

*Truninger*

MEETING OF BOARD OF TRUSTEES  
Village of Barrington Hills  
January 27, 1964

The regular meeting of the Board of Trustees of the Village of Barrington Hills was called to order at 8 PM Monday, January 27th, 1964 at the Countryside School, Brinker and County Line Roads, Barrington Hills, Illinois. Mr. Harold Byron Smith, Village President presided. He directed the Clerk to call the roll. The following Trustees were present:

R. J. Grigsby	John I. Shaw
Richard S. Pepper	Leslie T. Welsh
Austin M. Zimmerman	

The following were also present:

Ralph L. Hummel	Police Lieutenant
R. E. Smith	Chief of Police
David Truninger	Attorney
Norman Tacker	Treasurer

The minutes of the meeting of December 23, 1963, had been sent to the Trustees prior to the meeting. There being no additions or corrections, the minutes were approved as read.

With the consent of the Board, the President suspended the regular order of business in order that Mr. Beecher Hungerford, Attorney for Mrs. Samuel D. Howe, Otis Road, Barrington Hills, could present a problem in connection with Mrs. Howe's property. Mr. Hungerford briefly reviewed the situation. Mrs. Howe's property has two houses on about  $\frac{1}{2}$  acres in Barrington Hills. She wishes to sell one of these houses. There are approximately three acres contiguous which are in the Village of Barrington. Barrington has tentatively agreed to disconnection of these 3

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acres so they can be added to Mrs. Rowe's Barrington Hills property. The problem lies principally in the fact that the property is only about 330 feet wide and thus could not qualify for the average width requirements except for R-4 - one acre - zoning. Therefore, Mr. Hungerford suggested that the Barrington property be annexed to Barrington Hills and the entire acreage be re-zoned to R-4. He said that his client would be willing to enter into a covenant with the village agreeing not to subdivide the property and promising that no other houses would be built. Mr. Grigsby asked whether or not Mrs. Rowe would put this in the deeds of the property. Mr. Hungerford said that could be done. Mr. Shaw pointed out that there has to be a transfer of property before any covenant is binding. Mr. Zimmerman said he assumed the property could be transferred by a "straw man" in order to make the covenant binding. The President at this point read a letter from Trustee Hayward who was absent. Mr. Hayward pointed out that there are quite a few places in the village with guest houses and that re-zoning the Rowe property might establish a precedent whereby others would ask for re-zoning in order to sell a piece of property with considerably less than the five acres required. Mr. John Hockwood whose property on Otis Road is also partially in Barrington and partially in Barrington Hills, and who is a neighbor of Mrs. Rowe's, said he would like to have re-zoning of his property considered. The Trustees advised that it is beyond the province of the Board to express an opinion on proposed re-zoning. They suggested that the proper procedure is for Mrs. Rowe and Mr. Hockwood to petition the Zoning Board of Appeals for a public hearing.

Mr. Henry Darken, Director of the Sportsman's Club, Mr. Thomas L. Ruth, President, and Mr. John Kapel, Treasurer, were also at the meeting. Mr. Ruth explained the activities of the Club. The village contends the Club is operating contrary to village statute and must petition for re-zoning to a Special Use. Mr. Ruth explained that the Club leases the property and that the owner does not want to petition for a Special Use because the village does not allow trap shooting under the present ordinances, so the owner sees no reason to petition for a Special Use. It is the Club's contention that it was in existence and that trapshooting was being done on the property before it was annexed to Barrington Hills. The Trustees asked them to substantiate this claim with a signed affidavit to the effect that the Sportsman's Club has been in continuous existence and use at its present location since a time previous to annexation to the village.

The regular order of business was then resumed. The Chair called for the Treasurer's report, copy of which is attached to and made a part of these minutes. Mr. Welsh said he would try to see what can be done to increase the revenue from the Retailers' Occupation Tax. It is the feeling of the Board that Barrington Hills is not receiving full credit for purchases made in the village. The Clerk advised that the amount already spent for Squad Cars and Equipment exceeded the amount appropriated for this category. The Board advised that the monies collected from the insurance companies for damages inflicted on the squad cars should be credited to this category. The Clerk said this would remove the deficit. Mr. Welsh advised that if necessary there can be a transfer of funds at the end of the fiscal year if a deficit should develop. After further

discussion, the Board approved the Treasurer's report.

The following bills were then presented for discussion and approval:

Wight & Co. - Set of prints to show subdivisions	\$ 5.50
Deming, Kelly & Kane - For costs advanced re Supreme Court Appearance	85.10
Miller Oil - December invoices, gas, oil, fuel	455.40
Bar-Ton Stationers - misc. supplies	5.45
Matt Thomas Tailor - Alter police uniform	20.00
Ace Hardware - Thaw pipes, supply curtain rods, etc.	15.42
Mrs. G. E. Arnold - 100 5¢ stamps	5.00
Illinois Bell - December 19 and 25th billing	5.30
Merchants Stamp & Stencil - rubber stamps	5.90
Kadie Ruth Pontiac - Repair oil leak	14.50
Robert Preking - Engineering Services, Oct. Nov. Dec.	50.00
Liberty Asphalt - 48 tons Coldmix, Inv. No. 13557	588.00
Bar. Twp. Hwy. Comm. - Labor and machine hire - June through November, 1963	1,428.75
Algonquin Twp. - Snow and ice control - December	62.00
Cuba Twp. Hwy. Comm. - Snow and ice control - Dec.	563.30
Benjamin Menke - Bldg. inspections 12/20 thru 1/25	120.00

On motion made and seconded that the above bills be approved for payment, and after discussion, the President directed the Clerk to call the roll. The vote was as follows:

Mr. Grigsby	aye
Mr. Pepper	aye
Mr. Shaw	aye
Mr. Welsh	aye
Mr. Zimmerman	aye

The Chair announced payment of the bills had been approved with a vote of 5 ayes, no nays, 1 absent.

Mr. Welsh, Chairman of the Finance Committee, said that he has asked First of Barrington to cover the contents of the police building to the amount of \$3,000.00.

Mr. Grigsby, Chairman of the Public Safety Committee, then outlined the complications caused by the new Judicial Amendment. We will have to use two kinds of traffic tickets, one for Cook County and one for the other three counties. Cook County cases will be

heard in Barrington - traffic cases on Saturday, criminal on Monday. According to Cook County, we will have to have a clerk appear to call the cases, altho Judge Steeffels said that villages can share a clerk and that police officers can act as clerks if not in uniform. Kane County said we can proceed as we have in the past. McHenry County requires our going to the Circuit Court in Crystal Lake. If, by chance, the village should have a case in each county, it would require four officers on Saturday morning, which is the time each county hears traffic cases. Chief Smith said he felt the traffic fines will be lower because it now takes an officer about an hour to write a ticket. He also advised that when a juvenile is involved, he must post a bond which requires the services of a bond clerk. The situation is extremely difficult. After discussion, it was moved and seconded that the President instruct the Village Attorney to discuss the matter of proposed rules with Mr. Owen Ball, Chairman of the Illinois Supreme Court Committee on Rules. Motion was adopted unanimously by voice vote. Mr. Grigsby, Mr. Zimmerman are to join Mr. Truninger when he talks to Mr. Ball.

Mr. Grigsby moved that the Board authorize the establishment of a Petty Cash Fund for the Police Department in the amount of \$50.00. The motion was seconded, and, after discussion, the Chair directed the Clerk to call the roll. The vote was as follows:

Mr. Grigsby	aye
Mr. Pepper	aye
Mr. Shaw	aye
Mr. Welsh	aye
Mr. Zimmerman	aye

The Chair announced the action was carried with a vote of 5 ayes, no nays, 1 absent.

The Health Committee had no report.

Mr. Pepper, Chairman of the Roads and Bridges Committee, recommended that the Village at this time start considering plans to utilize Motor Fuel Tax Allotment for road work. The Board concurred and asked that he initiate proposed plans for road work to be done with MFT funds.

Mr. Shaw, Chairman of the Planning and Zoning Committee, then presented a plat of Dr. May's re-subdivision of lots 11 to 15 inclusive of Oakdene Subdivision, and moved that the plat be approved. The motion was seconded, and, after discussion, the Chair directed the Clerk to call the roll. The vote was as follows:

Mr. Grigsby	aye
Mr. Pepper	aye
Mr. Shaw	aye
Mr. Welsh	aye
Mr. Zimmerman	aye

The Chair announced re-subdivision of lots 11 to 15 inclusive of Oakdene Subdivision had <sup>been</sup> approved with a vote of 5 ayes, no nays, 1 absent, and directed the proper authorities to execute <sup>plat of</sup> same.

Mr. Zimmerman, Chairman of the Law Committee, then reported on the recent decision handed down by the Supreme Court of Illinois regarding Hoffman Estates' annexing property north of the Northwest Tollway. He said the Court had reversed the finding of the lower court in the matter. The Supreme Court now finds that the fact that the Tollway Authority owns land completely separating Hoffman Estates from the property north of the Tollway does not make annexation of that area north of the tollway invalid, and therefore the zoning of Howie-in-the Hills Subdivision is under Hoffman Estates jurisdiction, not that of Cook County. Mr. Zimmerman asked Mr. Truninger to tell what steps might now be taken. Mr. Truninger advised that a petition for

a re-hearing on the matter is being presented, but that we will not know until March whether or not this re-hearing will be allowed. In the meantime, representatives of the villages and organizations most concerned and effected by the decision are meeting to examine the ruling in detail and to try to plan further action. Mr. Truninger said there were certain aspects in the wording of the decision which are felt to be peculiarly significant to several of the small new villages in the area. The Board discussed the decision thoroughly.

There being no other or further business, the meeting adjourned.

Respectfully submitted,

Frances Pitt Arnold, Village Clerk