

# Barrington Chamber of Commerce

*JH*

9 SOUTH COOK STREET

BARRINGTON, ILLINOIS 60010

PHONE (312) 381-2525

August 28, 1967

PRESIDENT

HOWARD K. HILL

VICE PRESIDENT

NORMAN ZILMER

ROY CRUMRINE

A. K. PIERSON

SECRETARY

MARY F. BARBOUR

TREASURER

FRANCIS E. SAFARIK

DIRECTORS

HAROLD LIPOFSKY

ROY W. KLEPPER

President and Trustees  
Barrington Village Board  
206 South Hough Street  
Barrington, Illinois

Subject: Adjusting the Central Marketing Area  
to community change

Gentlemen:

The Committee on Marketing Area Redevelopment, hereafter referred to as C.O.M.A.R. The composition of this committee is as follows:

Railroad Underpass and  
station moving

Howard Hill, Chairman  
Charleen Thompson  
Henry Lipofsky  
Frank Stander

Customer and employee  
Parking and traffic, flow  
and engineering

Roy Crumrine, chairman  
Roy Klepper  
Delores Spencer  
Richard Anderson  
M. A. Thompson  
Milton Schwartz  
Patrick Gaffigan

C.O.M.A.R. was set up with the following objectives:

- #1. To research the future role of the central marketing area.
- #2. Retailing trends affecting the C.M.A.
- #3. Zoning trends affecting the C. M.A.
- #4. Trends in traffic management. Techniques of forecasting and providing for increased parking needs.
- #5. Resources available to our community and mobilization of manpower and funds to carry out such a program.

The conclusion that has been reached on #1 and #2 of our objectives is as follows:

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President and Trustees

8/28/67

page 2-

Traditionally the Central Marketing Area has played a dominant role in the community. It has been a tremendous source of revenue for operating local government and, intangibly, has determined the character of the community.

With the advent of the regional shopping center and the increased mobility of society, this traditional role is in jeopardy. The commercial activity which gave the C.M.A. its strength would no longer be able to sustain its traditional position. This Community cannot afford to have its C.M.A. fade out of existence, there still needs to be an identifiable focal point of community life.

With this in mind we make the following request. The Village Board looks favorably upon giving this body official sanction as an advisory adjunct to your already established planning bodies, with whatever suggestions you may have as to additions of elected board members or appointees.

We need the help of our village planner to professionally determine traffic flow and patterns. We need the help of your legal counsel to determine what outside sources of funds might be available and other problems bound to arise. We look forward to a favorable response to our request.

Yours very truly,

*Roy Crumrine*

ROY CRUMRINE  
Chairman, C.O.M.A.R.

RC:an

Sally

See if you can read this?

Jfy

Line -

On #1

- Members to be voted on  
by Bd Trustees instead  
of "Corporate Authorities".

A G E N D A for Village Board Meeting on August 28, 1967,  
-----

- ✓ 1 Roll Call by Village Clerk at 8:00 P.M.,  
✓ 2 Approval of Minutes of August 14, 1967 Village Board Meeting.  
✓ 3 Opening of Bids on Proposed Village Seal Coat Work on Streets..  
✓ 4 Inquiries and Petitions from the Audience..  
✓ 5. Status Report on Morgan's "Short Hill" Rezoning Project.--  
✓ 6. Pure Oil Request for Adjustment of Sign Specifications.  
✓ 7. Mutual Aid Agreement Between Fire Departments in Lake County.  
✓ 8. Proclamation "School's Open Day" --Sept. 5---Issued Aug. 28.  
✓ 9. Agreement with C.T.&A. for Engineering Services Signed Aug. 14.  
✓ 10. Consultant's Comment on Reading Ordinances at Board Meeting.  
✓ 11. Proposed Ordinance Granting Vacation of Street in Meadows.  
✓ 12. President's Appointment of Commissioner for Assessment No. 75.  
✓ 13. Board of Appeals Report on Hearing Fox Point Setback Variation.  
✓ 14. Requested Ordinance Granting Special Use to Hillside Nursery.  
✓ 15. Consideration of Request to Amend Liquor License Ordinance.  
✓ 16. Requested Ordinance Amending Village Code on Sewer Facilities.  
✓ 17. Bill for Removal of Sludge from Sewage Treatment Plant.  
✓ 18. Status Report on Pending Projects.  
✓ 19. Acceptance of Underground Improvements, Fox Point Units 4 and 5.  
✓ 20. Report on Plans and Specs for Fox Point Unit 6 and Wyngate Tie-In.  
✓ 21. Acceptance of Water Main and Sanitary Sewer from Seegers-Anderson.  
✓ 22. Village Request for Funds Needed on MFT 28 CS and 29 CS Projects.  
✓ 23. List of Bills for Approval to Pay.  
✓ 24. Status Report on William York Homes Versus Barrington Case.  
✓ 25. Other Topics Not Included in Listing Above.  
26. Adjournment.

Note: Village Trustees and President Will Remain for Discussion  
in Committee of Applications for Village Manager.

Agenda Typed and Posted August 25, 1967

*John H. D. Blanke*  
John H. D. Blanke, President  
Village of Barrington, Illinois

Pending Items Include:

Report on Additional Taxicab Licenses Requested  
Ordinance for Regulating Operation of Dance Halls

Calendar of Events:

Plan Commission Public Hearings:

Sept. 6 at 8 P.M.---Schurecht Petition, W. Russell St.

Sept. 13, 8 P.M.---Marquardt-Buick Petition, N. Cook St.

Illinois Municipal League Annual Meeting:

Sept. 24, 25, 26 in Springfield

Barrington Sidewalk Day, Friday, Sept. 8, 1967

Kiwanis Club Peanut Day---Friday, Sept. 22

Note: Bulletin Board in Village Hall stairwell lists all regular  
meetings of Village Board for Fiscal Year 1967-68.

At meeting Nov. 27 reset Dec. 25 meeting date.

*Valley Road  
Lake Cook Rd*



*Eng. 1805.  
Mm 28CS  
29CS.*

*Continued  
Last part  
of Sept*

# Barrington Chamber of Commerce

109 SOUTH COOK STREET / BARRINGTON, ILLINOIS 60010 / PHONE (312) 381-2525

JFW  
RECEIVED

AUG. 28 1967

VILLAGE OF BARRINGTON

4:30 P.M.

August 28, 1967

PRESIDENT  
HOWARD K. HILL  
VICE PRESIDENT  
NORMAN ZILMER  
ROY CRUMRINE  
A. K. PIERSON  
SECRETARY  
MARY F. BARBOUR  
TREASURER  
FRANCIS E. SAFARIK  
DIRECTORS  
HAROLD LIPOFSKY  
ROY W. KLEPPER

Mayor Blanke, President  
David Capulli, Trustee  
Paul Schultz, Trustee  
Frank Wyatt, Trustee  
Frederick Voss, Trustee  
James Hollister, Trustee  
Marvin Kaiser, Trustee  
206 South Hough  
Barrington, Illinois 60010

Dear Gentlemen:

The officers and directors of our organization requested I contact you regarding the formation of a business study committee for Barrington. The purpose of this committee will be to study the business and development needs of our community and make recommendations to the Village Board. The Chamber of Commerce will actively participate on this committee and provide interested local businessmen to insure proper community representation. We would like to co-ordinate the activities of this committee with a planner appointed by the Village Board.

Thank you for your consideration of our request.

Sincerely,

*Howard Hill*  
28

Howard K. Hill  
President

August 24, 1967

Mr. J. Frank Wyatt  
625 Concord Place  
Barrington, Illinois

Dear Mr. Wyatt:

As a concerned citizen of the Barrington Community I am writing to the members of the Village Board to express something of my concern regarding the possibility of another liquor outlet being licensed in the Village. It is my understanding that the Village Board has been approached on the matter and will soon be making a decision.

While I would be the first to agree that Barrington does need a good, first-class restaurant, and that one located on the site of the old Corner Cupboard would be a real advantage, I do not feel that this advantage should be purchased at the high moral cost of approving an additional liquor establishment in our midst.

Having been involved in the recent discussions of the youth problems in the Barrington area, and having heard in these public sessions of the extent of drinking by our high school age youth, I would hope that the members of the Village Board would hesitate long and deliberate very hard before widening the influence of liquor in the community by granting this request. If this one is granted I am very certain that the present owner of The Bread Basket on Main Street will be the next applicant, and I would not be surprised to find that other requests would follow.

I feel that Barrington cannot afford the moral cost that is involved in this matter and would hope that only your most careful thought and your highest moral insights will guide you in your personal decision which you will then have to express by your vote in a forth-coming Board meeting.

Thank you for your service to Barrington as a member of the Board and thank you for considering the contents of this personal expression of concern.

Sincerely yours,

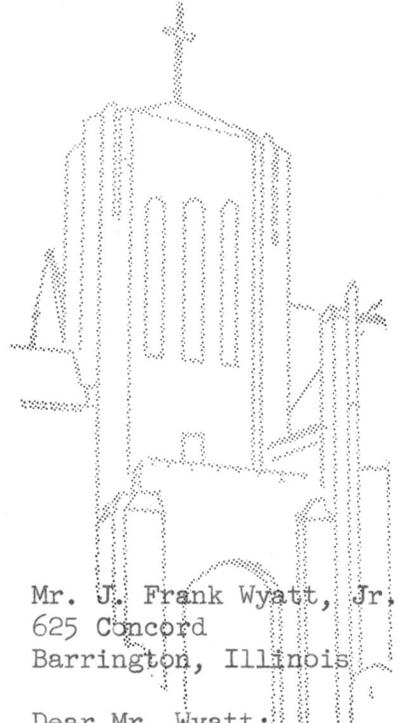


Donald T. Olson  
DTO:ejg

# Salem Church

EVANGELICAL UNITED BRETHREN  
115 WEST LINCOLN AVENUE  
BARRINGTON, ILLINOIS 60010  
TELEPHONE: DUNKIRK 1-0524  
THE REVEREND SAMUEL BATT  
MINISTER  
RESIDENCE: 121 WEST LINCOLN AVENUE  
TELEPHONE: DUNKIRK 1-6634

August 25, 1967



Mr. J. Frank Wyatt, Jr.  
625 Concord  
Barrington, Illinois

Dear Mr. Wyatt:

It has come to my attention that application has been made to the Village Board for a Class A liquor license, which I understand would allow the proposed restaurant in question to operate a cocktail lounge and also a package liquor store. The purpose of this letter to you is to express opposition to the change which would be necessary in our present Village liquor ordinance. A good restaurant is very much needed in our community. However, we have more than enough liquor outlets already. The proposed change would, many of us believe, be harmful to the best long-range interests of our community. I respectfully urge you to vote for the maintenance of a community of which all of us can be proud, by voting against changing the liquor ordinance. This issue will be presented to our congregation on Sunday and I am certain that you will be hearing from many of our people.

We realize the very varied pressures and concerns men in your position face. All of us are involved in these matters and not you men alone. My desire is to cooperate with you in every way possible in the ceaseless task of building and maintaining a wholesome community.

Sincerely,



Samuel Batt

SB:m

8-14-67  
Copies to A & VC  
1

**CONSOER, TOWNSEND AND ASSOCIATES • CONSULTING ENGINEERS**

360 EAST GRAND AVENUE • CHICAGO, ILLINOIS 60611 • TELEPHONE DELAWARE 7-6900

August 14, 1967

Mr. Patrick J. Gaffigan  
Village Manager  
206 S. Hough St.  
Barrington, Illinois

Re: Sanitary Sewer Infiltration Study  
No. 64-070

Dear Mr. Gaffigan:

As a result of your report of August 10 to the Village Board on pending projects, specifically Item No. 11, we contacted National Power Rodding Corporation on August 14. Mr. Harold Rudick informed the writer that as a result of our letter of June 26, they scheduled the T.V. inspection of the specified sewers for the week of July 24; however, since the sewers had not been cleaned by that time they had to postpone their work.

The writer requested Mr. Rudick to contact either you or Mr. Johanesen on the expected completion date of the sewer cleaning to determine a date for the T.V. inspection. Mr. Rudick reported to the writer that he was not able to contact either you or Mr. Johanesen on August 14, but talked to someone in the Public Works Department who indicated that, although some trouble had been encountered in cleaning the Liberty Street sewer, all the cleaning should be completed this week. On this basis, Mr. Rudick set next week as the tentative date for making their inspection. As soon as a definite date has been set he will inform our Mr. Casey, who will observe.

Very truly yours,  
CONSOER, TOWNSEND & ASSOCIATES

*Norman A. Hennessy*  
Norman A. Hennessy

NAH:JL

cc: Mr. H. Rudick  
cc: Mr. J. Casey  
cc: Mr. H. J. Johanesen

LAW OFFICES OF  
**KING, ROBIN, GALE & PILLINGER**  
135 SOUTH LA SALLE STREET  
CHICAGO 60603

TELEPHONE CENTRAL 6-4280  
CABLE ADDRESS "HAMROSE"  
FORMERLY  
ROSENTHAL, HAMILL & WORMSER

WILLARD L. KING  
SIDNEY L. ROBIN  
DOUGLASS PILLINGER  
GEORGE W. GALE  
ALEXANDER I. LOWINGER  
J. WILLIAM BRAITHWAITE

MEMORANDUM

TO: PRESIDENT AND BOARD OF TRUSTEES, VILLAGE OF BARRINGTON

COPIES: VILLAGE PRESIDENT  
VILLAGE MANAGER  
VILLAGE CLERK, with original document for reproduction  
and transmittal to Board.

DATE: August 9, 1967

RE: PROPOSED DANCE HALL ORDINANCE

Pursuant to your request we have reviewed and revised the original draft of the enclosed ordinance and transmit herewith another draft. We especially call to your attention the following:

1. The term "Public Dance" has been defined in Section 19.1201. Do you find the definition broad enough and are the exclusions satisfactory?
2. We have attempted to provide, in Section 19.1202, more definite guide lines for the matters to be included in the application for a license.
3. Your policy decisions are especially required for Section 19.1207 (Section 8 of the former draft ordinance).
  - a) The draft provided to us specified that no one under the age of 21 could attend a public dance if alcohol were served. Do you wish to prohibit attendance by minors who are accompanying a parent?
  - b) The draft furnished to us had an absolute prohibition against some one under the age of 14 attending a public dance. Should this prohibition apply to a person in the company of a parent?
  - c) The original draft would have allowed children

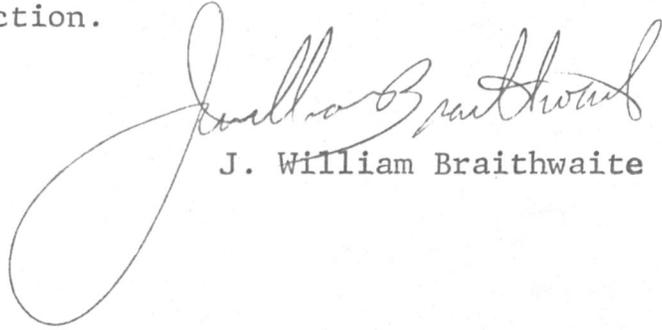
*NO. F. VOSS.*

*NO*

of the age of 14 years and older to attend a public dance. If you desire to prohibit youngsters 14 and under from attending, then the ordinance should specify that no one under the age of 15 can attend.

4. The original draft made it unlawful to indulge in or permit any improper or immoral conduct. We suggest that this is covered by other ordinances and state statutes and is so vague it would be difficult to enforce.
5. The building commissioner's advice especially is needed on Section 19.1205, relative to exits and lighting. We suggest adding the last sentence to this section.

dv  
ju



J. William Braithwaite

must be provided in accordance with the Zoning Ordinance of the Village and such additional spaces as may be required by the Village, from time to time. Parking areas shall be lighted by lights rated at not less than two foot candles.

"Section 19.1207. Minors.) No person under the age of twenty-one years shall be permitted to attend a public dance if alcoholic beverages are served on the premises, unless said minor is accompanied by a parent or guardian.

No person under the age of fifteen years shall be permitted to attend a public dance unless said person is accompanied by a parent or guardian. No person under the age of twenty-one years shall attend any public dance between the following hours:

- a) 11:30 P.M. on Friday to 12:00 noon on Saturday;
- b) 11:30 P.M. on Saturday to 12:00 noon on Sunday;
- c) 10:30 P.M. all other nights to 12:00 noon of the following day.

"Section 19.1208. Penalty.) Any person, firm or corporation violating any provision of this ordinance shall be fined not less than five dollars nor more than five hundred dollars for each offense; and a separate offense shall be deemed committed on each day on which a violation occurs or continues."

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 1967.

AYES \_\_\_\_\_ NAYS \_\_\_\_\_ ABSENT \_\_\_\_\_

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 1967.

\_\_\_\_\_  
Village President

ATTEST:

\_\_\_\_\_  
Village Clerk

JOHN H. D. BLANKE  
President

MAY L. PINKERMAN  
Village Clerk

PATRICK J. GAFFIGAN  
Village Manager

BERNARD J. ZELSDORF  
Finance Director

# Village of Barrington

COOK AND LAKE COUNTIES, ILLINOIS  
206 South Hough Street  
Barrington, Illinois 60010  
Phone 381-2141 (Area Code 312)



## Board of Trustees

DAVID R. CAPULLI  
PAUL J. SHULTZ  
J. FRANK WYATT  
FREDERICK J. VOSS  
JAMES F. HOLLISTER  
MARVIN M. KAISER

TO: P. J. Gaffigan, Village Manager  
FROM: B. J. Zelsdorf, Village Treasurer

3 Aug 1967

At your request the following municipalities were con-  
tacted on their policies for the licensing of dances:

### REGULATIONS COVERING DANCES

<u>Municipality</u>	<u>Type of License</u>	<u>Fee</u>
Arlington Hts. (license issued on wk to wk basis)	Ordinance	\$50.00 per night up to \$500.00, then \$5.00 per night.
Palatine	--	--
Elk Grove Village	None	None
Mount Prospect	General License	\$15.00 per day.
Hoffman Estates	None	None
Park Ridge	Comes under General License	On Square Ft. basis: 1 m \$30.00/yr 1-5 m \$35.00/yr 5-10 m \$45.00/yr 10-20 m \$75.00/yr 20 m & \$110.00/yr over
Rolling Meadows	Comes under Business License	\$10.00 per day

RECEIVED  
AUG 28 1967  
VILLAGE OF BARRINGTON

Files, "ing"  
Trustees.  
V. Mgr.  
V.C.

231 Applebee St.  
Barrington, Ill.  
Aug. 27, 1967

JMB

Dear Mayor Blanke and Barrington Village Board,

My husband and I wish to personally urge the denial of a Class A liquor license for the proposed restaurant where the corner Cupboard used to be.

We believe that enough business can be had for Mr. Panke without the sale of and serving of liquor.

We sincerely hope and pray that the Village board will think very seriously about this important request.

Very sincerely,  
Mr. & Mrs. John Brewer

*Mr. Hyatt*

*Board Meeting 8-28-67*

**CONSOER, TOWNSEND AND ASSOCIATES • CONSULTING ENGINEERS**

**360 EAST GRAND AVENUE • CHICAGO, ILLINOIS 60611 • TELEPHONE DELAWARE 7-6900**

July 25, 1967

*Hyatt*

Mr. Patrick J. Gaffigan  
Village Manager  
206 S. Hough St.  
Barrington, Illinois

Re: Seegers—Anderson Resubdivision  
No. 66-153

Dear Mr. Gaffigan:

Bacteriological and pressure tests on the watermain and an infiltration test on the sanitary sewer improvements have been taken and passed on the referenced project. We, therefore, recommend acceptance of the watermain and sanitary sewer at this time. Clean-up and restoration will be accomplished after paving improvements have been completed.

Very truly yours,  
CONSOER, TOWNSEND & ASSOCIATES

*Edwin G. Hanley*

Edwin G. Hanley

EGH:JL

cc: Mr. H. Johanesen  
cc: Mr. E. B. Seegers  
cc: Mr. P. Anderson  
cc: Mr. L. M. Vietinghoff

*7-27-67 - T.C. to Hanley - will furnish "as-built" drawings and test results.  
8-4-67 - T.C. to Hanley - no test results yet from Fritsch - "Les reminded daily"*

JOHN H. D. BLANKE  
President

MAY L. PINKERMAN  
Village Clerk

PATRICK J. GAFFIGAN  
Village Manager

BERNARD J. ZELSDORF  
Finance Director

# Village of Barrington

COOK AND LAKE COUNTIES, ILLINOIS

206 South Hough Street

Barrington, Illinois 60010

Phone 381-2141 (Area Code 312)



*Wyatt*  
Board of Trustees

DAVID R. CAPULLI  
PAUL J. SHULTZ  
J. FRANK WYATT  
FREDERICK J. VOSS  
JAMES F. HOLLISTER  
MARVIN M. KAISER

*Amend Aug*  
*Aug*  
August 3, 1967.

Mr. Caleb H. Canby III  
Attorney At Law  
123 S. Hough Street  
Barrington, Illinois 60010

Re.:Liquor License Request

Dear Mr. Canby:

Under date July 7, 1967 you delivered to me an application for Class "A" Liquor License on behalf of your client, Mr. William Panker, 417 North Hough Street, Barrington, Ill., said License to be issued to him for use in a restaurant building to be constructed at the northeast corner of Railroad Street and North Cook Street.

As Liquor Commissioner for the Village of Barrington I have evaluated the application and find your applicant qualified to receive a Class "A" Liquor License, subject to the Board of Trustees of the Village of Barrington first amending the Liquor License Ordinance so as to provide for one additional Class "A" Linsing space. *Class "A"*

I understand that plans for the proposed restaurant building are in preparation and that your client is awaiting a decision on request for liquor license so he can have his architect develop details required for the installation of liquor serving facilities.

This is your Notice that as Village President I shall ask the Board of Trustees at the forthcoming meeting on August 14, 1967 to consider an amendment to the Liquor License Ordinance so I may comply with the request of your client. I assume that you will be prepared to answer questions that may be posed by the Board of Trustees at the August 14, 1967 meeting.

Respectfully submitted,

*John H. D. Blanke*

John H. D. Blanke  
Liquor Commissioner for  
Village of Barrington, Illinois

Copy to Members, Board of Trustees

LAW OFFICES OF  
**KING, ROBIN, GALE & PILLINGER**  
135 SOUTH LA SALLE STREET  
CHICAGO 60603

TELEPHONE CENTRAL 6-4280  
CABLE ADDRESS "HAMROSE"  
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J. WILLIAM BRAITHWAITE

MEMORANDUM

TO: PRESIDENT AND BOARD OF TRUSTEES, VILLAGE OF BARRINGTON  
COPIES: VILLAGE PRESIDENT  
VILLAGE MANAGER  
VILLAGE CLERK, with original memorandum for reproduction  
and transmittal to Board.  
DATE: August 22, 1967  
RE: Proposed contract for engineering services, Consoer,  
Townsend and Associates

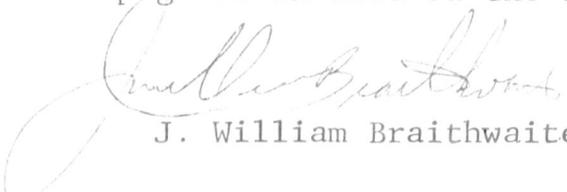
We have reviewed the proposed contract and find it generally acceptable, especially since it can be cancelled upon 90 days' notice.

However, we do call to your attention the last sentence on page 13 which provides: "such cancellation shall not affect any engineering or construction projects which are in progress at the time such notice is delivered." The intent of this sentence is indicated by the language of the last sentence in the first full paragraph on page 3 of the proposed contract which, in referring to preliminary engineering services, states: "however, it is understood that this contract shall remain in force until the work called for under Divisions B, C and D have been executed by the engineers."

It is my suggestion that the last sentence on page 13 be amended to provide substantially as follows:

"Such cancellation shall not affect the phase of any engineering or construction project which then is in progress at the time such notice is delivered but such cancellation shall be fully applicable to any phases or steps of any engineering or construction project which are not in progress at the time such notice of cancellation is delivered."

If you concur with this approach, I suggest that the manager be authorized to execute the contract, with substantially the above suggested language inserted on page 13 in lieu of the last sentence on said page.

  
J. William Braithwaite

LAW OFFICES OF  
KING, ROBIN, GALE & PILLINGER  
135 SOUTH LA SALLE STREET  
CHICAGO 60603

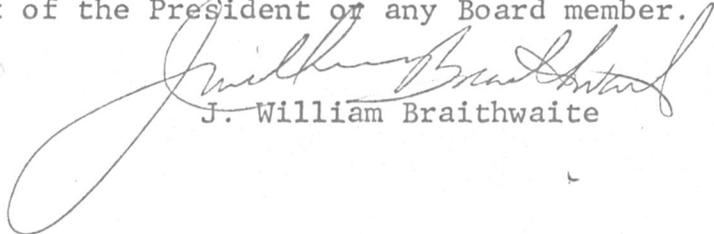
TELEPHONE CENTRAL 6-4260  
CABLE ADDRESS "HAMROSE"  
FORMERLY  
ROSENTHAL, HAMILL & WORMSER

WILLARD L. KING  
SIDNEY L. ROBIN  
DOUGLASS PILLINGER  
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J. WILLIAM BRAITHWAITE

MEMORANDUM

TO: PRESIDENT AND BOARD OF TRUSTEES, VILLAGE OF BARRINGTON  
COPIES: VILLAGE PRESIDENT  
VILLAGE MANAGER  
VILLAGE CLERK, with original memorandum for reproduction  
and transmittal to Board.  
DATE: August 22, 1967  
RE: Reading of Ordinances and Resolutions

I note that you usually read ordinances and resolutions  
in full at your meetings. Ordinarily, there is no legal require-  
ment that this be done, especially where advance copies are dis-  
tributed, although such ordinances and resolutions usually are  
read upon request of the President or any Board member.

  
J. William Braithwaite

ORDINANCE NO. \_\_\_\_\_

STREET VACATION ORDINANCE

WHEREAS the owner of certain property abutting upon and served by the street hereinafter referred to has requested that said street be vacated and has filed with this Village a Plat of Vacation of said street; and

WHEREAS said street is not now improved or usable; and

WHEREAS it is in the public interest that the public be relieved of any further burden and responsibility of maintaining such street;

NOW THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Barrington, Cook and Lake Counties, Illinois, that:

Section 1. It is in the public interest that the following described street be vacated and said following described street is hereby vacated:

All that part of Sharon Drive in Barrington Meadows, a subdivision of the West half of Gov't. Lot 2 of the Southwest quarter of Section 31, Township 43 North, Range 10 East of the 3rd P.M., lying Northerly and Northeasterly of the North line of the South 66 feet of Lots 1 and 2 in Block 2 of said Barrington Meadows extended West to the West line of said Sharon Drive and all that part of Beverly Road in said Barrington Meadows lying Northerly and Northwesterly of the North line of the South 66 feet of said Lots 1 and 2 in Block 2 aforesaid extended East to the East line of said Beverly Road, all in the Village of Barrington, Lake County, Illinois.

Section 2. This ordinance shall be in full force and effect from and after passage and approval as required by law.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 1967,  
by at least a three-fourths vote of all of the Trustees.

AYES \_\_\_\_\_ NAYS \_\_\_\_\_ ABSENT \_\_\_\_\_

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 1967.

\_\_\_\_\_  
Village President

ATTEST:

\_\_\_\_\_  
Clerk

JOHN H. D. BLANKE  
President

MAY L. PINKERMAN  
Village Clerk

PATRICK J. GAFFIGAN  
Village Manager

BERNARD J. ZELSDORF  
Finance Director

# Village of Barrington

COOK AND LAKE COUNTIES, ILLINOIS  
206 South Hough Street  
Barrington, Illinois 60010  
Phone 381-2141 (Area Code 312)



JFW  
Board of Trustees

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J. FRANK WYATT  
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JAMES F. HOLLISTER  
MARVIN M. KAISER

August 28, 1967.

Mr. Irwin J. Simek, Attorney At Law  
215 W. Hillside Avenue  
Village of Barrington, Cook and Lake Counties, Illinois

Re.: Appointment of Commissioner for  
Special Assessment No. 75.

Dear Mr. Simek:

Subsequent to the Village Board Meeting of August 14, 1967 I asked you to consider an appointment as Commissioner for Special Assessment No. 75---Barrington Meadows Subdivision.

I requested your consideration of the assignment due to the fact that you served the Village of Barrington well in handling the assessing operations for Special Assessments Nos. 70, 71, 72 and 74 it was legally undesirable for you to consider handling Special Assessment No. 73 because you held ownership of certain property in the area of that assessment as you then indicated).

After making my request subsequent to August 14, 1967, you desired to see the plans for Special Assessment No. 75, also discuss the matter with our Village Engineer and with our Legal Consultant, before accepting. Today I received your letter dated August 25, 1967, indicating your willingness to accept the offered position.

Therefore, as President of the Village of Barrington, and as President of the Board of Local Improvements of the Village of Barrington, I appoint you as Commissioner for Special Assessment No. 75 which provides for improvements in water main, sanitary sewer, storm sewer and street surfacing in Barrington Meadows Subdivision.

Attached for your information is copy of a Memorandum dated August 10, 1967, prepared by the village legal consultant Attorney J. William Braithwaite in reference to your duties as the appointed Commissioner.

Respectfully stated

*John H. D. Blanke*

John H. D. Blanke  
Village President and  
President of Board of Local  
Improvements, Barrington, Illinois

Copy to Village Clerk  
Village Manager, Board of  
Trustees, Village Attorney  
and Village Engineers

ERVIN J. SIMEK

ATTORNEY AT LAW

BARRINGTON, ILL.

DUNKIRK 1-2020

Aug. 25, 1967

Hon. John Blanke, Mayor  
Village of Barrington  
Barrington, Ill.

Re: Special Assessment #75

Dear Mayor Blanke:

Thank you for your inquiry regarding my possible appointment as commissioner to spread the above roll.

I would be happy to accept this appointment. I assume that by the time the roll is spread the problems regarding the vacation of the street and the new boundary lines for the rear lots will have been completed.

Sincerely,



E J. Simek

*Wyatt*

STENOGRAPHIC REPORT of a Public Hearing held before the Zoning Board of Appeals of the Village of Barrington, in the Council Chambers, on August 23, 1967, at 8:05 PM, to hear the petition of R. Kennedy Development Company. The meeting having been duly published. *JW*

MEMBERS PRESENT:

J. C. Cadwallader, Chairman  
Clyde Church  
F. H. Beinhoff  
Edw. J. Dugan  
Edwin B. Seegers  
Henry Lipofsky

MR. CADWALLADER: The meeting will come to order. This is a meeting on the petition of R. Kennedy Development Company asking for variations in front yard setbacks of various lots in Fox Point subdivision. We will proceed by hearing from Mr. Robert Kennedy. (He was sworn in.)

MR. KENNEDY: We are asking for variations because of unsuitable ground. We are asking for a variation to allow 30 foot front yard setbacks instead of the required 40 foot setback for lots 661, 662, 663, 664, 665 and 666, in order not to locate homes on unstable ground. This is due to the pie shape of the property and the peat beds. We are asking for a further variation to allow lots 602, 603, 604, 605, 635 and 636 to remain with the front building line as it is now platted, which is a few feet less than the 100 feet front as required by village ordinance. Some are 92 and 95 feet. Errors of this type occur when building and when working with other Villages they have not enforced their ordinance to this degree. A line of peat causes this difference in order to get the building lots away from the street. We would still have more than the ample square footage. These lots are located on the north side of County Line Road. We have tried to avoid using pilings, as much as possible.

MR. CHURCH: I would think that the main fact is to have sufficient area on the side yards.

MR. KENNEDY: This we will have, in fact ten feet is <sup>re</sup>quired between homes and we try to have twenty to twenty-five feet between homes. We have found peat 45 feet deep, which is the area we are using for a lake. We have ten homes on pilings.

MR. BLANK: Mr. Chairman, I would just like to say, that previously when these small variations occurred in this subdivision, they were approved by the Plan Commission and in turn accepted by the Village Board, but now the new Legal Counsellor, Mr. Braithwaite, said that these variations had to be brought before your Board for approval.

MR. DUGAN: I would suggest, Mr. Kennedy, if you have to come up again for any variations, that you take a total check and find everything and we will take care of it at one time, which would save us all a lot of time.

MR. KENNEDY: I would be happy to do this, but some times these things don't show up until we are ready to build.

MR. DUGAN: If the Plan Commission OKs it, why should we have to do anything about it.

MR. KENNEDY: Most municipalities that I have dealt with have handled such small variations without any hearings.

MR. LIPOFSKY: It seems to me there is something wrong with our Code or Ordinance, if it doesn't provide for such variations in a subdivision of this type. This should have been considered in our ordinance in regard to this type of layout, so these differences would not have to come up to a hearing.

MR. DUGAN: As a matter of record, I want to state that this was handled wrong, this petition should not be brought before us, as long as the plat has been approved by the Plan Commission and accepted by the Village Board. This meeting is strictly a waste of time for several people.

MR. KENNEDY: We discussed all these variations with the Plan Commission and the Village Board, all other municipalities where we have worked have allowed this.

MR. CADWALLADER: I think we can now take care of you very well, thank you and we will adjourn the meeting.

The Building Commissioner of Barrington, Mr. Carl K. Leedstrom, was present, and informally stated that these variations were needed in such a subdivision with such shape land and land with peat beds, in order to build substantial homes, as Mr. Kennedy was trying to do.

August 25, 1967

Village Board of Trustees  
Village of Barrington, Illinois

At a Public Hearing held before the Zoning Board of Appeals on August 23, 1967, on the petition of R. Kennedy Development Company, asking for various variations of lots in the Fox Point subdivision, the Board came to the following conclusion:

Motion made by E. J. Dugan that the petitioner's requests be granted for the variations, seconded by E. B. Seegers. Roll Call:

AYES: Dugan, Seegers, Lipofsky, Church,  
Beinhoff, Cadwallader  
NAYS: None

Motion carried.

Further, a motion was made by E. B. Seegers and seconded by E. J. Dugan, that for the following nine months, any meetings being scheduled, be scheduled for Thursday nights instead of Wednesday nights. Roll Call:

AYES: Dugan, Seegers, Lipofsky, Church,  
Beinhoff, Cadwallader  
NAYS: None

Motion carried.

*Lucille M. Johnson*

Submitted by  
Lucille M. Johnson  
Acting Secretary of the  
Zoning Board of Appeals  
in the absence of Arnett C. Lines

LAW OFFICES OF  
**KING, ROBIN, GALE & PILLINGER**  
135 SOUTH LA SALLE STREET  
CHICAGO 60603

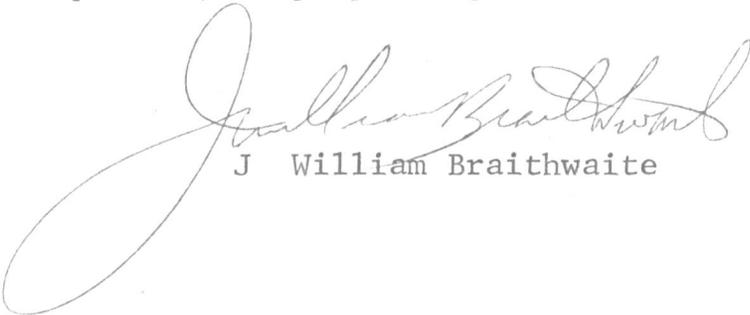
TELEPHONE CENTRAL 6-4280  
CABLE ADDRESS "HAMROSE"  
FORMERLY  
ROSENTHAL, HAMILL & WORMSER

WILLARD L. KING  
SIDNEY L. ROBIN  
DOUGLASS PILLINGER  
GEORGE W. GALE  
ALEXANDER I. LOWINGER  
J. WILLIAM BRAITHWAITE

MEMORANDUM

TO: PRESIDENT AND BOARD OF TRUSTEES, VILLAGE OF BARRINGTON  
COPIES: VILLAGE PRESIDENT  
VILLAGE MANAGER  
VILLAGE CLERK, with original memorandum and original  
document for reproduction and transmittal  
to Board.  
DATE: August 22, 1967  
RE: Wirsing Nursery School - Special Use

Enclosed is the rezoning ordinance granting a special  
use permit, as you requested, in proper legal form for  
passage.

  
J William Braithwaite

LAW OFFICES OF  
**KING, ROBIN, GALE & PILLINGER**  
135 SOUTH LA SALLE STREET  
CHICAGO 60603

TELEPHONE CENTRAL 6-4280  
CABLE ADDRESS "HAMROSE"  
FORMERLY  
ROSENTHAL, HAMILL & WORMSER

WILLARD L. KING  
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GEORGE W. GALE  
ALEXANDER I. LOWINGER  
J. WILLIAM BRAITHWAITE

MEMORANDUM

TO: PRESIDENT AND BOARD OF TRUSTEES, VILLAGE OF BARRINGTON  
COPIES: VILLAGE PRESIDENT  
VILLAGE MANAGER  
VILLAGE CLERK, with original memorandum and original  
document for reproduction and transmittal  
to Board.

DATE: August 23, 1967  
RE: REQUEST FOR AMENDMENT TO VILLAGE CODE TO PROVIDE ADDITIONAL  
CLASS A LIQUOR LICENSE

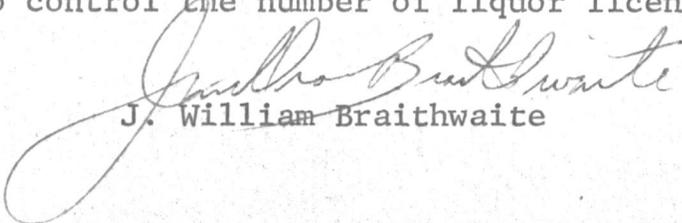
Enclosed is the opinion of the Illinois Supreme Court in  
Martin H. Schreiber v. Illinois Liquor Control Commission.

While much of the case is devoted to the question of whether  
the Village of Barrington Ordinance was published, as required in  
order to be valid, the point now applicable is that the Supreme  
Court upheld the absolute right of Barrington to control the number  
of liquor licenses. Note, especially, the following:

"The authority of the Village to pass ordinances limiting  
the number of liquor licenses it will issue and the  
constitutionality of such a regulation under the police  
power is not contested." Page 120.

" 'Licenses to sell liquor are not contracts and create  
no vested rights. They are merely temporary permits to  
do what would otherwise be an offense against the law  
. . . ' " Page 122.

I bring this matter to your attention in order that you may  
understand that your right to control the number of liquor licenses  
is quite different from the zoning matters which frequently come  
before you. In zoning cases a denial of rezoning is always  
subject to the possibility of litigation based upon the reason-  
ableness of your action. No such legal test of reasonableness  
applies to your right to control the number of liquor licenses.

  
J. William Braithwaite

LAW OFFICES OF  
**KING, ROBIN, GALE & PILLINGER**  
135 SOUTH LA SALLE STREET  
CHICAGO 60603

*Gray*

TELEPHONE CENTRAL 6-4280  
CABLE ADDRESS "HAMROSE"  
FORMERLY  
ROSENTHAL, HAMILL & WORMSER

WILLARD L. KING  
SIDNEY L. ROBIN  
DOUGLASS PILLINGER  
GEORGE W. GALE  
ALEXANDER I. LOWINGER  
J. WILLIAM BRAITHWAITE

MEMORANDUM

TO: PRESIDENT AND BOARD OF TRUSTEES, VILLAGE OF BARRINGTON  
COPIES: VILLAGE PRESIDENT  
VILLAGE MANAGER  
VILLAGE CLERK, with original memorandum and original  
document for reproduction and transmittal  
to Board.

DATE: August 22, 1967

RE: Proposed Amendment to Sewer Ordinance - Private Septic Tanks

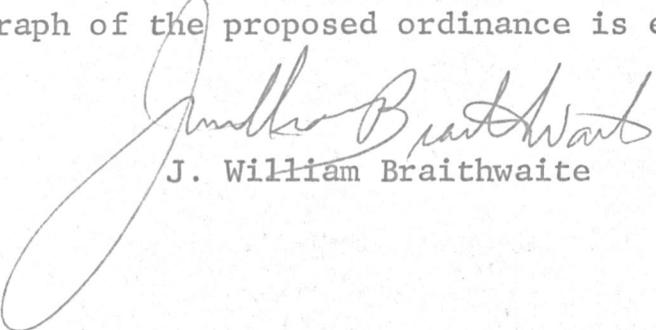
We have reviewed the proposed amendment and our redraft is enclosed.

This enclosure amends the first sentence of the existing 1957 Code to strengthen the restriction against use of premises which are not equipped with adequate sewage disposal facilities. The existing Code prohibits the use of business, commercial or manufacturing premises without such sewage disposal facilities if full time employees work on the premises. We fear that the reference to such full time employees is too narrow and, therefore, have suggested that such sewage disposal facilities be required if persons are regularly engaged in business activities on the premises. This would thus cover a business which was open only part time and would cover the owner-operator of the business as well as his employees.

The second paragraph of the original draft, which was an addition to the 1957 Code, prevented new private septic tanks where the premises abut on a street containing a sanitary sewer and required that when an existing septic tank became inoperable, the premises must be connected to a sanitary sewer if one existed in an abutting street. We have suggested that the prohibition against new septic tanks and the requirement of connection to Village sewers when an existing septic tank becomes inoperable, be extended to situations where adjacent property is served by the Village sewer. This is designed to cover the situation where the sewer terminates at a point in the street where it serves

only the adjacent property - it may be 40 or 50 feet away from the property line of the property which has a faulty septic tank or which is requesting permission to build a new septic tank. Our experience indicates that the original draft amendment would have only partially met the problem at which you are aiming, assuming that, as a policy matter, you wish to require a property owner to bear the expense of extending the sewer in the street from the point where it serves the adjacent property. *JW*

The third paragraph of the proposed ordinance is exactly as originally drafted.

  
J. William Braithwaite

Board Meeting 8-22-67

**CONSOER, TOWNSEND AND ASSOCIATES • CONSULTING ENGINEERS**

360 EAST GRAND AVENUE • CHICAGO, ILLINOIS 60611 • TELEPHONE DELAWARE 7-6900

August 21, 1967

Mr. Patrick Gaffigan  
Village Manager  
206 South Hough Street  
Barrington, Illinois

Re: Fox Point Subdivision  
Barrington, Illinois  
CT&A No. 65-110

Dear Mr. Gaffigan:

Final inspections of the underground improvements to serve Units 4 and 5 of the referenced subdivision were performed on July 20 and August 1, respectively. These inspections were performed by Mr. Henry Johanesen, Director of Public Works and our Mr. Leo Vietinghoff. All work was found to be complete and in substantial conformance with the plans and specifications. We therefore recommend acceptance of these improvements by the Village.

The Kennedy Development Company has agreed to maintain and adjust, if necessary, any structures located on lots that have not been fully landscaped. On May 19, 1967, Mr. Robert Sales supplied the Village and this office with as-built drawings of all completed Units.

The trunk sewer will be recommended for acceptance upon compliance with the conditions set forth in Mr. William Townsend's letter of May 6, 1966.

Very truly yours,  
CONSOER, TOWNSEND & ASSOCIATES

*Edwin G. Hanley*  
Edwin G. Hanley

EGH:sc

cc: Mr. Henry Johanesen  
cc: Mr. Robert Sales  
cc: Kennedy Development Co.  
cc: Rossetti Contracting Co., Inc.  
cc: Mr. Leo Vietinghoff

*Board Meeting 8-28-67*

**CONSOER, TOWNSEND AND ASSOCIATES • CONSULTING ENGINEERS**

**360 EAST GRAND AVENUE • CHICAGO, ILLINOIS 60611 • TELEPHONE DELAWARE 7-6900**

August 24, 1967

Mr. Patrick J. Gaffigan  
Village Manager  
Village Hall  
Barrington, Illinois

Re: Fox Point Subdivision Unit 6  
No. 65-022

Dear Mr. Gaffigan:

Enclosed please find, in duplicate, application for a State of Illinois Sanitary Water Board permit for sanitary sewer extensions into the Fox Point Subdivision Unit 6 as well as an acknowledgment form, in duplicate, to be submitted by the developer's engineer to the State Department of Public Health, acknowledging the responsibility to examine the plans and specifications by the Village of Barrington.

The permit application form and the acknowledgment form were part of material, including plans and specifications, sent to us on August 15, 1967 by Mr. Robert C. Sale, Engineer for the Fox Point Subdivision. This material is presently being reviewed in our office and we shall have specific recommendations to the Village for the first Village Board meeting in September.

The enclosed forms are sent to you with our recommendation to be signed by the proper Village officials, with the understanding that this recommendation in no way be construed as a recommendation for approval of plans and specifications for Unit 6.

Very truly yours,  
CONSOER, TOWNSEND & ASSOCIATES

*Walter Hodel*  
Walter Hodel

WH:JL  
Enc.

cc: Mrs. M. L. Pinkerman  
cc: Mr. R. Kennedy  
cc: Mr. R. C. Sale

Wyatt

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VILLAGE OF BARRINGTON  
LIST OF BILLS FOR MEETING AUGUST 28, 1967

GENERAL

PAYROLL,	August 16th-31st	\$6,799.16
K.Garry Apgar,	Office August 1-15th	165.00
Ray H. Schroeder,	Crsg.Guard August 6 & 13th	10.80
Alfred O. Belz,	Spec.Police 6/19,24, 7/8, 8/5	37.80
Kenneth R.Boyce,	" " 7/2,22,29,8/6	41.95 *
William N.Conner,	" " 7/16	11.15 *
John N.Harris,	" " 6/25 & 7/16	29.90 *
Bruce A. Hunt,	" " 7/16 & 8/13	14.85
Norman F.Johnson,	" " 7/16	12.90 *
Phillip J.Lageschulte	" " 7/2,9,16 & 23	50.83 *
Hugh McClure,	" " 7/16 & 8/12	23.05 *
D.Nixon,	" " 7/16	19.60*
Harry F. Pillman	" " 7/16,8/19 & 20	43.40 *
Chas.T.Smith,	" " 7/16	5.20 *
Richard Smith,	" " 7 /16, 8/6 & 13	28.45 *
Chas.F.Spurr,	" " 7/16	23.15 *
Ralph Topple,	" " 7/16, 1 & 28	28.45 *
Robt.F.Yetsky,	" " 7/15 & 16	23.05 *
Paul M.Sprenger,	Traffic control - American Can (July)	66.50 *
Wm.N.Conner,Treas.	Bgtn Special Police	38.95 *
Bgtn .Animal Hospital,	Board & Euthanasia (3) PD	47.00
Bgtn. Camera Co.,	Envelopes PD	1.50
Bgtn. Press Newspapers,	7 ads	102.40
Business Equipment Co.Inc.,	Swivel chair \$49.77 + TW serv.47.37	97.14
Commonwealth Edison Co.,	Electricity \$1148.02SL \$60.99OL	1,209.01
Robt.deJonge,	Sanitary Engineer (July) PD	80.00
Duro-Test Corp.,	Bulbs	33.89
Gest etner Corp.,	Service call (8)	72.00
Grant Motor Sales,Inc.,	Repairs PD	10.52
Great Lakes Fire Equipment Co.,	Mark IV & II = Holsters PD	118.50
Illinois Bell Tele.Co.,	service \$29.31FD \$3.00VH \$112.20PD/TT	144.51
Illinois City Mgrs.Assn.,	'68 annual dues	10.00
Bud Knott & Sons,	Office supplies PD	5.19
Kranz Service Station,	Gas PD	1.77
Wm.S.Lawrence & Assocs,Inc.,	(Prof.services March thru June '67	165.00
	(Up-dating Zoning Map + 100 Sub.Ord.	500.00
Lighting Unlimited,Inc.,	Tubes PD	8.40
McBride's Auto Parts Co.,	Parts PD	16.01
Aubrey G.Newman,	NW Police Academy School expense PD	99.00
Pederson's Pure Oil Service,	Towing/Tire repair/engine checkup PD	25.11
The Roscoe Co.,	Mps PD	4.50
Robt.Szymanski,	VH Janitor 8/10-22	48.00
Warning Lites of Illinois,Inc.,	Spotlights PD	13.44
* \$314.90 reimbursed to Village by Jewel Tea & Amer.Can.		
		\$ 10,287.03

VILLAGE OF BARRINGTON  
LIST OF BILLS FOR MEETING AUGUST 28, 1967 (cont'd)

S T R E E T

William J. Mehan, Jr.,	Labor August 1-15th	\$	307.81
Ray L. Davis,	" " "		274.56
William H. Wallace,	" " "		253.50
C. T. & M.	Steel Posts & Street Signs		107.70
Curran Contracting Co.,	Premix		110.03
McAllister Equipment Co.,	Ball		3.19
Sinclair Refining Co.,	Multi-purpose Grease PWG $\frac{1}{2}$		19.23 <i>49.79 69.02</i>
United Laboratories, Inc.,	Degreaser & Glass Cleaner PWG $\frac{1}{2}$		79.67
Union Linen Supply Co.,	Laundry service (July) $\frac{1}{2}$		33.32
Waukegan Steel Sales, Inc.,	1" Plate		56.91
		\$	<u>1,245.92</u> <i>1295.71</i>

WATER and SEWER FUND

PAYROLL,	August 16-31st	\$	1,546.50
Irving Nordmeyer,	Labor August 1 -15th		302.40
Harold Jablenski,	" " "		321.30
Frank P. Broviak,	Maint. " "		306.18
Robert S. Bergbom,	Labor " 1-11th		137.00
James R. Herron,	" " 1-15th		167.00
Bruce W. Wills,	" " "		151.00
John S. Zachwieja, Jr.,	" " "		176.00
Ray Dittrich,	DP Operator " "		342.00
Walter Morecraft,	" " " "		291.72
Alvin H. Lohman,	" Relief " 2-14th		225.94
Gregory J. Greetis,	" Analyst " "		84.00
Badger Meter Mfg. Co.,	Meters		1,113.60
City Welding Sales & Service, Inc.,	Oxygen & Acetylene		14.35
Commonwealth Edison Co.,	Electricity		1,004.14
Consoer, Townsend & Assocs.,	Eng. services Sewage Treatment		3,420.50
Illinois Bell Tele. Co.,	Service		9.00
Michael Phillips,	Credit refund Acct. #1009		11.01
E. W. Rice,	Repairs (2)		50.50
Ben Salnick,	Overpayment refund Acct. #838		.92
Sinclair Refining Co.,	( Gas		<del>49.79</del>
	( Multi-Purpose grease $\frac{1}{2}$		19.22
Union Linen Supply Co.,	Laundry service (July) $\frac{1}{2}$		33.33
United Laboratories Inc.,	Degreaser & Glass Cleaner $\frac{1}{2}$		79.67
		\$	<u>9,857.07</u> <i>9807.28</i>

PARKING LOT FUND

PAYROLL,	August 16-31st	\$	302.00
Ralph Toppie,	Crsg. Guard & Meters colls. Aug. 1-15th		87.75
Commonwealth Edison Co.,	Electricity		79.96
Duro-Test Corporation,	Bulbs		89.20
		\$	<u>558.91</u>

REFUSE & GARBAGE DISPOSAL FUND

PAYROLL,	August 16-31st	\$	204.00
Bgtn Trucking Co.,	1st 1/2 August '67		1,600.00
George Blanke,	August refund		3.32
Edwin Murbach,	" "		3.32
		\$	<u>1,810.64</u>

VILLAGE OF BARRINGTON  
LIST OF BILLS FOR MEETING AUGUST 28, 1967 (cont'd)

	<u>MOTOR FUEL TAX FUND</u>		
Commonwealth Edison Co.,	<u>Traffic Lighting</u>	\$ <u>46.64</u>	\$ 46.64
			<hr/>
			<u>\$ 23,806.21</u>

The Treasurer is hereby authorized to pay the foregoing items from the Funds indicated.

\_\_\_\_\_  
Village President

\_\_\_\_\_  
Village Clerk

JOHN H. D. BLANKE  
President

MAY L. PINKERMAN  
Village Clerk

PATRICK J. GAFFIGAN  
Village Manager

NARD J. ZELSDORF  
Finance Director

# Village of Barrington

COOK AND LAKE COUNTIES, ILLINOIS

206 South Hough Street

Barrington, Illinois 60010

Phone 381-2141 (Area Code 312)



*Prof.*

Board of Trustees

DAVID R. CAPULLI  
PAUL J. SHULTZ  
J. FRANK WYATT  
FREDERICK J. VOSS  
JAMES F. HOLLISTER  
MARVIN M. KAISER

*Mr. Voss*

*OK*  
*M.J.*

August 23, 1967

Mr. William Townsend  
Consoer, Townsend and Associates  
360 E. Grand Avenue  
Chicago, Illinois 60611

Dear Mr. Townsend:

Thank you for your letter of August 14, 1967 upon which I will make the following comments:

1. Since you requested official authorization for engineering services relative to the sealcoating program to be accepted for bid on August 28, 1967, you are hereby "officially authorized to perform this work." I would also like to compliment Mr. Engler for his prompt handling of the details necessary to implement this program.
2. Improvements in the commuter parking lot were acted upon by the Village Board at their August 14, 1967 meeting as suggested by Mr. McBride in the letter of August 11, 1967.
3. Your comment about the engineering problems with the Wyngate Subdivision called for the following observations.
  - (a) WYNGATE SUBDIVISION--I assure you that I am as "distressed" as you are about what is, in my opinion, an inability for professional engineers to communicate.
  - (b) SEEGERS-ANDERSON RE-SUBDIVISION-JEWEL PARK--By letter of July 25, 1967 your Mr. Hanley recommended acceptance of the water main and sanitary sewer. By phone of July 27 I called Mr. Hanley's attention to the fact that the Village Subdivision Ordinance requires "As Built" drawings and also indicated to him that the Village had not received the bacteriological

*July 25*  
*W.M.*

pressure tests on the water main and infiltration test on the sanitary sewer. I again called Mr. Hanley's attention to these requirements by my phone call to him August 4, 1967 at which time Mr. Hanley indicated there were no test results as yet from Frisch Contracting Company and that your field engineer was being "reminded daily." On August 22, 1967 Mr. E. B. Seegers raised particular hell with the Building Commissioner and myself as to our refusal to issue building permit in this subdivision which, as you know, cannot be done under the terms of our Subdivision Ordinance.

- (c) FOX POINT SUBDIVISION--On August 21, 1967 we received a similar letter from Mr. Hanley recommending that the Village accept underground improvements in units four and five in Fox Point Subdivision. Again the Village is not in possession of the required test on the water main and sanitary sewer. While it is true that Mr. Sales has supplied the Village with "As Built" drawings, has it not been the policy of your firm to imprint your "Recommended for Approval" stamp on such public improvements in the Village of Barrington?

Your observation on any or all of the above will be appreciated.

Thank you very much.

Sincerely,

  
Patrick J. Gaffigan  
Village Manager

PJG:hj  
President & Board (Informational)  
CC: H. Johansen  
K. Leedstrom

*Board Meeting 8-28-67*

**CONSOER, TOWNSEND AND ASSOCIATES • CONSULTING ENGINEERS**

**360 EAST GRAND AVENUE • CHICAGO, ILLINOIS 60611 • TELEPHONE DELAWARE 7-6900**

August 15, 1967

VILLAGE OF BARRINGTON  
VILLAGE HALL  
BARRINGTON, ILLINOIS

Attention: Mr. Patrick J. Gaffigan

66272

FOR ENGINEERING SERVICES PERFORMED IN CONNECTION WITH  
SEWAGE TREATMENT FACILITIES IN ACCORDANCE WITH DIVISION  
A OF AGREEMENT FOR ENGINEERING SERVICES.

1. For instruction of laboratory personnel, preparation of laboratory supply lists, and recommended laboratory procedures, in connection with establishing laboratory operations at the sewage treatment plant.
2. For Report on Tertiary Treatment Facilities for Existing Plant Capacity in accordance with authorization of November 14, 1966.
3. For Inspections and Preparation of recommendations in connection with improvements to Hillside Pumping Station as requested by the Village Manager.
4. For Comprehensive Report on Waste Water Treatment Facilities in accordance with authorization of January 23, 1967.

Total Productive Wages Charged from November, 1966 through July 31, 1967. \$1,368.20

Total Charges @ 2.5 times Productive Wages.  
2.5 x \$1,368.20 -

\$ 3,420.50

AMOUNT DUE THIS INVOICE

\$ 3,420.50

mh

AUG 16 1967

Village President and  
Board of Trustees  
Barrington, Illinois

August 8, 1967

AR

RECEIVED

AUG 11 1967

VILLAGE OF BARRINGTON

Gentlemen:-

During the month of July approximately 40 inspections and check inspections were made to Food Handling Establishments and vendors in the Village of Barrington. In addition, several complaints were investigated. Following is a statement of time worked:-

Month of July

July 1, 1967 - - - - -	\$ 20.00
July 8, 1967 - - - - -	20.00
July 22, 1967 - - - - -	20.00
July 29, 1967 -- @ \$20.00/day - - -	<u>20.00</u>
Total - - - - -	\$ 80.00

Trusting the above statement meets with your approval

Very Truly Yours  
Robert de Jongh  
Sanitary Engineer  
604 S. George St.  
Barrington, Ill.



**ILLINOIS MUNICIPAL LEAGUE**

1220 South Seventh Street  
Springfield, Illinois 62703  
Telephone: Area Code 217-525-1220  
A. L. Sargent, Executive Director

*Woyatt*

**MUNICIPAL LEGISLATIVE  
INFORMATION SERVICE**  
75th General Assembly  
Legislative Bulletin No. 67-27  
17th August 1967 dcn/cm

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HOUSE BILLS 476 and 477  
75th GENERAL ASSEMBLY

The Legislature passed and the Governor signed House Bills 476 and 477, which provide for the restrictions upon the meetings of all governmental units, including municipalities and communities and commissions thereof.

This new legislation requires that all such meetings, with very few exceptions, shall be open to the public and attempts to bar closed sessions. In addition, all meetings must be held at specified times and places which are convenient to the public. Public notice must be given at the beginning of each calendar or fiscal year of the schedule of regular meetings for the coming year, setting forth dates, times and places of such meetings. Publication is had by posting a notice at the principle office of the body holding the meeting. Notice of regular meetings and special meetings shall be sent to all local news media requesting such notice. The notice required at the start of each calendar or fiscal year must be available for anyone desiring it. If a change is made in any regular meeting date, 10 days' notice must be given by publication.

Act provides that the Court shall issue a writ of mandamus requiring that meetings be open to the public if this provision is violated or if there is probable cause to believe it will be violated.

In view of the seriousness and importance of these new enactments the acts in the form in which they will appear in the statutes are enclosed.



HB 476 K

An Act to amend Sections 1, 2 and 3 of and to add Sections 2.01, 2.02, 2.03 and 2.04 to "An Act in relation to meetings", approved July 11, 1957, as amended.

Be it enacted by the People of the State of Illinois,  
represented in the General Assembly:

Section 1. Sections 1, 2 and 3 of "An Act in relation to meetings", approved July 11, 1957, as amended, are amended and Sections 2.01, 2.02, 2.03 and 2.04 are added thereto, the amended and added Sections to read as follows:

Sec. 1. It is the public policy of this State that the public commissions, committees, boards and councils and the other public agencies in this State exist to aid in the conduct of the people's business. It is the intent of this Act that their actions be taken openly and that their deliberations be conducted openly.

Sec. 2. All meetings of any legislative, executive, administrative or advisory bodies of the State, counties, townships, cities, villages, incorporated towns, school districts and all other municipal corporations, boards, bureaus, committees or commissions of this State, and any subsidiary bodies of any of the foregoing including but not limited to committees and subcommittees which are supported in whole or in part by tax revenue, or which expend tax revenue, shall be public meetings except for (a) personnel or collective negotiating matters between public employers and their employees or representatives as to employment, (b) deliberations for decisions of the Illinois Commerce Commission, the Illinois Parole and Pardon Board and the Illinois Youth Commission or its successor agency, (c) executive sessions of the Illinois Crime Investigating Commission where investigations are to be discussed, (d) meetings where the acquisition of real property is being considered, or where a pending court proceeding against or on behalf of the particular governmental unit is being considered, but no other portion of such meetings may be closed to the public, (e) grand and petit jury sessions and (f) where the constitution provides that a governmental unit can hold secret meetings. This Act does not apply to the General Assembly or to committees or commissions thereof.

This Section does not prevent any body covered by this Act from holding closed sessions to consider information regarding appointment, employment or dismissal of an employee or officer, but no final action may be taken at a closed session. This Section does not prevent an agency of government from holding a closed session when Federal regulation requires it. This Section does not prevent a school board or any committee thereof from hearing student disciplinary cases

at a closed session. This Section does not prevent an advisory committee appointed to provide a public body with professional consultation on matters germane to its field of competence from holding a closed session to consider matters of professional ethics or performance.

Sec. 2.01. All meetings required by this Act to be public shall be held at specified times and places which are convenient to the public. No meeting required by this Act to be public shall be held on a legal holiday unless the regular meeting day falls on that holiday.

Sec. 2.02. Public notice of all meetings required by this Act to be public shall be given as follows:

(a) Every body subject to this Act shall give public notice of the schedule of regular meetings at the beginning of each calendar or fiscal year and shall state the regular dates, times, and places of such meetings. Public notice of any special meeting, or of any re-scheduled regular meeting, or of any reconvened meeting, shall be given at least 24 hours before such meeting. However, this requirement of public notice of reconvened meetings does not apply to any case where the meeting is to be reconvened within 24 hours nor to any case where announcement of the time and place of the reconvened meeting was made at the original meeting and there is no change in the agenda.

(b) Public notice shall be given by posting a copy of the notice at the principal office of the body holding the meeting or, if no such office exists, at the building in which the meeting is to be held. The body shall supply copies of the notice of its regular meetings, and of the notice of any special, rescheduled or reconvened meeting, to any local newspaper of general circulation or any local radio or television station that has filed an annual request for such notice. Any such news media shall also be given the same notice of all special, rescheduled or reconvened meetings in the same manner as is given to members of the body provided such news medium has given the public body an address within the territorial jurisdiction of the public body at which such notice may be given.

Sec. 2.03. In addition to the notice required by Section 2.02, each body subject to this Act must, at the beginning of each calendar or fiscal year, prepare and make available a schedule of all its regular meetings for such calendar or fiscal year, listing the times and places of such meetings.

If a change is made in regular meeting dates, at least 10 days' notice of such change shall be given by publication in a newspaper of general circulation in the area in which such body functions. However, in the case of bodies of local governmental units with a population of less than 500 in which no newspaper is published, such 10 days' notice may be given by posting a notice of such change in at least 3 prominent places within the governmental unit. Notice of such change shall also be posted at the principal office of the public body or, if no such office exists, at the building in which the meeting is to be held. Notice of such change shall also be supplied to those news media which have filed an annual request for notice as provided in paragraph (b) of Section 2.02.

Sec. 2.04. The notice requirements of this Act are in addition to, and not in substitution of, any other notice required by law. Failure of any news medium to receive a notice provided for by this Act shall not invalidate any meeting provided notice was in fact given in accordance with this Act.

Sec. 3. Where the provisions of this Act are not complied with or where there is probable cause to believe that the provisions of this Act will not be complied with, the court shall issue a writ of mandamus requiring that a meeting be open to the public at large or issue such other appropriate order as will insure compliance with the provisions of this Act.

Approved, 24th July, 1967  
Otto Kerner /s/  
Governor

Ralph T. Smith /s/  
Speaker, House of Representatives

Samuel H. Shapiro /s/  
President of the Senate

Originated in the House of  
Representatives

Fredric B. Selcke /s/  
Clerk of the House

16th August 1967 dcn/hb

HB 477 K

An Act to amend Sections 3-11-13 and 4-5-12 of the "Illinois Municipal Code", approved May 29, 1961, as amended.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 1. Sections 3-11-13 and 4-5-12 of the "Illinois Municipal Code", approved May 29, 1961, as amended, are amended to read as follows:

Sec. 3-11-13. The city council may prescribe, by ordinance, the times and places of the council meetings, and the manner in which special council meetings may be called. The mayor or any 3 aldermen may call special meetings of the city council. In addition to any notice requirement prescribed by the city council, public notice of meetings must be given as prescribed in Sections 2.02 and 2.03 of "An Act in relation to meetings", approved July 11, 1957, as heretofore or hereafter amended.

*Comment*  
Sec. 4-5-12. Regular meetings of the council shall be held on the first Monday after the mayor and commissioners have entered upon the performance of their official duties, and at least twice each month thereafter. The council shall provide by ordinance for the holding of regular meetings. Special meetings may be called from time to time by the mayor or by 2 commissioners upon giving notice of not less than 24 hours to all members of the council. Public notice of meetings must also be given as prescribed in Sections 2.02 and 2.03 of "An Act in relation to meetings", approved July 11, 1957, as heretofore or hereafter amended. All meetings of the council, whether regular or special, shall be open to the public.

The mayor and each commissioner shall have the right to ~~vote on~~ all questions coming before the council. Three members of the council shall constitute a quorum, and the affirmative vote of 3 members shall be necessary to adopt any motion, resolution, or ordinance, unless a greater number is provided for by this article.

Upon every vote the "yeas" and "nays" shall be called and recorded. Every motion, resolution, or ordinance shall be reduced to writing and read before a vote is taken thereon, and all council members present at any meeting shall vote thereon. The style of all ordinances shall be: "Be it ordained by the council of the city (or village) of .....  
..."

The mayor shall have no power to veto, but every resolution, ordinance or warrant passed or ordered by the council must be signed by the mayor, or by 2 commissioners, and all ordinances and resolutions

HB 477 C

shall be filed for record, before they shall be in force.

Approved, 24th July, 1967  
Otto Kerner /s/  
Governor

Ralph T. Smith /s/  
Speaker, House of Representatives

Samuel H. Shapiro /s/  
President of the Senate

Originated in the House of  
Representatives

Fredric B. Selcke /s/  
Clerk of the House

16th August 1967 dcn/in

STATE OF ILLINOIS

DEPARTMENT OF PUBLIC WORKS AND BUILDINGS

FRANCIS S. LORENZ, DIRECTOR

DIVISION OF HIGHWAYS

BUREAU OF LOCAL ROADS AND STREETS

STATE OFFICE BUILDING

SPRINGFIELD

62706

VINCENT E. STAFF  
CHIEF HIGHWAY ENGINEER

RECEIVED

SEP 1 1967

VILLAGE OF BARRINGTON

August 30, 1967

CITY - MFT  
Barrington  
Engineering Agreement General

Mrs. May L. Pinkerman  
Village Clerk  
Barrington, Illinois 60010

Dear Madam:

The agreement for engineering services dated August 14, 1967, between the village of Barrington and Consoer, Townsend and Associates, Consulting Engineers, for certain engineering services to be performed in connection with the village's motor fuel tax construction program for the period August 14, 1967, to April 30, 1969, was approved by this Department today.

Approval is given with the exclusion of the following items which do not involve the use of motor fuel tax funds:

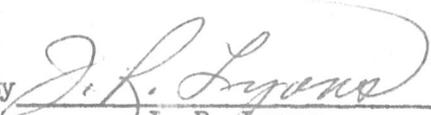
1. Part II - page 10
2. Part III - page 11
3. Part IV - page 12
4. Attendance at meetings - page 12

The village's file copy of the agreement is being returned herewith.

Very truly yours,

C. J. Vranek  
Engineer of Local Roads  
and Streets

By

  
J. R. Lyons  
City Section Engineer

cc-  
Sigmund C. Ziejewski  
Consoer, Townsend and Assoc., Cons. Engrs.

LAW OFFICES OF  
**KING, ROBIN, GALE & PILLINGER**  
135 SOUTH LA SALLE STREET  
CHICAGO 60603

TELEPHONE CENTRAL 6-4280  
CABLE ADDRESS "HAMROSE"  
FORMERLY  
ROSENTHAL, HAMILL & WORMSER

WILLARD L. KING  
SIDNEY L. ROBIN  
DOUGLASS PILLINGER  
GEORGE W. GALE  
ALEXANDER I. LOWINGER  
J. WILLIAM BRAITHWAITE

MEMORANDUM

TO: BUILDING COMMISSIONER VILLAGE OF BARRINGTON  
COPY: VILLAGE MANAGER  
DATE: August 14, 1967  
RE: BUILDING ENCROACHMENT, SOUTH COOK STREET

Confirming your telephone call to me, I understand that a permit has been issued for the remodelling of commercial property whereby portions of the building will project over the sidewalk, at a height where it will not interfere with pedestrian traffic. I further understand that this projection is supported solely by structural attachment to the building.

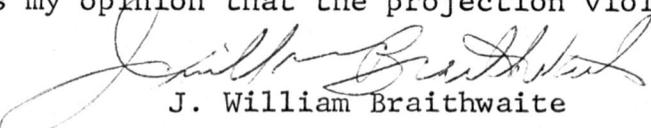
Section 9.112 of the Municipal Code of Barrington provides: "Encroachments. It shall be unlawful to erect or maintain any building or structure which encroaches upon any public street or property."

It is my understanding that the sidewalk is located within the Village street right of way and is not located on private property. Accordingly, this Section prohibits anything whatever from extending over the sidewalk, unless some other Ordinance specifically allows such projection.

The Village Sign Ordinance, Ordinance No. 848, allows certain projections over the sidewalk. You inquired whether the projection in this case could be considered a canopy. The Sign Ordinance defines the canopy as "any structure, other than an awning made of cloth or metal with metal frames attached to a building, projecting over a thoroughfare, and carried by a frame supported by the ground or sidewalk." As the projection is not carried by a frame supported by the ground or sidewalk, it does not qualify as a canopy.

The projection might qualify as a marquee which is defined in the Sign Ordinance as "any hood or awning of permanent construction projecting from the wall of a building above any entrance and extending over a thoroughfare." As you know, Section 19.1119 of the Sign Ordinance prohibits marquees.

Therefore, it is my opinion that the projection violates the Village ordinances.

  
J. William Braithwaite

OK  
W

1 grand ✓  
1 green tick ✓  
1a violation ✓



Board Meeting of Aug. 14, 1967  
**KIWANIS CLUB OF PALATINE, ILLINOIS**

"WE BUILD"

**OFFICERS**

Pres.  
EDWARD S. LASKOWSKI  
183 Stonegate Road, Cary  
Phone: ME 9-7089 — 359-1611

Vice President  
LEE D. HEINZ  
1069 Palos Road, Palatine  
Phone: 358-2955

Vice President  
ALLAN M. FREDIN  
327 Cheryl, Palatine  
Phone: 359-1360

Secretary  
JAMES R. DOSS  
132 N. Rohlwing, Palatine  
Phone: 358-5505 — 727-7877

Treasurer  
RONALD R. HUNTER  
1053 E. Sayles Drive, Palatine  
Phone: 358-4825

Tr. Governor, Division 17  
THOMAS C. STEBBINGS  
54 N. Forest, Palatine  
Phone: 358-0932 — 358-5533

**DIRECTORS**

ROBERT W. NELSON  
Immediate Past President  
ROBERT BOLES  
WILLIS DOWNEY  
WILLIAM GILPIN  
C. G. HOLZRICHTER  
ROBERT JESSEN  
JAMES SHOPMEYER  
THOMAS STEBBINGS

**COMMITTEE CHAIRMEN**

**YOUTH SERVICES**

Boys' and Girls Work  
KENNETH P. ERIKSEN  
58-0716  
Phone: 358-6769  
Vocational Guidance  
LEE D. HEINZ  
Phone: 358-2955

**CITIZENSHIP SERVICES**

Agriculture and Conservation  
ALBERT J. LIETZ  
Phone: 359-1245  
THEODORE H. BYHRING  
Phone: 255-0566  
International Relations  
Public and Business Affairs  
ROBERT H. JESSEN  
Phone: 359-1102  
CHARLES E. NEAL  
Phone: 359-1232  
Support of Churches  
WILLIAM R. GILPIN  
Phone: 358-1010

**ADMINISTRATION**

House and Reception  
WILLIS N. DOWNEY  
Phone: 359-0065  
JAMES C. SHOPMEYER  
Phone: 358-6535  
Inter-Club Fellowship  
ROBERT E. BOLES  
Phone: 358-1879  
Education, Attendance  
and Membership  
ANDREW J. KOLLER  
Phone: 359-1243  
JAMES C. SHOPMEYER  
Phone: 358-6535  
Programs and Music  
ROBERT W. NELSON  
Phone: 358-0119  
Public Relations  
HENRY L. BAUER  
Phone: 251-2974  
Bulletin Editor  
G. C. HOLZRICHTER  
Phone: 253-0661

July 26, 1967

Village of Barrington  
206 S. Hough  
Barrington, Illinois

Attention: Village Manager

Dear Sir:

As in the past, the Kiwanis Club of Palatine is again planning their annual Fund Raising Project, "Kid's Day", or Peanut Day. This event is planned for Friday, September 22, 1967.

We would again appreciate permission of the Barrington Village Government to sell Kiwanis Peanuts on that date, throughout the village. It is also hoped that since this project is to help kids in the community that you will again see fit to waive any and all license fees as you have done in the past.

We wish to thank you in advance for your cooperation in this endeavour.

Will you kindly send your reply to my attention at the following address.

Very truly yours,

Ronald R. Hunter  
Kids' Day Chairman  
Kiwanis Club of Palatine  
1053 E. Sayles Dr.  
Palatine, Illinois

7-28-67

In 1959 - Fox River Grove Kiwanis Club.

In September, 1964 permission was granted to the Palatine Kiwanis Club to sell peanuts in the Village on September 25, 1964 by President Blanke.

DISTRICT SLOGAN — ACCEPT THE CHALLENGE OF KIWANIS

*BD Metzger 14*

STATE OF ILLINOIS

*JFW*  
3

DEPARTMENT OF PUBLIC WORKS AND BUILDINGS

FRANCIS S. LORENZ, DIRECTOR

DIVISION OF HIGHWAYS

BUREAU OF LOCAL ROADS AND STREETS

STATE OFFICE BUILDING

SPRINGFIELD  
62706

RECEIVED

AUG 3 1967

VILLAGE OF BARRINGTON

VIRDEN E. STAFF  
CHIEF HIGHWAY ENGINEER

August 1, 1967

CITY - MFT  
Barrington  
Section 28-CS

Mrs. May L. Pinkerman  
Village Clerk  
Barrington, Illinois 60010

Dear Madam:

The plans, specifications and estimate for the above section were approved by this Department today with the understanding that prior to advertising for bids the village will submit, through the district office, two statements to the effect that all necessary right-of-way has been acquired.

The proposed improvement provides for the construction of a bituminous aggregate mixture base, with an A-1 seal coat, on Eastern Avenue from Hillside Avenue to Northwest Highway.

You will note that we have inserted the latest Supplemental Specifications for Portland Cement Concrete Pavement, Portland Cement Concrete Equipment and Bituminous Equipment (Hot Mix Plant) in the proposal.

One set of the approved papers is being returned to you and one set is being returned to Consoer, Townsend and Associates, Consulting Engineers.

Very truly yours,

*C. J. Vranek*

C. J. Vranek  
Engineer of Local Roads  
and Streets

cc-  
S. C. Ziejewski  
Consoer, Townsend & Assoc., Cons. Engrs.

Board Meeting 8-14-67 10

STATE OF ILLINOIS

3

DEPARTMENT OF PUBLIC WORKS AND BUILDINGS

FRANCIS S. LORENZ, DIRECTOR

DIVISION OF HIGHWAYS  
BUREAU OF LOCAL ROADS AND STREETS

STATE OFFICE BUILDING

SPRINGFIELD  
62706

VIRDEN E. STAFF  
CHIEF HIGHWAY ENGINEER

August 1, 1967

CITY MFT  
Barrington  
Section 29-CS

RECEIVED  
AUG 2 1967  
VILLAGE OF BARRINGTON

Mrs. <sup>6</sup>Mary L. Pinkerman  
Village Clerk  
Barrington, Illinois 60010

Dear Madam:

The plans, specifications and estimate for the above section were approved by this Department today. You will note that we have inserted the Supplemental Specifications for Bituminous Equipment (Hot Mix Plant), effective October 1, 1966.

The proposed improvement provides for the construction of bituminous concrete binder and surface courses, subclass I-11, on a new portland cement concrete base course with new concrete curb and portland cement concrete sidewalk on the west side of Hough Street from Main Street to a point approximately 150 feet south. Also, the improvement includes the relocation of a traffic light.

One set of the approved papers is being returned to you and one set is being returned to Consoer, Townsend and Associates, Consulting Engineers.

Very truly yours,

*C. J. Vranek*  
C. J. Vranek  
Engineer of Local Roads  
and Streets

cc-  
S. C. Ziejewski  
Consoer, Townsend & Associates,  
Consulting Engineers

Delivered to Village President July 31, 1967 p.m.  
Clerk: Make necessary copies for August 14 Agenda---Mr. Blanke

JOHN H. D. BLANKE  
President

LAWRENCE P. HARTLAUB  
Chairman

C. KITTREDGE  
Secretary

## Plan Commission



## Village of Barrington

206 South Hough Street  
Barrington, Illinois

Members

JOHN R. WOOD  
DON C. SCHROEDER  
BURNELL WOLLAR  
ARNOLD H. SASS

July 27, 1967

President and Board of Trustees,  
Village of Barrington,  
Barrington, Illinois.

Gentlemen:

On Wednesday, July 26, 1967 the Barrington Plan Commission held a public hearing on the petition of Alva R. Wirsing and Grace L. Wirsing for a special use permit, which would allow them to continue their Nursery School operation on Parcel No. 1 described below and also to extend the operation to include parcel No. 2, also described as follows:

Parcel 1: That part of the Northwest Quarter of Section 1, Township 42 North, Range 9, East of the Third Principal Meridian, described as follows: commencing about 50 rods West of the Southeast corner of the Northwest Quarter of Section 1, Township 42 North, Range 9, East of the Third Principal Meridian, in Cook County, Illinois; thence running West about 10 rods to the East line of J. H. Hawley's Land; thence North 10 rods; thence East about 10 rods; thence South 10 rods, to the point of beginning.

Parcel 2: The South Half of that part of the Northwest Quarter of Section 1, Township 42 North, Range 9, East of the Third Principal Meridian described as follows: beginning at a point on the East line of Cook Street 165 feet North of the South line of the Northwest Quarter of Section 1 as measured along the East line of Cook Street and said East line of Cook Street extended South; thence East 129 feet to the Southwest corner of Lot 99 in County Clerks Redivision of the Assessor's Division (except Lots 9 to 17 inclusive and Lots 30, 34 and 35 thereof) of the West Half of the Northwest Quarter of said Section 1 registered under the Torrence System in Circuit Court of Cook County, Illinois, Case No. 11420 Land Registration Docket; thence North along the West

line of Lot 99 and along the West line of Lot 98 in County Clerks Redivision aforesaid registered under the Torrence System in Circuit Court of Cook County, Illinois, Case No. 21279 Land Registration Docket 165 feet to the Northwest corner of Lot 98; thence West parallel to the South line of the Northwest Quarter of said Section 130 feet to the East line of Cook Street; thence South along the East line of Cook Street to the place of beginning, (except the North 55 feet of said tract) in Cook County, Illinois.

After reviewing all evidence presented at the hearing and noting that there was no opposition of any kind presented, the Barrington Plan Commission recommends that the request for special use permits be granted.

Respectfully submitted,

Barrington Plan Commission,

*T.C. Kittredge*  
By: T.C. Kittredge, Secretary

MEETING OF PRESIDENT & BOARD OF TRUSTEES HELD JULY 31, 1967.  
ADJOURNED FROM JULY 24, 1967.

MEETING CALLED TO ORDER by Trustee David R. Capulli at 8 P.M. Present at roll call: Trustees David R. Capulli, Paul J. Shultz, J. Frank Wyatt, Frederick J. Voss, James F. Hollister, Marvin M. Kaiser. Also present: May L. Pinkerman, Village Clerk; Patrick J. Gaffigan, Village Manager; B.J. Zelsdorf, Finance Director; J.Wm. Braithwaite, Atty.

MOTION Trustee Capulli that Trustee Wyatt be appointed President Protem in absence of President Blanke. Trustee Wyatt suggested senior Trustee preside. 2nd to motion by Trustee Shultz. Ayes.

SUPPLEMENTAL APPROPRIATION ORDINANCE considered for passage and on recommendation of President Protem Wyatt it was read. Upon arrival of President Blanke Trustee Wyatt retired to his position on Board. Atty. Braithwaite advised that this ordinance, if passed tonight, must be published this week and would become effective 10 days thereafter; this is legal procedure. MOTION Trustee Wyatt for adoption of the Supplemental Appropriation Ordinance; 2nd Trustee Shultz. Roll call-Ayes: Capulli, Shultz, Wyatt, Voss, Hollister, Kaiser. #988 (copy to Press) Trustee Wyatt inquired of President if he intended to sign this ordinance who replied he saw no reason why it will not be signed. Attorney advised that time element on this is most important.

PROPOSED 1967-68 TAX LEVY ORDINANCE: Finance Director Zelsdorf had prepared a comparison of special purpose levies which was explained by Manager Gaffigan, suggesting if there were no further questions direction be given to prepare Tax Levy Ordinance to be reviewed and presented formally Aug. 14th. MOTION Trustee Wyatt that Village Manager be authorized to have the Tax Levy Ordinance prepared in accordance with the information submitted in memo from Mr. Zelsdorf, dated July 28, 1967; 2nd Trustee Kaiser. Roll call-Ayes: Capulli, Shultz, Wyatt, Voss, Hollister, Kaiser.

DUTCH ELM DISEASE SPRAYS: Further discussion had on pros and cons of DDT vs Methoxychlor. Report received from Mr. Parrish covering years 1957 thru 1967 to date showing % loss based on original tree population. Mr. Hendee of Forestry Committee mentioned at last meeting Jewel Tea uses DDT successfully on their 400 trees. It was felt, however, their trees presented a different problem since they are contained in an area as against Village trees scattered throughout Village, with regard to spraying. During discussion Trustee Voss suggested President contact Forestry Committee with request from Board that they contact University of Illinois and others in connection with latest information on the materials - DDT & Methoxychlor.

VILLAGE MANAGER NOTICE OF RESIGNATION: Manager stated it could be discussed now or later. Trustee Voss asked that this be held until after this meeting, for discussion by Committee, as a personnel matter. Agreed. President questioned new items being introduced at an adjourned meeting and was advised any items could be brought up since this is a continued meeting and not a special. MOTION Trustee Voss that item 6 of Agenda be deferred until a committee meeting to be held on personnel matter after this meeting; 2nd Trustee Hollister. Ayes.

ATTORNEY KREGER LETTER of 7-28-67 considered self-explanatory. Manager Gaffigan had heard from Atty. Canby that the certificate on the Hollister property would be transferred when Mr. Hollister is paid and other papers are exchanged. It was noted payment was already authorized. MOTION Trustee Wyatt that check be issued to James F. Hollister, owner of record, and that such check be turned over to Atty. Donald J. Kreger for proper distribution on authorization of this Board; 2nd Trustee Voss. Roll call-Ayes: Capulli, Shultz, Wyatt, Voss, Kaiser. Not Voting: Hollister.

VILLAGE PROSECUTOR: Letter of 7-28-67 from Chief Muscarello noted. Letter of resignation received previously from Atty. Canby from position of Prosecutor. Discussion. MOTION Trustee Wyatt that Board accept resignation of Caleb H. Canby III as Village Prosecutor effective 7-31-67 at 8 P.M.; 2nd Trustee Capulli. Roll call-Ayes:Capulli, Shultz,Wyatt,Voss,Hollister,Kaiser.

MOTION Trustee Wyatt that, pending appointment of a Village Prosecutor, Mr. J.Wm. Braithwaite be and is hereby authorized to handle all matters pertaining to where Village Prosecutor is necessary; 2nd Trustee Voss. Roll call-Ayes:Capulli,Shultz, Wyatt,Voss,Hollister,Kaiser.

MOTION Trustee Wyatt that Mr. J. Wm. Braithwaite be and hereby is authorized to interview Mr. Thomas Hayward with respect to position of Village Prosecutor and make recommendation to this Board at next regular meeting; 2nd Trustee Kaiser. Roll call-Ayes: Capulli,Shultz,Wyatt,Voss,Hollister,Kaiser.

110 E. STATION ST. PARKING LOT: Plan Commission letter of 7-27-67 read. Manager Gaffigan discussed recommendation therein.

ENGINEERING CONTRACT: Letter of 7-7-67 submitted to Board with regard to this containing request agreement be signed. Manager Gaffigan recommended this be looked at closely and also to look at other engineering firms in the area. He had original and 2 copies that will be filed tonight for anyone to look at. Trustee Wyatt requested that copies be distributed to Board before next meeting in spite of fact it is 15 pages long; this to be done.

PETITION received on behalf of Fred W. Schurecht requesting rezoning from M2 to R10 property as described being west of Lageschulte St. at W. end of Russell St. & abutting EJ&E tracks. MOTION Trustee Shultz that this be referred to Plan Commission for public hearing and recommendation to be made to Village Board;2nd Trustee Capullil. Ayes.

WIRING PETITION: Copies of transcript of hearing distributed; recommendation has been received by President & will be distributed for next meeting.

BARRINGTON MOTOR LODGE: Copies of 3 communications from Zoning Board of Appeals distributed tonight. Action to be taken on both petitions August 14, 1967.

BARRINGTON MEADOWS SPECIAL ASSESSMENT #75: President noted from minutes of 7-24-67 there was discussion of his veto of ordinance. He stated he felt Board should have benefit of letter from Attorney as to whether or not all legal requirements have been covered in planning as to street vacation, etc.; has not seen such a letter. Trustee Wyatt noted Atty. Kreger had been directed to turn all matters on this program over to Atty. Braithwaite. President stated he still feels all legal requirements not yet met. Trustee Shultz said we are relying upon the experience and ability of our Legal Consultant to present this to the Court in proper form, feeling steps will be taken to do this correctly. Discussion. Atty. Braithwaite stated Board is entitled to know certain plats have not yet been recorded and the law is very clear on this; must be done before stamp of approval is put on a special assessment. We are proceeding under Board direction to expedite the matter and handling in correct manner. President felt there should be a resubdivision plat but Attorney advised law automatically takes care of this and property goes to adjoining lots adding he will be glad to put this in writing. Advised the lawsuit between Johnson and Carlson should not affect special assessment. Trustee Hollister noted President had written there is private capital available; it was stated this is not legal question and if money does come in the special assessment could be dropped.

28CS & 29CS: Mr. McBride stated he had contact with a Mr. Smeltzer on Hough St. & Eastern Ave. projects and thinks we can receive verbal approval to advertise for bids this Thursday, to receive bids Aug. 14th at earliest. Manager Gaffigan said if we have the authority to advertise bids would be opened at the Board meeting since it is MFT programming. Copies of Notice to Contractors left with Manager and Mr. Hull of Courier-Review, who stated he could hold paper space until 3 PM Tuesday for this week's paper. Discussion. MOTION Trustee Voss that the Village Manager be authorized to advertise in Barrington Courier Review issue of August 3, 1967 for bids for project 28CS; bids to be opened at 8 P.M. August 14, 1967; 2nd Trustee Hollister. Roll call-Ayes: Capulli, Shultz, Wyatt, Voss, Hollister, Kaiser.

MOTION Trustee Voss that the Village Manager be authorized to advertise in Barrington Courier Review issue of August 3, 1967 for bids for project 29CS. Bids to be opened at 8.05 P.M. August 14, 1967; 2nd Trustee Hollister. Roll call-Ayes: Capulli, Shultz, Wyatt, Voss, Hollister, Kaiser.

MOTION Trustee Voss that Village Manager be directed to issue no plans and specifications to prospective bidders in event Village does not receive approval from State Highway Dept.; 2nd Trustee Kaiser. Roll call-Ayes: Capulli, Shultz, Wyatt, Voss, Hollister, Kaiser. Mr. McBride stated phns and specs could be out Thursday.

In answer to question from Trustee Hollister, Chief Muscarello stated the problems he mentioned rumored for last weekend had been fully checked out, without incident.

SIREN: Discussion again had on this re length of time of signal. Since Mr. Ahlgrim had indicated he could not adjust it further Federal Sign & Signal will be out to work on it.

110 E. STATION ST. PARKING LOT: Trustee Shultz asked what next steps would be on this. Manager stated drafts of lease have been received from Attorneys and he hoped to have definite recommendation for Aug. 14th; has not yet seen plans by Mr. Millin and we have only received estimates of cost; demolition will follow signing of lease.

PARKING AREA AT RR STATION: Manager Gaffigan advised that now Appropriation Ordinance is out of way he hopes to authorize engineers to come out and check this. It is hoped this improvement will be made before wintertime - Trustee Shultz.

MOTION TO ADJOURN by Trustee Capulli; 2nd Trustee Voss. Ayes. 9.10 PM.

Respectfully submitted,

*May L. Penkerman*

Village Clerk

JFW

MINUTES OF MEETING OF BOARD OF TRUSTEES HELD JULY 24, 1967.

MEETING CALLED TO ORDER by Trustee David R. Capulli in absence of President John H. D. Blanke at 8 P.M. Present at roll call: Trustees David R. Capulli, Paul J. Shultz, J. Frank Wyatt, Frederick J. Voss, James F. Hollister, Marvin M. Kaiser. Also present: May L. Pinkerman, Village Clerk; Patrick J. Gaffigan, Village Manager; B. J. Zelsdorf, Finance Director; J. William Braithwaite, Legal Consultant.

MOTION Trustee Capulli that Trustee Shultz be appointed President Protem; 2nd Trustee Voss. Ayes.

MINUTES 7-10-67 approved as written on MOTION Trustee Voss; 2nd Trustee Kaiser. Ayes. Trustees Capulli & Wyatt not voting due to absence that meeting.

INQUIRIES FROM AUDIENCE: Mr. Robert J. Kennedy presented letter of July 24, 1967, addressed to President & Board of Trustees as follows: "This letter will confirm our intention to include in the plat of Fox Point Unit 6, prior to recording, whatever utility easements are necessary to properly serve the Wyngate subdivision. We shall provide the easement as specified by Consoer, Townsend, the Village engineers."

PETITION: Mr. Kennedy presented petition with regard to the 40' building line requirement seeking variation on 6 lots #661 thru 666 incl. to a 30' front building line as well as a variation in the width at the front building line from 100' requirement. Fee paid of \$50. MOTION Trustee Voss to refer matter to Zoning Board of Appeals for hearing; 2nd Trustee Hollister. Ayes.

SALES TAX for April reported gross \$11,401.24; amt to be remitted \$10,945.19.

BARRINGTON CHAMBER OF COMMERCE SIDEWALK DAY: Request for permission to hold same on September 8th from 8 A.M. to 9 P.M. received. MOTION to grant permission by Trustee Wyatt; 2nd Trustee Voss with stipulation that they also purchase use of parking meters as in previous years in amount of \$50.00. Ayes.

1st NATIONAL BANK & TRUST CO. OF BARRINGTON June Statement passed to files.

TREASURER'S REPORT for June, 1967 received and passed to files.

BARRINGTON PIONEERS 4-H CLUB request for permission to hang banner across a Village street read. MOTION Trustee Capulli that permission be granted and they should work out necessary problems with Village Manager, for period from Sept. 29 thru Oct. 9th. Mr. Gaffigan reminded it could not go across a State or County maintained highway. 2nd Trustee Kaiser. Ayes.

BOPP VARIATION ORDINANCE: MOTION Trustee Capulli to adopt ordinance; 2nd Trustee Hollister; Roll call-Ayes: Capulli, Shultz, Wyatt, Voss, Hollister, Kaiser. #984.

AGENDA ITEM #20: LEGAL CONSULTANTS ORDINANCE: Proposed ordinance read, changing classification from Village Attorney to Legal Consultants. Status of Thomas A. Matthews was questioned by Trustee Voss. Atty. Braithwaite stated they are not now performing having withdrawn from all matters except those specifically they have been asked to continue with and have cooperated with Atty. Braithwaite. MOTION Trustee Wyatt to adopt ordinance; 2nd Trustee Voss. Roll call-Ayes: Capulli, Shultz, Wyatt, Voss, Kaiser. Noas: Hollister. #985.

ETTERS VARIATION PETITION: Zoning Board of Appeals letter of 7-12-67 read. Trustee Voss requested clarification, since exact variation not given in footage. Atty. Canby reviewed problem. MOTION Trustee Capulli to concur in recommendations of Zoning Board of Appeals and that ordinance be drawn giving exact specifications of

violation; 2nd Trustee Hollister. Roll call-Ayes:Capulli,Shultz,Wyatt,Voss,Hollister, Kaiser. Trustee Voss questioned issuance of building permit in connection with foregoing; Manager explained that Mr. Meinke had required site plats on permits issued & there is a history of several variations having been approved in Fox Point after hearing.

GOLTRA PETITION FOR VARIATION: Letter from Zoning Board of Appeals of 7-12-67 read. MOTION Trustee Wyatt to concur in recommendation of Zoning Board(to approve replacing of corrugated steel wall building with a new one as described); 2nd Trustee Hollister. Roll call-Ayes:Capulli,Shultz,Wyatt,Voss,Hollister,Kaiser.

DANCE HALL ORDINANCE: Again reviewed & Manager stated he foresees problems with this in processing of requirements, etc; suggested fees. MOTION Trustee Wyatt that this be referred to Atty. Braithwaite for his review; 2nd Trustee Voss. Manager noted the former Building Commissioner had taken a neutral stand on this; memo from Chief of Police read; Manager was asked to check other Villages procedures on this. AYES.

AMENDMENT TO MUNICIPAL CODE: proposed for Section 22.101-Sewer Disposal Facilities; copies were distributed in May and Manager noted this had been previously discussed-could be deferred. MOTION Trustee Wyatt that matter be taken up at next meeting; 2nd Trustee Hollister. Ayes.

MORGAN PETITION TO REZONE LOTS 12 & 13 in"SHORTHILLS": in SW portion of Village between Dundee Ave. & EJ&E tracks as described. Plan Commission letter of 7-14-67 read (except legal). Discussion. MOTION Trustee Wyatt to defer action on this recommendation until next meeting; 2nd Trustee Voss. Ayes. In connection with dedication of the road Atty. Canby stated there is a deed in existence from Rockwoods dated 1953 & street would be developed under Village ordinance.

FORD LEASING DEV. CO. STATUS: Manager reminded that as to the Agreement it was understood at last meeting this would be finalized by Atty. Kreger. Village requires this Agreement and Trustee Wyatt suggested Village Manager follow up on this matter.

BARRINGTON MEADOWS SUBDIV. S/A #75 ORDINANCE #983: Passed 7-10-67. President Protem Shultz asked if the message from President Blanke on this is made part of journal minutes will this be a formal Veto? Atty. Braithwaite advised "Yes". Message was read. Trustee Wyatt stated Board has tried to help the people of Barrington Meadows and this has been held up a month already (copy of Veto message filed in Minute Book)(original copy with Ordinance #983) MOTION Trustee Wyatt that Village Clerk be directed to send copy of this letter by President Blanke to President of Barrington Meadows Home Owners Assoc. with the notation that it is the concensus of the Village Board that the Village President, by his action, has delayed any constructive action in connection with improvements in their area for at least 1 month and nevertheless the Village Board is taking action to act in accordance with recommendation passed by the Board of Local Improvements; 2nd Trustee Voss. Ayes.

MOTION Trustee Wyatt that the Village Manager be and hereby is directed to advise Atty. Kreger that all matters pertaining to this Special Assessment #75 in Barrington Meadows Subdivision should be forwarded to Atty. Braithwaite and also he should be advised of action that has been taken up to the present; 2nd Trustee Hollister. Ayes.

MOTION Trustee Wyatt to reconsider Ordinance #983; 2nd Trustee Voss. Roll call-Ayes: Capulli, Shultz,Wyatt,Voss,Hollister,Kaiser.

MOTION Trustee Wyatt that Ordinance #983, having been reconsidered, the Village Board adopt ordinance and hereby adopts said Ordinance #983 notwithstanding veto of Village President; 2nd Trustee Kaiser. Roll call-Ayes: Capulli,Shultz,Wyatt,Voss,Hollister, Kaiser.

7-24-67

Mr. McCurrahan inquired as to timetable for improvements and was advised, if lucky, this year and probably Fall construction. Mr. Dorzweiler was advised he would receive copy of President's Veto letter as Pres. of the B.M. Homeowners Assoc.

PLAT OF VACATION: for north end of Barrington Meadows - Atty. Braithwaite stated he has this. Manager Gaffigan stated it is part of the papers to be transferred from Atty. Kreger to Atty. Braithwaite. Ordinance deferred until next meeting.

SOLICITORS: Memo from Atty. Braithwaite on ordinance received. No action at this time.

AUDIT REPORT for period of 5-1-66 thru 4-30-67 - copies distributed by Manager with request that Board look it over and prepare any questions & possibly at next meeting indicate date on which audit can be reviewed with Auditor.

FORESTRY COMMITTEE RECOMMENDATION AGENDA ITEM #29: Manager Gaffigan stated he had discussed tree program with Mr. Parrish several times requesting that he contact the Forestry Committee. Mr. R. D. Hendee of the Forestry Committee reviewed the feeling of the Committee in recommending change from methoxychlor to DDT; cost about ½ as much; Jewel Tea uses DDT and have lost 7 trees out of 400 since 1953. Mr. Parrish stated about 95% or more of municipalities use DDT. Trustee Voss favored adopting recommendation of Forestry Committee but Trustee Capulli felt people might question this change back to DDT after the experience of complaints several years ago; asked for a chart of losses under methoxychlor as against DDT. Discussion. MOTION Trustee Wyatt action on recommendation of Forestry Committee be deferred until next meeting and Village Manager asked to get statistics concerning loss of Dutch Elm diseased trees by the Village prior to institution of DDT for spray, etc.; 2nd Trustee Voss.  
Ayes.

CHICAGO & NW RR. CO. replied by letter 7-14-67 on modernization of crossing signals & referred to agreement proposed for new grade crossing at Eastern Ave.

PERSONNEL MATTERS: Manager Gaffigan introduced Karl Leedstrom as new Building Commissioner as of today; resides at 435 Berry Rd., and will serve also as Inspector of electrical & plumbing; on 6 month probation at salary of \$663. per mo.

Miss Noreen Lavine, 647 Summit St. will commence work as Acct. Clerk 1, Grade 4, at \$408. per mo. on August 1st. also on 6 months probation. When orientated will take over duties of Mrs. Jahnholz in Refuse & Garbage Dept. Mrs. Jahnholz will be promoted to Administrative Clerk to serve the Village Manager, Bldg. Commissioner and Supt. Public Works.

MOTION Trustee Capulli that Village Clerk be directed to notify Secretary of Fire & Police Commission to recruit an additional police officer; 2nd Tr. Hollister. Ayes.

GROVE & WISCONSIN AVE. STORM SEWER PROJECT: Manager Gaffigan advised that with approval for payment of the \$1268.60 on list of bills it would constitute acceptance; he briefed on matter of some objectors as described in his letter to Board of July 20th.

DUNDEE AVE. IMPROVEMENTS: Proposed joint project with Cook County Highway Dept. Manager felt Village should agree with this in principle as this is progress even tho they set 1969 for construction. It being understood Cook County would handle project and tell Village its share of cost. MOTION Trustee Voss that the Village Manager be authorized to advise Cook County Highway Dept. that Village of Barrington will participate in improving Dundee Ave. in accordance with their letter of 7-14-67 over signature of Andrew V. Plummer, Supt. of Highways, specifically paragraph 3 thereof and that he also urge construction be programmed for 1968 rather than 1969; 2nd Trustee Hollister.  
Ayes.

7-24-67

Trustee Shultz suggested motions be made slowly enough that they may be recorded in full.

E. STATION ST. PARKING LOT: Memo from Atty. Braithwaite advised this matter must be reviewed by Plan Commission before it reaches lease stage. MOTION Trustee Capulli that Village Board direct Plan Commission to review this matter 7-26-67 - to be presented by Village Manager; 2nd Trustee Hollister. Ayes.

TAX PROGRAM; MUNICIPAL RETAILERS OCCUPATIONAL TAX: Village Manager Gaffigan stated he had consulted with Finance Director and Legal Consultant and, reading from his report of 7-21-67, suggested that if the sales tax was increased a retirement system could be adopted for employees and we could reduce tax levy \$38,000. Copies of memo from Atty. Braithwaite distributed and Mr. Braithwaite suggested that if, as a matter of substance, Board desired to enter into I.M.R.F. this meeting could be adjourned to July 31 or Aug. 7th, and Village President could be asked what his intentions would be. A supplemental Appropriation Ordinance is limited to funds not anticipated before new law was passed. Manager presented his recommendations on sales tax matter. Trustee Voss stated streets are in bad shape and asked where money will come from for that. Manager noted money is provided for this year for seal coating and we will have to come up with a program for the future; the Department has equipment and there is money on hand - a matter of administration within Department. Trustee Capulli noted several hard roads need concrete work which was agreed, adding curbs, gutters, streets, storm sewers and sidewalks need consideration. Attorney advised you cannot spend more than appropriated and under any supplemental appropriation ordinance regardless of what income might be; should save certain amount for the next fiscal year to start such programs. Trustee Wyatt would like to see employees on retirement in 1969 and felt a program should be going before trying to consider lowering taxes. If it is decided to adopt additional sales tax ordinance tonight it could become effective 9-1-67. Copies of proposed ordinance prepared by Atty. Braithwaite distributed and read. MOTION Trustee Capulli for adoption of this ordinance; 2nd Trustee Wyatt. Roll call-Ayes; Capulli, Shultz, Wyatt, Voss, Hollister, Kaiser. #986.

MUNICIPAL SERVICE OCCUPATIONAL TAX: Proposed ordinance prepared by Atty. Braithwaite distributed and read. Discussion. MOTION Trustee Wyatt to adopt the Municipal Service Occupation Tax Ordinance; 2nd Trustee Capulli. Roll call-Ayes: Capulli, Shultz, Wyatt, Voss, Hollister, Kaiser. #987.

MOTION Trustee Wyatt that the Village Board does hereby adopt its intention to participate in the ILLINOIS MUNICIPAL RETIREMENT FUND SYSTEM commencing 1-1-69; 2nd Trustee Voss. Roll call-Ayes: Capulli, Shultz, Wyatt, Voss, Hollister, Kaiser.

Trustee Wyatt suggested reducing tax levy to 1.01 per M from 2.01. Discussion. MOTION Trustee Wyatt that Village Board hereby adopts this statement of position, that since the Board has seen fit to adopt ordinance enacting the Municipal Retailers Occupational Tax of 3/4 of 1% effective September 1, 1967 and the Municipal Service Occupation Tax of 3/4 of 1% effective September 1, 1967, it is the Board's intention to consider in the next fiscal year an appropriate reduction of the Village tax rate taking into consideration this expected additional revenue; 2nd Trustee Voss. Roll Call-Ayes: Capulli, Shultz, Wyatt, Voss, Hollister, Kaiser.

Attorney Braithwaite asked, in view of position taken on IMRF, did Board want a supplemental appropriation ordinance this year? Discussion. Manager had no further recommendation. Trustee Shultz asked about entering IMRF in 1968 rather than 1969 and Attorney stated it could be done. Further discussion during which Trustee Shultz asked that subject be reopened for further discussion tonight, which was done. Manager stated amount required with present payroll is \$25,413. MOTION Trustee Wyatt that

7-24-67

the resolution with respect to the Village entering into IMRF effective 1-1-69 be changed to be effective 1-1-68; 2nd Trustee Voss. Roll call-Ayes: Capulli, Shultz, Wyatt, Voss, Hollister, Kaiser.

MOTION Trustee Wyatt that a SUPPLEMENTAL APPROPRIATION ORDINANCE be prepared reflecting the cost to the Village by its entering into the IMRF effective 1-1-68; 2nd Trustee Hollister. Roll call-Ayes: Capulli, Shultz, Wyatt, Voss, Hollister, Kaiser.

MOTION Trustee Wyatt to direct the Attorney to review recommendations of the Village Manager, particularly item #3 in connection with tax levy, in his letter of 7-21-67; 2nd Trustee Hollister. Roll call-Ayes: Capulli, Shultz, Wyatt, Voss, Hollister, Kaiser. Village Manager Gaffigan complimented Trustees on actions taken tonight.

BILLS: MOTION Trustee Kaiser to pay bills from funds indicated; 2nd Trustee Hollister. Roll call-Ayes: Capulli, Shultz, Wyatt, Voss, Hollister, Kaiser.

Trustee Kaiser stated he is concerned about demolition of old Police Bldg. and parking facilities; businessmen have invested money and see no action. Manager reminded lease is to be prepared and matter now needs action by Plan Commission; plans & specs being prepared by Douglas Millin. Atty. Braithwaite advised certain steps must be taken and there could be some delay but demolition could be started, however, Manager did not recommend starting demolition until lease is signed, sealed and delivered.

Trustee Hollister asked about open sewer lines when buildings are demolished; theatre and others have had problem with fumes; referred to previous remodelling of Pure Oil and other stations; complaints still being received about fumes. Manager suggested ordinance be checked out on this.

SIREN SOUNDS: Trustee Hollister reported on complaints received on duration of sound and types now being used. It was reported Federal Government now requires there be a difference between fire sirens and those for other warnings. Matter under study.

FIRE HYDRANTS: Trustee Hollister reported that some fire hydrants have been found to be painted shut - caps &/or chains. Fire Chief has discussed this with Manager who has asked to see program charts on hydrant maintenance. Trustee Voss suggested that if we have money but not time in the department to take care of these matters how about contracting out some of work? Manager did not think this necessary as far as streets are concerned.

EASTERN AVE. STATUS: Manager advised Trustee Wyatt we are awaiting cost-sharing program now underway; approval not received on plans & specs. Mr. McBride added they have been notified per information from Mr. Hampton of Elgin Dist. office to Mr. Engler plans now going to Springfield. Added that Dist. 10 had a question about design in the Pure Oil Street matter.

PUBLIC SAFETY BLDG. OPEN HOUSE: This was again discussed. Manager stated final documents not yet received and when they are work on lot improvement can proceed. Trustee Wyatt felt this should be cleaned up. Trustee Capulli suggested open house be scheduled for about October since there is not air conditioning in parts of building. Trustee Shultz suggested other Village buildings possibly could be viewed by public.

MEETING ADJOURNED UNTIL 8 P.M. July 31, 1967 on MOTION Trustee Wyatt; 2nd Trustee Voss. 10.50 P.M. Ayes.

Respectfully submitted,

*May L. Linkerman*, Village Clerk

LAW OFFICES OF  
**KING, ROBIN, GALE & PILLINGER**  
135 SOUTH LA SALLE STREET  
CHICAGO 60603

TELEPHONE CENTRAL 6-4280  
CABLE ADDRESS "HAMROSE"  
FORMERLY  
ROSENTHAL, HAMILL & WORMSER

WILLARD L. KING  
SIDNEY L. ROBIN  
DOUGLASS PILLINGER  
GEORGE W. GALE  
ALEXANDER I. LOWINGER  
J. WILLIAM BRAITHWAITE

MEMORANDUM

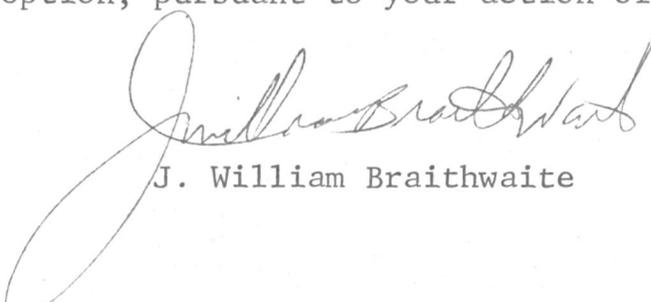
TO: PRESIDENT AND BOARD OF TRUSTEES, VILLAGE OF BARRINGTON

COPIES: VILLAGE PRESIDENT  
VILLAGE MANAGER  
VILLAGE CLERK, with original document for reproduction  
and transmittal to Board.

DATE: August 9, 1967

RE: GOLTRA FOUNDRIES, INC., VARIATION, 123 WEST LIBERTY STREET

We believe that the enclosed Zoning Variation Ordinance is in proper legal form for adoption, pursuant to your action of July 24, 1967.

  
J. William Braithwaite

EATERS *ju*  
*W*

ORDINANCE NO.  
ZONING VARIATION ORDINANCE

WHEREAS, the question of enacting the variation, hereinafter provided for, to the zoning ordinance of the Village of Barrington, was referred to the Zoning Board of Appeals of this Village to hold a public hearing thereon, and;

WHEREAS, a public hearing has been held by the Board of Appeals after publication, all pursuant to law, and;

WHEREAS, said Board of Appeals has made recommendations and has submitted findings of fact to the corporate authorities of this Village and;

WHEREAS, it appears that there are practical difficulties and particular hardships resulting from the application of the strict letter of the zoning ordinance to the property in question.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Barrington, Cook and Lake Counties, Illinois, that;

SECTION 1. The corporate authorities hereby find that the statements and preamble to this ordinance are true.

SECTION 2. The application of the zoning ordinance of the Village of Barrington to the property known and described as 720 South Street, Barrington, Illinois, to wit:

the East 121.00 feet of out lot "A" in Munday's Barrington Villa Subdivision, being a subdivision of the Northwest quarter (1/4) of the Southeast quarter (1/4) (except the North 841.59 feet of the East 278.25 feet thereof) of Section 1, Town 42 North, Range 9, East of the Third Principal Meridian, all in Cook County, Illinois,

is hereby varied, and a variation in use is hereby granted to reduce the side yard requirements to 7.0 feet and the rear yard requirements to 24 feet to allow the continuance of said side yard and rear yard

as presently are in existence.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 1967.

AYES \_\_\_\_\_ NAYS \_\_\_\_\_ ABSENT \_\_\_\_\_

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 1967.

\_\_\_\_\_  
Village President

ATTEST:

\_\_\_\_\_  
Village Clerk

LAW OFFICES OF  
**KING, ROBIN, GALE & PILLINGER**  
135 SOUTH LA SALLE STREET  
CHICAGO 60603

TELEPHONE CENTRAL 6-4280  
CABLE ADDRESS "HAMROSE"  
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WILLARD L. KING  
SIDNEY L. ROBIN  
DOUGLASS PILLINGER  
GEORGE W. GALE  
ALEXANDER I. LOWINGER  
J. WILLIAM BRAITHWAITE

MEMORANDUM

TO: PRESIDENT AND BOARD OF TRUSTEES, VILLAGE OF BARRINGTON

COPIES: VILLAGE PRESIDENT  
VILLAGE MANAGER  
VILLAGE CLERK, with original document for reproduction  
and transmittal to Board.

DATE: August 9, 1967

RE: ETTERS ZONING VARIATION, 720 SOUTH STREET

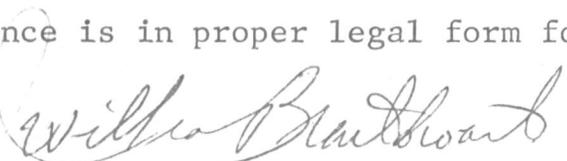
This is the case of an existing house, built too close to the side line and rear line of the property. The recommendation of the Zoning Board of Appeals is that the variation be granted but does not specify the dimensions of the side and rear yards to be allowed.

The petition for variation refers to an existing side yard of approximately 7.5 feet and a rear yard of 27 feet.

However, it appears from the plat of survey accompanying the petition that the distance from the existing house to the side lot line varies between 7 and 8 feet and the distance between the house and the rear lot line varies between 24 and 26 feet.

Therefore, we have prepared the variation ordinance to allow a side yard of 7 feet and a rear yard of 24 feet, specifically stating that this is done to allow continuance of the side and rear yards as now existing.

We believe that the ordinance is in proper legal form for adoption.

  
J. William Braithwaite

Village Clerk: This petition (five pages)  
please make copy for each trustee, manager, plan commission chairman  
myself and attorney. --President Blanke, August 9, 1967 August 5, 1967

President and Board of Trustees  
Village of Barrington  
Barrington, Illinois

Gentlemen:

Two weeks after the July 12th meeting of the Barrington Plan Commission, the residents of Barrington Highlands learned of the Commission's recommendation to you to rezone and downgrade two lots adjacent to Barrington Highlands from R-5 Single Family Dwelling to R-9A Multiple Family Dwelling. We recognize that it was our responsibility to have attended this meeting of the Plan Commission in order to voice any objections to this rezoning.

However, none of us saw or heard about the meeting or the subject of the meeting. We apologize to the Plan Commission and the Board of Trustees for this and want to make it clear that we are not faulting the Commission's July 12th action when no one from our area was present to protest, but when we became aware of the developer's request and the Commission's action, we began a series of discussions to reach a point of view regarding this action. The developer of what we now know to be the Short Hills Tract, Mr. Harold S. Morgan, agreed to discuss his plans with us and did so on Saturday, August 5th. We appreciate Mr. Morgan's taking time to meet with us and thank him for his interest.

As a result of our discussions, we now do object to the rezoning proposed by Mr. Morgan. The signatures attached to this letter are those of residents of the Barrington Highlands area, all of whom are in accord with the objections that follow:

I. The residents of Barrington Highlands carefully investigated the zoning of the area before they bought or built in this area. As we bought our property here, the zoning plats indicated R-5 zoning. Some persons further investigated and learned of the Kincaid plan which would preserve the integrity of residential, single family areas in the Village and permit multiple housing only in areas clearly set out. In addition, the Village plan for the area showed R-5 zoning up to the Southwest Village limits. Barrington Hills, the adjoining community with its multiple-zero zoning, was further assurance to us that the risk of substantial investment would not be subject to hazard by new or unknown usages. Rezoning to R-9A downgrades a portion of the area, and opens to hazard the very security the Barrington Highlands property owners carefully sought.

II. The requested change is spot rezoning. Unless a substantial reason for the benefit of the community overall exists, the hazards of spot rezoning should not be risked. Once any change is made in established zoning, it becomes the basis or precedent for further and subsequent change. This spot rezoning constitutes a downgrade in quality of zone from R-5 to R-9A and hence sets a possible precedent for further downgrading.

III. Mr. Morgan, who seeks the change in zoning in the area, does not and cannot assure neighboring residents that the 3.2 acres, if rezoned, will not pass to other ownership. If rezoned, unknown future owners could develop the property to the maximum permitted under R-9A. Mr. Morgan said that as many as 42 units could legally be erected on the 3.2 acres.

IV. Mr. Morgan said that when he purchased the total tract he knew its zoning to be R-5 Single Family, 20,000 square feet minimum. He said after he discovered that he could not get as many individual lots as he forecast, he decided to try to secure maximum revenue by a change in zoning to R-9A. In effect, he is asking the nearby property owners to sacrifice the protection they had under established zoning to permit him to maximize his return.

V. Mr. Morgan, while he says he plans to erect only 12 units, has made no firm commitment to this effect. Since his original purchase, he already has changed plans once.

VI. The original plan for this portion of the Village provided it be used for residential lots of at least 20,000 square feet. Mr. Morgan's problem that he cannot get 19 such lots for his acreage is not sufficient reason to condone spot rezoning.

VII. Acreage such as Mr. Morgan's adjoining the railroad right of way have been developed with substantially priced individual residences both in Jewel Park and nearby Inverness as well as in the North Shore of Chicago. Such was Mr. Morgan's stated intent in purchasing the property originally.

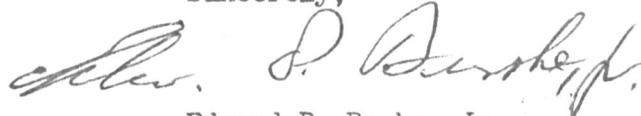
VIII. Rezoning as requested by Mr. Morgan could become the cause of increased traffic through the residential area. He does not, and cannot, guarantee that maximum development under R-9A will not occur with subsequent increased traffic, which is not in character with the existing neighborhood.

IX. We do not believe that the manufacturing zoning west of the railroad tracks justifies downgrading R-5 zoning east of the E. J. & E. We believe this 100-foot railroad right-of-way is an effective screen, barrier, and divider to protect the Barrington Highlands area from future development of the property west of the railroad.

X. Downgrading any lots in the area in zoning quality from R-5 to R-9A tends to reduce property values rather than protect or increase them. We object to being asked to accept a possible reduction in property value to enhance the income of an individual property owner.

We want to assure the Board of Trustees that these objections are not directed at the purchase of this property by Mr. Morgan for R-5 zoning. Our protest and objections are against the downgrading of the 3.2 acres to R-9A zoning.

Sincerely,



Edward P. Burke, Jr.

For the Residents of Barrington Highlands

Mr. Edward P. Burke &	743 Orchard Dr.
Mr. Glaesing	740 Country Dr.
Mr. F. W. Stetson Sr.	729 Country Drive
R. F. Davenport	750 Country Drive
John Chalk	838 Dundee
Miss R. F. Davenport	750 Country Drive
Lynn Kuchberg	743 Country Drive
Ruth M. Carey	749 Country Drive
Gary Kuchberg	743 Country Drive
Walter E. Stetson	729 Country Drive
Alison	851 Country Drive
Donna Larson	851 Country Drive
L. Chalk	838 Dundee Ave.
Mary F. Burke	743 Orchard Drive
Lucille M. Koenig	740 Country Dr.
Virginia L. Clay	744 Country Drive
Edward H. Clay	744 Country Drive
Arnold Keith Purson	445 Tower Rd.
Florence Purson	445 Tower Rd.
R. F. Carey	749 Country Dr.
Robert A. Goodson	739 Orchard Dr.
Margery L. Goodson	739 Orchard Drive

Jack B. Killinger	444	Sunset Road
Dale M. Killinger	444	Sunset Road
Honora Mc Gowan	445	Sunset Rd.
Gymn W. Mc Gowan	445	Sunset Rd.
Donald E. Gahr	739	Country Dr.
Sheila M. Gahr	739	Country Dr.
Jean S. Lazenby	861	Country Dr.
Lydia K. Lazenby Jr.	861	Country Drive
D. J. Turninger	314	Old Rd.
Ann R. Turninger	314	Old Road
Logan V. Buh	832	DUNDEE AVE.
Jean E. Buh	832	DUNDEE AVE.
Helen B. Withrow	822	Dundee Ave., Barrington, Ill.
Richard M. Withrow	822	Dundee Ave. Barrington, Ill.
Emogene P. Nesheim	730	Dundee Ave. Barrington, Ill.
Robert Nesheim	730	Dundee Ave. Barrington, Ill.
John Armstrong	850	Country Dr. Barrington Ill.
Marvin E. Miner	841	Country Drive Barrington
Virginia H. Miner	841	Country Drive Barrington Illinois
Regina K. Schenk	838	Country Drive - Barrington
R. F. Schenk	838	Country Drive Barrington
Lois F. McManis	844	Dundee Ave
Helen H. McManis	"	"
Frank A. Reaener	450	Sunset Rd - Barrington

Page 1 of 2 pages  
Mr Philip M. Clancy - 821 Orchard Drive  
Mrs Philip M. Clancy - 821 Orchard Drive  
Barbara R. Rowathey - 860 Country Drive  
John G. Artus - 820 Country Drive  
Anna Mae Artus - 820 Country Drive  
Jean Law - 821 Laentry Ave.  
Jane V. Noble - 729 Orchard Dr.  
Newton S. Noble - 729 Orchard Dr.  
Shirley B. Miller - 435 Sunset Road  
Alta M. Regener - 450 Sunset Rd.

LAW OFFICES OF  
**KING, ROBIN, GALE & PILLINGER**  
135 SOUTH LA SALLE STREET  
CHICAGO 60603

TELEPHONE CENTRAL 6-4280  
CABLE ADDRESS "HAMROSE"  
FORMERLY  
ROSENTHAL, HAMILL & WORMSER

WILLARD L. KING  
SIDNEY L. ROBIN  
DOUGLASS PILLINGER  
GEORGE W. GALE  
ALEXANDER I. LOWINGER  
J. WILLIAM BRAITHWAITE

MEMORANDUM

TO: PRESIDENT AND BOARD OF TRUSTEES, VILLAGE OF BARRINGTON

COPIES: VILLAGE PRESIDENT  
VILLAGE MANAGER  
VILLAGE CLERK

DATE: August 9, 1967

RE: MORGAN PETITION FOR REZONING,  
AGENDA ITEM 15 of JULY 24, 1967

This matter was deferred to August 14 from your July 24 meeting. The Plan Commission recommendation indicates that 3.2 acres are recommended for 12 townhouse units, in 3 buildings of 4 units each.

As this is the first matter of this kind since my appointment, I believe it proper to call to your attention the following.

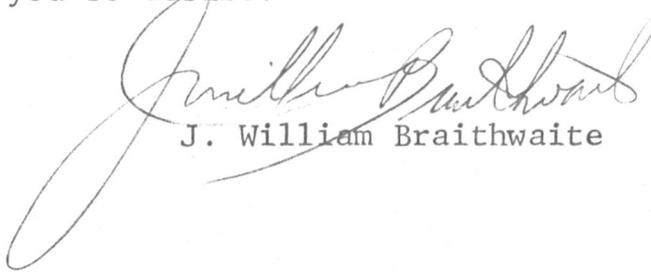
If the property is rezoned as requested, your Zoning Ordinance will allow this owner or a future owner to develop it with multiple family dwellings comprising approximately 40 units, based upon the requirements of 3,000 square feet of land area per unit and assuming a 10% loss for streets.

Many municipalities meet this problem by utilizing the "planned development" zoning concept. We recently have been working with the Chicago Zoning Ordinance and the Village of Arlington Heights' Zoning Ordinance, both of which make provision for planned developments. Most of the smaller villages in this area likewise include provisions for this concept.

We are aware of the letter of May 11, 1964 of Mr. Thomas Matthews where he recommended that the planned development portions of your former Zoning Ordinance be eliminated. However, in the last few years the courts have been upholding flexibility in Zoning Ordinances. For example, the Illinois Supreme Court

has authorized the "special use" technique in Zoning Ordinances.

If, as a policy matter, you determine that the Village should attempt to secure some protection in these situations, please so advise. If you decide to grant rezoning in the pending Morgan matter and if you decide that some protection is desirable, this could be achieved by the use of restrictions for a stated number of years limiting the number of units to 12 on the 3.2 acres in question. This should be viewed as a temporary expedient pending amendment of the Zoning Ordinance to provide for planned developments, if you so desire.



J. William Braithwaite

LAW OFFICES OF  
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TELEPHONE CENTRAL 6-4280  
CABLE ADDRESS "HAMROSE"  
FORMERLY  
ROSENTHAL, HAMILL & WORMSER

*OK*

WILLARD L. KING  
SIDNEY L. ROBIN  
DOUGLASS PILLINGER  
GEORGE W. GALE  
ALEXANDER I. LOWINGER  
J. WILLIAM BRAITHWAITE

MEMORANDUM

TO: PRESIDENT AND BOARD OF TRUSTEES, VILLAGE OF BARRINGTON

COPIES: VILLAGE PRESIDENT  
VILLAGE MANAGER  
VILLAGE CLERK, with original document for reproduction  
and transmittal to Board.

DATE: August 9, 1967

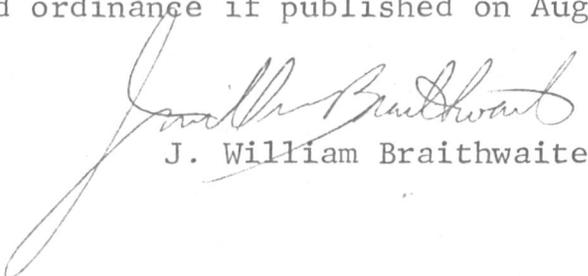
RE: MUNICIPAL SERVICE OCCUPATION TAX ORDINANCE

At your July 24, 1967 meeting you enacted Ordinance No. 987. This ordinance was prepared by us, utilizing the form suggested by the Illinois Municipal League. A copy of the recently enacted legislation has not yet become available.

To the embarrassment of all concerned, especially the Illinois Municipal League, the Department of Revenue of the State of Illinois has rejected the League's suggested form.

A new ordinance has been prepared, attached hereto, which I have cleared on the telephone with the Department of Revenue in Springfield.

By prompt passage, execution and publication of this ordinance the Village will not incur any loss of revenue. The ordinance previously passed, was effective on September 1, as is the attached ordinance if published on August 17.

  
J. William Braithwaite



RECEIVED  
JUL 21 1967  
VILLAGE OF BARRINGTON

638

July 20, 1967

To Cities, Villages, and County of Cook within  
The Metropolitan Sanitary District of Greater Chicago

SUBJECT: SANITARY DISTRICT POLICY ON FLOOD HAZARD ZONING  
ORDINANCE BY SEPTEMBER 1, 1967

Gentlemen:

At its meeting on July 13, 1967, the Board of Trustees of The Metropolitan Sanitary District of Greater Chicago adopted the following policy:

- " No permits shall be issued by the Metropolitan Sanitary District for sewers to be constructed within a flood hazard area, as delineated on the maps prepared by the United States Geological Survey in cooperation with the Northeastern Illinois Planning Commission, until the local municipality has adopted a flood plain zoning ordinance which meets the approval of the Sanitary District.
- " Permits in undeveloped areas will not be approved until Cook County adopts flood plain zoning regulations.
- " The ordinance shall include but not be limited to the following:
  - 1) Restriction on residential developments.
  - 2) Provisions for establishing permanent flood way channels through acquisition of rights of way, including easements for maintenance and improvements.
  - 3) Requirements for flood proofing buildings within the flood hazard areas.
- " The ordinance shall be adopted before September 1, 1967."

Yours very truly,

Vinton W. Bacon  
General Superintendent

(No. 34421.—Reversed and remanded.)

MARTIN H. SCHREIBER, Appellant, vs. ILLINOIS LIQUOR CONTROL COMMISSION *et al.*, Appellees.

*Opinion filed September 20, 1957.*

1. INTOXICATING LIQUOR—*there is no inherent right to sell intoxicating liquor.* The right to engage in the sale of intoxicating liquor is not an inalienable right guarded by the organic law, nor is it a right of citizenship or one of the privileges and immunities of citizens of the United States, and it involves no constitutional right which is violated by the mere curtailment or termination of its exercise, as the regulation and restriction of the right to sell alcoholic beverages is referable to the police power, and neither licenses nor applications for licenses to sell liquor create contracts or vested rights, such licenses being merely temporary permits to do what would otherwise be an offense against the law, and municipalities have continuing authority to pass ordinances limiting the number of liquor licenses they will issue. (p. 121)

2. SAME—*when right to liquor license must be determined under new ordinance passed pending application.* Where a local liquor commissioner denies an application for a license to sell liquor at retail in a certain village on the ground that at the time the application was made the number of such licenses was limited by ordinance, it is error for the State Liquor Control Commission, in hearing the matter *de novo*, to overrule the action of the local commissioner, apparently on the basis of a finding that the ordinance relied upon was invalid, where, while the *de novo* hearing was pending, the village passed a new and presumptively valid liquor control ordinance, to be effective immediately, again limiting the number of licenses, for the village has continuing authority to determine the number of licenses it will permit, regardless of the time of filing the application. (p. 122)

APPEAL from the Superior Court of Cook County; the Hon. DONALD S. MCKINLAY, Judge, presiding.

THOMAS A. MATTHEWS, of Chicago, (BYRON S. MATTHEWS, of counsel,) for appellant.

LATHAM CASTLE, Attorney General, of Springfield, (WILLIAM C. WINES, EDWARD M. WHITE, and RAYMOND S. SARNOV, of counsel,) for the Liquor Control Commis-

sion, and SOL. A. HOFFMAN, and LOUIS L. BIRO, both of Chicago, for other appellees.

Mr. JUSTICE DAILY delivered the opinion of the court:

Abe Greengard, who proposed to open a restaurant in the village of Barrington, was denied a retail liquor license by the local commissioner on the ground it would exceed the limit of four fixed by a village ordinance as amended in 1935. The village board voted to uphold the action of its commissioner, whereupon Greengard appealed to the State Liquor Control Commission which conducted a hearing *de novo*, (See: Ill. Rev. Stat. 1955, chap. 43, par. 153; *Hornstein v. Illinois Liquor Control Com.* 412 Ill. 365,) and, with one member dissenting, overruled the decision of the local official. While not expressly stated in its finding or order, the complete absence from the record of any other ground upon which to base its action causes it to appear that the decision of the Commission resulted from the factual finding that the ordinance relied upon had not gone into effect because the proof failed to show it had been published within one month after it was passed, as required by the Cities and Villages Act of 1872, as amended. (Smith Hurd Stat. 1935, chap. 24, par. 76.) Indeed in this court, counsel for Greengard and the Commission, the appellees, offer only the invalidity of the ordinance as amended in 1935 to sustain the Commission's decision. Upon administrative review, the scope of which extends "to all questions of law and of fact presented by the entire record before the court," (Ill. Rev. Stat. 1955, chap. 110, par. 274; emphasis supplied,) the superior court of Cook County affirmed the decision of the Commission. The local commissioner now appeals from such judgment and the reviewing judge has certified both that the validity of a municipal ordinance is involved and that the public interest requires a direct appeal to this court. From such certificate, to-

gether with the affirmance of what is shown in the administrative record, it is to be concluded that the reviewing court determined as a matter of law that the ordinance invoked by the village was invalid.

The record shows that Greengard's appeal to the Commission was heard on June 6, 1955, and the finding and order filed on July 15, 1955. Thereafter the local commissioner applied for a rehearing, (See: Ill. Rev. Stat. 1955, chap. 43, par. 154,) later denied, in which petition it was alleged, among other things, that the village of Barrington had passed a new liquor control ordinance on June 20, 1955, one provision of which again limited the number of retail liquor licenses to four. An attached copy of the ordinance, bearing the seal of the village clerk, reflected its passage by the unanimous vote of the village board and a concluding provision that the ordinance should "be in full force and effect from and after its passage, approval and in ten days from and after the date of its publication according to law." Although counsel for the appellant states in argument that the new ordinance was published after its passage as required by the existing law, (Ill. Rev. Stat. 1955, chap. 24, par. 10—3,) we find no substantiation or certification of such fact in the record.

The authority of the village to pass ordinances limiting the number of liquor licenses it will issue and the constitutionality of such a regulation under the police power is not contested. (See: Ill. Rev. Stat. 1955, chap. 43, par. 110; 48 C.J.S., Intoxicating Liquors, sec. 33; *Henson v. City of Chicago*, 415 Ill. 564; *People v. Alfano*, 322 Ill. 384.) The present contentions of the parties are, rather, directed largely to evidentiary issues dealing with the manner and burden of proving the publication of a penalty ordinance, and to the question of whether the evidence relating to the amended ordinance of 1935 justified the order of the Commission and the subsequent finding of invalidity by the court. While we are constrained to remark that the limited

scope of the language employed to announce both the administrative decision and the judgment of the court give little assistance in defining such issues, it is our opinion the need to consider them at this time is obviated by the showing in the record that the ordinance of 1935 had been supplanted by a new liquor control ordinance, enacted on June 20, 1955, prior to the administrative decision which forms the basis of the judgment appealed from. The parties themselves have not treated at length on the questions of law presented by such a showing in the record; however, since all questions of law appearing in the administrative record are before us and because of the public interest in the evils which may stem from the uncontrolled traffic in intoxicating liquors, it is both necessary and proper for this court to do so.

The liquor control statute of this State, from which the village derives its authority to adopt licensing measures, provides the following: "A license shall be purely a personal privilege, \* \* \* and shall not constitute property, \* \* \*." (Ill. Rev. Stat. 1955, chap. 43, par. 119.) In appraising this and other statutory regulations in the light of constitutional limitations, this court has held repeatedly the right to engage in liquor traffic is not an inherent right, but is always subject to the control of the State in the legitimate exercise of its police power. (*Hornstein v. Illinois Liquor Control Com.* 412 Ill. 365; *O'Connor v. Athje*, 368 Ill. 83; *People ex rel. Fitzgerald v. Harrison*, 256 Ill. 102.) More specifically it was said in *Great Atlantic and Pacific Tea Co. v. Mayor of Danville*, 367 Ill. 310, 317: "The right to engage in the liquor traffic is not an inalienable right guarded by the organic law. It is not a right of citizenship nor one of the privileges and immunities of citizens of the United States. It involves no constitutional right which is violated by the mere curtailment or termination of its exercise." See also: *Crowley v. Christensen*, 137 U.S. 86, 34 L. ed. 620.

of Pittsburgh. Spankard then appealed to the Superior Court of Pennsylvania where the court summarized one issue before it as follows: "Was the dismissal of his appeal by the court, based on the Act of June 24, 1939, P.L. 806, sustainable under said Act, in view of the fact that his application had been filed and refused and his appeal from such refusal had been taken and was pending in court, when the Act was passed and became effective on June 24, 1939?" (10 A.2d at 901.) This inquiry was answered in the affirmative with the pivotal factors being the court's determination that the filing of such an application gives a person no contract or property rights at all and that a liquor license, even when granted, is a privilege only, subject at all times to the control of the legislature. In reply to a contention that the act of June 24, 1939, was being given retroactive effect, the court held the construction employed did no more than what the act expressly provided, *i.e.*, it put the act into immediate effect upon final enactment. The substantive law which led to the result in the *Spankard* case is undistinguishable from the substantive law of this State. We think too such a result is justified in this case under the factual circumstance that Greengard's application had progressed no farther than a hearing *de novo* before the State Commission at the time the village of Barrington passed its new liquor control ordinance.

Based upon the concept that Greengard's application for a license gave him no contract or property rights, and upon recognition of the village's continuing authority to exercise the police power by determining the number of licenses it will permit within its limits, (See: Ill. Rev. Stat. 1955, chap. 43, par. 110,) we are of the opinion the State Commission erred when, despite the *prima facie* showing that the village had passed a new and presumptively valid liquor control ordinance, it refused a rehearing and sustained its decision based upon the amended ordinance of 1935. Accordingly, it is our view that this cause must be returned

to the commission for a reconsideration of Greengard's application in the light of the ordinance of June 20, 1955.

The judgment of the superior court of Cook County is reversed and the cause is remanded to that court, with directions to set aside the administrative order and to remand the cause to the Commission for further proceedings consistent with the views expressed in this opinion.

*Reversed and remanded, with directions.*

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(No. 34528.—Order affirmed.)

LLOYD MOREY, as Trustee, v. ELMER J. HOFFMAN, State Treasurer, *et al.*, Appellees.—(MICHIGAN TYPESETTING COMPANY, Appellant.)

*Opinion filed October 23, 1957.*

1. SPECIFIC PERFORMANCE—*terms of contract must be clear, certain and free from ambiguity and doubt to warrant specific performance.* To be specifically enforceable a contract to convey real property must be definite and so certain in all of its terms that a court can require the specific thing contracted for to be done, and while the terms must be clear, certain and free from ambiguity and doubt, it is not necessary that the contract provide for every collateral matter or every possible future contingency which might arise in regard to the transaction, it being sufficiently definite and certain if the court is enabled from the terms and provisions thereof, under proper rules of construction and applicable principles of equity, to ascertain what the parties have agreed as to the price, terms, conditions of sale, and the property must be sufficiently described to identify it. (p. 130)

2. SAME—*when contract to convey trust corpus is not complete—judicial sales.* Where a trustee, pursuant to an indenture of trust, obtains a decree from the circuit court authorizing him to enter into negotiations with a foreign corporation for the private sale of the trust *corpus*, an apartment hotel, at a stipulated price, and where the decree authorizing such negotiations, although approving the sale price, is not a final approval of a judicial sale or any other kind of sale complete in all its terms but specifically finds that the parties have not entered into agreement as to such material terms and conditions as possession, inventory, interim management and disposition of interim profits, the agreement cannot be spe-