

VILLAGE OF NORTH BARRINGTON  
ILLINOIS

BOARD OF TRUSTEES MEETING

May 22, 1961  
CUBA TOWNSHIP OFFICE

The meeting was opened at 8:25 P.M. by the President with all trustees present.

The minutes of the previous meeting were read and approved.

Mr. Robert A. Moore, President, Biltmore Home Owners Association, gave a resume' of the May 20 referendum for annexation of the area described in Ordinance No. 17.2. The vote was 108 for annexation - 101 against - and seven spoiled ballots of which four were YES votes, two were NO votes and one indefinite. Information received from Attorney L. D. Clarke was that the Judge would sign the Order on the afternoon of May 22, 1961.

Mr. Anderson asked for reports from the Officers:

BOARD OF ZONING APPEALS: Mr. J. A. Dattilo, chairman, read letter addressed to the Board of Trustees, dated May 21, 1961, advising that based on legal opinion the Zoning Board of Appeals respectfully suggested that the petition of Kenneth V. Schmid for rezoning of his property be resubmitted to the Plan Commission for action.

Mr. Anderson advised the Board Mr. Schmid had requested a hearing and introduced Mr. Irwin Askow, attorney, who spoke on behalf of Mr. Schmid as follows:

"Mr. Kenneth Schmid owns 33 acres, more or less; his land comprises the largest single tract in the Village and was used to make up the necessary acreage to incorporate. Mr. Schmid has an investment of well over \$100,000. His place can accurately and immodestly be called a showplace. (Ken wouldn't say this but I can.) His intention, and I say this for your benefit, is to use the place as he has been using it.....and is making improvements.....so his wife and children can enjoy it.

"On March 10, after numerous appearances, and in response to your request as to what he wanted, he consulted our law firm and in conjunction with our advice, submitted a petition to change the zoning from R1 (five acres) to R1A (not less than two acres.) Ken does not do this for the purpose of turning this into another "Brinkman Manor," not that I know or have anything against Mr. Brinkman, but I submit that the proposed amendment that is now before the Plan Commission is in keeping with the map of the Village and I submit that his property is characterized by and in keeping with nearby property in the area. Although there are no 33 acre parcels, there are some 1/2 acre, and all the way up to his size. In other words - 10,000 sq. ft. and up. (When questioned by Mr. Anderson Mr. Askow amended the 10,000 sq. ft. figure to 20,000 sq. ft.) No hearing has been held on this petition since March 10, although the ordinance is very specific that a hearing should be held within 30 days.

"Mr. Schmid is accused of holding a gun to the head of the Board. Two months have elapsed since filing of the petition. I feel confident that Mr. Anderson's words in his letter are true - specifically since observing how your meetings are opened - that the commissioned officers and Board of Trustees will act as expeditiously as prudence, study and good practice will allow. What I am saying to you is that I am here to request that the Board of Trustees comply with and consider the petition of amendment of Mr. Kenneth Schmid. I think that this relief that is requested is based upon the premise that the request is in keeping with the character of the property in the community. We have consulted with Mr. <sup>Richard</sup>Robert Nelson, of the <sup>Real Estate</sup>Realty Research Company - a friend of Mr. Nelson Forrest's - and it is his opinion that the present zoning as it applies to the Schmid property is arbitrary and unreasonable. Finally I say that it denies Mr. Schmid his constitutional rights. On his behalf I request that the Board of Trustees, after hearing the recommendation of the Plan Commission, consider and decide to rezone his property consisting of about 33½ acres from R1-five acres to R1A-2 acres, and that the text of the ordinance, dated January 28, 1960, and the zoning map, be corrected."

During discussion Mr. Nelson Forrest suggested that the Plan Commission consult with Mr. Gene Baughman of Evert Kincaid & Associates in its investigation relative to Mr. Schmid's petition for rezoning.

PLAN COMMISSION: Mr. A. I. Jablonski reported he had received three applications for building permits. Also, the type of construction engaged in by the W. R. Stephens Construction Company does not meet the specifications of the Village Code. Mr. Anderson commended Mr. Jablonski for his vigilance.

BUDGET COMMITTEE:

Trustee Urick presented Annual Appropriation Bill - Ordinance No. 23-for approval as follows:

Roads - Snow Flowing	\$600.
Maintenance	4,680.
Police Department	500.
Legal Expenses	500.
Election Expenses and Contingencies	400.
Insurance	1,320.
Village Office Supplies	100.
Mosquito Abatement	<u>1,500.</u>
TOTAL APPROPRIATION. . . . .	<u><u>\$9,600.</u></u>

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In the pre-discussion on the proposed Annual Appropriation Bill Mr. Krumlinde reported on the requirements for the repair and maintenance of roads for 1962, and submitted a figure of \$7,000. This is on the basis of 5.9 miles of roads; \$600 for snow plowing; \$4,680 for maintenance; and includes half share of the Road and Bridges Tax estimated at \$1,720.

Mr. Krumlinde advised that Mr. Harvey Sprungman has declined to accept the appointment of superintendent of roads because he is moving from the area. Mr. Len Gotsch has been approached to serve on the Road Commission and Mr. B. Jaremus of Signal Hill Road, an engineer, has indicated a willingness to serve.

Mr. Krumlinde asked Mr. Craig of the Northern Illinois Gas Company what his company will do to restore roads, which are disturbed in the installation of gas lines. Mr. Craig advised they usually bore under hard-surfaced roads, but cut through gravel roads. When they cut through a road it is restored to as good condition or better than it had been.

Trustee Hutchinson asked what was figured in the budget in a case where a developer had not built a road but merely cleared a tract. In the case in point a road will have to be built, but in this regard Trustee Forrest presented the following points for consideration:

- 1 - Investigation should be made of our Village laws relative to who is responsible for building roads in a new development in the Village - and -
- 2 - When does this road become the responsibility of the Village.
- 3 - Present ~~Biltmore~~ roads are only good now as compared to excellent before the 1960 early spring frost explosion. The trustees should realize this condition in our rebuilding and maintenance program for the future. Our roads are going to need a gradual build-up and improvement to meet reasonable specifications. This is something that should be recognized and budgetary planning should reflect not only low taxes but realism.

After discussion Mr. Hutchinson motioned that the annual appropriation for 1962 of \$9,600 for the year beginning April 1, 1961 to March 31, 1962 - Ordinance No. 23 - be approved. Seconded by Mr. Krumlinde.

AYES

V.R.Bliss  
N. Forrest  
W.W.Hutchinson  
D.T.Krumlinde  
E.J.Lafferty  
A.E.Urick

NAYS

None

ABSENT

None

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Mr. Anderson informed the Board the Northern Illinois Gas Company had agreed to delete the word "production" from the franchise for natural gas. This was the only objection to the franchise which was raised at the April 24 Board of Trustees meeting, and Mr. Anderson asked for expressions from the Board. After discussion, and no further objections, Mr. Anderson presented Ordinance No. 24 for adoption - an ordinance authorizing Northern Illinois Gas Company, its successors and assigns, to construct, operate and maintain a gas distributing system in and through the Village of North Barrington. Mr. Hutchinson motioned that Ordinance No. 24 in corrected form, deleting the word "production" be adopted. Seconded by Mr. Urick.

<u>AYES</u>	<u>NAYS</u>	<u>ABSENT</u>
V.R.Bliss	None	None
N.Forrest		
W.W.Hutchinson		
D.T.Krumlinde		
E.J.Lafferty		
A.E.Urick		

Treasurer Keagy was unable to attend the meeting due to a severe back injury. Additional information on insurance will be studied and a recommendation given before the next Board meeting.

POLICE DEPARTMENT: Police Chief Svacha reported three calls:

- 1 - Noisy fishing party
- 2 - Special Patrol
- 3 - Floodlight causing temporary blindness at Signal Hill & Rt. 59.

Mr. Anderson presented for adoption Ordinance No. 25 - an ordinance providing for the taking of a census in area annexed under Ordinance No. 17.2 effective May 22, 1961 to the Village of North Barrington, which is necessary in order to secure motor fuel rebate. Mr. Forrest moved that Ordinance No. 25 be adopted. Seconded by Mr. Hutchinson.

<u>AYES</u>	<u>NAYS</u>	<u>ABSENT</u>
V.R.Bliss	None	None
N.Forrest		
W.W.Hutchinson		
D.T.Krumlinde		
E.J.Lafferty		
A.E.Urick		

Mr. Anderson proposed the appointment of Mrs. Kerr as census taker for the new area, which was unanimously approved by the Board.

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Trustee Krumlinde presented Chief of Police Svacha's letter of May 22, 1961 relative to the requirements of the Police Department due to the annexation. This was summarized in three parts:

- 1 - Secure approval to expand police force membership.
- 2 - Secure approval to order stars of present pattern for issue when appointments are made.
- 3 - Secure approval to publish "call to arms" when annexation is official.

After discussion approval was given to inserting an item in the newspaper asking for volunteers to the police force. Mr. Anderson advised that the stars can be purchased from petty cash if the cost is less than \$25.00.

Mr. Anderson presented for approval the appointment of Mr. Frank Fenner as a police officer of the Village of North Barrington. Mr. Fenner has been doing a very commendable job as a deputy for the Biltmore area. Mr. Hutchinson motioned that Mr. Fenner's appointment be approved. Seconded by Mr. Lafferty and passed unanimously.

Mr. Anderson requested Mr. Svacha to submit an inventory of the equipment which would be required immediately for the new officers.

Mr. Anderson advised the Board it will be necessary now that the annexation order has been signed to file new maps of the area with the County - both Parts I and II. The original plans were drawn by Evert Kincaid and Associates. Messrs. Bliss, Forrest and Jablonski will confer with Mr. Baughman of Kincaid, along with Mr. Anderson.

Meeting adjourned - 10:30

  
Grayce Scharfenberg  
Village Clerk