Services of the City of Chicago.

"Developmentally Disabled" means those individuals whose disability is attributable to mental retardation, cerebral palsy, epilepsy, autism, or other pathological conditions which generally originate before such individuals attain age 18, and which continue, or can be expected to continue, indefinitely, and which constitute a substantial functioning handicap to such individuals.

"Discharge" means the full release of any resident from a facility.

"Distinct Part" means an entire, physically identifiable unit consisting of all of the beds within that unit and having facilities meeting the standards applicable to the levels of service to be provided. Staff and services for a distinct part are established as set forth in the respective regulations governing the levels of services approved for the distinct part.

"Emergency" means a situation, physical condition or one or more practices, methods, or operations which present imminent danger of death or serious physical or mental harm to residents of a facility.

"Facility" or "Long-Term Care Facility" means a private home, institution, building, residence or any other place, whether operated for profit or not; which provides, through its ownership or management, personal care, sheltered care, or nursing for three or more persons, not related to the applicant or owner by blood or marriage. It includes Skilled Nursing Facilities and Intermediate Care Facilities as those terms are defined in Title XVIII and XIX of the "Federal Social Security Act" and the terms Nursing Home, Sheltered Care Home, Home for the Aged, and Residential Care (Half-Way) Home. Provided, however, that the term "Facility" does not include the following:

- (1) A home, institution, or other place operated by the Federal Government or agency thereof, or by the State of Illinois, County of Cook, or the City;*
- (2) A hospital, sanitarium, or other institution whose principal activity or business is the diagnosis, care and treatment of human illness through the maintenance and operation as organized facilities thereof, which is required to be licensed under the Illinois "Hospital Licensing Act", as now or hereafter amended; or*
- (3) Any "Facility for Child Care" as defined in the Illinois "Child Care Act of 1969", as now or hereafter amended.*

"Fire Department" means the Fire Department of the City of Chicago.

"Guardian" means a person appointed as a guardian of the person or guardian of the estate, or both, of a resident under the Illinois "Probate Act of 1975", as now or hereafter amended.

"Home for the Aged" means a facility licensed hereunder which is operated not for profit under the auspices of a religious, fraternal, charitable or other non-profit organization, or operated not for profit under an endowment, which through its ownership or management, and as its principal objective, provides maintenance, personal care, nursing, or sheltered care to aged persons, and in the conduct of which provides such service or services to not less than 3 persons over 60 years of age, who are not related to the applicant or owner by blood or marriage.

"Immediate Family" means the spouse, an adult child, a parent, an adult brother or sister, adult grandchild or an adult grandparent of a person.

"Intermediate Care Facility" means a facility which provides basic nursing care and other restorative services and under periodic medical direction. Many of these services may require skill in administration. Such facilities are for residents who have long term illnesses or disabilities which have reached a relatively stable plateau.

"Intermediate Care Facility for the Developmentally Disabled" means a facility or distinct part thereof, of 3 or more persons serving residents of which more than 50% are developmentally disabled. Facilities with any number less than 50% of developmentally disabled residents, who are determined by the Department to need organized social support and teaching programs, must also comply with requirements, minimum standards, and rules and regulations provided for by the Department, the City, or the State of Illinois or any of its agencies.

"Licensee" means in the case of a licensee who is an individual, the individual; and means in the case of a licensee who is a corporation, partnership, or association, the corporation, partnership, or association.

"Maintenance" means food, shelter, and laundry services.

"Neglect" means a failure in a facility to provide adequate medical or personal care or maintenance, which failure results in physical or mental injury to a resident or in the deterioration of a resident's physical or mental condition.

"Nurse" means a registered nurse or a licensed practical nurse as defined in the "Illinois Nursing Act", as now or hereafter amended.

"Nursing" means professional or practical nursing, as these terms are defined in the "Illinois Nursing Act", as now or hereafter amended.

"Nursing Home" means a facility licensed hereunder as a Skilled Nursing Facility, Intermediate Care Facility, or Intermediate Care Facility for the Developmentally Disabled which is a private home, institution, building, residence, or other place, whether operated for profit or not, for the infirm, which provides through its ownership or management, maintenance, personal care, or nursing for three or more persons, not related to the applicant or owner by blood or marriage, who by reason of illness or physical infirmity, are receiving such care.

"Oversight" means general watchfulness and appropriate action to meet the total needs of residents. "Oversight" shall include but is not limited to social, recreational, and employment opportunities for residents who, by reason of previous physical or mental disability, or in the opinion of a licensed physician, are in need of residential care.

"Owner" means the individual, partnership, corporation, association, or other person or combination thereof who owns or has an ownership interest in a facility. In the event a facility is operated by a person who leases the physical plant which is owned by another person, "Owner" means the person who operates the facility, except that if the person who owns the physical plant is an affiliate of the person who operates the facility and has significant control over the day-to-day operations of the facility, such person shall incur jointly and severally all liabilities imposed on an "Owner" under the provisions of this Chapter.

"Person" means any individual, partnership, association, firm, corporation, trust or estate, or other entity.

"Personal Care" means assistance with meals, dressing, movement, bathing, or other personal needs or maintenance, or general supervision and oversight of the physical and mental well-being of an individual, who is incapable of maintaining a private independent residence or who is incapable of managing his person whether or not a guardian has been appointed for such individual.

"Physician's Assistant" means an individual licensed under the "Illinois Physician's Assistants Practice Act", as now or hereafter amended.

"Reasonable hour" means any time between the hours of 10:00 A.M. and 8:00 P.M. daily.

"Resident" means a person residing in and receiving personal care from a facility.

"Residential Care" means maintenance and oversight or nursing.

"Residential Care (Half-Way) Home" means a facility licensed hereunder which is located in a private boarding home, institution, building, residence or other place, whether occupied for profit or not, which through its ownership or management provides residential care to 3 or more persons who are not related to the applicant or owner by blood or marriage where provisions are made for medical care as necessary.

"Resident's Representative" means a person other than the owner, agent, or employee of a facility not related to the resident, designated in writing by a resident to be his representative, or the resident's guardian, or the parent of a minor resident for whom no guardian has been appointed.

"Sheltered Care" means maintenance, personal care, and oversight.

"Sheltered Care Facility" means a facility which provides personal care and assistance, supervision, oversight or nursing, and a suitable activities program. Provisions are made for medical care as necessary.

"Sheltered Care Home" means a facility licensed hereunder located in a private boarding home, institution, building, residence, or other place operated for profit, which through its ownership or management, provides sheltered care to 3 or more adults who are not related to the applicant or owner by blood or marriage.

"Skilled Nursing Facility" means a facility which provides skilled nursing care, continuous skilled nursing observations, restorative nursing, and other services under professional direction with frequent medical supervision. Such facilities are provided for patients who need the type of care and treatment required during the post-acute phase of illness or during reoccurrences of symptoms in long term illness.

"Stockholder" means any person, who directly, or indirectly, beneficially owns, holds, or has the power to vote, at least 5% of any class of securities issued by a corporation.

"Title XVIII" means Title XVIII of the "Federal Social Security Act", as now or hereafter amended.

"Title XIX" means Title XIX of the "Federal Social Security Act", as now or hereafter amended.

"Transfer" means a change in status of a resident's living arrangements from one facility to another facility.

"Type 'A' Violation" means a violation of this Chapter, as now or hereafter amended, or any of the minimum standards, rules and regulations promulgated hereunder, or the Illinois "Nursing Home Care Reform Act of 1979", as now or hereafter amended, or any of the rules and regulations promulgated hereunder, which creates a condition or occurrence relating to the operation and maintenance of a facility presenting a substantial probability that death or serious mental or physical harm to a resident will result therefrom. "Type 'B' Violation" means a violation of this Chapter, as now or hereafter amended, or any of the minimum standards, rules and regulations promulgated hereunder, or the Illinois "Nursing Care Reform Act of 1979", as now or hereafter amended, or any of the rules and regulations promulgated thereunder, which creates a condition or occurrence relating to the operation and maintenance of a facility directly threatening to the health, safety or welfare of a resident.

"Type 'C' Violation" means a violation of this Chapter, as now or hereafter amended, or any of the minimum standards, rules and regulations promulgated hereunder, or the Illinois "Nursing Home Care Reform Act of 1979", as now or hereafter amended, or any of the rules and regulations promulgated thereunder, which creates a condition or occurrence relating to the operation and maintenance of a facility which indirectly threatens the health, safety or welfare of a resident.

Valid license required to conduct/operate any facility.

- 136-2. (a) *It shall be unlawful for any person to conduct or operate any facility within the City without first obtaining a valid license therefor as herein provided.*

Valid License must remain unsuspended, unrevoked, and unexpired.

- (b) *No person shall establish, operate, maintain, offer, or advertise a facility within the City unless and until he obtains a valid license therefor as herein provided, which license remains unsuspended, unrevoked, and unexpired.*

Patient placement prohibited without valid license.

- (c) *No City official, employee, or agent shall place any person in, or recommend that any person be placed in, or directly or indirectly cause any person to be placed in any facility which is being operated without a valid license.*

Ownership statement required for license issuance or renewal.

(d) *As a condition of the issuance or renewal of the license of any facility, the applicant or licensee shall file a statement of ownership with the Department on forms provided by the Department.*

(1) *The applicant or licensee shall update the information required in the statement of ownership within 30 days of the effective date of any change in ownership, or as otherwise required by the Department.*

Ownership statement information.

(2) *The statement of ownership shall include but not be limited to the following:*

(A) *The name, address, telephone number, occupation or business activity, and business address and business telephone number of the person who is the owner of the facility and every person who has an ownership or beneficial interest in the building in which the facility is located, if other than the owner of the facility, and if the owner is a partnership or corporation, the name of every partner and stockholder; and*

(B) *The address of any facility in which the licensee or applicant has any financial interest whether or not located within the City.*

Ownership statement shall be public information.

(3) *The statement of ownership shall be public information and shall be available from the Department.*

Licensee financial statement required.

(e) *Each licensee shall file annually, or more often as the Department may require, an attested financial statement in a form in accord with generally accepted accounting practices, within the industry within 90 days after the end of the facility's financial year. If the Department has substantial cause to believe the attested financial statement of a particular facility to be inaccurate, the Commissioner may order an audited financial statement of that particular facility by an auditor of the Commissioner's choice. Financial reports submitted by a facility under this Chapter shall be disclosed only after the facility has been given 14 days prior notice of the request.*

Obtaining license or renewal procedures.

136-3. *The procedure for obtaining a valid license or renewal thereof shall be as follows:*

Application obtained at Department of Finance.

(a) *Application shall be made to the Department of Finance on forms furnished by the Department of Finance.*

Application information contents.

(b) *Contemporaneously with application as provided for under subsection (a), an application information statement shall be submitted to the Bureau of Health Regulations of the Department, on forms furnished by the Department. Such application information statement shall be under oath and shall include, but shall not be limited to, the following information:*

Individual, firm, partnership, association, corporation.

- (1) *The name and address of the applicant if an individual, and if a firm, partnership, or association, of every member thereof, and in the case of a corporation, the name and address thereof and of its officers and its registered agent;*

Name and location of facility.

- (2) *The name and location of the facility for which a license or renewal thereof is sought;*

Management or Supervision Names.

- (3) *The name of the person or persons under whose management or supervision, the facility will be conducted;*

Number and type of residents.

- (4) *The number and type of residents for which maintenance, personal care, or nursing is to be provided; and*

Personnel number experience and training management agreements.

- (5) *Information relating to the number, experience, and training of the employees of the facility, any management agreements for the operation of the facility, and of the moral character of the applicant and employees as the Department shall deem necessary.*

Application Information Contracts.

Financial Statement. Violations.

Information Changes.

- (c) *Each application information statement for a new facility shall be accompanied by a financial statement setting forth the financial condition of the applicant, by a statement from the City that the location of the facility is not in violation of any zoning restrictions and by a permit as required by the "Illinois Health Facilities Planning Act", as now or hereafter amended. If a license is issued, the applicant shall advise the Department of any changes in the information originally provided in the application information statement as such changes occur.*

*Upon receipt of application Department of Health
obligation under this Chapter inspect for
compliance pursuant to Section 136-7.*

- (d) *Upon receipt of the application information statement from the applicant and upon request from the Department of Finance pursuant to Section 136-7 of this Chapter, the Department shall inspect the facility for compliance with this Chapter, as now or hereafter amended and any of the minimum standards, rules and regulations promulgated hereunder.*

Department of Health rights under this Chapter.

- (e) *The City, and its agents and employees shall have the right at any time to visit and inspect the premises and personnel of any facility for the purpose of determining whether the applicant of licensee is in compliance with this Chapter, as now or hereafter amended, and any of the minimum standards, rules and regulations promulgated hereunder or with other applicable ordinances or statutes which govern the operation of the facility. The Department may survey any former facility which once held a license to insure that the facility is not again operating without a license.*

*DOH responsible agency for coordination of Long Term Care
Inspections, Rules and Regulations.*

- (f) *The Department may enter into agreements with other City Departments, State Departments, or other agencies or commissions to effectuate the purposes of this Chapter.*

The Department shall be the responsible agency for the coordination for all City of Chicago long term care inspections and for the review and analysis of policies, rules and regulations, and long range plans. The Department shall also coordinate with state and federal agencies as appropriate.

*Recommendation of the Commissioner pursuant to this Chapter:
Issuance of License recommendation criteria.*

- (g) *Upon receipt and review of an application information statement for a license made under this Chapter, as now or hereafter amended and any of the minimum standards, rules and regulations promulgated hereunder, and inspection of the applicant and facility, the Commissioner shall recommend that the Department of Finance issue a license if he finds:*

*Applicant's capabilities to operate or participate
in the operation of a Facility.*

- (1) *The individual applicant, corporation, partnership, or other entity is responsible and suitable to operate or to direct or participate in the operation of a facility by virtue of financial capacity, appropriate business or professional experience, record of compliance with lawful orders of the Department, and lack of a revocation or suspension of a license during the previous 5 years;*

Facility administrator.

- (2) *The facility is under the supervision of an administrator who is licensed, if required, under the Illinois "Nursing Home Administrators Licensing Act", as now or hereafter amended; and*

Facility in compliance.

- (3) *The facility is in compliance with this Chapter, as now or hereafter amended, and any of the minimum standards, rules and regulations promulgated hereunder and the Illinois "Nursing Home Care Reform Act of 1979", as now or hereafter amended and any of the rules and regulations promulgated thereunder.*

Expiration and license renewal application procedure.

- 136-4. (a) *At least 120 days but not more than 150 days prior to license expiration, the licensee shall submit an application information statement and application in the same manner as provided for new applicants. If the application information statement and applications are approved, the license shall be renewed for an additional one-year period. If the application information statement and application for renewal are not timely filed, the Department shall so inform the licensee prior to commencement of revocation hearings under the provisions of Section 136-11 of this Chapter.*

Violation notice and license renewal issuance policy.

- (b) *The issuance or renewal of a license after notice of a violation has been sent shall not constitute a waiver of such violation as the basis for subsequent license revocation or other enforcement action under this Chapter arising out of the violation.*

Probationary license issuance.

- 136-5. (a) *If an applicant has not been previously licensed or if the facility is not in operation at the time application is made, the Department of Finance shall issue only a probationary license.*

Terms of probationary license.

- (b) *A probationary license shall be valid for 120 days unless sooner suspended or revoked. Within 30 days prior to the termination of a probationary license, the Department shall fully and completely reinspect the facility and, if the facility meets the applicable requirements of licensure, the Commissioner shall recommend that the Department of Finance issue a license.*

Terms of probationary license renewal and duration.

- (c) *If the Department finds that the facility does not meet the requirements for licensure but has made substantial progress toward meeting those requirements, the probationary license may be renewed once for a period not to exceed 120 days from the expiration date of the initial probationary license.*

Annual license fee.

- 136-6. (a) *The annual fee for a license to conduct a facility shall be \$900.00 for up to and including 50 beds and an additional \$10.00 for each bed over 50 beds.*

Exemption of annual fee.

- (b) *A facility which is operated without a charge being made for the care of residents shall be exempt from the payment of a license fee. The application for the license and application information statement for such facility shall be accompanied by an affidavit stating that no charge is made for the care of residents.*

Annual fee exemption protocol and duration.

- (c) *After investigation by the Department and upon the recommendation of the Commissioner, any facility that is not operated for gain, but where a charge is made for the care of patients, shall be exempt from payment of the license fee under the provisions hereof by a specific ordinance of the City Council. Such exemption shall continue only for the duration of the license period.*

*Issuance of license procedure maximum number of residents
and bed capacity.*

- 136-7. *The Department of Finance upon the receipt of an application for license hereunder shall request the Department, the Fire Department, the Department of Consumer Services, and the Department of Inspectional Services to make a thorough investigation of the applicant and premises proposed to be licensed and shall, pursuant to favorable recommendations and/or favorable reports from the above-named Departments of their findings in writing, issue a license to the applicant to operate a facility of the classification designated at the location specified. Each license shall state the maximum number of residents that may be accommodated at any one time and shall state the maximum bed capacity for which it is granted. Each license shall be issued for a period of one calendar year beginning January 1 and expiring December 31 and shall be issued only for the premises and persons named in the application.*

License display requirements and conditions.

- 136-8. *The license shall be displayed in a conspicuous place in the hall or near the main entrance inside the facility or there shall be a sign indicating that the license and other public information are available for inspection in a place accessible to residents, employees, visitors and staff. A license shall be valid only in the hands of the person to whom it is issued and it shall not be subject of sale, assignment, or other transfer, voluntary or involuntary, nor shall a license be valid for any premises other than those for which originally issued.*

Facility ownership transfer requirements a new license.

- 136-9. (a) *Whenever ownership of a facility is transferred from the person named in the license to any other person, the transferee shall obtain a new license.*

Notify Department of Health of transfer.

- (b) *The transferee shall notify the Department of the transfer and apply for a new license at least 30 days prior to transfer.*

License transferee when conditional license is issued.

- (c) *The license granted to the transferee shall be subject to any plan of correction, as provided by Section 136-28 of this Chapter, submitted by the previous owner and approved by the Department and any conditions contained in a conditional license issued to the previous owner. If there are outstanding violations and no approved plan of correction has been implemented, the Commissioner may direct that the Department of Finance issue a conditional license under the provisions of Section 136-31 of this Chapter.*

Transferor responsibility.

- (d) *The transferor shall notify the Department at least 30 days prior to transfer. The transferor shall remain responsible for the operation of the facility until such time as a license is issued to the transferee.*

Transferor liability of existing violations.

- (e) *The transferor shall remain liable for all penalties assessed against the facility which are imposed for violations occurring prior to transfer of ownership.*

Reasons for license denial.

- 136-10. (a) *An application for license may be denied for the following reasons:*

Chapter requirement failure.

- (1) *Failure to meet the requirements of this Chapter, as now or hereafter amended or any of the minimum standards, rules and regulations promulgated hereunder or the Illinois "Nursing Home Care Reform Act of 1979", as now or hereafter amended, or any of the rules and regulations promulgated thereunder;*

Conviction of license applicant.

- (2) *Conviction of the applicant, or if the applicant is a firm, partnership, or association, of any of its members, or if a corporation, the conviction of the corporation or any of its officers or stockholders, or of the person designated to manage or supervise*

the facility, of a felony, or of 2 or more misdemeanors involving moral turpitude, as shown by a certified copy of the record of the court of conviction, if the Commissioner determines, after investigation, that such person has not been sufficiently rehabilitated to warrant the public trust, or other satisfactory evidence that the moral character of the applicant, administrator, manager, or supervisor of the facility is not reputable;

Insufficient, unqualified personnel.

- (3) *Personnel insufficient in number of unqualified by training or experience to provide proper care for the number and type of residents; or*

*Financial insufficiency failure to meet Chapter requirements
or Nursing Home Care Reform Act of 1979.*

- (4) *Insufficient financial or other resources to operate and conduct the facility in accordance with the requirements of this Chapter, as now or hereafter amended, or any of the minimum standards, rules and regulations promulgated hereunder or of the Illinois "Nursing Home Care Reform Act of 1979", as now or hereafter amended, or any of the rules and regulations promulgated thereunder.*

Notify applicant upon denial of license.

- (b) *Immediately upon the denial of any application or renewal application for a license as provided herein, the applicant shall be notified in writing at the applicant's last known address as shown on the records of the Department. Notice of denial shall include a clear and concise statement of the reason or reasons upon which denial is based and of the opportunity for a hearing under the provisions of Section 136-12 of this Chapter.*

License revocation, suspension renewal criteria.

- 136-11. (a) *A license may be revoked, suspended, or renewed thereof denied, after notice to the licensee, for any of the following reasons:*

- (1) *Cruelty, neglect, or indifference to the welfare of a resident;*
- (2) *Misappropriation of the property of a resident;*
- (3) *Conversion of the property of a resident;*
- (4) *Violation of any provision of this Chapter, as now or hereafter amended, or any of the minimum standards, rules and regulations promulgated hereunder, or the Illinois "Nursing Home Care Reform Act of 1979", as now or hereafter amended, or any of the rules and regulations promulgated thereunder;*
- (5) *Any ground upon which an application for a license may be denied; or*
- (6) *Failure to pay within the time prescribed, a penalty or fine levied under the provisions of Section 136-30 of this Chapter.*

*Notification with reasons for suspension, revocation and
non-renewal, notice of hearing opportunity.*

- (b) *Notice under this section shall include a clear and concise statement of the reasons upon which the suspension, revocation, or non-renewal is based, the statute, ordinance, minimum standard, or rule or regulation violated, and notice of the opportunity for hearing under the provisions of Section 136-12 of this Chapter.*

*Effective date of suspension, revocation of non-renewal
by Department of Health.*

- (c) *The effective date of suspension, revocation, or non-renewal of a license by the Department shall be as follows:*

*Effective date of suspensions or revocation by notice
or post hearing.*

- (1) *Unless otherwise ordered by a court of competent jurisdiction, suspension or revocation is effective on the date set forth in the notice of suspension or revocation, or upon final decision after hearing under the provisions of section 136-12 of this Chapter, whichever is later.*

When non-renewal becomes effective.

*Result of Department of Health failure to respond for
renewal or hearing-license shall not expire.*

- (2) *Unless otherwise ordered by a court of competent jurisdiction, non-renewal is effective on the date of expiration of any existing license, or upon final decision after hearing under the provisions of Section 136-12 of this Chapter, whichever is later. However, a license shall not be deemed to have expired if the Department fails to timely respond to a timely request for renewal under the provisions of this Chapter or for a hearing to contest non-renewal.*

Reason for Department of Health extension of revocation date.

- (3) *The Department may extend the effective date of license revocation or expiration in any case in order to permit orderly removal and relocation of residence.*

*Requirement of applicant licensee for contesting action Department
procedure upon receiving license request.*

- 136-12. (a) *If a facility, applicant or licensee desires to contest any action of the City or any of the City's officers, agents, or employees under this Chapter, such applicant or licensee shall deliver a written request for a hearing to the Commissioner within 10 days of receipt of the notice of such action. The Commissioner shall then commence the hearing as provided herein.*

*Commissioner notice to applicant licensee making
request for hearing procedure.*

- (b) *Upon receipt by the Commissioner within the required time period of a request for a hearing by an applicant or a licensee, a notice of hearing shall be sent by the Commissioner to the person making the request for the hearing. The notice of hearing shall specify the date, time, and place of the hearing. The notice shall designate the decision being reviewed and shall cite the specified violation or violations. The notice may be served by delivering it personally to the parties or their representatives or by mailing it by certified mail to the party's last known address as shown by the Department records.*

Hearing Policy.

- (c) *The hearing shall be conducted by the Commissioner or a hearing officer designated by the Commissioner. The hearing shall commence within 30 days of the receipt of the request for hearing. The hearing shall proceed as expeditiously as practical but in all cases should conclude within 90 days of commencement.*

*Duration and results of hearing by
Commissioner or hearing officer.*

- (d) *The Commissioner or hearing officer shall make findings of fact based on the record in the hearing and shall render his decision within 30 days after the termination of the hearing unless additional time, not to exceed 90 days, is required by him for a proper disposition of the matter. When the hearing has been conducted by a hearing officer the Commissioner shall review the record and findings of fact before rendering a decision. All decisions rendered by the Commissioner shall be binding upon and complied with by the City, and its employees and agents, the applicant or licensees, and other persons involved in the hearing as appropriate to each case.*

Subpoena and Testimony of witnesses and records.

- (e) *The Commissioner or hearing officer may compel by subpoena or subpoena duces tecum the attendance and testimony of witnesses, and the production of books and papers, and administer oaths to witnesses.*
- (f) *The Commissioner or hearing officer shall permit any person to appear in person and to be represented by counsel at the hearing, at which time the applicant or licensee shall be afforded an opportunity to present all relevant matter in support of his position. All testimony taken at a hearing shall be reduced to writing and all such testimony and other evidence introduced at the hearing shall be a part of the record of the hearing.*
- (g) *The Commissioner or hearing officer shall not be bound by common law or statutory rules of evidence, or by technical or formal rules of procedure, but shall conduct hearings in the manner best calculated to result in substantial justice. The Commissioner shall promulgate rules of procedure to govern hearings under this section.*
- (h) *All subpoenas issued by the Commissioner or hearing officer may be served as provided for in civil actions. The fees of witnesses for attendance and travel shall be the same as the fees for witnesses before the Circuit Court and shall be paid by the party to such proceeding at whose request the subpoena is issued.*
- (i) *The Department at its own expense shall provide a stenographer to take the testimony or otherwise record the testimony and preserve a record of all proceedings under this section. The notice of hearing, the complaint and all other documents in the nature of pleadings and written motions filed in the proceedings, the transcript of testimony, all physical and documentary evidence introduced, and the findings and decision shall be the record of the proceedings.*
- (j) *Hearings involving the same licensee or applicant may be consolidated by the Commissioner or hearing officer. An issue decided as a result of a hearing may not be reheard at subsequent hearings.*
- 136-13. (a) *The Board of Health shall adopt, publish, and the Department shall enforce minimum standards, rules and regulations relating to the administration, operation, maintenance, and conduct of facilities and the care, treatment, records, rehabilitation, recreation, and maintenance of residents thereof as it shall deem necessary for an effective administration of, and not inconsistent with this Chapter, as now or hereafter amended and the statutes, rules and regulations of the State of Illinois or its governmental departments or agencies which shall ensure the health, safety, and comfort of residents. These minimum standards, rules and regulations shall relate, but shall not be limited to:*

- (1) *Plumbing, heating, lighting, ventilation, and other housing conditions which shall ensure the health, safety, and comfort of the residents and protection from fire hazard as applicable under the requirements of the Municipal Code of the City, the Department of Inspectional Services, and the Fire Department;*
 - (2) *Number and qualifications of all personnel including management, medical, and nursing personnel having responsibility for any part of the care given to residents;*
 - (3) *All sanitary conditions within the facility and its surroundings, including water supply, sewage disposal, food handling and general hygiene which shall ensure the health and comfort of the residents;*
 - (4) *Diet related to the needs of each resident based on good nutritional practice and on recommendations which may be made by physicians attending the resident;*
 - (5) *Equipment essential to the health and welfare of residents of facilities;*
 - (6) *A program of habilitation and rehabilitation for those residents who would benefit from such programs;*
 - (7) *Resident's rights and facilities responsibilities in involuntary discharge and transfer actions.*
- (b) *Facilities shall comply with such minimum standards, rules and regulations established by the Board of Health.*
- 136-14. (a) *Any building used as a Nursing Home, Sheltered Care Home, or Home for the Aged as defined by the provisions of Section 136-1 of this Chapter shall comply with the building and zoning provisions and fire regulations of the Municipal Code of the City of Chicago, and the minimum standards, rules and regulations for such facilities as prescribed by the Board of Health; provided, that those homes licensed or for which a permit for construction or alteration for home purposes has been issued, or for which an application for such license or permit had been filed by the owner or lessee of the premises prior to December 22, 1954, may be located in an institutional building, or in a single or multiple dwelling of Type III-A, III-B and III-C, or Type II construction not exceeding three stories and basement in height and having sleeping accommodations for not more than 50 persons including attendants. In those instances where the building is of Type III-A, III-B or III-C, or Type II construction, those portions may be replaced with construction equal to or better than Type III-B, or III-C construction; provided, there is no increase in occupancy content.*
- (1) *If, in those cases permitted by subsection (a), a single or multiple dwelling is used for a home as herein defined, and such dwelling has sleeping accommodations above the first story, it shall be provided with at least two stairways, each of which shall be not less than three feet wide. Each such stairway shall be enclosed with walls, partitions, floors, and ceilings of non-combustible construction or of construction consisting of wood studs or wood joists and a non-combustible surface material providing fire resistance of not less than one hour, the door openings of which will be protected by self-closing Class B fire-resistive doors. A separate door exit shall be provided for each stairway and for each exit from the basement to the outside of the building.*
 - (2) *Where sleeping accommodations are provided in the third story of such building they may not exceed six in number and may be used only for the licensee's family and staff, if none of them is a resident. No person in any home may occupy any part of a basement as a habitable room.*

- (b) *Any building used as a Residential Care (Half-Way) Home as defined under the provisions of Section 136-1 of this Chapter shall comply with the building and zoning provisions and fire regulations of the Municipal Code of the City of Chicago and the minimum standards, rules and regulations for such facilities as prescribed by the Board of Health; provided, that those homes licensed or for which a permit for construction or alteration for home purposes has been issued, or for which an application for such license or permit had been filed by the owner or lessee of the premises prior to January 1, 1969, may be located in an institutional building, or in a building of Type III-A, III-B, III-C, or Type II construction. If, in those cases permitted by this subsection (b), a single or multiple dwelling is used for a home as herein defined and such dwelling has sleeping accommodations above the first story, it shall be provided with at least two stairways. Each stairway shall be enclosed with walls, partitions, floors, and ceilings of noncombustible construction consisting of wood studs or wood joists and a noncombustible surface material providing fire resistance of not less than one hour, the door openings of which shall be protected by self-closing Class B fire-resistive doors. A separate door exit shall be provided for each such stairway and for each exit from the basement to the outside of the building. No person in any home may occupy any part of a basement as a habitable room.*
- (c) *Any building used as a Residential Care (Half-Way) Home shall comply with the regulations of Section 64-3 (h) of the Municipal Code of the City of Chicago pertaining to sprinkler systems.*
- (d) *Any building used as a Residential Care (Half-Way) Home shall have a fire alarm system.*
- (e) *It shall be the duty of the owner or operator or other person in charge of a Residential Care (Half-Way) Home to conduct fire drills subject to the rules and regulations of the Bureau of Fire Prevention of the Fire Department. Such fire drills shall be practiced not less than once every 60 days.*
- 136-15. (a) *No person except a volunteer who receives no compensation from a facility and is not included for the purpose of meeting any staffing requirements established by the Board, shall act as a nurses's aide, orderly, or nurse technician in a facility, nor shall any person under any other title not otherwise licensed by the State Board of Education, assist in the care and oversight of residents of a facility unless said person meets the following Department requirements:*
- Age.*
- (1) *Be at least 16 years of age, of temperate habits and good moral character, honest, reliable, and trustworthy;*
- Language.*
- (2) *Be able to speak and understand the English language or a language understood by a substantial percentage of the facility's residents;*
- Prior recommendations.*
- (3) *Provide evidence of his employment or occupation and residence for 2 years prior to his present employment;*
- Education.*
- (4) *Have completed at least 8 years of grade school or provide proof of equivalent knowledge;*

Training.

- (15) *Successfully complete a current course of training for nurse's aides, orderlies and nurse technicians, or an equivalent course of training provided for under the provisions of the Illinois "Nursing Home Care Reform Act of 1979", as now or hereafter amended and any of the rules and regulations promulgated thereunder; and*

General skills.

- (16) *Be familiar with and have general skills related to resident care.*

Supervision of duties.

- (b) *Persons subject to the provisions of this section shall perform their duties under the direct supervision of licensed nursing personnel.*

Non-professional personnel prohibitions.

- (c) *It shall be unlawful for any person to act as a nurse's aide, orderly, or nurse technician, or under any other title, not licensed by the State Board of Education to assist in the care of residents in a facility, unless such person has complied with the provisions of this section.*

Non-professional personnel employment requirement.

- (d) *It shall be unlawful for any facility to employ any person in the capacity of nurse's aide, orderly, or nurse technician, or under any other title, not licensed by the State Board of Education to assist in the care of residents in such facility unless such person has complied with the provisions of this section.*

License practical nurse and residents' medication.

- (e) *It shall be unlawful for any licensed practical nurse to assume responsibility for residents' medications without having successfully completed a course in pharmacology for nurses approved by the State Board of Education. However, any licensed practical nurse who has not successfully completed an approved course in pharmacology can assume responsibility for residents' medications under the direct supervision of an individual licensed to pass medications provided the LPN is enrolled in such a course.*
- (f) *Proof of compliance by each employee with the requirements provided herein shall be maintained by the facility in the personnel record of the employee.*
- (g) *Each facility shall send to the Department on a form provided by the Department the name and residence address of each employee, and shall certify that each employee subject to the provisions of this Section meets all the requirements set forth herein.*

136-15.1. *No person licensed as a Physician's Assistant, as defined by the Illinois "Physician's Assistants Act" shall perform any function not in conformity with the provisions of said Act.*

136-15.2. *The licensee of a facility shall cause all employees of such nursing home to be trained in fire emergency techniques under the supervision of the Bureau of Fire Prevention at intervals of not more than 6 months. Such compulsory training shall also be given to all employees once in each month subject to the following:*

- (a) *Basic fire prevention;*

- (b) *Proper procedures in notifying the Fire Department in the event of an emergency;*
 - (c) *Operation of the fire alarm system;*
 - (d) *Care and use of fire fighting equipment;*
 - (e) *Evaluation procedures and care of patients during fire emergencies.*
- 136-16. (a) *A facility shall immediately notify the resident's next of kin, representative, and a physician when the resident's life is threatened by his physical condition or death appears to be imminent or upon the death of a resident.*
- (b) *There shall be provided in each such facility a suitable room or area approved by the Board of Health for the proper care of the dead pending their removal. A resident shall be pronounced dead by a duly licensed physician admitted to practice in the State of Illinois.*
- (c) *No person acting as superintendent or manager, or who is otherwise in charge or control of any facility, nor any person connected with*
any facility, nor any person connected with any facility in any capacity whatsoever as nurse, physician, or attendant, shall order, permit, or allow the body of any resident or person who has been under care in such facility, and who shall have died therein to be removed from such facility at any time within twenty-four hours after the time of death, unless the removal of such body has been authorized in advance according to a written statement by the resident or in writing by some member of the immediate family of such deceased person or by some person legally authorized to order or permit such a removal or the facility can demonstrate a reasonable effort to secure such written authorization, and no such body shall be removed otherwise than in accordance with the provisions of Section 93-10 of the Municipal Code of the City concerning the removal of dead bodies; provided that no body shall be kept at any facility longer than 36 hours after death without permission from the Department.
- 136-17. *Nothing in the provisions of this Chapter shall be construed as authorizing or requesting the medical supervision, regulation, or control of the remedial care or treatment of residents in any facility conducted for those who rely upon treatment by prayer or spiritual means in accordance with the creed or tenets of any well recognized church or religious denomination. A license is required and all remaining rules and regulations and minimum standards shall apply.*
- 136-18. (a) *A person who believes that this Chapter, as now or hereafter amended, or any of the minimum standards, rules or regulations promulgated hereunder or the Illinois "Nursing Home Care Reform Act of 1979", as now or hereafter amended, or any of the rules and regulations promulgated thereunder have been violated, may request an investigation. The request may be submitted to the Department in writing, by telephone, or by personal visit. An oral complaint shall be reduced to writing by the Department.*

- (b) *The substance of the complaint shall be provided in writing to the licensee, owner, or administrator of the facility no earlier than at the commencement of any on-site inspection of the facility which takes place pursuant to the complaint.*
 - (c) *The complaint, a copy of the complaint, or a record published, released, or otherwise disclosed to the facility shall not disclose the name of the complainant unless the complainant consents in writing to the disclosure or the investigation results in a judicial proceeding, or unless disclosure is essential to the investigation. The complainant shall be given the opportunity to withdraw the complaint before disclosure. Upon the request of the complainant, the Department may permit the complainant or his representative to accompany the person making the on-site inspection of the facility.*
 - (d) *Upon receipt of a complaint, the Department shall cause an investigation to be made into whether any statute, ordinance, rule, regulation, or minimum standard has been, is being, or is in danger of being violated.*
 - (e) *Any person dissatisfied with the results of an investigation by the Department may request a hearing in accordance with this section.*
- 136-19. (a) *The Commissioner may transfer or discharge any resident from any facility required to be licensed under this Chapter when any of the following conditions exist:*
- (1) *Such facility is operating without a license; or*
 - (2) *The Commissioner has suspended, revoked, or refused to renew the license of the facility as provided in this Chapter.*
- (b) *In deciding to transfer or discharge a resident from a facility, the Department shall consider the likelihood of serious harm which may result if the resident remains in the facility.*
- 136-20. (a) *Each facility shall be provided with a suitable room or rooms, approved by the Department, to be used for cases of serious illness, terminal cases, and for the isolation of contagious, infectious, epidemic, or communicable diseases. The room or rooms thus provided shall have a handwashing sink with hot and cold running water supply.*
- (b) *It shall be the duty of every person conducting or operating any facility within the City of Chicago to cooperate with the Department in minimizing the danger of transmission of communicable diseases as set forth in the minimum standards, rules and regulations promulgated by the Board of Health.*
- 136-21. (a) *Every facility shall conspicuously post for display in an area of its offices accessible to residents, employees, and visitors the following:*
- (1) *Its current license;*
 - (2) *A description, provided by the Department, of complaint procedures established under this Chapter, and the name, address, and telephone number of a person authorized by the Commissioner to receive complaints;*
 - (3) *A copy of any order or decision pertaining to the facility issued by the Commissioner or a court; and*

- (4) *A copy of the Resident's Rights Provisions.*
- (b) *Every facility shall retain the following for public inspection and shall post a sign stating that the following is available:*
 - (1) *A complete copy of every inspection report of the facility received from the City during the previous 5 years;*
 - (2) *A copy of every order or decision pertaining to the facility issued by the Commissioner or a court during the previous 5 years;*
 - (3) *A description of the services provided by the facility and the rates charged for those services and items for which a resident may be separately charged;*
 - (4) *A copy of the statement of ownership required under the provisions of Section 136-2(d) of this Chapter;*
 - (5) *A record of personnel employed or retained by the facility who are licensed, certified, or registered by the Illinois Department of Registration and Education; and*
 - (6) *A complete copy of the most recent inspection report of the facility received from the Department.*
- 136-22. (a) *Every facility shall be open at all times to inspection by agencies of the City, including but not limited to the Department of Health, the Department of Consumer Services, the Department of Inspectional Services, and the Fire Department.*
- (b) *All persons entering a facility under the provisions of this Section shall promptly notify appropriate facility personnel of their presence. They shall, upon request, produce identification to establish their identity. No such person shall enter the immediate living area of any resident without first identifying himself and then receiving permission from the resident to enter. The rights of other residents present in the room shall be respected. A resident shall have the right to terminate at any time a visit by a person having access to the resident's living area. Any individual denied access to a facility may request a hearing under the provisions of this Section.*
- (c) *The provisions of this Section shall not limit the power of the Department or other public agencies otherwise permitted or required by law to enter and inspect a facility.*
- (d) *The Department, whenever the Commissioner deems necessary, but not less than annually, shall inspect, survey, and evaluate every facility to determine compliance with applicable licensure and certification requirements and minimum standards, rules and regulations. The Department may periodically visit a facility for the purpose of consultation. An inspection, survey, or evaluation, other than an inspection of financial records, shall be conducted without prior notice to the facility. A visit for the sole purpose of consultation may be announced.*
- (e) *Any officer, employee, or agent of the City charged with inspecting, surveying, and evaluating facilities, who directly or indirectly gives prior notice of an inspection, survey, or evaluation other than an inspection of financial records, to a facility or to an employee of a facility shall be subject to a fine of not less than \$100.00 and not more than \$200.00 and a sentence of not more than 6 months imprisonment or both.*

- (f) *Any holder of a license or applicant for a license shall be deemed to have given consent to any authorized officer, employee, or agent of the City to enter and inspect the facility in accordance with this Chapter. Refusal to permit such entry or inspection shall constitute grounds for denial, nonrenewal, suspension, or revocation of license as provided in this Chapter.*
 - (g) *The Department shall require periodic reports and shall have access to books, records, and other documents maintained by the facility to the extent necessary to carry out the provisions of this Chapter, as now or hereafter amended, and any of the minimum standards, rules and regulations promulgated hereunder, and the Illinois "Nursing Home Care Reform Act of 1979", as now or hereafter amended, and any of the rules and regulations promulgated thereunder.*
- 136-23. (a) *Each facility shall maintain records for each resident which shall include the name, address, age, sex, marital status, information required for the filling in of a death certificate, and the date of admission and discharge or disposition of each resident in the facility, a medical record, physician's order record, nursing notes, and shall make a reasonable effort to establish and maintain a list of resident's small items of value.*
- (b) *Accurate records of financial transactions involving use of resident's funds shall be on file in the facility.*
- (c) *Complete personnel records shall be maintained in the facility for all employees and shall include records of education, experience, findings of physical examinations as to physical and mental fitness and showing freedom from any communicable disease, and a current professional license wherever required. Daily work and time schedules of employees shall also be maintained.*
- 136-24. *It shall be the duty of every person charged with the responsibility of operating and managing a facility to make the following reports:*
- (1) *All accidents involving injury to residents which occur on the premises of any facility shall be reported immediately to the Department and to the Chicago Police Department.*
 - (2) *Any assault or battery upon any resident in any facility caused by any employee, visitor, or any other person shall be reported immediately to the Department and to the Chicago Police Department.*
 - (3) *Any occurrence of epidemic, communicable, or contagious disease shall be reported immediately to the Department by telephone or by mail. Such reports shall contain the names and residence of all persons suffering from any such disease together with such other information as may be required by the Department.*
 - (4) *Written reports shall be made to the Department on or before the fifth day of each calendar month, showing a complete record of the facility during the preceding month, including the names and addresses of residents who have died during the month, the cause of each death, and such other information as may be required by the Department.*
 - (5) *All reports required to be made to the Department in writing shall be made in full upon forms furnished for that purpose by the Department and shall be signed by the chief physician, manager, or licensee in charge of the facility.*

136-25. (a) No person shall:

- (1) Prevent, interfere with, or attempt to impede in any way the work of any duly authorized representative of the City or its agencies or employees in the investigation and enforcement of this Chapter;*
- (2) Prevent or attempt to prevent any such representative from examining any relevant books or records in the conduct of official duties under this Chapter;*
- (3) Prevent or interfere with any such representative in the preservation of evidence of any violation of this Chapter;*
- (4) Retaliate or discriminate against any employee, resident, or resident's agent or representative for contacting or providing information to the City, or for initiating, participating in, or testifying in an action for any remedy authorized under this Chapter;*
- (5) Willfully file any false, incomplete, or intentionally misleading information required to be filed under this Chapter; or*
- (6) Open or operate a facility without a license.*

- (b) Any person violating any of the provisions of Section 136-25(a) shall be subject to a fine of not less than \$200.00 and not more than \$400.00, and a sentence of not more than 6 months imprisonment, or both, for each offense. Each day such violation shall continue shall constitute a separate and distinct offense.*

136-26. (a) If upon inspection or investigation the Commissioner determines that a facility is in violation of this Chapter, as now or hereafter amended, or any of the minimum standards, rules and regulations promulgated hereunder, or the Illinois "Nursing Home Care Reform Act of 1979", as now or hereafter amended or any of the rules and regulations promulgated thereunder, the Commissioner shall promptly serve a notice of violation upon the licensee at the last known address of the licensee as shown on the records of the Department.

Each notice of violation shall be prepared in writing and shall specify the nature of the violation and the provision or rule alleged to have been violated. The notice shall inform the licensee of any action the Commissioner may take including, but not limited to, the requirement of a facility plan of correction under the provisions of this section, assessment of a penalty under the provisions of Section 136-28; issuance of a conditional license under the provisions of Section 136-29; placement of the facility on a list prepared under the provisions of Section 136-27; or license revocation or suspension under the provisions of Section 136-11. The notice shall also inform the licensee of his right to a hearing under the provisions of Section 136-12.

- (b) Each day of violation constitutes a separate violation for purposes of assessing penalties under the provisions of Section 136-28. No penalty may be assessed for a condition for which the facility has received a variance or waiver of a standard under Title XVIII or XIX.*
- (c) A situation, condition, or practice constituting a Type "A" violation shall be abated or eliminated immediately unless a fixed period of time, not exceeding 15 days, as determined by the Department and specified in the notice of violation, is required for correction.*

(d) *At the time of issuance of a Type "B" or Type "C" violation, the Commissioner shall request a plan of correction from the licensee which is subject to the Department's approval. The licensee shall have 20 days after receipt of notice of violation in which to prepare and submit a plan of correction. The Commissioner may extend this period up to 30 days where correction involves substantial capital improvement. The plan shall include a fixed time period not in excess of 90 days within which violations are to be corrected.*

If the Commissioner rejects a plan of correction, he shall send notice of the rejection and the reason for the rejection to the licensee. The licensee shall have 10 days after receipt of the notice of rejection in which to submit a modified plan. If the plan or modified plan is not timely submitted, or if the modified plan is rejected, the facility shall follow an approved plan of correction imposed by the Commissioner.

(e) *If the violation has been corrected prior to submission and approval of a plan of correction, the licensee may submit a report of correction in place of a plan of correction. Such report shall be signed by the administrator under oath.*

(f) *Upon a licensee's petition, the Department shall determine whether to grant a licensee's request for an extended correction time. Such petition shall be served on the Commissioner prior to expiration of the correction time originally approved. The burden of proof is on the petitioning licensee to show good cause for not being able to comply with the original correction time approved.*

(g) *If a licensee desires to contest any action under the provisions of this Section, the licensee shall send a written request for a hearing under the provisions of Section 136-12 of this Chapter.*

136-27. *The Department shall prepare on a monthly basis a list containing the names and addresses of all facilities with an existing Type "A" violation or with 5 or more existing violations of any type for which a plan of correction has not been timely submitted to the Commissioner, for which a plan of correction has been disapproved, or for which an approved plan of correction has not been carried out. The list shall specify the number and type of each facility's violations. A copy of the monthly list of violators shall be sent to the Director of the Illinois Department of Public Health. The Department shall notify each facility placed on the list of such placement at least 10 days prior to issuance of the list. Any facility placed on the list may request a hearing provided under the provisions of Section 136-12 of this Chapter.*

A facility shall be removed from the list when all corrections are made or when a plan of correction for all deficiencies is approved by the Department. The list shall also indicate those facilities which have been removed from the list during the prior month.

136-28 (a) *The licensee of a facility which is in violation of this Chapter, as now or hereafter amended, or any of the minimum standards, rules and regulations promulgated hereunder, or the Illinois "Nursing Home Care Reform Act of 1979", as now or hereafter amended, or any of the rules and regulations promulgated thereunder, may be subject to the penalties levied directly by the Commissioner as provided herein.*

(1) *Unless a greater penalty is allowed under subsections (4), (7), and (8), a person who commits a Type "A" violation is subject to a penalty computed at a rate of \$4.50 per resident in the facility plus 15 cents per resident for each day of the violation, commencing on the date the violation is discovered and ending on the date the violation is corrected, or a fine of not less than \$1,000.00, whichever is greater.*

- (2) *Unless a greater penalty is allowed under subsections (4), (7), and (8), a person who commits a Type "B" violation is subject to a penalty computed at a rate of \$3.00 per resident in the facility plus 10 cents per resident for each day of the violation, commencing on the date the violation is discovered and ending on the date the violation is corrected, or a fine of not less than \$750.00, whichever is greater.*
 - (3) *Unless a greater penalty is allowed under subsections (4), (7), and (8), a person who commits a Type "C" violation is subject to a penalty computed at a rate \$1.50 per resident in the facility plus 5 cents per resident for each day of the violation, commencing on the date the violation is discovered and ending on the date the violation is corrected, or a fine of not less than \$500.00, whichever is greater.*
 - (4) *A person who commits a Type "A", "B", or "C" violation which continues beyond the time specified in paragraphs (c) or (d) of Section 136-28 is subject to a penalty computed per resident per day under subsections (1), (2), or (3).*
 - (5) *For the purpose of computing a penalty under subsections (2) through (4), the number of residents per day shall be based on the average number of residents in the facility during the 30 days preceding the discovery of the violation.*
 - (6) *When the Commissioner finds that a provision of Section 136-35 of this Chapter has been violated with regard to a particular resident, the Commissioner shall issue an order requiring the facility to reimburse the resident for injuries incurred, or \$100.00, whichever is greater.*
 - (7) *If the violation or group of violations results from inadequate staffing, a penalty may be imposed equal to the total difference between the cost of the staff actually employed and the estimated cost of the staff required. The number of staff required shall be determined by the provider contract, by court order, or by the Commissioner by rule, whichever is greatest. The inadequate staff shall be presumed to exist from the date of the notice of violation.*
 - (8) *A facility which violates an ordinance, statute, rule or regulation, or minimum standard and which has received notices of violations of the same ordinance, statute, rule or regulation, or minimum standard on 2 or more separate occasions within the prior 2-year period is subject to a penalty of 3 times the amount authorized by subsections (1), (2), or (3), for the class of violation involved.*
 - (9) *A notice of violation found to be unjustified after hearing may not be considered in determining whether to apply the penalties provided herein.*
- (b) *In determining whether a penalty is to be imposed and in fixing the amount of the fine, if any, for a violation, the Commissioner shall consider the following factors:*
- (1) *The gravity of the violation including the probability that death or serious physical or mental harm to a resident may result or has resulted; the severity of the actual or potential harm, and the extent to which the provisions of the applicable statutes, rules or regulations or minimum standards were violated.*
 - (2) *The reasonable diligence exercised by the licensee and the efforts to correct violations;*

- (3) *Any previous violations committed by the licensee; and*
- (4) *The financial benefit to the facility of committing or continuing the violation.*
- (c) *If the Commissioner determines that a penalty should be assessed for a particular violation or for failure to correct it, he shall send a notice to the facility. The notice shall specify the amount of the penalty assessed, the section, ordinance, statute, rule, regulation, or minimum standard violated and shall inform the licensee of a right to a hearing under the provisions of Section 136-12 of this Chapter.*
- (d) *In the case of a Type "A" violation, a penalty may be assessed from the date on which the violation is discovered. In the case of a Type "B" or Type "C" violation, the facility shall submit a plan of correction as provided under the provisions of Section 136-26. If a plan of correction is approved and carried out, no penalty may be assessed for the violation during the time period specified in the approved plan of correction. If a good faith plan of correction is not received within the time provided herein, a penalty may be assessed from the date of discovery of the Type "B" or "C" violation until the date of the receipt of a good faith plan of correction, or until the date the violation is corrected, whichever is earlier. If a violation is not corrected within the time specified by an approved plan of correction or any lawful extension thereof, a penalty may be assessed from the date of discovery of the violation, until the date the violation is corrected.*
- (e) *All penalties or fines shall be paid to the Department of Finance within 10 days of receipt of notice of assessment for use by the Department in enforcement of this Chapter or if the penalty or fine is contested, within 10 days of receipt of the final decision of the Commissioner unless the decision is appealed and stayed by court order.*

If the person or facility against whom a penalty has been assessed does not comply with a written demand for payment within 30 days, the Commissioner shall issue an order to do any of the following:

- (1) *Add the amount of the penalty to the facility's licensing fee; if the licensee refuses to make the payment at the time of application for renewal of its license, the license shall not be renewed; or*
 - (2) *Bring an action in Circuit Court to recover the amount of the penalty.*
 - (f) *In addition to the right to assess penalties provided herein, the Commissioner may issue a conditional license under the provisions of Section 136-29 of this Chapter.*
 - (g) *The levying of a penalty or fine by the Commissioner shall not be construed to preclude the revocation or suspension of any license issued under the provisions of this Chapter.*
- 136-29. (a) *The Commissioner may direct that the Department of Finance issue a conditional license to any facility if the Commissioner finds that either a Type "A" or Type "B" violation exists in such a facility. The issuance of a conditional license shall revoke any license of the facility.*
- (b) *Prior to the Commissioner's direction to the Department of Finance that a conditional license be issued, the Commissioner shall review and approve the written plan of correction. Retention of the conditional license shall be conditional on meeting the requirements of the plan of correction.*

- (c) *The Commissioner shall notify the licensee, in writing, of the decision to issue a conditional license and such notice shall specify, in writing, the violations which prevent full licensure and shall state a time schedule for correction of deficiencies.*
 - (d) *A conditional license shall be issued for a period specified by the Commissioner but in no event for more than one year. The Commissioner shall periodically inspect any facility operating under a conditional license. If the Commissioner finds substantial failure by the facility to follow the plan of correction, the conditional license may be revoked as provided under Section 136-11.*
 - (e) *If the Commissioner determines that a conditional license shall expire without renewal or replacement by a regular license, the Commissioner shall notify the licensee, in writing, at least 30 days prior to the expiration of the conditional license. The notice shall inform the licensee of the right to a hearing under the provisions of Section 136-12 of this Chapter.*
- 136-30. *The operation or maintenance of a facility in violation of this Chapter, as now or hereafter amended, or any of the minimum standards, rules and regulations promulgated hereunder or the Illinois "Nursing Home Care Reform Act of 1979", as now or hereafter amended, or any of the rules and regulations promulgated thereunder, is declared a public nuisance inimical to the public welfare. The City of Chicago may, in addition to other remedies herein provided, bring action for an injunction to restrain such violation or to enjoin the future operation or maintenance of any such facility.*
- 136-31. *The remedies provided by this Chapter are cumulative and shall not be construed as restricting any party from seeking any remedy, provisional or otherwise, provided by law for the benefit of the party, or from obtaining additional relief based upon the same facts.*
- 136-32. *No part of this Chapter shall be construed to lessen any requirement, condition, or restriction regarding disclosure of a resident's clinical records imposed by the United States, the State of Illinois, or the City, whether by statute, ordinance, rule or regulation, or judicial decision.*
- 136-33. *If any provision, clause, sentence, paragraph, section, or part of this ordinance shall, for any reason, be adjudged by a court of competent jurisdiction to be unconstitutional or invalid, said judgment shall not affect, impair, or invalidate the remainder of this ordinance.*
- 136-34. *The Commissioner may appoint a Long-Term Care Facility Advisory Board to consult with the Department.*
- (a) *The Board shall be comprised of the following persons:*
 - (1) *The Commissioner who shall serve as Chairman, ex officio;*
 - (2) *One representative each of the City Fire Department, Department of Inspectional Services, Department of Finance, and the Department of Consumer Services;*
 - (3) *One resident of a long-term care facility;*
 - (4) *One representative of the general public and two family members of a resident in a long-term care facility;*
 - (5) *Seven representatives of long-term care facilities.*

(b) *Members of the Board shall be appointed to serve for terms as follows: 4 for one year; 4 for 2 years; 5 for 3 years. Each successor member shall be appointed for a term of 4 years. Any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term. The board shall meet as frequently as the chairman deems necessary, but not less than 4 times each year. Upon request by 7 or more members the chairman shall call a meeting of the Board. The Board members shall be reimbursed for their actual expenses incurred in the performance of their duties.*

(c) *The Department shall consult with the Advisory Board on matters of policy affecting administration of this Chapter, and in the development and revision of minimum standards, rules and regulations promulgated thereunder.*

136-35. *No resident shall be deprived of any rights, benefits or privileges guaranteed by the Constitution of the United States, the Constitution of the State of Illinois, or the Resident's Rights as incorporated in the Illinois "Nursing Home Care Reform Act of 1979", as of the date of the passage of this Chapter.*

SECTION 2. This ordinance shall take effect and be in force from and after its passage.

MISCELLANEOUS BUSINESS.

*Committee Discharged--On Proposed Ordinance Authorizing
the Execution of a Deferred Compensation Plan for
City Employees.*

Alderman Frost moved to *Suspend the Rules Temporarily* for the purpose of discharging the Committee on Finance from further consideration of an ordinance relating to a deferred compensation plan for City employees. The motion *Prevailed*.

Alderman Frost next moved to *Discharge the Committee on Finance* of the said proposed ordinance. The motion *Prevailed*.

Alderman Frost then moved to pass said proposed ordinance.

After debate, Alderman Frost moved the *Previous Question*. The motion *Prevailed*.

Thereupon, on motion of Alderman Frost the said proposed ordinance was *Passed*, by yeas and nays as follows:

Yeas--Aldermen Roti, Barnett, Kenner, Sawyer, Shaw, Huels, Majerczyk, Burke, Brady, Barden, Kellam, Sherman, Stemberk, Lipinski, Shumpert, Nardulli, Carothers, Davis, Hagopian, Martinez, Gabinski, Frost, Marcin, Farina, Casey, Cullerton, Laurino, Rittenberg, Pucinski, Natarus, Merlo, Clewis, Axelrod, Schalter, Volini, Orr, Stone--37.

Nays--Aldermen Bertrand, Humes, Streeter, Oberman--4.

The following is said ordinance as passed:

WHEREAS, By a resolution passed March 20, 1980, relating to the Employee Benefits and Compensation Plan established for City employees for the year 1980, the City Council provided that all eligible employees shall have an opportunity to participate in a deferred compensation plan; and

WHEREAS, The attached Plan (Exhibit A) is consistent with such resolution in providing an opportunity to all eligible City employees to belong to a deferred compensation plan; and

WHEREAS, The attached Plan (Exhibit A) meets the requirements of Section 457 of the Internal Revenue Code of 1954, concerning State and Local Government Deferred Compensation Plans; now, therefore,

Be It Ordained by the City Council of the City of Chicago:

SECTION 1. The Plan attached hereto as Exhibit A is hereby approved by the City, and the Mayor is hereby authorized to execute on behalf of the City the Deferred Compensation Plan in substantially the following form:

The City of Chicago hereby adopts and establishes the City of Chicago Deferred Compensation Plan, (hereinafter called the Plan). The Plan consists of the provisions set forth in this document, and is applicable to each public employee who elects to participate in the Plan. The Plan is effective to each such public employee upon the date he becomes a "Participant" by signing and filing the Participation Agreement referred to herein with the Administrator.

ARTICLE I

Definitions

- 1.01 A definition of words and terms used in this plan is attached, entitled Exhibit "A", and by this reference is made a part of this Plan.

ARTICLE II

Election to Defer Unearned Compensation.

- 2.01. Compensation will be deferred for any calendar month only if an agreement providing for such deferral is entered into before the beginning of such month.
- 2.02. Upon signing the Participation Agreement, the Participant elects to participate in this Plan and consents to the Employer deferring the amount specified in the Participation Agreement from the Participant's gross compensation for each pay period.
- 2.03. The Participant may revoke his election to participate and may amend the amount of compensation to be deferred on his investment specification by signing and filing with the Administrator a written revocation or amendment on a form and in the procedural manner approved by the Administrator. Any such revocation or amendment shall be effective prospectively only, and shall cause no change in the allocation of amounts invested prior to the filing date of the amendment or revocation.
- 2.04. The original election to participate shall be effective for pay periods commencing during the first month after the date on which the Participation Agreement is filed with the Administrator.

Notice to All Participants to Read These Provisions Providing Deferral Limitations and "Catch-Up" Deferrals Under the Plan.

- 2.05. Except as provided in section 2.06, the maximum that may be deferred under the Plan for the Participant's taxable year shall not exceed the lesser of (a) \$7,500 or (b) 33 1/3% of the Participant's includible compensation as provided in I.R.C. of 1954 Section 457, less any contribution made on behalf of the Participant to a 403(b) annuity which are excludable from the Participant's gross income.

- 2.06. For one or more of the Participant's last 3 taxable years ending before he attains normal retirement age under the Plan, the maximum deferral shall be the lessor of (a) \$15,000 or (b) the sum of i) the limitation established for purposes of Section 2.05 of the Plan for the taxable year (determined without regard to this section), plus ii) so much of the limitation established under section 2.05. for taxable years before the taxable years as has not heretofore been used under section 2.04 or Section 2.06 as provided in I.R.C. of 1954 Section 457.

ARTICLE III

Accounts and Reports.

- 3.01. The Employer shall remit the deferred amount to the Administrator or his designated agent. The Administrator shall have no duty to determine whether the funds paid to him by the Employer are correct nor to collect or enforce such payment.
- 3.02. For convenience and to facilitate an orderly administration of the Plan, the Administrator shall maintain a deferred account with respect to each Participant. All assets of the Plan, including all deferred amounts, property and rights purchased with deferred amounts, and all income attributable to such deferred amounts, property or rights, shall be the exclusive property of the Employer and shall be subject to all the claims of creditors of the Employer, without protection or preference.
- 3.03. Upon receipt of each deposit of deferred amounts by the underwriter of the designated investment option made pursuant to this Plan, the Participant's deferred account shall be credited with the amount received. A written report of the status of the Participant's deferred account shall be furnished at least semi-annually and within ninety (90) days after the end of each reporting period.
- 3.04. All interest, dividends, charges for premiums and administrative expenses, and changes in value due to market fluctuations that would be applicable to each Participant's deferred account had his deferred amount been invested in accordance with his investment specification shall be credited or debited to the account as they occur. Although the Participant has no control over the account, all credits to the Participant's account shall be subject to and measured as if invested in the Participant's then effective investment specification. All reports to the Participant shall be based on fair market value as of the reporting date, as if the deferred amount had been invested according to the Participant's investment specification.
- 3.05. Within ninety (90) days after the end of the calendar year, the Administrator shall file with the Employer a written report of the assets of the Plan, a schedule of all receipts and disbursements and a report of all material transactions of the Plan during the preceding year.
- 3.06. The Administrator's records shall be open to inspection during the normal business hours by the Employer or any Participant, or their designated representatives.
- 3.07. The rights of the Participant created by this Plan shall be that of a general creditor of the Employer only and in an amount equal to fair market value of the deferred account maintained with respect to the Participant determined as if the deferred amounts had been invested pursuant to the Participant's investment specification. The Participant acknowledges that his rights are no greater than those of a general creditor of the Employer and that any suit for an accounting, to impose a constructive trust, or to recover any sum under this Plan the Participant's rights are limited to those of a general creditor of the Employer. The Employer acknowledges that the Administrator is the agent of the Employer.

ARTICLE IV

Investment of Deferred Amount.

- 4.01. The deferred amount shall be delivered by the Employer to the Administrator or his designated agent who shall transfer to a specified investment underwriter such amount, to be paid to the Participant pursuant to Article V, as if such amounts were invested in accordance with the Participant's investment specification.
- 4.02. The Employer shall only be required to use such investment specification as an index for determining the benefits to be paid pursuant to Article V. The Employer shall be under no obligation to invest the deferred amount in such investment specification. All contracts and other evidences of the investments of all assets under this Plan shall be registered in the name of the Employer which shall be the owner thereof.

ARTICLE V

Benefits.

- 5.01. Benefits shall be paid in accordance with this Article. Benefits payable to the Participant will be the equivalent of the total benefits that would have been created had the deferred amounts been invested as specified in Article IV hereof.
- (a) Normal Retirement. Upon the Participant attaining normal retirement age, he may retire and receive the benefits provided under this Plan. Such benefits shall be paid in accordance with the payment option selected by the Participant.
- (b) Early Retirement. The Employee may select early retirement in accordance with the Employer's Retirement System and receive the benefits provided under this Plan. Such benefits shall be paid in accordance with the payment option selected by the Participant.
- (c) Late Retirement. If the Participant continues his employment with the Employer after attaining normal retirement age, all benefits payable under this Plan will be deferred (whether or not the Participant continues to defer additional sums under this Plan) until the Participant retires. At such time, such benefits shall be paid in accordance with the payment option selected by the Participant. No deferral or additional credits under this Plan may be made by the Participant after the month in which he attains age seventy (70).
- (d) Termination of Employment. If the Participant terminates his employment with the Employer, benefits shall be paid in accordance with the payment options elected by the Participant.
- (e) Death. If the Participant dies while employed with the Employer and before retirement (early or normal) and without termination of service benefits being paid to him under this Plan, or the Participant dies while benefits are being paid to him under this Plan, and before such benefits have been exhausted, the benefits payable under this Plan shall be paid to his designated beneficiary in accordance with the settlement option elected by the Participant, or his Beneficiary.
- (f) Designated Beneficiary. The Participant shall have the right to file with the Administrator, a written beneficiary or change of beneficiary form designating the person or persons who shall receive the benefits payable under this Plan in the event of the Participant's death. The form for this purpose shall be provided by the Administrator and will have no effect until it is signed, filed with the Administrator by the Participant, and accepted by the Administrator. If the Participant dies without having a beneficiary form on file, the payments shall be made

to the property appointed fiduciary of the Participant's probate estate. Provided, that if a fiduciary had not been appointed and qualified within one hundred twenty (120) days after the death, the payment may be made first, to a surviving spouse, second, to a surviving child or children or third, to a surviving parent or parents. The Participant accepts and acknowledges that he has the burden for executing and filing with the Administrator, a proper beneficiary designation form.

- (g) **Method of Payment.** The payment of benefits shall begin on the first day of the month next following forty-five (45) days after the occurrence of the event that gives rise to the beginning of the payment of benefits.
- (h) **Short Term or Lump Sum Settlement.** Notwithstanding anything in this Plan to the contrary, if at any time the amount held in a Participant's deferred account has a credit balance of \$2,000.00 or less, and for any reason other than retirement or disability, the Participant has ceased to be a public employee, the Administrator will effect a lump sum settlement.
- (i) **Payment and Settlements Options.** Payment, method of payment, and settlement options are available as provided by each of the investment index options.
- (j) **Plan Completion Benefits.** Upon the death of the Participant, benefits payable pursuant to any life insurance specification may be paid to the Participant's designated beneficiary pursuant to the payment option elected in accordance with this Plan, except that any income benefit payments which are payable until the year the Participant would have attained 65 years of age may be delivered or credited by the Employer to the Administrator who will hold such amount to be paid to the designated beneficiary as if such amount were invested in those investment specifications, other than life insurance, selected by the Participant in the Participation Agreement. Where such amounts are to be so delivered or credited, all benefits payable (other than any payment pursuant to any life insurance specification) are to begin when payments or benefits would have begun if the Participant were not deceased.

- 5.02. Notwithstanding any other provisions herein, in the event of "unforeseeable emergency", such event being beyond the control of the Participant, a Participant may request the Administrator to pay benefits to him immediately. If the application for payment is approved by the Administrator, payment shall be effected as of the first day of the month next following such approval. Benefits to be paid shall be limited strictly to that amount necessary to meet emergency situation constituting financial hardship. Any remaining benefits shall be paid in accordance with Paragraph 5.01 of this Plan.

Payment of benefits because of an unforeseeable emergency, shall include the following: unexpected and unreimbursed major expenses resulting from illness, accident, or disability of the participant or any dependent thereof; major property loss or any other type of unexpected and unreimbursed personal expense of a major nature that would not normally be budgetable. Foreseeable personal expenditures normally budgetable, such as a down payment for a home, the purchase of an automobile, college, or other educational expenses, etc., will not constitute an "unforeseeable emergency." The decision of the Administrator concerning "unforeseeable emergency" shall be final.

ARTICLE VI

Administration of Plan.

- 6.01. The Employer may at any time amend, modify, or terminate this Plan with or without the consent of the participant (or any beneficiary thereof) provided:

- (a) That all amendments shall become effective on the first day of the month following the giving of not less than forty-five (45) days prior notice of the amendment. Notice shall be deemed given when the amendment is posted in the office of the Administrator. To the extent it is possible to do so, the Administrator shall mail a copy of all amendments that become effective during the year to the Participant with this semi-annual report. No amendments shall deprive the Participant of any of the benefits to which he is entitled under this Plan with respect to deferred amounts credited to his account prior to the effective day of the amendment; and
 - (b) If the Plan is curtailed, terminated, or the acceptance of additional deferred amounts suspended permanently, the Administrator shall nonetheless be responsible for the supervision and the payment of benefits resulting from amounts deferred prior to the amendment, modification, or termination in accordance with Article V hereof.
- 6.02. Any companies that may issue any policies, contracts or other investment media used by the Employer or specified by the Participant, are not parties to this Plan and such companies shall have no responsibility or accountability to the Participant or his beneficiary with regard to the operation of this Plan.
 - 6.03. Participation in this Plan by a public employee shall not be construed to give a contract of employment to the Participant or to alter or amend an existing employment contract of the Participant, nor shall participation in this Plan be construed as affording to the Participant any representation or guarantee regarding his continued employment.
 - 6.04. The Employer and the Administrator do not represent or guarantee that any particular Federal or State income, payroll, personal property, or other tax consequence will occur because of the Participants' participation in this Plan. The participant should consult with his own representative regarding all questions of Federal or State income, payroll, personal property, or other tax consequences arising from participation in this Plan.
 - 6.05. The Administrator may pay from the deferred amounts the amounts described in the settlement options provided under the investment index options.
 - 6.06. The Administrator shall have the power to appoint agents to act for and in the administration of this Plan and to select depositories for the assets of this Plan.
 - 6.07. Whenever used herein, the masculine gender shall include the feminine and the singular shall include the plural unless the provisions of the contract specifically require a different construction.
 - 6.08. The law of the State of the Employer shall apply in determining the construction and validity of this Plan.
 - 6.09. The rights of the Participant under this Plan shall not be subject to the rights of creditors of the participant or any beneficiary, and shall be exempt from execution, attachment, prior assignment, or any other judicial relief or order for the benefit of creditors or other third persons.
 - 6.10. It is agreed that neither the Participant nor his beneficiary nor any other designee shall have any right to commute, sell, assign, transfer, or otherwise convey the right to receive any payments hereunder which payments and right thereto are expressly declared to be nonassignable and nontransferable.

- 6.11. This Plan, and any properly adopted amendment thereof, shall constitute the total agreement or contract between the Employer and the Participant regarding the Plan. No oral statement regarding the Plan may be relied upon by the Participant.
- 6.12. This Plan and any properly adopted amendment, shall be binding on the parties hereto and their respective heirs, administrators, trustees, successors, and assigns and on all designated beneficiaries of the participant.

ARTICLE VII

Notice to all Participants to Read These Provisions Providing Broad Powers and Absolute Safeguards to the Employer.

- 7.01. The Employer, or its authorized agent, the Administrator, shall be authorized to resolve any questions of fact necessary to decide the Participant's rights under this Plan and such decision shall be binding on the Participant and any beneficiary thereof.
- 7.02. The Employer, or its authorized agent, the Administrator, shall be authorized to construe the Plan and to resolve any ambiguity in the Plan.
- 7.03. The Participant specifically agrees not to seek recovery against the Employer, the Administrator or any other employee, contractee, or agent of the Employer or Administrator for any loss sustained by the Participant or his beneficiary, for the non-performance of their duties, negligence, or any other misconduct of the above named persons except that this paragraph shall not excuse fraud or a wrongful taking by any person.
- 7.04. The Employer, or its agent including the Administrator, if in doubt concerning the correctness of their action in making a payment of a benefit, may suspend the payment until satisfied as to the correctness of the payment or the person to receive the payment or allow the filing in any state court of competent jurisdiction, a suit in such form as they consider appropriate for a legal determination of the benefits to be paid and the persons to receive them. The Employer shall comply with the final order of the courts in any such suit and the participant, for himself and his beneficiary, consents to be bound thereby insofar as it affects the benefits payable under this Plan or the method or manner of payment.
- 7.05. The Employer and its agents, including the administrator are hereby held harmless from all court costs and all claims for the attorneys' fees arising from any action brought by the Participant or any beneficiary thereof under this Plan or to enforce his rights under this Plan, including any amendments hereof.
- 7.06. The Administrator shall not be required to participate in any litigation concerning the Plan except upon written demand from the Employer. The Administrator may compromise, adjust or affect settlement or litigation when specifically instructed to do so by the Employer.

In Witness Whereof, the undersigned has executed this Plan this 29th day of December, 1981.

[Signature forms omitted for printing purposes]

Exhibit A reads as follows:

EXHIBIT "A"

DEFINITIONS

The following terms shall, for purposes of this Plan and all Exhibits thereto, have the meaning set forth herein.

1. Employer means the City of Chicago or any of its agencies, departments, subdivisions or instrumentalities, for whom services are performed by a participant.
2. Public Employee means any person, including elected or appointed officials receiving any type of compensation from the City of Chicago or any of its agencies, departments subdivisions or instrumentalities for whom services are rendered, specifically including salaried employees.
3. Administrator means the City of Chicago.
4. Compensation means all payments made to a public employee by the Employer as remunerated for services rendered including salaries, fees, etc.
5. Beneficiary means the person properly designated by Participant to receive the Participant's benefit.
6. Participant means any public employee who participates under this Plan by signing the Participation Agreement.
7. Participation Agreement means the Application to the administrator to participate in the Plan which is also entitled "Consent to Compensation Change."
8. Normal Retirement Age means the age at which the Employee is eligible to retire pursuant to the Employer's Retirement System, by virtue of age, length of service or both. In the absence of a formal Employer's Retirement System, normal retirement age shall mean 55.
9. Includible Compensation means for the purposes of the limitations on deferral, compensation for services performed which (taking into account amounts deferred under I.R.C. of 1954 Social Security Sections 457 and 403 (b)) is currently includible in gross income.

SECTION 2. This ordinance shall be in full force and effect from and after its passage.

Time Fixed for Next Succeeding Regular Meeting.

By unanimous consent Alderman Frost thereupon presented a proposed ordinance which reads as follows:

Be It Ordained by the City Council of the City of Chicago:

SECTION 1. That the next succeeding regular meeting of the City Council of the City of Chicago to be held after the regular meeting held on Tuesday, the twenty-ninth (29th) day of December, 1981, at 10:00 A.M., be and the same is hereby fixed to be held on Thursday, the fourteenth (14th) day of January, 1982, at 10:00 A.M., in the Council Chamber in the City Hall.

SECTION 2. This ordinance shall take effect and be in force from and after its passage.

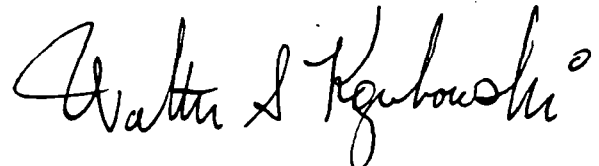
On motion of Alderman Frost the foregoing proposed ordinance was *Passed*, by yeas and nays as follows:

Yeas--Aldermen Roti, Barnett, Kenner, Evans, Sawyer, Bertrand, Humes, Shaw, Huels, Majerczyk, Madrzyk, Burke, Brady, Barden, Streeter, Kellam, Sheahan, Sherman, Stemberk, Lipinski, Shumpert, Nardulli, Carothers, Davis, Hagopian, Martinez, Gabinski, Frost, Marcin, Farina, Casey, Cullerton, Laurino, Rittenberg, Pucinski, Natarus, Oberman, Merlo, Clewis, Axelrod, Schuler, Volini, Orr, Stone--44.

Nays--None.

ADJOURNMENT.

Thereupon, Alderman Burke moved that the City Council do *Adjourn*. The motion *Prevailed* and the City Council *Stood Adjourned* to meet in regular meeting on Thursday, January 14, 1982, at 10:00 A.M., in the Council Chamber in the City Hall.

A handwritten signature in cursive script, reading "Walter S. Kozubowski". The signature is written in dark ink and includes a small circle at the end of the last name.

WALTER S. KOZUBOWSKI,
City Clerk.