

COPY



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

Regular Meeting--Wednesday, February 24, 1988

at 10:00 A.M.

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

OFFICIAL RECORD.

EUGENE SAWYER
Acting Mayor

WALTER S. KOZUBOWSKI
City Clerk

Attendance At Meeting.

Present -- The Honorable Eugene Sawyer, Acting Mayor, and Aldermen Roti, Rush, Tillman, T. Evans, Bloom, Robinson, Beavers, Caldwell, Shaw, Vrdolyak, Huels, Fary, Madrzyk, Burke, Carter, Langford, Streeter, Kellam, Sheahan, Jones, J. Evans, Garcia, Krystyniak, Henry, Soliz, Gutierrez, Smith, Davis, Hagopian, Figueroa, Mell, Austin, Kotlarz, Banks, Giles, Laurino, O'Connor, Pucinski, Natarus, Eisendrath, Hansen, Levar, Shiller, Schulter, Osterman, Orr, Stone.

Absent -- Aldermen Butler, Gabinski, Cullerton.

Call To Order.

On Wednesday, February 24, 1988 at 11:10 A.M. (the hour appointed for the meeting was 10:00 A.M.) The Honorable Eugene Sawyer, Acting Mayor, called the City Council to order. The Honorable Walter S. Kozubowski, City Clerk, called the roll of members and it was found that there were present at that time: Aldermen Roti, Rush, T. Evans, Bloom, Robinson, Beavers, Caldwell, Shaw, Vrdolyak, Fary, Madrzyk, Burke, Langford, Streeter, Kellam, Sheahan, Jones, J. Evans, Krystyniak, Henry, Soliz, Gutierrez, Smith, Hagopian, Figueroa, Mell, Austin, Kotlarz, Banks, Giles, Laurino, O'Connor, Pucinski, Natarus, Eisendrath, Hansen, Levar, Schulter, Osterman, Stone -- 40.

Quorum present.

Invocation.

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

REPORTS AND COMMUNICATIONS FROM CITY OFFICERS.

GRATITUDE EXTENDED BLUE ISLAND FIREFIGHTER ROBERT COPP FOR SWIFT RESPONSE TO EMERGENCY SITUATION.

The Honorable Eugene Sawyer, Acting Mayor, on behalf of himself and all the members of the City Council, presented the following proposed resolution:

WHEREAS, Leaders of government often have occasion to express gratitude to those tireless public servants who make everything work; and

WHEREAS, In no situation is this expression more deeply felt than in the case of Blue Island Firefighter Robert Copp, who showed his mettle in responding to an emergency situation; and

WHEREAS, On November 21, 1987, Alderman Lemuel Austin, Jr., was recovering in St. Francis Hospital, Blue Island, from a heart attack, and while undergoing therapy at the hospital gymnasium had a second attack. Firefighter Robert Copp happened to be working out in the same gymnasium at the same time, and his reaction to Alderman Austin's plight was so swift that he began applying the proper lifesaving procedures to Alderman Austin even before hospital attendants could rush to the scene; and

WHEREAS, This instantaneous reaction on the part of Firefighter Copp, who has served five years in Calumet Park, two in Blue Island, and is a trained paramedic, epitomizes the kind of service to which all public servants should aspire and certainly proves its value in emergencies; and

WHEREAS, Firefighter Robert Copp, who is 29 years old, is an outstanding family man--he and his wife, Barbara have one child--and an outstanding human being; now, therefore,

Be It Resolved, That we, the Acting Mayor and members of the City Council of the City of Chicago, gathered here this 24th day of February, 1988, A.D., do hereby offer our gratitude to Blue Island Firefighter Robert Copp on his outstanding act of professionalism and humanity, and we extend to him our very best wishes for much future success and happiness; and

Be It Further Resolved, That a suitable copy of this resolution be presented to Firefighter Robert Copp.

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

On motion of Alderman Austin, seconded by Aldermen Jones, Caldwell, Shaw, Davis and Langford, the foregoing proposed resolution was *Adopted* by a viva voce vote.

At this point in the proceedings, Acting Mayor Eugene Sawyer invited Mr. Robert Copp, his wife Barbara and son Robert, Jr., along with Blue Island Fire Chief Lou Lombardo and Alderman Lemuel Austin, Jr. to the mayor's rostrum. Acting Mayor Sawyer then formally presented Mr. Robert Copp with a parchment copy of the adopted resolution.

CONGRATULATIONS EXTENDED MR. AND MRS.
MANUEL R. THOMAS, SR. UPON OCCASION
OF THEIR GOLDEN WEDDING
ANNIVERSARY.

The Honorable Eugene Sawyer, Acting Mayor, on behalf of himself and all the members of the City Council, presented the following proposed resolution:

WHEREAS, Mr. and Mrs. Manuel R. Thomas, Sr., longtime residents of Chicago's great southeast side, are celebrating fifty golden years of wedded bliss; and

WHEREAS, Dorothy and Manuel R. Thomas were married January 25, 1938, and created a union which has yielded four wonderful children, three girls and a boy; and

WHEREAS, Long active in their community, Mr. and Mrs. Manuel R. Thomas celebrate this wonderful occasion with their family and many friends and neighbors; now, therefore,

Be It Resolved, That we, the Acting Mayor and the members of the City Council of the City of Chicago, gathered here this 24th day of February, 1988, A.D., do hereby congratulate Mr. and Mrs. Manuel R. Thomas, Sr., on the occasion of their golden wedding anniversary, and extend to these fine citizens and their family our very best wishes for many more years of happiness and prosperity; and

Be It Further Resolved, That a suitable copy of this resolution be presented to Mr. and Mrs. Manuel R. Thomas, Sr.

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

On motion of Alderman Shaw, seconded by Aldermen Jones, Langford and Robinson, the foregoing proposed resolution was *Adopted* by a viva voce vote.

At this point in the proceedings, Acting Mayor Eugene Sawyer invited Mr. and Mrs. Manuel R. Thomas, Sr., their family and Alderman Robert Shaw to the mayor's rostrum. Acting Mayor Sawyer then formally presented Mr. and Mrs. Manuel R. Thomas, Sr. with a parchment copy of the adopted resolution.

CONGRATULATIONS EXTENDED MR. AND MRS.
WALTER KRYSTYNIAK, SR. UPON
OCCASION OF THEIR GOLDEN
WEDDING ANNIVERSARY.

The Honorable Eugene Sawyer, Acting Mayor, on behalf of himself and all the members of the City Council, presented the following proposed resolution.

WHEREAS, Mr. and Mrs. Walter Krystyniak, Sr., outstanding citizens of Chicago's great southwest side, are currently celebrating fifty golden years of wedded bliss; and

WHEREAS, Elizabeth and Walter Krystyniak are the very models of the strength and solidity of family life. Their union has yielded eight children: Walter Jr., Louis, Janet, Diane, twins James and William, Darlene and Edward. They also have eleven grandchildren and nine great-grandchildren; and

WHEREAS, Married February 11, 1938, and blessed with a large family, the Krystyniaks nonetheless were able to pursue long careers: Walter as a truck driver for 40 years, and Elizabeth as a factory worker for 30 years. And their dedication to their productive southwest side community reached a new peak when their son, William, became Alderman of the great 23rd Ward; and

WHEREAS, Mr. and Mrs. Walter Krystyniak, Sr., celebrate this auspicious occasion with their fine family and many friends, among whom they may count the leaders of this great city; now, therefore,

Be It Resolved, That we, the Acting Mayor and members of the City Council of the City of Chicago, gathered here this 24th day of February, 1988, A.D., do hereby congratulate Mr. and Mrs. Walter Krystyniak, Sr., on the occasion of their golden wedding anniversary, and extend to this outstanding couple and their family our heartiest wishes for many more years of happiness and fulfillment; and

Be It Further Resolved, That a suitable copy of this resolution be presented to Mr. and Mrs. Walter Krystyniak, Sr.

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

On motion of Alderman Krystyniak, seconded by Aldermen Fary, Natarus and Jones, the foregoing proposed resolution was *Adopted* by yeas and nays as follows:

Yeas -- Aldermen Roti, Rush, Tillman, T. Evans, Bloom, Robinson, Beavers, Caldwell, Shaw, Vrdolyak, Huels, Fary, Madrzyk, Burke, Carter, Langford, Streeter, Kellam, Sheahan, Jones, J. Evans, Garcia, Krystyniak, Henry, Soliz, Gutierrez, Smith, Davis, Hagopian, Figueroa, Mell, Austin, Kotlarz, Banks, Giles, Laurino, O'Connor, Pucinski, Natarus, Eisendrath, Hansen, Levar, Shiller, Schulter, Osterman, Orr, Stone -- 47.

Nays -- None.

Alderman Natarus moved to reconsider the foregoing vote. The motion was lost.

At this point in the proceedings, Acting Mayor Eugene Sawyer invited Mr. and Mrs. Walter Krystyniak, Sr. and Alderman William F. Krystyniak to the mayor's rostrum. Acting Mayor Sawyer then formally presented Mr. and Mrs. Krystyniak with a parchment copy of the adopted resolution.

Referred -- APPOINTMENT OF MR. JAMES E. CALDWELL
TO ZONING BOARD OF APPEALS.

The Honorable Eugene Sawyer, Acting Mayor, submitted the following communication, which was, at the request of two aldermen present (under the provisions of Council Rule 43), *Referred to the Committee on Zoning*:

2/24/88

COMMUNICATIONS, ETC.

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OFFICE OF THE MAYOR
CITY OF CHICAGO

February 24, 1988.

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

LADIES AND GENTLEMEN -- I have appointed James E. Caldwell to the Zoning Board of Appeals for the term expiring July 1, 1990.

Your favorable consideration of this appointment will be appreciated.

Very truly yours,
(Signed) EUGENE SAWYER,
Acting Mayor.

Referred -- EXECUTION OF PROJECT AGREEMENT WITH STATE
OF ILLINOIS TO CONDUCT PRELIMINARY ENGINEERING
FOR IMPROVEMENT OF VARIOUS PARK AND RIDE
FACILITIES AND STREETS.

The Honorable Eugene Sawyer, Acting 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

February 24, 1988.

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

LADIES AND GENTLEMEN -- At the request of the Commissioner of the Department of Public Works, I transmit herewith an ordinance authorizing the execution of a project agreement with the State of Illinois for preliminary engineering of the improvement of the Southwest Transit Line, Park & Ride Facilities; of the improvement of the Rock Island Railroad, Park & Ride Facilities; of the improvement of Western Boulevard at 3300 South; and of the improvement of 62nd Street from Nagel Avenue to Oak Park Avenue.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,
(Signed) EUGENE SAWYER,
Acting Mayor.

Referred -- COUNTY CLERKS OF COOK AND DU PAGE COUNTIES
DIRECTED TO REDUCE 1987 TAX LEVY FOR PUBLIC
BUILDING COMMISSION OF CHICAGO BUILDING
REVENUE BONDS SERIES "B" OF 1971.

The Honorable Eugene Sawyer, Acting 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

February 24, 1988.

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

LADIES AND GENTLEMEN -- At the request of the City Comptroller, I transmit herewith a proposed ordinance for your consideration which would direct the County Clerks of Cook and DuPage Counties to reduce the 1987 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.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,
(Signed) EUGENE SAWYER,
Acting Mayor.

Referred -- EXECUTION OF PROJECT AGREEMENT WITH
STATE OF ILLINOIS FOR IMPROVEMENT OF
PORTION OF 79TH STREET.

The Honorable Eugene Sawyer, Acting 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

February 24, 1988.

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

LADIES AND GENTLEMEN -- At the request of the Commissioner of the Department of Public Works, I transmit herewith an ordinance authorizing the execution of a project

agreement with the State of Illinois for the improvement of 79th Street from Halsted Street to Stony Island Avenue.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,
(Signed) EUGENE SAWYER,
Acting Mayor.

Referred-- ADOPTION OF SCHEDULE FOR DEVELOPMENT
OF NEW LIBRARY CENTER AND AUTHORIZATION
OF QUICK TAKE EMINENT DOMAIN
PROCEEDINGS TO ACQUIRE
NECESSARY LAND.

The Honorable Eugene Sawyer, Acting Mayor, submitted the following communication, which was, together with the proposed ordinance transmitted therewith, *Referred to a Joint Committee composed of the members of the Committee on Finance and the members of the Committee on Land Acquisition, Disposition and Leases;*

OFFICE OF THE MAYOR
CITY OF CHICAGO

February 24, 1988.

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

LADIES AND GENTLEMEN -- At the request of the Commissioner of the Department of Planning, I transmit herewith an ordinance adopting a schedule for the development of the new library center and authorizing the use of quick take eminent domain proceedings to acquire land necessary to complete the site.

Very truly yours,
(Signed) EUGENE SAWYER,
Acting Mayor.

Rules Suspended-- VACATION OF TRIANGULAR PORTION OF
LAND AT INTERSECTION OF NORTH MC CLURG COURT
AND EAST RIVER DRIVE.

Alderman Natarus moved to *Suspend the Rules Temporarily* for the purpose of going out of the regular order of business to consider a vacation ordinance noted in the Journal of the Proceedings of February 10, 1988, pages 10335--10336. The motion *Prevailed* by a viva voce vote.

The following is said proposed ordinance:

WHEREAS, The City Council of the City of Chicago, after due investigation and consideration, has determined that the nature and extent of the public use and the public interest to be subserved is such as to warrant the vacation of part of North McClurg Court described in the following ordinance; now, therefore,

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

SECTION 1. That all that part of North McClurg Court lying northerly of and adjoining the northerly line of Block 16 in Cityfront Center, being a Resubdivision in the north fraction of Section 10, Township 39 North, Range 14, East of the Third Principal Meridian bounded and described as follows:

Beginning on the center line of said North McClurg Court, at a point which is 164.344 feet (measured along said center line) south from the intersection of said center line with the south line of E. North Water Street, as extended across N. McClurg Court and running thence southeastwardly along the arc of a circle, convex to the southwest and having a radius of 90.60 feet, a distance of 120.397 feet to a point on the easterly line of said N. McClurg Court, which point is 0.55 feet northerly of the intersection of the southerly line of N. McClurg Court, with the southeasterly line of E. River Drive; thence southeastwardly along said easterly line of N. McClurg Court, being a line perpendicular to the southeasterly line of said E. River Drive, said distance of 0.55 feet, to the southerly line of N. McClurg Court; thence westwardly along said southerly line, being also the northerly line of Block 16, aforesaid, and being here the arc of a circle, convex to the south with a radius of 217.50 feet, a distance of 213.810 feet, to the intersection of said southerly line with the southwesterly line of said E. River Drive; thence northeastwardly along the westerly line of said N. McClurg Court, being a line perpendicular to said southwesterly line of E. River Drive, a distance of 0.70 feet, and thence northeastwardly along the arc of a circle, convex to the southeast and having a radius of 90.60 feet, a distance of 120.295 feet, to the point of beginning, in Cook County, Illinois,

as colored in red and indicated by the words "To Be Vacated" on the drawing hereto attached, which drawing for greater certainty, is hereby made a part of this ordinance, be and the same is hereby vacated and closed, inasmuch as the same is no longer required for public use and the public interest will be subserved by such vacation.

SECTION 2. The City of Chicago hereby reserves the northerly 5.0 feet of all of that part of North McClurg Court herein vacated, as an easement for the placement of traffic signs, traffic signals, light poles and appurtenances thereto, and for the maintenance, renewal and reconstruction of said facilities or the construction of additional municipally-owned facilities. It is further provided that no buildings or other structures shall be erected on the said right of way herein reserved or other use made of said area which in the judgment of the respective municipal officials having control of the aforesaid service facilities would interfere with the use, maintenance, renewal, and reconstruction of said facilities, or the construction of additional municipally-owned service facilities.

SECTION 3. The vacation herein provided for is made upon the express condition that within 90 days after the passage of this ordinance, the Metropolitan Sanitary District of Chicago shall file or cause to be filed for record in the Office of the Recorder of Deeds of Cook County, Illinois, a certified copy of this ordinance, together with an attached drawing approved by the Superintendent of Maps.

SECTION 4. This ordinance shall take effect and be in force from and after its passage.

[Map attached to this ordinance printed on
page 10622 of this Journal.]

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

Yeas -- Aldermen Roti, Rush, Tillman, T. Evans, Bloom, Robinson, Beavers, Caldwell, Shaw, Vrdolyak, Huels, Fary, Madrzyk, Burke, Carter, Langford, Streeter, Kellam, Sheahan, Jones, J. Evans, Garcia, Krystyniak, Henry, Soliz, Gutierrez, Smith, Davis, Hagopian, Figueroa, Austin, Banks, Giles, Laurino, O'Connor, Pucinski, Natarus, Eisendrath, Hansen, Levar, Shiller, Schulter, Osterman, Orr, Stone -- 45.

Nays -- None.

Alderman Natarus moved to reconsider the foregoing vote. The motion was lost.

REGULAR ORDER OF BUSINESS RESUMED.

REPORTS OF COMMITTEES.

**COMMITTEE ON ENERGY, ENVIRONMENTAL PROTECTION
AND PUBLIC UTILITIES.**

Action Deferred -- AMENDMENT OF MUNICIPAL CODE CHAPTER
104.1, SECTION 104.1-14.1 CONCERNING IMPLEMENTATION
OF NIGHT BASEBALL AT WRIGLEY FIELD AND
ASSOCIATED NEIGHBORHOOD PROTECTIVE
MEASURES.

The Committee on Energy, Environmental Protection and Public Utilities submitted the following report, which was, on motion of Alderman Hansen and Alderman Shiller, *Deferred* and ordered published:

(Continued on page 10623)

(Continued from page 10621)

CHICAGO, February 24, 1988.

To the President and Members of the City Council:

Your Committee on Energy, Environmental Protection and Public Utilities, to which was referred a substitute ordinance concerning lights in Wrigley Field, having had the same under consideration, begs leave to report and recommend passage.

This recommendation was concurred in by a vote of 7 members with 2 dissenting votes.

Respectfully submitted,
(Signed) BOBBY RUSH,
Chairman.

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

WHEREAS, The City of Chicago is a home rule unit pursuant to Article VII, Section 6 of the 1970 Illinois Constitution; and

WHEREAS, The continued location in the City of major league professional sports teams is a matter of civic importance; and

WHEREAS, The presence of major league professional sports teams in the City provides substantial economic benefits to the City, including employment opportunities, economic activity in the surrounding areas, revenue from tourism and the receipt of direct and indirect tax revenues by the City; and

WHEREAS, The presence in the City of major league professional sports teams also provides an important sense of civic pride, and assists in maintaining the City's central position in the metropolitan area; and

WHEREAS, The ability of major league professional sports teams to operate on a viable basis is a prerequisite to their remaining as local teams; and

WHEREAS, The interests of residential neighborhoods near stadiums which are currently addressed by the existing provisions of the Municipal Code can also be protected by the Municipal Code, as amended by this ordinance, and by binding agreements entered into between the City and owners of sports stadiums which limit the number and times of night games and other effects of sports events at such stadiums and which provide for services for affected neighborhoods; and

WHEREAS, Interests of residential neighborhoods near stadiums are taken into account by the limitations set forth in this ordinance, in particular with respect to the number and times of night games; and

WHEREAS, To further ensure that the interests and concerns of the residential neighborhood surrounding Wrigley Field are adequately protected, it is necessary and appropriate for the City to mandate the implementation of a neighborhood protection and improvement program; and

WHEREAS, It is advantageous to and in the best interests of the City that the City and Chicago National League Ball Club, Inc., enter into contracts as provided in this ordinance with respect to Wrigley Field. Those contracts implement amendments to the Municipal Code made by this ordinance and make provisions for needs of the Wrigley Field neighborhood including, among other things, litter collection, traffic flow, off-street parking, limitations on times and dates when night games may be scheduled and limitations on sale of beer and alcoholic beverages at night games. Those contracts enable the parties to make long term plans, including, in the case of the Ball Club, investments in the stadium based on provisions of the contracts; now, therefore,

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

SECTION 1. Findings. All of the recitals above are expressly adopted as legislative findings of the City of Chicago and are incorporated herein and are hereby made a part of this ordinance.

SECTION 2. Municipal Code Amendment. The Municipal Code of the City of Chicago, Chapter 104.1, Section 14.1 is hereby amended by deleting the language in brackets and by adding the language in italics, as follows:

104.1-14.1. It shall be unlawful for any licensee or other person, firm, corporation or other legal entity to produce, present or permit any other person, firm, corporation, or other legal entity to produce or present any athletic contest, sport, game or any other amusement as defined in Chapter 104, if any part of such athletic contest, sport, game or any other amusement as defined in Chapter 104 takes place between the hours of 8:00 P.M. and 8:00 A.M., and is presented in a stadium or playing field which is not totally enclosed and contains more than 15,000 seats where any such seats are located within 500 feet of 100 or more dwelling units. The 500-foot distance shall be measured from the seat to the nearest point of the buildings in which the dwelling units are contained. For purposes of this section, "dwelling unit" shall mean a room designed or used for sleeping accommodations, including hotel and dormitory rooms. *The provisions of this Section do not apply, in whole or in part, to any of the following:*

- a) *All-Star, playoff, league championship series or World Series ball games;*
- b) *Up to eighteen regular season home games of any team in each year, as designated by that team, which games are scheduled to begin at or prior to 7:05 P.M.;*
- c) *Any game scheduled to begin at or prior to 3:35 P.M.; and*
- d) *During the duration of any contract between the City and a professional sports team, which contract shall be authorized by the City Council, any games which may be held according to the terms of that contract.*

The terms of this Section may be enforced by the Corporation Counsel through injunction or any other suit, action or proceeding at law or in equity. [In addition to such other penalties as may be included within this Chapter 104.1, the violation of the terms of this Ordinance may be enforced through injunction or through a suspension or revocation of the amusement license.]

SECTION 3. Matters Concerning Chicago National League Ball Club, Inc.

A. Ordinance Constitutes A Contract. The provisions of this Section 3 of this Ordinance shall, upon their acceptance in writing by Chicago National League Ball Club, Inc. (the "Cubs"), filed with the City Clerk of the City of Chicago, constitute a contract between the City of Chicago (the "City") and the Cubs. The contract shall have a term from the date that acceptance is so filed through December 31, 2002.

B. Regular Season Night Games. The Cubs may schedule, in each baseball season, up to eighteen regular season home ball games at Wrigley Field, 1060 West Addison Street, Chicago, Illinois, as night games, that is, games scheduled to begin after 3:35 P.M. ("Night Games"). No regular season Night Games shall be scheduled to begin later than 7:05 P.M. Night Games which begin as so scheduled (or upon the conclusion of weather or other delays as provided in paragraph F of this Section) shall not be subject to further restriction as to the time they may be held. No regular season Night Game shall be scheduled on a Friday. Regular season Night Games may be scheduled on Saturdays only when a baseball rule, national television contract or other circumstance beyond the control of the Cubs precludes the live broadcast, in whole or in part, of a Cubs game beginning at or about 1:35 P.M., on that Saturday on the local television station that broadcasts Cubs games. No more than two regular season Night Games may be scheduled on Saturdays in any baseball season. The dates and scheduled times of regular season Night Games shall be as designated by the Cubs, in accordance with the provisions of this paragraph. A scheduled regular season Night Game shall count toward the limitations of this Section unless it is cancelled or postponed not later than 5:00 P.M. of the date it is scheduled.

C. Regular Season Late Afternoon Games. The Cubs may schedule, in each baseball season, up to seven regular season home ball games at Wrigley Field (plus any of the eighteen games allowed to be scheduled as Night Games under paragraph B of this Section), to begin at a time at or after 3:05 P.M. but not later than 3:35 P.M. Ball games which begin as so scheduled (or upon the conclusion of weather or other delays as provided in paragraph F of this Section) shall not be subject to further restriction as to the time they may be held. The dates and scheduled times of games described in this paragraph shall be designated by the Cubs, in accordance with the provisions of this paragraph. A regular season game scheduled as provided in this paragraph shall count toward the limitation of this paragraph only if it counts as a completed "official" game for purposes of league standings.

D. Double-headers. In addition to games scheduled as provided in Paragraphs B and C of this Section, the Cubs may schedule regular season home ball games at Wrigley Field as follows:

i) the second game of any regularly scheduled double-header to begin reasonably promptly after the end of the first game (which first game shall be scheduled to begin at or before 1:35 P.M.); and

ii) any double-header, one game of which was originally scheduled for an earlier date but was postponed because of weather or other circumstance beyond the control of the Cubs; the first game of any such double-header shall be scheduled to begin at or before 1:35 P.M. unless the game originally scheduled for the date of the double-header was a regular season Night Game in which case the first game shall be scheduled to begin at or before 4:05 P.M., with the second game in each case to start reasonably promptly after the end of the first game.

Ball games which begin as provided in this paragraph (or upon the conclusion of weather or other delays as provided in paragraph F of this Section) shall not be subject to further restriction as to the time they may be held. Ball games described in subparagraph (i) above and ball games described in subparagraph (ii) above that are held on a date on which a game was originally scheduled to begin before 3:05 P.M., do not count toward the limitations of paragraphs B or C of this Section. For a double-header described in subparagraph (ii) above that is held on a date on which a Night Game was originally scheduled, the second game shall count towards the limitations of paragraph B of this Section but the first game shall not count toward the limitations of paragraph B or C of this Section. For a double-header described in subparagraph (ii) above that is held on a date on which a game was originally scheduled to begin as described in paragraph C of this Section, the second game shall count toward the limitations of paragraph C of this Section but the first game shall not count toward the limitations of paragraphs B or C of this Section. The dates and scheduled times of games described in this paragraph shall be as designated by the Cubs, in accordance with the provisions of this paragraph.

E. Special Games. All-Star, playoff, league championship series or World Series ball games may be scheduled and held at Wrigley Field at any time without restriction as to the time when they may be held.

F. Completion of Games. Any ball game at Wrigley Field, the beginning of which is delayed from its scheduled starting time because of weather or other circumstance beyond the control of the Cubs, may be begun upon the conclusion of the delay. Once any ball game at Wrigley Field has begun, it may be completed without being subject to any restriction as to the time that the game may be held. Games scheduled to begin before 3:05 P.M. shall not be subject to restriction as to the time they may be held.

G. Lights. Subject to the provisions of paragraph I(i) of this Section, the Cubs shall be entitled to construct, acquire, install and operate equipment and facilities for illuminating Wrigley Field (including, without limitation, the perimeter of the stadium and spaces within the stadium) at any time for any ball game when natural light is insufficient.

H. Beer and Other Alcoholic Beverage Sales. Subject to the limitations of this paragraph, beer and other alcoholic beverages may be sold in a lawful manner at all ball games at Wrigley Field. No such sale in the open public seating areas and related public concourses may be made after 9:20 P.M. At regular season Night Games scheduled as

provided in paragraph B of this Section, no such sales in the open public seating areas and related public concourses may be made after the end of the seventh inning.

I. Improvements. (i) Pursuant to the rights granted and obligations imposed by this Ordinance, the Cubs plan to construct, acquire and install improvements and additions to Wrigley Field (the "Improvements"). The Improvements include equipment and facilities for illuminating Wrigley Field as described in paragraph G above. They may also include (at the same time or at a later time or times) additional seating, sky boxes or related facilities. Improvements governed by this Ordinance shall not result in an increase in seating capacity of Wrigley Field of more than 2,988 seats over its present seating capacity of 39,012 seats.

(ii) The City will give prompt consideration to all requests of the Cubs for building, electrical, occupancy and similar permits for the acquisition, construction, installation and use of the Improvements. The construction, acquisition, installation and use of the Improvements will be required to meet all building, electrical or similar code requirements applicable to the Improvements. However, existing structures and facilities shall not be required to meet building, electrical, or similar code requirements that would not be applicable to them if the Improvements were not to be acquired, constructed, installed or used. The acquisition, construction, installation or use of the Improvements shall not impose any additional zoning requirements with respect to Wrigley Field and its related facilities, except as prescribed by this Ordinance.

(iii) The Cubs will provide additional off-street parking places for Wrigley Field in an amount equal, in the aggregate, to 1/5 of any increases, in the aggregate, over the present seating capacity of Wrigley Field (39,012 seats). No such increase in seating capacity shall be placed in service prior to the additional parking places being placed in service. The additional off-street parking places which have been provided by the Cubs since January 1, 1987, namely 200 parking places at 1140 W. Eddy Street, Chicago, Illinois, shall count towards any requirement in this subparagraph (iii) of additional parking places. The parking places required to be provided under this paragraph need not be located on the same lot as or contiguous to Wrigley Field but shall be close enough to serve as parking for fans walking from the parking places to the game. The additional parking places may be owned or leased by the Cubs or provided pursuant to a contract between the Cubs and the owner or operator of such parking places. The requirements of this subparagraph (iii) are in lieu of any other City requirements for off-street parking.

J. Grass and Ivy. In connection with the improvements and the use of Wrigley Field for ball games, the Cubs will seek to maintain the charm and ambiance of Wrigley Field, with its tradition of natural grass, ivy-covered outfield walls and open-air bleachers.

K. No Impairment. The City pledges to the Cubs not to take any action to impair any of the City's obligations or the Cubs' rights under this Ordinance. To the extent of the City's authority under its home rule powers, it agrees that activities which are the subject of this Ordinance shall not be subject to prohibition or to regulation inconsistent with those activities. The right of the Cubs to hold games shall include, without limitation, the right to play baseball, sell tickets, admit spectators, broadcast on radio and television and sell, in a lawful manner, food, beverages and other concessions. The City will take and its various

officers are directed to take all necessary steps to implement and carry out the provisions of this Ordinance.

L. Remedies. The City and the Cubs may each enforce their rights under this Ordinance by mandamus or other suit, action or proceeding at law or in equity. No remedy so conferred shall be exclusive of any other such remedy. All such remedies may be cumulative. No rights are given under this Ordinance to any person other than the City and the Cubs and their successors. The restrictions and obligations imposed on the Cubs by this Ordinance shall also be applicable to any successors of the Cubs. No provisions of the Chicago Municipal Code or other ordinances which may provide for fines or other criminal or quasi-criminal sanctions for ordinance violations shall apply to this Section.

M. Whole Agreement: Further Agreements Authorized.

(1) If this Section of this Ordinance is accepted by the Cubs as provided in the first sentence of this Section, this Section shall constitute the whole agreement between the City and the Cubs concerning the matters covered by this Section.

(2) The Mayor of the City is authorized and directed to execute, from time to time, further agreements as are necessary and appropriate with the Cubs concerning services with respect to Wrigley Field, including elements of the Neighborhood Protection Improvement Program. Any such further agreements shall be separate and apart from the agreement of the City and the Cubs set forth in this Section. (The first such further agreement is attached to this Ordinance as Exhibit A.)

N. Special Rules for 1988. For calendar year 1988, the Cubs will not schedule more than eight regular season Night Games, none before July 1, 1988, as described in Paragraph B above. Restrictions imposed by Paragraph C of this Section shall not apply for 1988. In 1988, after the first regular season Night Game is held, there shall be no games on Mondays through Thursdays, inclusive, scheduled to begin on or after 3:05 P.M. but not later than 3:35 P.M.

SECTION 4. Neighborhood Protection And Improvement Program.

To ensure that the interests and concerns of the residential neighborhood which surrounds Wrigley Field are adequately protected, the following components of a neighborhood protection and improvement program shall be implemented:

(a) Public Safety and Order. On or before June 1, 1988, the Superintendent of Police shall develop and implement a public safety and order plan designed to ensure that sufficient police personnel are assigned to preserve public safety and order in the neighborhood surrounding Wrigley Field when baseball games are played and, in particular, for up to two hours after each Night Game at Wrigley Field. The plan shall also make provision for adequate police protection in and around the Addison elevated station and on elevated trains. The Superintendent of Police shall file this plan with the City Council on or before June 1, 1988 and thereafter shall file bi-annual reports, on each November 1 and March 1, concerning the ongoing implementation and administration of this plan.

(b) Litter Control. On or before June 1, 1988, the Commissioner of Streets and Sanitation shall develop and implement a litter control plan designed to ensure that sufficient personnel are assigned to remove trash and debris in the neighborhood surrounding Wrigley Field. Included in this plan shall be a description of arrangements made by the City and the Cubs with a report to the division of responsibility for litter control in this neighborhood. The Commissioner of Streets and Sanitation shall file this plan with the City Council on or before June 1, 1988 and thereafter shall file bi-annual reports, on each November 1 and March 1, concerning the ongoing implementation and administration of this plan.

(c) Traffic Management. On or before June 1, 1988, the Commissioner of Public Works shall develop and implement a traffic management plan designed to improve the flow of traffic arriving and departing from the Wrigley Field neighborhood on days that baseball games are played. This plan shall at a minimum include the following elements: providing an extra lane of traffic on West Addison Avenue and West Irving Park Avenue in the vicinity of Wrigley Field by prohibiting parking on such thoroughfares; providing access to the southbound entrance ramp to Lake Shore Drive at Addison Street; co-ordinating with Cubs personnel assigned to control the dispatching and boarding of charter buses; deploying sufficient personnel and hand-held electronic equipment to control the timing of stop lights after baseball games. The Commissioner of Public Works shall file the plan with the City Council on or before June 1, 1988 and thereafter shall file bi-annual reports, on each November 1 and March 1, covering the ongoing implementation and administration of this plan.

(d) Transportation Management. On or before June 1, 1988, the Commissioner of Public Works shall develop and implement a transportation management plan designed to reduce the amount of automobile traffic entering and leaving the Wrigley Field neighborhood on days that baseball games are played. This plan shall at a minimum include the following elements: co-ordination with the Cubs and the Chicago Transit Authority (C.T.A.) with respect to intensified marketing of public transportation for patrons of Wrigley Field; the use of remote parking lots in conjunction with direct C.T.A. service to Wrigley Field; the expanded use of shuttle bus service. The Commissioner of Public Works shall file this plan with the City Council on or before June 1, 1988 and thereafter shall file bi-annual reports, on each November 1 and March 1, concerning the ongoing implementation and administration of this plan.

(e) Parking. On or before June 1, 1988, the Commissioner of Planning shall develop and implement a parking improvement plan designed to enhance the availability of off-street parking in the neighborhood surrounding Wrigley Field. This plan shall include best efforts to facilitate the development of multi-tier parking structures, in particular in area of Belmont Avenue and Sheffield Avenue. The Commissioner of Planning shall file this plan with the City Council on or before June 1, 1988 and thereafter shall file bi-annual reports on each November 1 and March 1, concerning the on-going implementation and administration of this plan.

(f) Permit Parking. On or before June 1, 1988, the Commissioners of Public Works and Streets and Sanitation shall develop and implement a residential permit parking plan designed to ensure that on days when regular season Night Games subject to the restrictions of Paragraph B of Section 3 of this ordinance are scheduled at Wrigley Field,

parking on residential streets in the vicinity of Wrigley Field is restricted to residents of the neighborhood. In developing such a plan, the Commissioners of Public Works and Streets and Sanitation shall consider the following factors, in consultation with the Cubs: appropriate geographic scope of such parking restrictions; appropriate enforcement mechanisms including increased fines and the towing of violators; the use of existing off-street lots in the vicinity of Wrigley Field for the impoundment of cars which are towed; and the use of fines collected through the enforcement of the residential permit parking plan to finance the on-going administration of this plan. The Commissioners of Public Works and Streets and Sanitation shall also consider the desirability of a residential permit parking plan designed to address the particular concerns of all residential districts located or to be located in the vicinity of sports stadiums, arenas or auditoriums. The Commissioners of Public Works and Streets and Sanitation shall file this plan with the City Council on or before June 1, 1988 and thereafter shall file bi-annual reports, on each November 1 and March 1, concerning the on-going implementation and administration of the plan.

(g) Community Input. Each of the Commissioners directed to develop and implement the plans which comprise the Neighborhood Protection and Improvement Program shall consult on a regular basis with the residents of the neighborhood surrounding Wrigley Field and shall indicate in the plans and the quarterly reports required to be filed with the City Council as to how they have attempted to address the concerns of those residents.

SECTION 5. Severability. If any provision of this ordinance is held or declared to be illegal, invalid or ineffective, that holding or declaration shall not adversely affect the legality, validity or effectiveness of any other provision of this ordinance. The titles of the sections and paragraphs are for convenience only and are not a part of this ordinance.

SECTION 6. Effectiveness. This ordinance is effective upon its passage.

Exhibit "A" attached to this ordinance reads as follows:

Exhibit "A".

Agreement Concerning Services With Respect To Wrigley Field.

The City of Chicago (the "City") and Chicago National League Ball Club, Inc. (the "Cubs") agree as follows:

Section 1. Public Order.

(a) The City will continue to staff the police "hot line" during Cubs games (installation of which was paid for by the Cubs). The Cubs will pay all telephone line charges for this service. The Cubs will also pay for one relocation of this "hot line".

(b) The Cubs will continue their present program of public announcements and public notices to prevent disorder among fans attending ball games.

Section 2. Litter.

(a) The Cubs will assign personnel so that litter baskets located on sidewalks adjacent to Wrigley Field shall be emptied after each game.

(b) The Cubs will assign personnel to pick up ball game related debris from the sidewalks and parkways adjacent to residential streets within the area bounded by Racine, Cornelia, Wilton and Grace. The Cubs will have no responsibility for collection of debris from streets or gutters.

Section 3. Transportation.

(a) The Cubs will include in their mailings to persons ordering or inquiring about tickets, and in their program books and year books, information encouraging use of public transportation to Wrigley Field. This information will be adjusted to reflect the likely effects on Chicago Transit Authority ("C.T.A.") service of construction at the Addison elevated station. The Cubs will also provide free display space for C.T.A. advertisements at Wrigley Field and will arrange for announcement by Cubs broadcasters encouraging the use of public transportation.

(b) The City will use its best efforts to work with the C.T.A. to provide additional rapid transit and bus service as appropriate to stops servicing Wrigley Field in respect of ball games, and to schedule construction on the Addison elevated station to minimize disruption during the baseball season.

(c) The Cubs will assign personnel to parking areas designated by the City in which charter buses for Cubs games may be parked, such personnel to dispatch the buses for fan pick-up and boarding after games in an orderly fashion.

Section 4. Continued Cooperation.

(a) The City will use its best efforts to continue to work with the community adjacent to Wrigley Field and the Cubs on providing solutions to questions of residential parking, traffic congestion and other effects of ball games at Wrigley Field.

(b) The Cubs will regularly consult with City representatives (and community representatives with whom the City is working) concerning those problems and solutions.

Section 5. Beer Cut-Off. The Cubs intend to continue to cut-off the sale of beer and other alcoholic beverages after the end of the eighth inning for all games (other than first games of double-headers) as to which an earlier cut-off is not required by ordinance, but this shall remain in the discretion of the Cubs.

Section 6. Professional Sports -- Public Schools Partnership. The Cubs will prepare, on or before September 1, 1988, a plan for the organization and co-ordination of volunteer activities of professional sport teams and athletes in Chicago in a professional sports-public school partnership by which support may be provided for public school

athletic activities in the Chicago area including assistance for skills development, equipment availability and general encouragement.

Section 7. Remedy. Either party may enforce the provisions of this Agreement by mandamus, injunction or any other judicial remedy relating to this Agreement.

Section 8. Whole Agreement. This Agreement constitutes the whole agreement between the City and the Cubs concerning the matters covered by its terms. It is separate and apart from any other agreements between the City and the Cubs. The titles of the Sections are for convenience only and are not a part of the Agreement. This Agreement does not give rights to any person other than the City and the Cubs and their successors.

Section 9. Severability. If any provision of this Agreement is held or declared to be illegal, invalid or ineffective, that holding or declaration shall not adversely affect the legality, validity or effectiveness of any other provision of this Agreement.

Section 10. Term. The term of this Agreement is from the date of this Agreement until December 31, 2002.

Action Deferred -- AMENDMENT OF VARIOUS CHAPTERS
OF MUNICIPAL CODE REGARDING GUIDELINES
FOR SCAVENGER PICK UP IN EMPTY LOTS,
PARCELS OF REAL ESTATE, RESIDENCES
AND PLACES OF BUSINESS.

The Committee on Energy, Environmental Protection and Public Utilities submitted the following report, which was, on motion of Alderman Madrzyk and Alderman Fary, *Deferred* and ordered published:

CHICAGO, February 24, 1988.

To the President and Members of the City Council:

Your Committee on Energy, Environmental Protection and Public Utilities, to which was referred an ordinance amending various sections of the Code relating to trash and rubbish violations, having had the same under consideration, begs leave to report and recommend that Your Honorable Body pass the proposed ordinance transmitted herewith.

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

Respectfully submitted,
(Signed) BOBBY RUSH,
Chairman.

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

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

SECTION 1. Chapter 167-7.1 of the Municipal Code of Chicago is amended by deleting the language in brackets and inserting the language in italics as follows:

167-7.1. Each person licensed as a private scavenger shall carry in his vehicle a rake, broom, shovel or some means for the removal of scattered or spilled refuse. [It is hereby declared a misdemeanor for a] *Every private scavenger* [to fail to] *shall completely* remove scattered refuse lying within six (6) feet of the container or container area which [said] *the private scavenger is servicing.*

Any person found in violation of this section shall be subject to a fine of not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00) for each offense. In addition, a violation of this section shall constitute grounds for revocation or suspension of a private scavenger license pursuant to the provisions of Chapter 101-27 of this Code.

SECTION 2. Chapter 167-38 of the Municipal Code of Chicago is amended by deleting the language in brackets and inserting the language in italics as follows:

167-38. Any person [that] *who* violates any of the provisions of this chapter or the rules of the Commissioner of [buildings] *Inspectional Services* or the department of [water and sewers] *Streets and Sanitation concerning* the business of scavengers shall, where not otherwise provided, be fined not less than [ten] *fifty* dollars (\$50.00) nor more than [one] *three* hundred dollars (\$300.00) for each offense, and a separate and distinct offense shall be regarded as committed each day on which such person shall continue any such violation. *In addition, a violation of any of the provisions of this chapter shall constitute grounds for revocation or suspension of a private scavenger license pursuant to the provisions of Chapter 101-27 of this Code.*

SECTION 3. Chapter 99-36.1 of the Municipal Code of Chicago is amended by deleting the language in brackets and inserting the language in italics as follows:

99-36.1 a. The owner, occupant, agent or person in possession or control of any lot or *unimproved* parcel of real estate ("owner") shall remove or cause to be removed therefrom any abandoned or derelict motor vehicle, garbage, debris, refuse, litter and miscellaneous waste. Unremoved material of such a nature is hereby declared to be a public nuisance. Any owner or other person found in violation of this section shall be fined not less than \$25 and not more than \$500 for each offense, and each day on which such an offense shall continue shall constitute a separate and distinct offense; however, this section shall not apply to any governmental entity nor to any owner upon whose lot or parcel such material is permitted to accumulate pursuant to a properly issued license or permit in accordance with zoning provisions of this Code governing special uses in General and Heavy Manufacturing Districts.

b. The owner, occupant, agent or person in possession or control of any residence or business ("owner") shall remove or cause to be removed any garbage, debris, refuse, litter and miscellaneous waste located upon his property or place of business. Unremoved material of such nature is hereby declared to be a public nuisance. Any owner or other

person found in violation of this section shall be fined not less than \$200 and not more than \$500 for each offense, and each day on which an offense shall continue shall constitute a separate and distinct offense.

[b.] c. Where the owner of any lot, [or] parcel of real estate, *residence, or place of business* upon which a nuisance exists is known and can be found, the Commissioner of Streets and Sanitation or his designee shall serve notice in writing by certified mail, return receipt requested, upon the owner requiring him to abate the nuisance within [seven] *three* days from the date of receipt of notice in the manner the Commissioner may prescribe. If the owner fails within [seven] *three* days to abate the nuisance or if the owner is unknown or cannot with due diligence be found, the Commissioner may proceed summarily to abate the nuisance or to seek to enjoin the nuisance. [Any] *In addition to any penalty or fine, the cost or expense incurred by the City in abating a nuisance may be recovered in an appropriate action against an owner instituted by the Corporation Counsel.* Nothing in this section shall be construed to prevent the City of Chicago from acting without notice to abate a nuisance in an emergency where the nuisance poses an immediate threat to public health or safety, nor shall this section be construed to deny any common law right to anyone to abate a nuisance.

SECTION 4. Chapter 99-74 of the Municipal Code of Chicago is amended by deleting the language in brackets and inserting the language in italics as follows:

99-74 Any person violating any of the provisions of this chapter shall be fined not less than [five] *one hundred* dollars (\$100.00) and not more than [two] *five* hundred dollars (\$500.00) for each offense, except where otherwise specifically provided. A separate and distinct offense shall be held to have been committed each day any person continues to violate any of the provisions hereof.

SECTION 5. This ordinance shall be in full force and effect upon its passage and publication.

MISCELLANEOUS BUSINESS.

PRESENCE OF VISITORS NOTED.

The Honorable Eugene Sawyer, Acting Mayor, called the Council's attention to the presence of the following visitors:

82 students from Jamieson Elementary School (8th grade), accompanied by Ms. Elizabeth Brayton, Principal.

Time Fixed For Next Succeeding Regular Meeting.

By unanimous consent, Alderman T. Evans 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- fourth day of February, 1988, at 10:00 A.M., be and the same is hereby fixed to be held on Thursday, the twenty-fifth (25th) day of February, 1988, at 2:00 P.M., in the Council Chamber in City Hall.

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

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

Yeas -- Aldermen Roti, Rush, Tillman, T. Evans, Bloom, Robinson, Beavers, Caldwell, Shaw, Vrdolyak, Huels, Fary, Madrzyk, Burke, Carter, Langford, Streeter, Kellam, Sheahan, Jones, J. Evans, Garcia, Krystyniak, Henry, Soliz, Gutierrez, Smith, Davis, Hagopian, Figueroa, Mell, Austin, Kotlarz, Banks, Giles, Laurino, O'Connor, Pucinski, Natarus, Eisendrath, Hansen, Levar, Shiller, Schulter, Osterman, Orr, Stone -- 47.

Nays -- None.

Alderman Natarus moved to reconsider the foregoing vote. The motion was lost.

Adjournment.

Thereupon, Alderman T. Evans moved that the City Council do *Adjourn*. The motion *Prevailed* and the City Council *Stood Adjourned* to meet in regular meeting on Thursday, February 25, 1988, at 2:00 P.M. in the Council Chamber in City Hall.

A handwritten signature in cursive script, reading "Walter S. Kozubowski".

WALTER S. KOZUBOWSKI,
City Clerk.