

# The Works

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## Tale of a Ticket

A Roscoe Village businessman thinks someone is making him pay for being a pest.

By Ben Joravsky

Two days after Christmas, Christopher DeCaigny went to court to challenge a ticket he'd been issued for breaking the city's garbage-collection law. But DeCaigny insists his real offense is one that's not mentioned in the city code—messing with the wrong guy.

DeCaigny thinks the city's punishing him for challenging Al Johnson, president of the Roscoe Village chamber of commerce and a longtime ally of Ted Matlak, alderman of the 32nd Ward. "It's a real squirrely deal," says DeCaigny, president of Union Insurance Group, at 2123 W. Roscoe. "It's gotten out of control."

For the last 30 years or so, Johnson, who runs a real estate company, has been the unofficial mayor of Roscoe Village. He's been president of the chamber of commerce since the early 90s. DeCaigny's beef with Johnson goes back to 2004, when the chamber championed a proposal to create a Special Service Area. An SSA levies a special tax on a district for a ten-year period to raise money for specific services. In this case, the Roscoe Village chamber of commerce proposed raising about \$300,000 a year with an SSA to be used to erect and tend planters, shovel sidewalks, run a shuttle bus, and pay for other programs intended to boost business in the stores near Roscoe and Damen. But in November 2004, after more than 100 locals attended a meeting and denounced the plan,

Matlak dropped his support and the proposal was killed.

Upset at the chamber for trying to raise taxes, DeCaigny and other business owners charged the organization with having violated its bylaws: though board terms were supposed to run two years, board elections hadn't been held since 1999. Johnson says this hardly seemed like a big deal: few people, he says, have showed much interest in attending the chamber's meetings, much less serving on the board. The bylaws have been amended to allow the current board to continue to serve.

The bickering between DeCaigny and Johnson continued throughout the year into the summer. In June the dispute got testier. DeCaigny says he was eating at Piazza Bella Trattoria, a restaurant on Roscoe, with Brad Spiess, the vice president of his insurance company, and a few others. "We were talking and an employee of the restaurant came up and said, 'Chris, the police are here looking for you,'" says Spiess. "Sure enough, we looked outside the window and a police department car was out there."

DeCaigny says he went outside to talk to the police officer. "He said, 'We have a report that you assaulted Al Johnson,'" says DeCaigny. "I was flabbergasted. Assaulted him? I hadn't seen him in days. The cop said somebody pushed Al Johnson down. I said, 'Let me see the report.' He said, 'I don't have a written report—he called it in.' (Johnson

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denies reporting DeCaigny as his assailant.) I said, 'This is ridiculous. I'll call my attorney and you guys come back with an official statement and we'll deal with it then.' He said something like, 'Yeah—it's BS.' You could tell his heart wasn't in it. That's the last I heard from the cops."

After the policeman drove off, DeCaigny went back inside the restaurant. About 15 minutes later Andrew Szorc, the 32nd Ward superintendent and a longtime Matlak precinct captain, came in. "Drew walks in and says, 'Chris, you've got to back off,'" says DeCaigny. "I couldn't believe it. The cops, the alderman's guy—what's next? I admit I got upset. I was furious. I was absolutely livid. I said, 'You sit your fat ass down and tell Al Johnson to back off.'"

As the exchange heated up, DeCaigny says, Szorc referred to Matlak's biggest local rival, state representative John Fritchey. "Drew said, 'You're helping John Fritchey run against Matlak,'" says DeCaigny. "I can't believe that's how they saw it. I'm raising important questions about our chamber of commerce, and they think I'm doing this to score points for Fritchey? I said, 'What the hell are you talking about? I don't even know Fritchey. He's the state rep. Why would he want to be alderman—isn't that a step down?'" (Szorc refused to comment on the incident. "I am fair and just to everybody," he says. "I have nothing to do with the chamber.")

According to Spiess, it was a nasty scene. "Let's put it this way—they had an animated conversation that basically cleared out the restaurant," he says. "It was a tense and loud exchange." (Spiess says he has a list of witnesses who can corroborate this, but when I asked for their names he didn't call me back.)

On September 30 DeCaigny wrote a letter to the office of attorney general Lisa Madigan, asking for an investigation into the bylaws of the Roscoe Village chamber of commerce, charging that they violate the Illinois Not-for-Profit Act. (Johnson insists that the bylaws have already been cleared by the attorney general's office.) He also asked the attorney general to "place a freeze on all property and assets of the Chamber" pending "an election of a new [chamber] board" and a "full audit" of its books.

Over three weeks passed, and he still hadn't heard back from Madigan's office. So he wrote a letter to Fritchey, asking him to "facilitate an audience with the Attorney General's office." In November *Inside*, the neighborhood weekly, ran an article on the matter, quoting DeCaigny, referring to his letter to Madigan's office, and noting that Fritchey was "scheduling a meeting with the attorney general's office to keep abreast of the investigation." The next day DeCaigny got his garbage ticket.

DeCaigny runs his insurance company out of four units he

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owns in a condo complex on Roscoe. Like the residents in his building, he gets weekly service from Streets and Sanitation trucks (supervised by Szorc, by the way), which collect his garbage from several bins in his alley. But businesses aren't entitled to weekly garbage collection. Instead they're supposed to pay for private service.

DeCaigny says the city is arbitrarily enforcing this law in Roscoe Village. He points out that several other local businesses have regular city garbage service—including Johnson's real estate company. He also finds the timing of the ticket suspicious. "For [12] years we've been using

the city's garbage service," he says. "Then on November 9, right after the *Inside* runs its story, the city discovers we have the wrong kind of service? I think the timing's a little more than a coincidence."

DeCaigny says he's starting to get a little paranoid. To him the message is clear. "They wanted me to back off, but I'm not backing off," he says. "We've been asked by a lot of businessmen to continue the fight."

If it is retribution, it's not very efficient. Streets and San tickets are delivered through the mail. But the inspector who wrote up Union Insurance used the wrong zip code, so the ticket took over a

month to arrive.

Matlak says he has nothing against DeCaigny and knows nothing about Szorc's show-down with him at the restaurant in July. "It's a personal dispute between DeCaigny and Al Johnson," he says. "Whatever dispute he has with the chamber has nothing to do with me. I don't even know what DeCaigny looks like." Matlak also says he knows nothing about the ticket. "Until you called me, I didn't even know they issued a ticket," he says. "It's about a garbage cart. This is city policy, and they've been enforcing it in the ward."

Does this mean that Streets

and Sanitation will eventually ticket Johnson's office? "I don't have anything to do with that," says Matlak.

Johnson says DeCaigny's allegations of harassment are "preposterous." "I've been in this neighborhood for 40 some years," he says. "This is the first I've ever heard of anything like this." He confirms that his garbage service is provided by the city. "I've been here since 1988," he says. "I've had the same service since 1988."


DeCaigny was out of town on December 27. But Spiess and James Clune, Union Insurance's lawyer, schlepped over for the 9 AM hearing in the city's adminis-

trative hearing office in the shopping strip across the street from Lane Tech High School. The hearing officer was late, so they waited in the hallway for about 30 minutes. Then they were ushered into a windowless room where the hearing officer dismissed the ticket because it wasn't clear from handwriting on it what date it had been issued.

Afterward Spiess and Clune stood in the parking lot. "If it was so important, you'd think they'd send someone down to enforce their ticket," Spiess said. "You know what was going on here. They were just inconveniencing us—sending us another message." ■

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