

Village of Creston Minutes Tuesday, September 3, 2024

President Byro called the meeting to order at 7:00 pm. Trustees Hopkins, Katzman, and Kerns were present. Trustees Elliot and Hibshman were not present. Trustee Ward was not present when roll call was taken but arrived shortly thereafter. Attorney Crull was also present.

President Byro introduced the August 6, 2024 minutes and asked for additions or corrections. Trustee Kerns made a motion to approve the minutes. Trustee Hopkins seconded the motion. Trustees Hopkins, Katzman, Kerns and Ward voted yea. Trustees Elliot and Hibshman were not present. Minutes were approved as presented.

Visitors & Communications – President Byro asked if there were any visitors or communications. President Byro asked if any of the visitors in the gallery had anything to say and no one spoke.

Attorney Crull said that there were a few things going on, some of which would be discussed later in the meeting. He said it was his understanding that the property at 224 E Depot St was for sale again. He stated that they had left some language in the agreement that stated the Village could bring them back to court if they hadn't made significant progress by the end of June and they had not. Atty Crull stated that the property at 209 W Depot St would be discussed later. Atty Crull asked if the Village wanted him to proceed on both properties since he is already going to court for one. He said that the filing fees have already been paid and no new fees would be incurred. The Board agreed to proceed as we were as the owners were given a chance to buy it and do right and they did not. Atty Crull said that was all he had at that point.

Casper Manheim stated that a new house was being built in the subdivision. They got the footings in already and are setting up for the walls. He said he was still getting his feet wet on the fee structure and they got the permit in right away. The weeds have been taken care of at the library and they are making good progress on the construction. President Byro asked if anyone had anything for Casper and no one raised any issues.

Kevin Bunge was not present, but he asked President Byro to communicate to the Board that they are working on getting the easements and they hope to have that completed within the next two weeks as of the time of the meeting. He stated that Kevin got a copy of the easement papers from Atty Crull. Atty Crull said Kevin had emailed something to him and he had looked it over and made a couple of tweaks to it before sending it back to Kevin. President Byro said that was all Kevin had to report

Committee Reports

Finance - Trustee Hopkins had nothing.

Streets & Alleys – Trustee Ward had nothing. President Byro gave information to Trustee Ward about a letter received from Union Pacific Railroad about work they will be doing on the crossings at Main St. and Transit St. The crossing at Main St will close at 7 am on Monday, October 7 and will reopen on October 9 at 7am. Transit St will be closed at 7am on October 8 and reopen at 7am on October 10. Trustee Ward stated that he did have something to present. He stated that he talked to Treasurer Payton about the Rebuild Illinois Funds, and the money is already in the MFT account, so it won't negatively affect anything with the auditors or her accounting if we do the expenditure report and tell IDOT the Rebuild Illinois Funds were spent on last year's sealcoat project. President Byro said that was okay, and Trustee Ward said he would submit the expenditure report if that was okay with everyone. Everyone agreed it was okay. President Byro stated that he has had a couple of people ask about new sidewalks. President Byro said that at one time there was a program going where the resident paid half and the Village paid half. Trustee Ward said that if the Village pays half, it becomes a prevailing wage job because taxpayer money is being used. Trustee Ward said that most of that time that ends up costing the resident more for their half than it would cost them to just put in the sidewalk themselves. President Byro said he wasn't sure what to tell anyone. He said some of the sidewalks are in pretty bad shape. The walks on Depot are in particularly bad shape and there are other areas as well. Trustee Ward said that replacing sidewalks is not cheap anymore because disposal fees are so high. He stated it costs about \$200 per yard for concrete. President Byro reiterated that he has had people interested in getting their sidewalks redone.

Water & Sewer – Trustee Kerns said he and Curtis Loyd have been fighting the rust in the water for quite a while. He said the rust is bad, particularly in areas on South St that people call him about frequently. Curtis then goes out and flushes the hydrants. He said he knew of one place in particular that is bad because he owns the property, and the tenant calls him all the time. He said he has put in a new water heater and done everything else he can do as a property owner to combat the problem, and the rust is coming from the public side. He said that it will become an issue as new homes are built in the subdivision and people are getting rusty water in their

brand-new bathtubs. President Byro's thought was if they could get the water running up there, they could get the rust flushed out. Mr. Loyd was flushing every 2 weeks for a while, but they backed off as they didn't want to use any more water than necessary. Trustee Kerns asked what a real solution would be other than flushing hydrants constantly. Trustee Ward said that an iron removal plant could be installed at the well to take the iron out, but it would be costly. Trustee Hopkins guessed it would cost \$2-3 million and Trustee Ward said he couldn't even make a guess. Trustee Kerns said that the gentleman that owns the apartments on Ridge St calls him all the time. Trustee Hopkins said that he lives right down the line, and he has issues once in a while, though it has been more frequent this summer than it has been in a while. Trustee Kerns said Trustee Hibshman has issues as well. Trustee Kerns said we are supposed to be conserving water and instead we are flushing it out of our hydrants all over the ground. Mr. Loyd said that the people at Test, our new water service, told him that the more we flush, the more rust will break loose and the more issues we will have. Mr. Loyd said that the gentleman at the new water service didn't really have an answer, either. Trustee Kerns asked if we needed to have the water tower cleaned again. Mr. Loyd said that the divers wanted the tower filled when they went in and they vacuumed so much that both wells kicked on and they said that when the wells kicked on, they could see the iron coming in from our wells and floating in the water. President Byro said that the water is still shut off in the subdivision on the south end. He is waiting for Mr. Hayden to get the leaks fixed so that the Village can get the water running in that area. President Byro asked Mr. Loyd if he had any ideas. Mr. Loyd said he could go back to the previous schedule and flush every week to week and a half for a while and then they would have to stop for the winter. Trustee Kerns said that in his experience, when hydrants are flushed, he reaches back out to the people who called him, and they tell him that the water did get better. Trustee Kerns says that not flushing is not the way to go. President Byro said it takes a whole day for Mr. Loyd to flush those hydrants, but if it had to be done, we will do it. Mr. Loyd said normally he flushes the tower first to try to help keep the rust out of there. President Byro said he would have to see how long ago the tower was cleaned and flushed. Mr. Loyd said they talked to Kevin about it last summer. Trustee Kerns said it had been a while. President Byro said he was thinking it had been 4-5 years. Trustee Ward said the outside needs to be cleaned as well as there is a lot of mold on it. President Byro said he would talk to Kevin about it and see what kind of plan they can put together to get the tower cleaned. Trustee Kerns said that based on what Trustee Hopkins said, it seems like something is a little bit different in the last year. Trustee Hopkins said that he used to have problems once or twice a year, maybe three times, and this year it has been 8-10 times. He also said that if he runs his faucet for 3-4 minutes, the water clears up. President Byro wondered if the line that runs under the railroad tracks had anything to do with it. He said there is a line that runs from the water tower under the tracks. Trustee Kerns said that he thinks that line is the good part. Jack Kerns had a rust problem a couple of weeks ago. Trustee Kerns said he has never had rust issues at his house. He put in a water main in front of his house and across those lots and connected it to the existing main line before the subdivision came. He thinks that when they dug the new main, they tied it into the new one and it makes a loop, and they put a valve in over there. He thinks that Jack's house, and Greg's house are still connected to the old main. He said he has not heard anyone complain about rusty water in the subdivision on Regulator's St. Trustee Ward asked if the main that came down South St ever tied into the 10" main. Trustee Kerns said he didn't know, but he thinks it was not. He said that would be the main that feeds Trustee Hopkins' house and Robert Garland's house and those are the problem areas. Trustee Hopkins said that his water comes off South St, not from the west, and he doesn't remember seeing his service being rerouted to the 10". President Byro asked if Trustee Hopkins' shut off was in his front yard, and he said yes. Trustee Kerns said that Trustee Ward was probably right, and Trustee Ward said that the 10" main runs straight through to the subdivision and they never crossed it into the system. Trustee Kerns said that would be a dead-end line. He then said that the new one came through and went across the main that he put it, tied that in, kept going to make the loop. Trustee Ward said it comes back and ties in at Transit, too, as they thought the main was leaking when they had the water problem the previous year. He said that where the berm is between the two halves of the detention pond is where the line continues through. Trustee Kerns said he thinks the other end dead-ends. He said if you follow the line that Trustee Ward referenced up toward Jack Kerns' and Trustee Hopkins' houses, it stops. Trustee Ward said it needs to be tied in right next to Jack Kerns' house. Trustee Kerns reiterated that he has never had rust in his water, ever. President Byro said that there are blueprints from when they put the sewer in that shows the water lines and he didn't know if looking at the prints will be helpful or not. Trustee Kerns said maybe they could see if that line on South St was ever connected. Trustee Hopkins says he doesn't remember it being done. Trustee Kerns said that Trustee Ward was right that from Transit to there would be a dead end. Trustee Kerns said he thinks it also goes up Kaye Lane. Trustee Hopkins said it would include him, Jack Kerns, Robert Garland, and President Byro mentioned Trustee Hibshman, William Heal and Erland Knudson. President Byro stated that Dave never says anything about it, and Trustee Kerns said that he is on the back side of that loop. Trustee Kerns said that when Jack mentioned it, he started thinking that maybe they tied the main in front of his house right into that and they never tied any of those services on South St into it. President Byro said perhaps he and Mr. Loyd could look at those blueprints and see if it shows anything helpful. Mr. Loyd said that if she shuts the valve off in front of Trustee Kerns' house, it shuts the water off to Creston Commons, so Trustee Kerns is on a dead-end line. Trustee Ward said that valve is on the new line going south, and Trustee Kerns said that is not to say that it is not hooked to that main east of there. Trustee Kerns said from what he could remember, they wanted that valve in his front yard so they could make that loop on the west end of the subdivision back to that 10" main. Trustee Ward said Kevin made all the inspections when that main went in, so maybe he still had the inspection notes. Trustee Kerns said he thinks it will help and Mr. Loyd said it would keep the water moving. President Byro said that he would do some digging to see what he could find out. Trustee Kerns said he wasn't involved in installing the new valves on Grove St and he asked if that went okay. President Byro said the project went

well, and there are new valves, and a new hydrant installed. He said that they would come back that week or the following week to put the patch in.

President Byro also acknowledged that they put the patch in at Grant and Main. He said Trustee Katzman got the ball rolling. He asked President Byro to talk to them and Trustee Ward talked to them, and the Village wanted to get that patch done before Booster Days. Trustee Ward said he would be surprised if the library got their asphalt in before winter.

Health & Safety - Trustee Hibshman was not present.

Zoning & Planning – Trustee Katzman said all he had was the library and Casper covered that. He also had the Terry Variance and that would be discussed later.

Subdivision - Trustee Elliot was not present. President Byro reiterated that a new foundation was being put in in the subdivision. He said it sounds like Mr. Hayden is going to fill that whole line up with houses and he plans to do that entire east side. President Byro said that they are also working on getting the detention pond cleaned up. President Byro asked if Trustee Kerns had been out doing more mowing. He said there wasn't much mowing to do, but they were dragging some of that bark up. Trustee Kerns said it is better, but it still needs a little work.

New Business – President Byro introduced the condemnation of the property at 209 W Depot St. He said the Board needed an approval to go ahead and start that process. Atty Crull said the complaint was ready to go. He said that he'd done a title search and knew who all the owners were. He said it would be handled like the others and he would get the complaint filed and get a notice filed at the recorder's office and go from there. Trustee Ward asked how it would work if the owner sold the property: was the complaint against the property or the owner. Atty Crull said it would be a lis pendens and it was the property on W Depot, not E Depot. The owner would not be able to sell the home and transfer a good title until that was rectified. President Byro asked for a motion to proceed with the condemnation of the property at 209 W Depot St. Trustee Ward made the motion. Trustee Katzman seconded it. President Byro asked for discussion. There was none. Trustees Katzman, Kerns, Ward and Hopkins voted yes. Trustees Elliot and Hibshman were not present. Atty Crull mentioned that the property at 308 E North St was out for bid in the paper and if anyone knew anyone who was interested, to let them know as bids must be in before the next board meeting. President Byro said it wasn't in the next day's paper. Atty Crull said he thought it had started the previous week. President Byro said it wasn't in the paper. Atty Crull said they promised him. President Byro told him he might want to check on it. Atty Crull said he would check.

President Byro introduced the Golf Cart Ordinance. He had Clerk Payton email everyone a copy. He said that the Board needed to rework it. He wanted to table it until next month so that the Board had time to come up with some ideas about how to revamp it. He stated that one of the changes that was discussed was eliminating the fee. He said that the Village would go to a regulation system where owners would come in and register their vehicles and then they would be responsible. Trustee Katzman said it was a matter of getting everyone registered. Trustee Ward said it was really an enforcement issue. He said the ordinance really isn't bad. The question was how we enforce it. Atty Crull stated the Village could issue an ordinance violation and go to court over it. Trustee Katzman asked who would write the citation. Atty Crull said that whoever saw it would be the witness. He said that unfortunately, that is the only option at that time.

President Byro had Clerk Payton speak about the upcoming Consolidated Election that will happen next April. She announced that there are 3 Trustee positions, plus the Board President and the Village Clerk. President Byro asked if Trustee Elliot was okay, and Clerk Payton said that he was appointed for 4 years. Trustee Ward said that Trustees can only be appointed until the next election. So, there are 4 Trustee Seats available: Katzman, Ward, Elliot and Hopkins, plus Village Clerk and Board President.

Old Business – President Byro has Clerk Payton speak about the website. She said that she reviewed it and realized that Dement Township was not included. Since they're paying for half of the website, they needed to be added. She asked them to add a History section, and she was going to have them move Local Events and Local Businesses to the top of the Community tab. The Park District also needed to be added. Clerk Payton said she was happy with how it looks. Trustee Katzman asked if the Park District was going to be on the website and President Byro said yes, they are. Trustee Katzman said he wasn't sure as he had heard some mixed information. Trustee Katzman said that the Booster Club website was almost ready to go. She said that the school and the library would have links to their websites and Clerk Payton still had to go get some photos of the school and the library and the Dement Township sign and the Park District sign to add to those areas. She also said that a push will need to be made to get the residents to subscribe, so anytime the website is updated for projects the Village is working on, a blast would go out to all the subscribers. She said it is like Nixle without the extra step. Trustee Ward asked if we would be getting rid of Nixle and she said we didn't have to. President Byro said that when we had the last boil order, he said he saw information on the internet and there was a lot of information out in the public eye. He said there was even a map of the affected area on the internet. He said that he was impressed. He said he didn't know

if the media that was present at the meeting had anything to do with it or not, but he really appreciated all the good information that was out there.

President Byro introduced the Terry Variance. He said that he thought the Village was ready to go. Trustee Katzman said that they had the letter written, and Treasurer Payton had the addresses the letter needed to go to. Mr. Terry submitted a legal description, and he was in the process of writing the letter if he hadn't already submitted it. Trustee Katzman asked Clerk Payton if she had seen it and she said she had not. Trustee Katzman said that the public notice was ready to publish. Trustee Katzman asked if the Zoning/Planning Commission had to have another meeting as they had already had one and that had started the entire process. President Byro said that the public hearing would be held at 6:45 before the regular board meeting and Trustee Katzman said it was at 6:30. President Byro said that at 6:30 pm on 10/1/24 there would be a Public Hearing for the Terry Variance. Trustee Katzman said that until the Village receives Mr. Terry's letter, they can't move forward. Trustee Katzman asked if Clerk Payton could check and she said she would ask Treasurer Payton if she had seen it. Clerk Payton said she checked her email when she arrived, and she didn't have it. Trustee Katzman said it was 90% ready to go. He said the only issue he had thought of earlier that day was that the Grabers were closing on their house on Friday 9/13/24 so the letter might have to go to the new owners instead of the Grabers. He wasn't sure if we would send the letter to the Grabers and they would give it to the new owners. President Byro said a lot of it depended on when we got the letter from Mr. Terry. Trustee Katzman said that letter had to be sent 10 days ahead. Atty Crull said he thought it was 15-30 but the letter might be different. Atty Crull looked it up and said it didn't say a specific amount of time, and Trustee Katzman said it might be best to go 15 days. He said if he didn't hear from Mr. Terry by the end of that week, he would call him. He said that Mr. Terry had been very cooperative with the process.

Treasurer's Report – President Byro introduced the bills. He asked Mr. Loyd if he knew whether or not Queens had submitted any bills and Mr. Loyd said he didn't know. Trustee Hopkins stated that there was a bill listed and President Byro said that was for down on Main St. Trustee Hopkins said it was for hydrant installation supplies. President Byro said it was for the work on Main St. Trustee Hopkins acknowledged it was at Main and Grant. Trustee Hopkins made a motion to pay the bills. Trustee Kerns seconded the motion. Roll call vote taken. Trustees Hopkins, Katzman, Kerns and Ward voted yes. Trustees Elliot and Hibshman were not present. Bills were approved.

President Byro said he had nothing else. Trustee Ward made a motion to adjourn. Trustee Hopkins seconded the motion. All voted in favor. The meeting adjourned at 7:37:06 pm.