

Village of Creston Minutes
Wednesday, February 4, 2024 - Amended

President Byro called the meeting to order at 7:00 pm. Trustees Elliot, Hibshman, Hopkins, Katzman, Kerns, and Ward were present. Attorney Wilt was also present.

President Byro introduced the January 7, 2024 minutes and asked for additions or corrections. Trustee Ward had a correction. He stated that in relation to the chips for the resurfacing, it should be 3/8 chips, not 3 H chips. Clerk Payton noted the correction. Trustee Kerns wanted to talk about the salt that the Village gets from Dement Township. He said that the minutes read like there was difficulty getting the salt. President Byro said that it was just a time-frame difficulty. Trustee Kerns said he didn't understand what the difficulty was. President Byro said a matter of Curt Loyd catching up with someone from the township. Trustee Kerns said that he is only a phone call away. He said that if Mr Loyd was worried about the salt getting hard in the truck, he could dump it and someone from the Township would push it back into the shop. President Byro said it was just a matter of Mr. Loyd catching up with someone when they are down there. Trustee Kerns reiterated that he is only a phone call away. President Byro said it wasn't a complaint against Trustee Kerns and the Township. Trustee Kerns also said that if they were out in the township, they would leave the loader out so that Mr. Loyd could load his truck himself. President Byro asked if there were any other issues with the minutes. Trustee Hibshman made a motion to approve the minutes. Trustee Elliot seconded the motion. President Byro asked all in favor to vote yea and all opposed to vote the same sign. All present voted yea.

Visitors & Communications – There were no visitors or communications.

Attorney Wilt stated that he got a contract out to the potential buyer of 224 E Depot St that lays out all the improvements that must be made and the time frame in which they need to be made. Atty Wilt went back and forth with the potential buyer's attorneys for a while, and he sent the contract over last week. He was just waiting for them to sign it and get it back to him. All of the improvements were taken directly from the demolition action that had been filed against the property, which came from Casper and Aaron. Assuming that the agreement gets signed, the owner would have until 7/31/25 to make all the required improvements plus address any other issues that Casper and/or Aaron require to be corrected. If they don't comply, then the Village can commence with demolition actions again. For 209 W Depot, everything is ready to go but they have been unable to serve any of the people involved. The Village cannot do anything in the courts in a timely manner until they current owners can be served. If the Village cannot get the owners served, there are a lot of hoops that have to be jumped through, and he knows that the Village wants to get this done sooner rather than later. Atty Wilt is doing everything he can to track the parties down. One is a defunct corporation. The president is in New York and Atty Wilt reached out to him to find out what if anything is still going on with that corporation. There is another person that he doesn't have a valid address for. He said he might be reaching out to members of the Board or to the clerk to see if a valid address can be found. President Byro asked if it was a family member and Atty Wilt said that it was a Sanderson. President Byro said that they are around. He said he doesn't know where, but they are around. Atty Wilt said that if they have to publish, but there are time frames involved with that that would delay things a couple of months and he knows the Village is hoping to avoid that. Atty Wilt said that was all he had.

Casper Manheim was not present. Aaron said that he stopped at the library and they were getting the flooring down. HVAC and electrical work was being done. He said that Kristy Scherer told him that they hope to be done sometime in April. Aaron said it was starting to look really good in there. He said that he stopped at the house at 123 W North St and the owner said he thought he was about 2 weeks away from being done. Aaron said that here is a beam in the basement that still needed to be addressed. The owner's daughter was originally going to move into the house, but decided it was too big, so the house may be up for sale soon. President Byro asked if there was a water meter in there and Aaron said there was. He said that they put in a new service panel and the water meter. Aaron said that he still had a ways to go with everything that needed to be done, but the owner thought he would have it done soon. Aaron also said that one house out in Creston Commons has had a rough-in inspection and they are now working on drywalling and insulation and a lot of the finish work. There are two other houses that re pretty well framed and but weren't quit4e ready for the rough-in. There was an open foundation that hasn't been framed yet, and there is one that he didn't think they had the foundation walls in yet. Trustee Elliot said that he was out there that day and the walls were in.

Kevin Bunge said that everything he had to talk about would be address later in the meeting.

Committee Reports

Finance - Trustee Hopkins had nothing.

Streets & Alleys – Trustee Ward said that everything was sent over to the County for the sealcoat project. Trustee Ward asked Trustee Kerns of Dement Township was going to stripe Woodlawn after their sealcoating is done and he asked Trustee Kerns if he wanted the Village to see if Ogle County could stripe the Village's portion for consistency. Trustee Kerns asked if it was striped now and Trustee Ward said it was not. Trustee Kerns said it was not a huge cost to get it done. Trustee Ward asked if Dement Township was doing edge lines or just center lines. Trustee Kerns said just the center lines. Trustee Ward said he would talk to the County to see if the Village could still get in on the striping program. Trustee Ward said that the last time he asked, they had already ordered all their paint and they didn't have enough to do anything extra. Trustee Kerns asked if the Village was using the same material and Trustee Ward confirmed the Village is using the steel slag. Trustee Ward said that the County had a deal worked out where they were having the steel slag trucked to the highway department and the highway department will load the contractor trucks from there, resulting in a better price.

Water & Sewer – Trustee Kerns said he didn't have anything. President Byro said he hadn't heard anything about the Water Tower Project. Trustee Elliot asked if there was something going on at the pump station today as there was a big truck down there. He said that they cut into a line out by the landfill, so the Village had to shut our ~~water~~ sewer down for a couple of hours. President Byro said they wanted to make sure it didn't overflow.

Health & Safety - Trustee Hibshman said he had nothing. President Byro asked Trustee Hibshman if he had a picture to show Kevin and he said that he did.

Zoning & Planning – Trustee Katzman said that he hadn't heard of anything. Trustee Elliot said he hadn't heard anything, either.

Subdivision - Trustee Elliot said was pretty impressed with how fast that houses were being built in the subdivision.

New Business – President Byro spoke about the Village needing to adopt a Curb Cut Ordinance. He shared what Byron has put in place for their community. He asked Atty Wilt if he could use Byron's ordinance to draft something for the Village. Atty Wilt said he could take a copy of it. Trustee Kerns asked if this ordinance was for the subdivision and President Byro said it was for the entire Village. Trustee Kerns said that the Village doesn't have any curbs and President Byro said it is also for street cuts. Trustee Ward talked about a project that was done a few years back at the corner of Transit and North Streets, someone did a dig there and no one would claim it, so no one restored it for a long time and Bob Farris just let weeds grow there as it wasn't his property. The ordinance is a way of the Village to keep track of who is digging where. President Byro said that he has had people ask recently if the Village has an ordinance, so he thought that the Village should have one. Trustee Ward said that another issue is that a company like Comcast aren't the ones that do the underground work. Someone from Comcast called the office and spoke to President Byro and asked if the Village had an ordinance. He told them that we did not, but that we were working on getting one. Trustee Ward suggested having Atty Wilt draw up an ordinance and run it by Kevin and see what he thinks. President Byro asked Kevin if that sounded reasonable and Kevin said definitely.

President Byro spoke about the Paid Leave Act. He spoke to Treasurer Payton and Mr. Loyd and he would give them both 40 hours from last year, and he gave Scott Nicol 10 hours. He said starting 1/1/25, Treasurer Payton would start keeping track of the hours for all 3 of them.

President Byro asked Kevin to speak about the Storm Sewer Project. Kevin said that 2 easements had been delivered to Village Hall and one was being mail directly to him at his office. He said the 4th easement involves 2 sisters who are kicking it back and forth, and both of them said they would sign it, so he thinks they are in the process of having it signed and notarized. He said that in trade they would like to have an agreement about where they can put a house on the remainder of those 2 lots. Kevin's position is that the Village isn't really hurting them as there is already a pipe there, but they are taking the opportunity to find out how close they can be to center. Kevin said he did not have an answer at that moment, but he said he will have it. He said that the surveyed all the buildings on Center St and he said some of the homes are very close to the right of way, which is part of a typical ordinance. He said there is a minimum setback and/or they are allowed to look at the average of the adjacent buildings on the block. He said if everyone else has a 10 foot setback, you don't want to tell someone else to have a 40 foot setback. Kevin said he saw the drawing earlier that day, but he didn't have a chance to analyze it. Kevin said that they will present it to the Board and say here is what they are asking for and here is what is up and down the street currently and see if the Board concurs. Kevin said he will admit that the lot is shallow because of the storm sewer at the back. Kevin said he felt their request was reasonable whether we were talking to them about the storm sewer or not because most of the surrounding homes have narrow setback from the streets. President Byro said that he thinks the Board can be reasonable. He asked Kevin if he thought we'd be ready to move forward next month. Kevin said there is one property in which the owners cannot be reached, but the Village has the right to improve the tile that is already there. Kevin said by next month he will have

all the easements in hand and then they can put the finishing touches on the plan. President Byro said that we need to get the project out for bids.

Kevin talked about the ADA. Kevin said that they got it all shot and the diagram that was handed out showed what needed to be replaced. The parking stall will be moved to the end of the sidewalk as opposed to where it is now. Trustee Ward asked if they were using the ramp from the parking stall to the sidewalk. Kevin said that a ramp isn't needed because they are going to take the sidewalk down to the level of the street. Trustee Hopkins asked if the whole thing was going to be sloped to the street. Kevin said that it can only slope so much. Trustee Ward asked if the ramp was basically at the end of the sidewalk. Kevin stated that the two wings are where it ramps down. President Byro asked if the building was okay. Kevin said that they didn't see any problems with the building. He did say there was a question about whether the inside of the bathrooms were completely compliant, but the attempt has been made. He said the only problem they found was on the outside, but even the outside is not horribly out of compliance. President Byro said there is another spot in town that needs to be done so the Village will look to combine it with the ADA project and get it all completed. President Byro asked if there was a time limit on making the improvements. Kevin said that now that the Village has taken the step to make the plan, we are safe for a little while. Larger communities have a transition plan. The plan that Kevin has is the transition plan for the Village. Trustee Kerns asked if the area at the end of the sidewalk was going to end up like the areas down by the school where water sits in them all the time. Kevin said no, the water runs down the street and just keeps going. President Byro asked if those were the ones on the corners. Trustee Kerns said that when it rains a lot, it's full. Trustee Hopkins said it floods and in the winter it freezes. Kevin said that the edge of the pavement keeps draining. Trustee Elliot asked about the street. He said it isn't a nice, smooth surface. Kevin said it is not, but to fix that you would have to do a pretty good section of the street. Trustee Elliot asked if we fixed that would we have to do the sidewalk again. Kevin said no. Trustee Ward said it looks like it ended straight out from the corner. He said if you go 2 squares north, there is a trip hazard from a tree heave. Trustee Ward said it would make sense to continue across our frontage to make sure we get everything across our frontage. Trustee Kerns agreed it would make sense to go all the way to the property line. Trustee Katzman said that conversations had been had previously about taking that tree down. President Byro said he would hate to lose that tree as it is the only sycamore left in Creston.

Old Business – Property condemnation had already been discussed. .

President Byro said that he hasn't heard anything back from Comcast about the building they want to construct up by the water tower.

President Byro said he hadn't heard anything about the Water Tower Project and Kevin said that they had reached out to KLM that day and they hadn't heard back yet

President Byro brought up rust concerns. Kevin said that Trustee Hibshman had something to show him. Trustee Hibshman said that the Board had heard him talk about the rust issues from time to time. He said things at his house will be fine for a few weeks and then Sunday afternoon, his wife ran some water to fill a pot for boiling and the water ran red. He said it was cold water. Trustee Hibshman said that on Monday, the water was perfect. Kevin said of course it was, because he flushed the system. Kevin handed out a visual aid and he said that the red hashed areas are the areas reported to him by the Village that were the worst areas. He said that one of his concerns were bellies in the main where rust collects. He said it turns out that the low spots in the main are where the worst problems are. Kevin said that every one of those red shaded areas touches a 4" main. He said he can't say if it's connected to the main, but every one of them are adjacent to the 4" main. He believes that old mains with bellies in them are the culprits. Kevin said that there are a couple of valves on the map. He said that if the flush the Kaye Lane hydrant and close the valve on the south of Kaye Ln, it would force the water through the 4" main. He thinks that it is flushing the 8" and the 10" mains instead of the 4" mains. President Byro asked Kevin to give the visual aids to Mr. Loyd. Trustee Elliot said that if they were running off the 4" main, it would make sense to him that those would not hold the rust because there was more water flowing through there. Kevin said it is also backfed by a 10" and an 8" main. He thinks it collects because they are old mains, there are not many services on it, and when water wants to flow it has the 10" and 8" mains. Kevin said that by forcing the water through the 4" mains, it may help but it still creates a flushing problem. How often do you have to flush to avoid the rust? He still thinks that flushing the 4" mains would do more good. He told Mr. Loyd to close the valves not all together, but in sequence. Kevin reminded the Board that there are probably a couple of services hooked to the main on West St, but he has no record of that. He just knew that when they ran the mains through the subdivision, the plan didn't include cutting everyone over from the small to the large. President Byro pointed out 913 on one of the photos. That is Heal's place and he doesn't have any problems. He said that if you go down Kaye Ln, the first house you come to has terrible problems. Trustee Hibshman says he has had these issues forever. Trustee Kerns said that if you think about it, it makes sense. He said that the Davidson house, those weren't there first. He said he bet that the main runs between Trustee Hibshman's house and Billy Heal's house. Then after those 2 houses were built, he bets that Trustee Hibshman's run to South St and Billy Heal's runs to Kaye Ln. He said the only reason he was saying that is because of how and when the houses were built. Trustee Ward concurred that if someone was pulling a new service to 410 for a house you're building, you would not cross South St. You would pull it from the ditch on your side of the road. Trustee Kerns said Trustee Hibshman's went across South St. Trustee Hopkins said that the water service comes in the front of the house, and that

main would have been put in down Kaye Ln and maybe the Davidson House is off of Kaye Ln. Trustee Kerns said it comes out the front. Trustee Hibshman said that Chris Norkus used to complain about the rust problems when he lived in that area. Kevin said that those 4" mains will need to be replaced at some point. Trustee Ward asked if the Village went to South and West Streets, tied that 4" on South into the 10" and if Jack's house and that house on the corner were also tied into the 10" main, then that 4" main could be abandoned. He asked if feeding off the 10" would force more water and get more flow going east. Kevin said it would help. Kevin said he would like to see Mr. Loyd close those valves and flush the 4" mains and see what comes out of them. He suspects that the 4" main isn't being flushed like the Village thinks it is. President Byro asked Mr. Loyd if he saw what Kevin was talking about and he said he thought so. President Byro said that he and Mr. Loyd have tried everything under the sun to get the rust problem under control. Trustee Hibshman said that once the water looks like it does in the photo he shared, he just turns on all the faucets and lets them run. Trustee Hopkins asked him how long it took to clear out on Sunday and Trustee Hibshman said about 2 hours. Trustee Hopkins said his water has been as bad as the picture Trustee Hibshman showed, but he said he usually let his water run for about 5 minutes and it cleared up. Trustee Hibshman said it doesn't always take 2 hours, but it did on Sunday. Trustee Elliot asked if Trustee Hopkins' water softener cycled right before he ran his faucet for 5 minutes and Trustee Hopkins said no. Kevin said that the apartments on Ridge is composed of 4 units and only one unit has a rust problem, and all 4 apartments are on the same service. President Byro asked if the 4" mains need to be replaced. Kevin said that the areas highlighted in pink need to be replaced. He doesn't like the bellies in them. Trustee Kerns said Kaye Ln would not need to be replaced. Kevin said that it can be fixed, but it has a belly in it. Trustee Kerns asked if it had a belly and Kevin said about 100 feet south. Trustee Ward said that if Trustee Kerns' theory is right and that one house is being fed off South St, there may not be a rust problem on Kaye Ln. Kevin said that the Village really needs to identify where all these services are as the Village may need to change them. Kevin says he works with different services that will help locate the services. President Byro asked what the next step was. He asked if the Board wanted to try the flushing to see what that does. Trustee Hopkins said that we could see what that does and it might give us some answers. Kevin said that an 8" handles more than 4 times the water of a 4" because it is the square of the diameter. The 8" has 4 times the capacity and it's a new pipe. Kevin just doesn't that the 4" mains are being flushed, and that is not shot at Mr. Loyd. He is doing what he is supposed to do. Trustee Kerns asked if the 4" goes halfway up Kaye Ln. Kevin said it is almost 2/3s. Kevin said he is sure the old 4" is cast iron. Kevin said it would probably cost \$200-\$250,000 project to get rid of those pieces of 4". Trustee Kerns said that shutting the valves and flushing the 4" mains is not a long term solution. Kevin said that the flushing would not be done as a long-term answer, but to give information. The Village needs to get the services straightened out. Kevin said that if RMU won't come out and be sure of what they found, then Kevin could contact one of the 3 firms he has been working with. President Byro said he would rather Kevin contact one of the services he works with. Kevin said he would get quotes from all 3 firms to find the services for those lots that touch the 4" mains. President Byro said he thought that was a good start and Trustee Kerns agreed. Mr. Loyd pointed out the hydrant numbered 53 that is on the 10" main. He said when he opens that main to flush it, it is beet red, almost black. He said he can do that every other week, and it isn't as bad, but it is still red because there is a lot of iron in it. It will clear up if he lets it run for a while. Mr. Loyd said that is the worst one he does. Trustee Kerns asked if he was doing all 3 of them. Mr. Loyd said he doing the one at the park, the one out on Creston blacktop, and the one by Trustee Kerns' house, and he was flushing one on the east side of town. He said he also came up on South St and flushed the one by Ridge and South St, but the worst one is the one by the park. Kevin asked if there were internal meters now. President Byro said that we can access their readings with a puck. He said that we are in the process of changing all the meters over so they will all be drive-by. Kevin said that he will have to coordinate it carefully. Kevin said that the equipment that these firms use can probably find it without hooking on, but it's just not as accurate. Trustee Kerns said he thought that a lot of the houses probably had copper. Kevin said that they have had some luck with these detectors finding pipes as deep as 5 or 6 feet. Trustee Hibshman told Mr. Loyd to let him know when he was going to shut off the valves and flush the 4" mains. Mr. Loyd said it would probably not happen until Spring. Kevin said he would like to get that old 4" abandoned on West St that runs parallel to the 10" main. Trustee Kerns and Kevin had more discussion about the possibility of moving services from the 4" main to the 10" main and abandoning the 4" main on West St and how that may impact the rust issues. Mr. Loyd said the problems really started when they started shutting down mains in Creston Commons due to the water leaks. Trustee Kerns asked how long ago that was. Trustee Hopkins said it has gotten worse over the years. Mr. Loyd said that he started shutting down the mains about 5-6 years ago. President Byro said that we now have a plan, and we can move forward with that.

Treasurer's Report – President Byro introduced the bills. Trustee Hibshman made a motion to pay the bills. Trustee Ward seconded the motion. Roll call vote taken. Trustees Elliot, Hibshman, Hopkins, Katzman, Kerns, and Ward voted yes. President Byro stated that Lockard finally submitted his bill, but he still doesn't know if he will be continuing to do the work or not.

Trustee Ward made a motion to adjourn. Trustee Hopkins seconded the motion. All voted in favor. The meeting adjourned at 8:02:05 pm.