

# 'Premises clean'

## 2 city health aides OK food amid filth

By Pamela Zekman and Zay N. Smith  
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Chicago taxpayers spend more than \$15 million a year on salaries for inspectors who are supposed to keep business establishments sanitary and safe. The Mirage, through four months, never received an honest and thorough inspection of any kind.

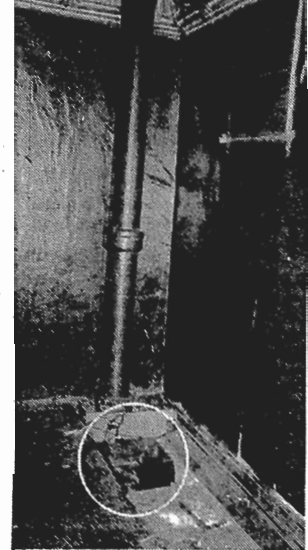
You have already met the city and state inspectors in the Mirage's payoff parade. They closed their eyes to potentially fatal hazards for a price.

Now it is time to meet the remaining few inspectors. They marched in a parade of misconduct and negligence. Their payoff was a paycheck collected like a gift from a city government that values clout more than competence.

The Mirage — a tavern operated by the Sun-Times and the Better Government Assn. at 731 N. Wells — watched these inspectors come and go. It watched them loaf on the job. It watched them shrug off code violations that could kill.

Public health and safety? Too bad. Tax dollars spent on nothing? Better luck next time. That's how life goes in the city that shirks.

City taxpayers have the right to expect honest, competent health inspections. They spend more than \$800,000 a year on salaries for



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INSTEAD OF being exhausted outside the building as required, washroom air at the Mirage passed through the kitchen and was sucked by a fan (circle) into the tavern. City health inspector David Weingarten merely asked whether everything in the Mirage's washroom was up to code.



The Sun-Times and the Better Government Assn. ran a Near North Side bar, the Mirage, for four months to investigate corruption and fraud in the tavern business. This is the 10th article in a continuing series.

health inspectors so a sandwich at the corner tavern won't lead directly to a stomach pump.

But the Mirage's two health inspectors just wandered around for a few minutes, careful not to step on the cockroaches, and gave the place a pass. They ignored filth. They ignored code violations.

Neither set foot in the Mirage's basement, a place so foul that even the vermin seemed to be dying.

The Mirage told City Hall before opening day that it wanted to sell sandwiches. The city said the Mirage would need a limited food license — a license given to businesses that sell food but do not cook.

David Weingarten arrived on Aug. 15 for a pre-opening inspection. He inspected nothing much.

He started by inspecting the Mirage's two washrooms from a distance of about 20 feet — merely asking if everything in them was up to code.

The washrooms were not up to code. The ventilation system alone cried for a turn-down. The washroom air, instead of being exhausted directly outside the building as required, passed through the kitchen area and into the tavern. But the Mirage said everything seemed OK. And that was that.

Nor did Weingarten go near the filthy basement. He said he intended to look in the basement — a required procedure — but he never got around to it. No visitors for the rats that day.

Weingarten did stop to see if the Mirage had installed the required three-compartment sink behind its bar. He did not stop long enough to notice that the third compartment was a fake. It wasn't even hooked up. It drained directly onto the floor.

"Go ahead and open," Weingarten said.

The Mirage tested the city's health inspectors again when it installed a kitchen and grill in its back room and asked for a full food license — supposedly hard to get. The kitchen would never be used, but the city didn't know that.

The Mirage, preparing for the new inspection, noticed that its kitchen sink was covered with rust and indelible scum. So it sprayed silver paint over the mess. That was one of several striking code violations that Weingarten noticed when he came back Oct. 17.

"That sink's been painted," he said. "I've seen those jobs before. I'd sure hate to see you wash dishes in there. The paint would come right off on the dishes."

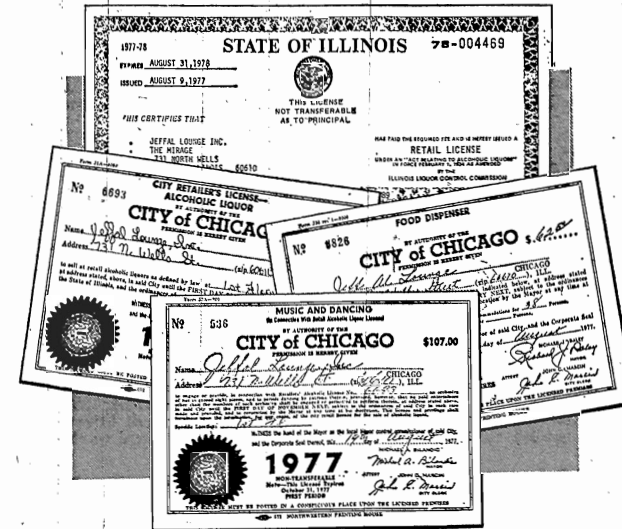
Weingarten was reluctant to pass the Mirage this time around. The problem wasn't health hazards. It was that he might get caught. "See, a lot of newspapers and television people, they keep an eye on the places downtown," he explained.

Yet he was also reluctant to turn down the Mirage. He didn't want to be the hard guy and enforce city health regulations. That was asking too much of a city health inspector.



### 'The paint would come right off'

The Mirage was given permits to sell and prepare food even though its kitchen contained at least two flagrant code violations—a hood above a grill with no exhaust fan and a sink that had been painted over by Sun-Times reporter Pamela Zekman to conceal rust and scum. "I'd sure hate to see you wash dishes in there. The paint would come right off on the dishes," a city health inspector pointed out and then forgot about it. A second city health inspector, like the first, didn't even venture into the Mirage's basement, where a black ooze later found to contain dangerous contaminants collected in puddles on the floor. The food permits were among others obtained by the Mirage from either the city or state to sell liquor and provide live entertainment.



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The solution was simple. He passed the buck to an older, more experienced inspector.

Robert Hansen, an inspector for 18 years, came by a few days later. He took one look at the dirty beer coolers and announced, "You really oughta clean that up sometime."

He repeated the phrase when he looked briefly at the Mirage's corroded refrigerator shelves and its rotted flooring. That was as firm as he would ever get.

"We can bend the rules a little," he said, moving past one code violation after another. Hansen, in fact, could bend the rules a lot. He did not mark down a single code violation when he filled out his report. And he, too, never got near the basement.

It was up to the Mirage to inspect that basement for itself. The piles of garbage, left over from previous tenants, were self-evident. But there were questions about that black ooze all over the floor.

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## Fruit flies in bourbon no problem

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spection with inspector Robert Hansen in tow. Hennessey said a full inspection showed the Mirage had too many violations to be licensed as a full restaurant.

The Sun-Times asked Edward F. King, assistant health commissioner, how the Mirage ever got such a license in the first place. "There is no explaining it," he said.

The Mirage, which has been cleaned up further by its new owner, retains its limited food license. All other violations have also been corrected.

It was Sept. 29 — just 10 days after the Mirage had been shaken down by two state liquor inspectors.

And then came a third. But Joe Vernagallo was negligent at no charge. He announced that it was a routine check as he walked behind the bar and started looking at bottles. Then something caught his eye.

"There's a problem," he said. "You have some foreign particles in these bottles."

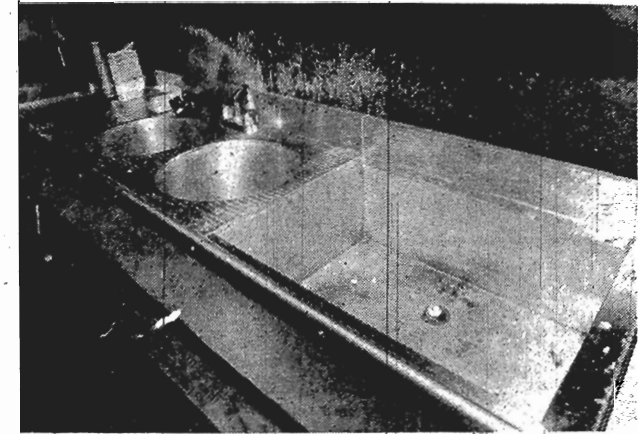
Really? "Yeah. See those small bugs in the bottle?" It was true. The Mirage had dead fruit flies in its bourbon. That was both disgusting and illegal. But it was no problem.

"If I was with my partner, I'd have written you up," he said. "He goes by the book. But since it's just me, I'll let you pass."

Vernagallo then told the Mirage how it could strain the dead insects out and save the liquor for sale to unsuspecting customers. (The Mirage poured the liquor down the sink.) He said he was letting the Mirage off because it seemed like a nice place even if some of its liquor was "no good."

Many inspectors work this way. They inspect hiccups. If they hit it off with a business owner, there's never a problem. Forget the law. But woe betide anyone who puts the inspector in an unpleasant mood.

"There was this other place," Vernagallo



THE MIRAGE had the required three-compartment sink behind its bar. But one compartment was a fake, and drained directly onto the floor. Still, the Mirage was told: "Go ahead and open."

said. "I showed the guy my badge and he threw the thing right back in my face. He was very indignant. Well, I ended up taking 30 bottles out of the place and writing the guy up just because he was such an ass—. They shut him down for two months, and it put the guy out of business."

Earl Felke, a \$24,420-a-year, city building inspector, saw code violations everywhere he looked in the Mirage. But he wasn't going to report anything. It was too much trouble.

"I already been in court today with 26 or 27 cases, and those are big high-rises," Felke said. "Do you think I want to be in court on a thing like this? I don't give a — about a small tavern."

Chicago taxpayers spend more than \$4 million on salaries every year so building inspectors such as Felke will make sure both high-rises and small taverns are safe. One building is like another when it falls on you.

But Felke wasn't about to bother. Besides, Jeff Allen, who played the role of Mirage owner, seemed a nice guy. And Felke was another inspector who would forget the law when properly glad-handed.

"Personalities have a lot to do with it," said Felke, an inspector since 1957. "You don't give us a hard time. You have a likeable personality."

And what if a businessman isn't likeable? "There's a guy near Franklin and Illinois," Felke said. "I walked in there one day after getting a complaint and asked him very nicely if he would get a (building) permit. He started swearing at me. So now he'll be in court for six months and it'll probably cost him \$25,000 just because of his mouth and personality."

Harry Hayman, a \$25,812-a-year city electrical inspector, came to the Mirage, enjoyed a few beers and laughed off every safety hazard he saw — from dangling wires to makeshift electrical pipe.

"Hey, who put up that pipe for you?" he said. "Did Rube Goldberg put that pipe up for you? I'd know his work anywhere."

"Cimon, who did that? A friend of yours? Don't worry, I ain't gonna bother you about it. You should've had a permit, but you're just trying to make a buck."

The Mirage admitted that a friend — a non-licensed electrician — did the work.

"Well, you just tell your friend that the electrical inspector was in and saw his work and said he oughta go back to the farm. 'Cause we don't do it that way in Chicago. But I ain't gonna bother you about it. Don't worry."

The Sun-Times later asked William Hogan,



Don't worry, I ain't gonna bother you about it.

chief electrical inspector, for his reaction to an inspector who would laugh off such code violations.

"It would disturb me if I were to find out that he hadn't taken any action," Hogan said. "That is what he is paid to do. The reason for his existence is the electrical safety of the people of Chicago."

The people of Chicago spend more than \$2.3 million a year in salaries for their electrical safety.

Hayman, an inspector since 1947, didn't always laugh at code violations. Sometimes he would crack down hard. He would when the heat was on.

Hayman landed all over a tavern called Joann, just across the street from the Mirage, because it had done the same kind of pipe work using the same nonlicensed electrician.

Lou Jacobone, the owner, said he was forced to buy a permit for the work and pay a licensed electrician \$150 merely to sign it so everything would look good.

Hayman explained to the Mirage that a woman was being evicted from an apartment above Joann and had threatened to cause trouble for everybody.

"She called the newspapers and she called (Chicago Daily News columnist) Mike Royko," Hayman said. "She told 'em they ought to see what's going on in that building. And I'll tell you something. That's when you get real trouble from inspectors — when the newspapers get called."

But Hayman, even as he caved in to the threat of publicity, managed some bravado.

"The woman got me on the phone," he said. "She said she was telling the newspapers and she would get me in the newspapers. I said, go ahead, lady. I've never had my name in the newspaper. I'd love to have my name in the newspaper."

COMING THURSDAY: Mirage finds honest cop no match for clout

# Suspend 2 who ignored health hazards

By Michael Flannery and Pamela Zekman

The Board of Health suspended two inspectors Tuesday night who had overlooked grossly unsanitary conditions last year at the Mirage, a tavern operated secretly by The Sun-Times and the Better Government Assn.

Edward F. King, assistant health commissioner, announced that inspectors Robert Hansen and David Weingarten would be off the city payroll for an as yet undetermined length of time.

Hansen, an 18-year veteran, earns \$19,128 annually. Weingarten, a six-year veteran, earns \$14,268, according to King.

The pair visited the Mirage, 731 N. Wells, several times, but never subjected it to a thorough health inspection. They ignored a multitude of code violations, including a sink that had been painted over to cover up rust and scum, piles of uncovered garbage in the basement and a layer of virtually raw sewage that coated the basement floor. The tavern, which has since been cleaned up, was subsequently cleaned up and the violations eliminated.

"We will not tolerate the kind of lazy action on the part of our inspectors," declared King, who called The Sun-Times to announce the

suspensions shortly after Wednesday editions detailing the wrongdoing were published.

King said that the agency ordered all its inspectional bureaus last week to prepare a "comprehensive in-service training program for all inspectors." They will be briefed on provisions of a new food law adopted by the City Council in December and on new administrative regulations the Board of Health is scheduled to adopt Wednesday.

King said inspectors will be required to file full itineraries every evening detailing where they will be working the following day. "Field supervisors will be required to spend a substantial number of hours with each inspector under their supervision and to make personal check-up visits to establishments that were just inspected the day before or the same day," he said.

In addition, King said all employees will be reminded of the department's prohibition against accepting "gratuities in any form."

Expected to report any offer of a gratuity by a regulated business to their section chief.

## Accounting blamed in state aid loss

By Patricia Anstett

The year before, the state public aid director said, Illinois lost out on \$34.5 million available through the two-year-old federal program.

In releasing the figures, Quern and Mike Belletre, deputy director for social services, emphasized that Illinois still has a chance to recoup some of the federal funds because the program has no set deadline for states to seek reimbursement.

Besides an inadequate accounting system, Quern said Illinois has failed to receive its maximum share of federal social-service

funds because the federal government is interpreting more rigidly what services it will help states pay for.

Federal officials, however, said Illinois has been warned repeatedly in recent years that it would lose millions in federal aid because it lacked a good accounting system.

And the government isn't getting choosier about which state programs are approved for reimbursement, federal officials added. Federal authorities simply are more familiar

with the state's programs.

The two new suspensions bring to eight the number of city and state inspectors disciplined as a result of their misconduct at the Mirage. They include three Building Department inspectors, one Fire Department inspector and two Illinois Liquor Control Commission inspectors.

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