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**COPY**



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

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**Special Meeting—Wednesday, August 29, 1984**

**at 1:00 P.M.**

**(Council Chamber—City Hall—Chicago, Illinois)**

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**OFFICIAL RECORD.**

**HAROLD WASHINGTON**  
Mayor

**WALTER S. KOZUBOWSKI**  
City Clerk

### Call to Order.

On Wednesday, August 29, 1984 at 1:00 P.M. (the day and hour appointed for the meeting) Honorable Harold Washington, Mayor, called the City Council to order. The clerk called the roll of members and it was found that there were present at that time: Aldermen Roti, Rush, Tillman, Evans, Bloom, Sawyer, Beavers, Humes, Hutchinson, Vrdolyak, Huels, Majerczyk, Madrzyk, Burke, Brady, Langford, Streeter, Kellam, Sheahan, Kelley, Sherman, Stemberk, Krystyniak, Marzullo, Nardulli, W. Davis, Smith, D. Davis, Hagopian, Santiago, Mell, Frost, Kotlarz, Banks, Damato, Cullerton, Laurino, O'Connor, Pucinski, Natarus, Oberman, Hansen, McLaughlin, Orbach, Schuler, Volini--46.

Quorum present.

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### Invocation.

Alderman George J. Hagopian (30th Ward) opened the meeting with prayer.

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### *Placed on File--CALL FOR SPECIAL MEETING.*

The following communication calling for a Special Meeting was filed in the Office of the City Clerk on August 27, 1984 at 2:51 P.M.:

August 27, 1984.

*Honorable Walter S. Kozubowski  
City Clerk  
City Hall, Room 107  
Chicago, Illinois 60602*

Dear Mr. Kozubowski,

We, the undersigned Aldermen of the City of Chicago, pursuant to Illinois law and ordinances, do hereby call a Special Meeting of the City Council of the City of Chicago, to be held on Wednesday, August 29, 1984 at 1:00 P.M. in the City Council Chamber of the City of Chicago, for the following purposes and no others:

- I. Consideration of following reports of the Committee on Finance relating to:
  - a. A Resolution providing for the submission to the voters of the City of Chicago of an advisory referendum proposition at the general election scheduled for November 6, 1984 concerning an elected Board of Education for the Chicago Public School System;
  - b. A Resolution providing for the submission to the voters of the City of

Chicago of an advisory referendum proposition at the general election scheduled for November 6, 1984 concerning the legalization of certain forms of gambling in the City of Chicago to relieve local taxation;

- c. A Resolution providing for the submission to the voters of the City of Chicago of an advisory referendum proposition at the general election scheduled for November 6, 1984 requesting the United States Congress to enact the Natural Gas Consumer Relief Act;
- d. An Ordinance providing for an amendment of Chapter 200.6 of the Municipal Code deleting the exemption of soft drinks sales from the Chicago Sales Tax.

II. Consideration of an ordinance setting the time and place for the next regular meeting of the City Council of the City of Chicago.

Very truly,

(Signed) GEORGE J. HAGOPIAN  
(30th Ward)

(Signed) FRANK A. DAMATO  
(37th Ward)

(Signed) WILLIAM F. KRYSTYNIAK  
(23rd Ward)

(Signed) ROMAN PUCINSKI  
(41st Ward)

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*Action Deferred*--ON PROPOSED RESOLUTION PROVIDING FOR ADVISORY  
REFERENDUM PROPOSITION CONCERNING ELECTED BOARD  
OF EDUCATION FOR CHICAGO PUBLIC  
SCHOOL SYSTEM.

The Committee on Finance submitted the following report, which was, on motion of Alderman Kelley and Alderman Sawyer, *Deferred* and ordered published:

CHICAGO, August 29, 1984.

*To the President and Members of the City Council:*

Your Committee on Finance, which considered a proposed resolution concerning the submission of an advisory question at the November 6, 1984 general election on the issue of public election of members of the Chicago Board of Education, having had the same under advisement, begs leave to report and recommend that Your Honorable Body *Pass* the proposed resolution transmitted herewith.

This recommendation was concurred in by 20 members of the committee with 4 dissenting votes.

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

The following is said resolution transmitted with the foregoing committee report:

*Whereas*, This City Council has been requested by some of its citizens to consider the submission of an advisory referendum question, as set forth with particularity below, on the issue of public election of members of the Chicago Board of Education, such question to be submitted to the voters of the City of Chicago at the general election for November 6, 1984; and

*Whereas*, The results of such a local referendum will constitute the opinion of the residents of the City of Chicago regarding the public election of the members of the Chicago Board of Education, which is supported by public tax dollars; and

*Whereas*, The opinion of the voters of the City of Chicago on this question is important to public officials who must determine the best public policy for the City of Chicago; and

*Whereas*, It is deemed by the City Council of the City of Chicago to be in the best public interest to survey the opinion of the voters by submitting such a question to the voters at a general election; now, therefore,

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

*Section 1.* It is the determination of the City Council that the following question of public policy shall be submitted to the voters of this City as an advisory referendum at the general election scheduled for November 6, 1984; to wit:

Should the members of the Chicago Board of Education be elected by the people?

*Section 2.* This referendum shall be conducted, in all respects, in accordance with the provisions of the Illinois Election Code pertaining to the conduct of general elections, and in accordance with the statutes calling for the election scheduled for November 6, 1984, and providing for the pertinent publications, ballots, polling places, and election judges for the election.

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*Action Deferred--*ON PROPOSED RESOLUTION PROVIDING FOR  
ADVISORY REFERENDUM PROPOSITION CONCERNING  
LEGALIZATION OF CERTAIN FORMS OF  
GAMBLING IN CHICAGO.

The Committee on Finance submitted the following report, which was, on motion of Alderman Kelley and Alderman Sawyer, *Deferred* and ordered published:

CHICAGO, August 29, 1984.

*To the President and Members of the City Council:*

Your Committee on Finance, which considered a proposed resolution concerning the submission of an advisory question at the November 6, 1984 general election on the issue of the legalization of gambling in the City of Chicago to relieve the local tax burden having had the same under advisement, begs leave to report and recommend that Your Honorable Body *Pass* the proposed resolution transmitted herewith.

This recommendation was concurred in by 15 members of the committee with 9 dissenting votes.

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

The following is said resolution transmitted with the foregoing committee report:

*Whereas*, This City Council has been requested by some of its citizens to consider the submission of an advisory referendum question, as set forth with particularity below, on the issue of the legalization of gambling in the City of Chicago to relieve the local tax burden, such question to be submitted to the voters of the City of Chicago at the general election scheduled for November 6, 1984; and

*Whereas*, The results of such a local referendum will constitute the opinion of the residents of the City of Chicago who pay taxes to support the operations of City government; and

*Whereas*, The opinion of the voters of the City of Chicago on this question is important to public officials who must determine the best public policy for the City of Chicago; and

*Whereas*, It is deemed by the City Council of the City of Chicago to be in the public interest to survey the opinion of the voters by submitting such a question to them at a general election; now, therefore,

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

*Section 1.* It is the determination of the City Council that the following question of public policy shall be submitted to the voters of this City as an advisory referendum at the general election scheduled for November 6, 1984; to wit:

Should legalized gambling be permitted in non-residential areas of the City of Chicago to relieve the local tax burden?

*Section 2.* This referendum shall be conducted, in all respects, in accordance with the provisions of the Illinois Election Code pertaining to the conduct of general elections, and in accordance with the statutes calling for the election scheduled for November 6, 1984, and providing for the pertinent publications, ballots, polling places, and election judges for the general election.

*Action Deferred*--ON PROPOSED RESOLUTION PROVIDING ADVISORY  
REFERENDUM PROPOSITION REQUESTING THE UNITED  
STATES CONGRESS TO ENACT NATURAL GAS  
CONSUMER RELIEF ACT.

The Committee on Finance submitted the following report, which was, on motion of Alderman Vrdolyak and Alderman Brady, *Deferred* and ordered published:

CHICAGO, August 29, 1984.

*To the President and Members of the City Council:*

Your Committee on Finance, which considered a proposed resolution concerning the submission of an advisory referendum question at the November 6, 1984 general election on the issue of whether the U.S. Congress should enact the Natural Gas Consumer Relief Act, having had the same under advisement, begs leave to report and recommend that Your Honorable Body *Pass* the proposed resolution transmitted herewith.

This recommendation was concurred in by 26 members of the committee with no dissenting votes.

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

The following is said resolution transmitted with the foregoing committee report:

*Whereas*, The City Council of the City of Chicago has been asked by some of its citizens to consider the submission of an advisory referendum question, as hereinafter specifically set forth, on the question of the Natural Gas Consumer Relief Act; this advisory referendum to be submitted to the voters of the City of Chicago at the general election scheduled for November 6, 1984; and

*Whereas*, The results of such a local referendum will constitute the opinion of the residents of the City of Chicago regarding the Natural Gas Consumer Relief Act; and

*Whereas*, Local public opinion on such a matter is important to local, state and federal public officials in a determination of what is wise public policy for the people of the United States and the State of Illinois and the City of Chicago; and

*Whereas*, It is deemed by the City Council of the City of Chicago to be in the best public interest to survey the opinion of the voters by submitting such question to the voters at the general election; now, therefore,

*Be It Resolved*, That the City Council of the City of Chicago hereby declares that the following question of public policy shall be submitted to the voters of this City as an advisory referendum at the general election scheduled for November 6, 1984:

Shall the U. S. Congress enact the Natural Gas Consumer Relief Act, which

rolls back home heating bills and limits future gas price increases?

*Be It Further Resolved*, That the City Council of the City of Chicago hereby declares that this referendum shall be conducted, in all respects, in accordance with the provisions of the Illinois Election Code pertaining to the conduct of the general election, and in accordance with the statutes calling for the election scheduled for November 6, 1984, and providing for the pertinent publications, ballots, polling places, and election judges for the general election.

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*Action Deferred*--ON PROPOSED ORDINANCE AMENDING CHAPTER 200.6  
OF MUNICIPAL CODE OF CHICAGO CONCERNING CHICAGO SALES  
TAX ORDINANCE.

The Committee on Finance submitted the following report, which was, on motion of Alderman Vrdolyak and Alderman Brady, *Deferred* and ordered published:

CHICAGO, August 29, 1984.

*To the President and Members of the City Council:*

Your Committee on Finance, which considered a proposed ordinance amending Chapter 200.6 of the Municipal Code of the City of Chicago concerning the elimination of the exemption for "Soft Drinks" presently provided for in the Chicago Sales Tax, having had the same under advisement, begs leave to report and recommend that Your Honorable Body *Pass* the proposed ordinance transmitted herewith.

This recommendation was concurred in by 19 members of the committee with 1 dissenting vote.

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

The following is said ordinance transmitted with the foregoing committee report:

*Whereas*, The State of Illinois has removed soft drinks from the types of foods exempt from the Illinois Retailers' Occupation Tax and Illinois Use Tax; and

*Whereas*, It is the City's desire to maintain consistency in the administration and enforcement of the Chicago Sales Tax as compared to such State taxes to the extent practicable; and

*Whereas*, The passage of this ordinance is a matter of urgency; now, therefore,

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

Section 1. Section 200.6-4 of Chapter 200.6 of the Municipal Code of Chicago is hereby amended by inserting the language in italics as follows:

200.6-4. Purchases or uses of tangible personal property under the following circumstances shall not be subject to the tax imposed by this Chapter:

\* \* \* \* \*

(i) purchase or use of food for human consumption which is to be consumed off the premises where it is sold (other than alcoholic beverages, *soft drinks* and food which has been prepared for immediate consumption) and prescription and non-prescription medicines, drugs, medical appliances and insulin, urine testing materials, syringes, and needles used by diabetics, for human use. *For the purposes of this Section, the term "soft drinks" shall mean any complete finished, ready-to-use, non-alcoholic drink, whether carbonated or not, including but not limited to soda water, cola, fruit juice, vegetable juice, carbonated water and all other preparations commonly known as soft drinks of whatever kind or description which are contained in any closed or sealed bottle, can, carton or container regardless of size. "Soft drinks" shall not include coffee, tea, non-carbonated water, infant formula, milk or milk products as defined in the Grade A Pasteurized Milk and Milk Products Act, as now or hereafter amended or drinks containing 50% or more natural fruit or vegetable juice.*

\* \* \* \* \*

Section 2. This ordinance shall become effective September 1, 1984.

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Alderman Burke 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 meeting held on Wednesday, the twenty-ninth (29th) day of August, 1984, at 1:00 P.M., be and the same is hereby fixed to be held on Thursday, the thirtieth (30th) day of August, 1984, at 2:00 P.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.

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

Alderman Kelley then raised a Point of Order, stating that Alderman Burke's motion was out of order on the basis of Chapter 4, Paragraph 1 of the Chicago Municipal Code.



The Chair ruled the Point of Order *Well Taken*.

Alderman Burke *Appealed* the Ruling of the Chair.

The Chair then put the question "*Shall the decision of the Chair be sustained?*" The clerk called the roll and the decision of the Chair was *Overruled* by yeas and nays as follows:

*Yeas*--Aldermen Rush, Tillman, Evans, Bloom, Sawyer, Beavers, Humes, Hutchinson, Langford, Streeter, Kelley, Sherman, W. Davis, Smith, D. Davis, Frost, Natarus, Oberman, Volini--19.

*Nays*--Roti, Vrdolyak, Huels, Majerczyk, Madrzyk, Burke, Brady, Kellam, Sheahan, Stemberk, Krystyniak, Marzullo, Nardulli, Hagopian, Santiago, Mell, Kotlarz, Banks, Damato, Cullerton, Laurino, O'Connor, Pucinski, Hansen, McLaughlin, Orbach, Schulter--27.

Alderman Evans thereupon raised a Point of Order, stating that on the basis of precedent, a motion to Suspend the Rules was required before the body could proceed to the main question.

The Chair ruled the Point of Order *Well Taken*.

Alderman Burke *Appealed* the Ruling of the Chair.

The Chair then put the question, "*Shall the decision of the Chair be sustained?*" The clerk called the roll and the decision of the Chair was *Overruled* by yeas and nays as follows:

*Yeas*--Aldermen Rush, Tillman, Evans, Bloom, Sawyer, Beavers, Humes, Hutchinson, Langford, Streeter, Kelley, Sherman, W. Davis, Smith, D. Davis, Frost, Natarus, Volini--18.

*Nays*--Roti, Vrdolyak, Huels, Majerczyk, Madrzyk, Burke, Brady, Kellam, Sheahan, Stemberk, Krystyniak, Marzullo, Nardulli, Hagopian, Santiago, Mell, Kotlarz, Banks, Damato, Cullerton, Laurino, O'Connor, Pucinski, Oberman, Hansen, McLaughlin, Orbach, Schulter--28.

Thereupon, the clerk called the roll and the foregoing proposed ordinance was *Passed* by yeas and nays as follows:

*Yeas*--Roti, Vrdolyak, Huels, Majerczyk, Madrzyk, Burke, Brady, Kellam, Sheahan, Stemberk, Krystyniak, Marzullo, Nardulli, Hagopian, Santiago, Mell, Kotlarz, Banks, Damato, Cullerton, Laurino, O'Connor, Pucinski, Hansen, McLaughlin, Orbach, Schulter--27.

*Nays*--Aldermen Rush, Tillman, Evans, Bloom, Sawyer, Beavers, Humes, Hutchinson, Langford, Streeter, Kelley, Sherman, W. Davis, Smith, D. Davis, Frost, Natarus, Oberman, Volini--19.

**ADJOURNMENT.**

Alderman Burke then moved that the City Council do *Adjourn*. The motion *Prevailed* and the City Council *Stood Adjourned* to meet in regular meeting on Thursday, August 30, 1984 at 2:00 P.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 is positioned above the printed name.

WALTER S. KOZUBOWSKI,  
*City Clerk.*