

VILLAGE OF NORTH BARRINGTON

BOARD OF TRUSTEES MEETING

CUBA TOWNSHIP OFFICE  
June 27, 1960

*Pres*  
The meeting was opened by the President and was attended by Trustees Bliss, Dattilo, Krumlinde, Forrest and Urick; Messrs. John Iverson, August Jablonski, Richard Wagner, Harold Parsley, Roy Svacha, Stewart Fitzgibbon, Martin Keagy, Wm Ehmann, Ken Schmid and Douglas Middleton.

The minutes of the June 6 meeting were read by the Village Clerk. With regard to non-collection of the fine Mr. Anderson asked whether the Village should make the reason for non-collection as a matter of record -

- 1 - Did not have an ordinance existing at the time - and
- 2 - Good public relations at the present time since it involves a new neighbor.

Mr. Dattilo made a motion that the minutes be amended to read that because we did not have an existing ordinance governing that particular incident, and in the spirit of good public relations since we felt that this fine might be passed on to the owner of the property, we not enforce collection in any way. Seconded by Mr. Bliss and passed. Mr. Urick made a motion that the minutes be accepted as amended. Seconded by Mr. Krumlinde and passed.

21 Mr. Anderson informed the Board that he had talked with Mr. Keagy, who had consented to consider accepting the position of Village Treasurer. Mr. Forrest moved that the appointment be made subject to Mr. Keagy's acceptance. Seconded by Mr. Bliss.

<u>Ayes</u>	<u>Nays</u>	<u>Absent</u>
Mr. Bliss	None	W.W. Hutchinson
" Dattilo		
" Krumlinde		
" Forrest		
" Urick		
" Anderson		

After discussion it was decided to defer decision on the Village bank account and the manner in which it should be administered until the matter has been explored further.

Mr. Anderson informed the Board that there were some appointments which should be ratified at this regular Board meeting, which were made at the executive meeting following the regular meeting on June 6, 1960. He stated that he had a discussion with Mr. Wm Ehmann on the Saturday following the meeting about terminating his services for the Village, and that Mr. Jablonski had been appointed Acting Building Officer. Mr. Ehmann asked for the floor, which was granted, and said:

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"This is not my first experience as a Building Commissioner and I believe it is a matter of statute that there are two ways of terminating same. One is by resignation and the second is by preferring charges against him for failure to fulfill the office and duties as are required by the Zoning Code, Building Code and Subdivision Code. I have not resigned. Therefore, I believe any action of that kind must be either initiated by you - or by me. I have no intention of resigning at this moment. I believe also that resignation of a Building Commissioner becomes effective at the meeting following the receipt of his resignation at a regular meeting, and appointment of his successor is at the same meeting. Unfortunately, we do not have an attorney present.

"I had a similar experience in the Village of Barrington. For six months or so there was a long wrangle as to whether I should remain Building Commissioner or whether I should resign. The circumstances were not very much different. There was a difference of opinion between the Board of Trustees on the procedure and the manner on how an ordinance should be enforced and the steps which were to be taken with it. It culminated after a certain period and I resigned.

"So far as I am concerned I believe that there has been no responsibilities insofar as the Building Commissioner is concerned, that I have not fulfilled. There has been only one request for a permit. The difference of opinion comes in my office as Chairman of the Planning Commission. I am, of course, in violent disagreement with the proceedings and manner in which it was presented - the whole medium as it was passed - and I believe that some day you will be very glad to go into court and have it repealed - because if any sharpee like Brickman should get a hold, and if such an ordinance was in effect, you would be in trouble.

"I do not say these things in offense. I have no honors to gain. There is no discredit to me. I do not care for your opinions one way or another. There is nothing in the Building Code that says you must love me or that I must love you. It is a matter of principle with me. If you will by resolution request me to resign I shall gladly do so."

Mr. Anderson informed the Board that they could either motion to ask for Mr. Ehmann's resignation or by setting a termination date on his term of office since all appointments were given without a terminating date.

Mr. Bliss asked of Mr. Ehmann: "If we request your resignation in order that the Board be in position to operate better then would you resign?"

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*Res*  
Mr. Ehmann answered: "You have a perfect right to ask me to resign, and I have a right to refuse to resign. Building Officers are administrative officers of the Building Code, Zoning Code and Subdivision Code. They have nothing to do - they are purely administrative. All that is required of a building officer is to secure compliance of the ordinances as they are written. I am trying to establish the authority of the office of Building Commissioner. None of you have had experience - I have had many years experience. The Building Officer is an entirely independent person. The Board of Trustees does not enter into the building code or zoning code at all - only insofar as it may refer to amendments etc. The Board of Trustees has absolutely nothing to do with the administration unless the administrative officer should fail to fill his office and secure compliance to the code." Mr. Jablonski challenged the last statement by reading directly from the ordinance.

Mr. Bliss then informed the other members of the Board that he did not think it fair to ask Mr. Ehmann to resign because he feels that he has certain principles. Mr. Bliss felt that a better course on the part of the Board would be to recognize that a part of the job is to be able to accomplish something, and the present impasse prevents it. Mr. Bliss felt that a feasible course would be to terminate Mr. Ehmann's office by adoption of a date.

Mr. Bliss told Mr. Ehmann that the Board appreciated everything that he had done for the Village, and that now the Board did not want to do anything that would not be clean cut, and would be embarrassing.

Mr. Anderson read the minutes of the December 3, 1959 meeting, which covered the office of Building and Zoning Commissioner regarding a terminating date of each office to be established by the Board of Trustees at a later date

22 Mr. Bliss made a motion that the office of Mr. Ehmann be terminated as of June 28, 1960. Seconded by Mr. Forrest.

Ayes

Messrs.

Bliss

Dattilo

Forrest

Krumlinde

Urick

Anderson

Nays

None

Absent

W.W. Hutchinson

Mr. Forrest thanked Mr. Ehmann for his help and expressed the wish that Mr. Ehmann will continue to help the Village.

23 As agreed at the executive meeting, Mr. Anderson asked the Board for a resolution to appoint Mr. A. I. Jablonski Acting Building Officer. The motion was made by Mr. Krumlinde and seconded by Mr. Dattilo.

Ayes

Messrs. Bliss,

Dattilo, Forrest,

Krumlinde, Urick

Anderson

Nays

None

Absent

W.W. Hutchinson

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Mr. Jablonski accepted the appointment from the floor.

Mr. Anderson informed the Board that Mr. William Cooley, competent architect in the periphery area, has agreed to serve as a consultant to the Building Officer and the Planning Commission.

Mr. Anderson discussed with the Board proposed additions to the Planning Commission. Ordinance No. 11 - VILLAGE CODE - provides for 8 members, consisting of the Village President, a member of the Board of Appeals and six other members. At the present we have serving on the Planning Commission -

Messrs: Edde Hays  
A. I. Jablonski  
Richard Magner  
Harold Parsley

We should consider additions to assure a quorum. After discussion Mr. Krumlinde suggested that the present members of the Planning Commission investigate and present names to the Board for consideration.

24 After discussion Mr. Forrest moved that the membership of the Commission under the ordinance already established as 8 be reduced to 7. This was clarified to mean five other members rather than six other members. Seconded by Mr. Krumlinde.

<u>Ayes</u>	<u>Nays</u>	<u>Absent</u>
Messrs. Bliss Dattilo, Forrest, Krumlinde, Urick, Anderson	None	W. W. Hutchinson

Mr. Forrest suggested that the resolution just passed should be reviewed with the Village Attorney before acceptance. (This may require an amendment to Ordinance No. 11.)

Mr. Anderson reviewed the Board of Zoning Appeals, presently consisting of:

John Iverson, Chairman  
E. Lafferty  
Walter Jesse

25 Mr. Anderson suggested that Mr. Harold Parsley, who is presently a member of the Planning Commission, be appointed to serve on the Board of Zoning Appeals also. Mr. Urick so motioned. Seconded by Mr. Bliss

<u>Ayes</u>	<u>Nays</u>	<u>Absent</u>
Messrs. Bliss, Dattilo, Forrest, Krumlinde, Urick, Anderson	None	W. W. Hutchinson

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Mr. Parsley, who was present at the meeting, accepted the appointment.

Mr. Anderson informed the Board that while the Ordinance provides for five members on the Board of Zoning Appeals we have only four. Mr. Krumlinde recommended that the Zoning Board of Appeals select a fifth member, to which the Board agreed.

Mr. Keagy agreed from the floor to consider the position of Treasurer, which the Board has unanimously passed, and after giving consideration to the appointment will arrange for completion of the banking arrangements and will also provide books in such form as to comply with the statutes. Mr. Anderson informed Mr. Keagy that at some future date he would invite discussion about the formation of a Committee on Finance.

Mr. Anderson reported on arrangements he had initiated on maintenance of roads and read a letter he had written to Mr. Freking, dated June 19, 1960, with a copy marked for Mr. Jos. Welch. He reported that Mr. Freking told him on Saturday, June 25, that he would respond in a week or ten days.

Mr. Anderson reported that he had received a notice from the District Supervisor, Bureau of Census, that the population figure for the Village is 281. This letter was given to Mrs. Gerry, Census Taker, and she presented it as the official census. Letters giving the census have been sent to the Secretary of State requesting a Certificate of Incorporation and to the Department of Finance requesting allotment of motor fuel tax rebates.

Mr. Anderson informed the Board that the Village does not now have a Superintendent of Roads and Highways. He said that the Village would be better organized if we had a Superintendent of Roads even though the BHOA has collected some memberships from Village people this year. We have already been helped on North Signal Hill Road by some patchwork done by Mr. Freking. Also, some gravel has been spread on Mohawk Drive. Mr. Clifford Leonard agreed with Mr. Anderson on June 25, 1960 to purchase gravel for Seminole Drive and Mr. Freking will grade the road bed and spread it. It was suggested during discussion that the Superintendent of Roads should be a Civil Engineer. Mr. Bliss suggested that Mr. Anderson prepare a list of names for consideration of the Board, which would implement action. Mr. Anderson agreed.

The Board discussed the mosquito abatement program, and it was the consensus that the BHOA Committee has been doing a commendable job.

Mr. Anderson introduced Ordinance No. 14 - An ordinance setting forth offenses, violations and other acts and establishing authority for arrest.

Mr. Anderson read all items under Ordinance No. 14, and after some discussion and recommendations for changes, Mr. Urlick suggested the ordinance be re-presented to the Board after discussion with Mr. John Cutler. Mr. Svacha will review the recommendations and discuss with Mr. Cutler these points of the discussion:



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ARRESTS - Mr. Forrest felt the amounts of the fines were not adequate.

BARRICADES - Mr. Dattilo asked if this meant that the Village or Road Contractors could not provide suitable barricades.

TEMPORARY SIGNS - Mr. Krumlinde asked if this included political notices and Mr. Bliss said he recommended no exception to any political party notices.

TREES AND SHRUBS - Mr. Krumlinde questioned the date on which the violation would start. It was suggested that fines be effective after proper and official notice. Mr. Krumlinde asked for a clarification of the reference to "abutting premises." This was explained to mean privately owned properties connected to, or "abutting" the public areas involved.

Mr. Anderson reported that this past week he had been asked by the Public Service Company to sign a franchise - a public service agreement. This gives the Public Service Company an understanding of what their rights are, and what rights we would grant them with respect to transmission of power. Mr. Forrest suggested this be referred to Mr. Cutler. Mr. Anderson said this is the same form of proposed ordinance that the Village of Barrington and Barrington Hills have passed; it is a standard long-term form running for 50 years. Mr. Anderson suggested, if the Board desires we can invite Mr. Seitz to attend our Board meeting to explain this franchise further.

Mr. Anderson reported that the Telephone Company will probably have a similar agreement form.

Mr. Anderson reported on the disconnection proceedings. The first petition was set over for a hearing on August 10 and a second petition has been filed, which is to be heard on June 30. Mr. Anderson asked for an expression from either Mr. Schmid or Mr. Middleton, who were present, but they had no comments. Mr. Anderson informed the Board that Mr. Middleton just wants "OUT", Mr. Schmid wants zoning relief, and with relief would probably stay in the Village, and Mr. and Mrs. Schaper are caught in the middle.

Mr. Jablonski reported on the progress with regard to Mr. Sutton's request for a building permit.

The question was then raised with regard to swimming pools, two of which are now under construction in the Village. Our ordinance covers buildings and accessory buildings. Mr. Jablonski asked for an amendment to our ordinance to include swimming pools. Mr. Forrest reported that it was the conclusion of the Board of Zoning Appeals of the City of Chicago that a swimming pool was an accessory. Mr. Ehmann informed the Board that the Village of Barrington has a very comprehensive code on the subject and that it may be of some help in determining what is required. Mr. Forrest made a motion that the Acting Building Commissioner thoroughly explore the matter and investigate regulations of other municipalities, or other sources, and make a determination on those pools already under construction within the Village limits, and if in his opinion these pools meet with all requirements and

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restrictions that permits be issued based on the existing ordinance as an accessory construction to existing buildings. Mr. Jablonski will investigate and get whatever information is available. Seconded by Mr. Urick.

AYES

Messrs.

Bliss, Dattilo,

Forrest, Krumlinde,

Urlick and Anderson

NAYS

NONE

ABSENT

W.W.Hutchinson

Mr. Nelson Forrest reported that Nazareth Barsumian was in the Lake County Court of Judge Bernard Decker on Monday seeking a mandamus order to zone the Miner residence north of the Tower Lakes main gate for B-2 business. Mr. Miner no longer resides on the property and is not participating in the case. Mr. Stanley Grosshandler is arguing the case for the opposition, including the Village of North Barrington. This came up very quickly and the situation now stands as to whether or not the zoning will be changed from R-4 to B-2.

Mr. Anderson then introduced the proposed Valenti development and reported that he has been asked to furnish data on tax matters as Chairman of the Citizens Tax Committee. He said he had a paper prepared for him by Carlson and Carlson, Tax Consultants, at the request of the Barrington Home Owners Association.

Mr. Anderson asked for information on public relations and Mr. Forrest volunteered to submit an article for the local paper.

Meeting adjourned - 10:15 p.m.

Respectfully submitted

  
Grayce Scharffenberg