

Village of Creston Minutes

Tuesday June 3, 2025

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

President Byro introduced the minutes from May 6, 2025 and asked for additions or corrections. Trustee M. Hibshman made a motion to approve the minutes. Trustee Ward seconded the motion. President Byro asked all in favor to vote yea. All present voted yea.

President Byro led with the swearing in of Justin Hibshman, who was elected in the Consolidated Election on April 1, 2025. Justin was not able to attend the May 6, 2025 meeting, so he was sworn in by Attorney Wilt.

Visitors & Communications – President Byro introduced visitors and communications. Trustee Elliot said he had received a communication shortly before the meeting and he read it. Regan Helgeson, who now owns the Fogelman building across the street from Village Hall. Mrs. Helgeson wrote about the Lincoln Highway sign that hangs on the side of the Fogelman building. She said she understood that there was an agreement between the prior owners of the building and the Village regarding the sign and she wanted to make sure that all the arrangements going forward were clearly understood and properly documented. She wished to formally request that any future access to, maintenance of, or modifications to the sign, including painting, cleaning or replacement be subject to a new written agreement between the Village and her as the current property owner. She stated that no work should be undertaken on or around the sign without her prior written consent. Mrs. Helgeson went on to say that she hopes to continue the cooperative relationship regarding the preservation and presentation of the sign and looks forward to working with the Village on a mutual arrangement. She invited the Village to reach out to her to discuss the terms of a new agreement or to schedule a meeting to move forward. She then thanked the Board for their time and attention to the matter. President Byro stated that when Trustee Ward had the fire station cleaned, he spoke with the gentleman who did the cleaning, and he power washed the sign and the gazebo. Trustee M. Hibshman stated that while he did not hear anything directly from Mrs. Helgeson, he heard that she was in the middle of a photography session when the cleaning was done, so it was bad timing and as stated in her message, she would like the Village to notify her prior to any future work or maintenance being done.

President Byro also stated that Senator Arellano was going to be in town on 6/10/25 at the library from 12:30 – 2:30pm. President Byro said he didn't know if anyone had ever spoken to Sen. Arellano and he planned to be at the library to meet him.

Attorney Wilt stated that he had two things going on. He announced that the property at 209 W Depot St will be in court on 6/11/25. He hoped to get permission to publish on that date as the second round of notices got turned back stating that the recipients were not the owners of the property. He said that he had hit a dead in and he would be in court on 6/11 and get permission from a judge to publish in the newspaper that the owners of the property have 21 days to contact him regarding the property and if they don't, it is considered Constructive Service. At that point the Village should be able to move forward with condemnation.

Attorney Wilt also said that there had been communication with the landfill company about whether to build a berm. As of now, it appeared they were going to begin building a berm. He had no timeframe on that and it is always subject to change as initially they were not going to build one. He said now he believed they were going to and that is where the conversations left off. President Byro said that he and Attorney Tess had been trying to meet with them and had had no luck. Trustee Ward asked if they were obligated to build a berm per the agreement. President Byro said that they were initially and then conversations were had, and President Byro said he would just as soon have that land for farmland. The berm served its purpose in blocking the view of the landfill. With the landfill being completed at that end, he didn't think it needed to be there. He said that he and Attorney Tess have had conversations with them and that he would keep them updated on that.

President Byro asked if the Curb Cut Ordinance was done and Attorney Wilt said it had been sent off.

Aaron Moore said that there weren't many permits that month. There was one permit issued for a resident to extend their driveway. He said there were a series of rough-in inspections at the subdivision. Three temporary finals were issued for homes on Regulators St and people have moved into those homes. Sidewalks were the main focus for the month, so they got most of the approaches, sidewalks and driveways done and they were starting on grading and laying sod. He said that one homeowner in the established section of Regulators St installed a fence without a permit. Aaron had spoken to him, and he was going to inspect it to make sure it was built correctly. President Byro asked if anyone had any questions for Aaron. President Byro said that it looked like work was being done at 224 E Depot St. Aaron said he drove by that day, and no one was there. He said it looks like they have been working on it and Trustee Ward said that they got a new roof on it and that is a big improvement.

Kevin Bunge said that everything he had was later in the meeting.

Committee Reports

Finance - Trustee Hopkins had nothing. President Byro said that he got the check for the tipping fees and it's a pretty big check, so they must be taking more stuff out there.

Streets & Alleys – Trustee Ward said that the only thing he had was that the state passed their budget and an article published by Shaw Media stated that the state would also pause the final transfer of MFT sales tax revenue to the road fund to free up \$171 million. Trustee Ward said he didn't know how or if that would affect the Village or if it was only at the state level.

Water & Sewer – Trustee Kerns said he didn't have anything.

Health & Safety - Trustee M. Hibshman said he had nothing to report, but he did have a question. He wanted to know if there was an ordinance regarding the number of dogs a person can keep in a house. President Byro and Clerk Payton said they did not think so. Trustee Ward asked if there was. Treasurer Payton said only if it has a kennel. She asked if the Village did a kennel ordinance. Clerk Payton said she would check. President Byro asked if the Village needed one. Trustee M. Hibshman said that we may. Trustee Ward said he thought it was only so many adult dogs and only so many puppies until a certain age. Trustee M. Hibshman said that was all he had.

Zoning & Planning – Trustee Elliot said he would speak later in the meeting.

Subdivision - Trustee Elliot said he thought the subdivision looked pretty good. He thought that the lots that were not developed yet needed to be mowed, but other than that, things looked good. He said it was good to see houses going up. President Byro said that new lines had been install for all the lots on Roberts St and water had been turned on. He said he hoped that by making a loop up there, it might help with the rust issues. Trustee Ward asked how the water quality was up there and President Byro said no one lives there yet so he didn't know. Curtis Loyd said he flushed the lines out twice before they did the test on it. He said there was still chlorine in it 20 minutes after flushing the lines, which surprised him. He said the water looked good and clean. President Byro said that the detention ponds had been mown once and sprayed for weeds once. Trustee Elliot said he came back last week and sprayed. The man who mows the school lawn also mowed the detention pond there, so it looked good. President Byro said the street signs in the subdivision were not the correct type. They are supposed to be breakaway. All the stop signs and street signs are wrong and most of them are missing. He had conversations with Tim Hayden about who will take care of what. Trustee Ward said that since those signs were put up, Federal regulations have restricted the colors to green and white. Trustee Kerns asked if they were the right type when they were put up. Trustee Ward said there have always been breakaway standards, but at the time the street signs went up you could do just about anything, and the Feds changed that in the MUTCD (Manual on Uniform Traffic Control Devices). President Byro said the signs might not have been right from the start. He wasn't sure. He would talk to Mr. Hayden and get it all figured out.

New Business – President Byro asked Kevin to talk about the storm sewer bid. Kevin said they opened the bids for the Storm Sewer Project, and they were happy to get 6 bids. The lowest bidder was Martin and Company out of Oregon IL, and they came in at \$290,734.80, which was within 8% of the estimate. Martin and Company are ready to go and he was just waiting for the board to approve the bid and tell them to start. President Byro asked for a motion to accept the bid. Trustee Hopkins made a motion to accept the bid for the Storm Sewer Project from Martin and Company in the amount of \$290,734.80. Trustee Ward seconded the motion. President Byro asked if there was any discussion. Trustee Kerns asked Kevin if he knew how many feet it was, and Kevin replied it was just over 800'. Trustee Hibshman asked when they could start and Kevin said that he hadn't asked them lately, but when he opened the bids, they were ready to go. Roll Call vote taken. Trustees J Hibshman, Ward, M Hibshman, Elliot, Kerns and Hopkins all voted yes. Project was approved.

President Byro asked for an update on the Farris variance. The planning/zoning meeting was held, and the public hearing was also held. There was not a quorum for the Board, but one couple showed up for the meeting and expressed interest in it. Charles and Karon Mathis expressed their concerns about it and were in favor of it. They did feel that the variance should not be granted to keep things uniform but on that street the setback has already been adjusted to 7'. The Planning & Zoning Commission met the previous evening, and they recommended approval of the variance. President Byro said that Trustee Elliot needs to bring the recommendation to the Board in writing and then the Board would have to vote whether to accept it or not. Attorney Wilt said he didn't think it had to be in writing. He said that the recommendation can be made orally, and it can be voted on as long as it is on the agenda. Trustee Kerns said he would like to get it passed at that meeting so that it wouldn't delay the project. Trustee Elliot asked if the recommendation should be made using the legal notice. Attorney Wilt looked at it and he said that that would be fine. Trustee Elliot read the following: "The matter of the application of Robert Farris, legal notice is hereby given in compliance with the ordinance of the Village of Creston IL that a public hearing will be held before the Planning and Zoning Commission of the Village of Creston on the application for variance of the Robert Farris estate, related to the property located at and within the Village of Creston, parcel ID 25-23-204-004, legally described as

follows: south 25 ft of lot 2 and all of lot 3, block 18, Village of Creston. This application is filed for the purpose of requesting a variance to allow for the reduction of the required setback from 25 feet to 7 feet pursuant to the requirements of the Village of Creston code of ordinances. A public meeting will be held at 7pm on May 8, 2025, at Village of Creston Hall, 110 N Main St, and at that time any person wanting to be heard may be present. Reid Elliot, Chair, Zoning and Planning Commission". It was published on 4/23/2025 in the Rochelle News-Leader. The Planning and Zoning Commission met and took into consideration input from the community and their recommendation is to allow the variance. Trustee Ward made a motion to accept the Planning Commission's recommendation. Trustee Kerns seconded the motion. Trustee Elliot made a clarification that the variance is only for the specified property and not the adjacent property. Roll Call vote taken. Trustees Hopkins, Kerns, Elliot, M. Hibshman, Ward and J. Hibshman all voted yea. Trustee Ward then made a motion to approve the variance based on the Planning and Zoning Commission's recommendation. Trustee Kerns seconded the motion. Roll Call Vote taken. Trustees Elliot, M. Hibshman, Kerns, Hopkins, J Hibshman, and Ward all voted yea.

President Byro introduced Treasurer Payton to talk about the FY 25 Supplemental Appropriations Ordinance. Treasurer Payton said that there were 5 line items that needed to be increased. No extra money was spent. In the General Fund, the Village Hall Internet, Telephone and Fax fund was revised to \$3100. The farm taxes went from \$8200 to \$10200. Regarding the utility fund, the elected officials fund should have been split between utility and general fund, but the computer decided not to cooperate, so she did it online. Engineering was revised to \$6000, and Sewer Flow had to be increased from \$75,000 to \$90,300. Treasurer Payton said that no additional money was spent; it just needed to be moved around. President Byro asked if it had to sit for 30 days and Treasurer Payton said no. Trustee M. Hibshman made a motion to approve the Supplemental Appropriations Ordinance. Trustee Elliot seconded it. President Byro asked if there were any questions. Trustee Hopkins said that the ordinance number needed to be changed from 070125 to 060325. Treasurer Payton said that she would change it. President Byro asked for a vote and Clerk Payton did not hear Trustee Elliot second, so she thought she didn't have a second. Trustee Hopkins then seconded the motion. Trustees Kerns, J. Hibshman, Hopkins, Ward, Elliot, and M. Hibshman all voted yes.

Old Business – President Byro brought up the Water Tower Cleaning Project. Kevin said that KLM was supposed to start on Saturday 6/7/25 if there was no heavy rain as they are afraid of tearing up the lawn with the truck. President Byro said that after the meeting he would have Mr. Loyd tell Kevin the story about the gentleman calling Mr. Loyd. Kevin said the gentleman was supposed to call Mr. Loyd to coordinate with him. President Byro said he did, and Mr. Loyd said that the gentleman asked him if he had plywood, fire hydrant wrenches and adapters. Kevin said he told C.E.S. that he called and wanted to call Mr. Loyd about coordinating the water use. Mr. Loyd told him that we don't have a local lumberyard, so he didn't have any plywood. President Byro said the gentleman was in Florida when he called. Kevin said that they are not a fly-by-night operation, that cleaning water towers is what they do. Kevin asked if he asked if Mr. Loyd had any plywood or if there was someone in the area to get it. Mr. Loyd said he asked if he had plywood. Trustee Hopkins said that was the company's responsibility, not the Village's. Kevin said that he had talked to them earlier that afternoon and they were still committed to Saturday if there wasn't enough heavy rain to make it muddy at the tower. Trustee Kerns said it was going to be mud as there was a 100% chance of rain the following day. Trustee Ward said it drained well up there. President Byro said they were talking about all day rain the next day.

President Byro stated that the property condemnation was already discussed.

President Byro moved on to the Village's issues with rust in the water. Kevin said that they were making plans to disconnect the 4" main and hook it to the 10". President Byro asked if a fire hydrant was going to be included and Kevin said that there were 2 hydrants included and some gate valves. Trustee Hibshman said he had some interesting information about the rust issues. He had been talking to Larry Harris, owner of the Moose Knuckle, and he said that his water is very rusty. Trustee Hibshman said he didn't know that their water was rusty, and he explained that the Board was trying to pinpoint where the issues were and he said he gets pretty rusty water at his house. Trustee Ward said he doesn't get rusty water. Trustee Hibshman said that Mr. Harris said it has been that way since he moved in and then they started comparing their rust issues. Trustee Hopkins said that the Village has had issues with that area in the past. Trustee M. Hibshman said that he wondered if there were more people who had issues who had never reported them. J. Hibshman said that Mr. Martinez, who lives across the street from him, has the same problem. President Byro asked if that was right after Mr. Loyd flushed the hydrants or before. J. Hibshman said that they have to swap their showerhead every other month because it's that bad. M. Hibshman asked if that was right across the street from him and J. Hibshman said it was kind of kitty-corner. M. Hibshman asked if it was Junior's house, and J. Hibshman said yes, the address was 420. Trustee Ward said that that the previous night they did drafting practice at the fire station, and he said he was surprised at how clear the water was coming out of the standpipe. He said they could see straight through to the bottom. J. Hibshman said that he doesn't have any problems at the top of the hill. M. Hibshman said his water has been great since the last meeting. President Byro asked Trustee Kerns if he had heard anything from any of his tenants. Trustee Kerns said he hadn't heard anything from any of his tenants. President Byro said no news is good news. Trustee Hopkins said he had a little bit of discoloration one day, but that was it. Trustee Ward said that he talked to Adam at his workplace and Adam said that if you're thinking the rust is coming from the water not moving in the system, check the chlorine levels. The chlorine will drop out and if the water is sitting too long, you should be seeing lower chlorine levels in those areas. Trustee Kerns

asked if it was more and Trustee Ward clarified that it was lower. Trustee Ward said chlorine will fall out over time. Trustee Hopkins said that if it's not flowing through there, it isn't replenishing the chlorine. Trustee Ward said it was just something to try, and that it's not a true science. Adam said he would be interested to if there were lower chlorine levels where we are having the rust issues. Trustee Kerns said that that particular spot is a dead end, and the Village is not supposed to have dead ends. He said that the Village might as well get it fixed.

President Byro said that the Curb Cut Ordinance had already been discussed and he wanted to make sure it was taken care of.

Treasurer's Report – President Byro said that Chuck Martinson was doing the mowing at the detention ponds and the company that does the spraying for Main Street and Booster Park is also doing the spraying for the detention ponds. Trustee Ward asked if a bill was received for the power washing. Treasurer Payton said no, and President Byro said he hadn't seen one. Trustee Ward said that they wanted the Village's address. Trustee M. Hibshman made a motion to pay the bills. Trustee Hopkins seconded the motion. President Byro asked if anyone had any questions. No one did. Roll call vote taken. Trustees J. Hibshman, Ward, Elliot, M. Hibshman, Kerns, Hopkins all voted yea.

President Byro wanted to bring up a couple of things before the meeting adjourned. He said he thought that the Village needed to upgrade the sign in front of Village Hall with an electric sign like the school has, though not as big as the one the school has. He thought that would be something that would make Village Hall and the downtown area look a little better. Trustee Kerns said that the sign at the school is really nice, and they can control it wirelessly. Mike said he installed that sign and he suggested doing a smaller version of that sign. President Byro said he was going to talk to the lady at the school about it. Trustee Kerns said he couldn't remember where they got it. Trustee Ward said it would be nice to be able to put hydrant flushing and things like that on it. Clerk Payton asked President Byro if he had seen the one in Malta. President Byro asked if it was the one by the road and she said yes. He said he'd probably driven by it several times. Trustee Ward said it was a little too small as it's hard to read. Clerk Payton said it is hard to read as you are driving by it, but it might be a good size for in front of Village Hall. Trustee Kerns suggested one about 2 sizes smaller than the school's and he reiterated that the school's sign is very nice. He said it is very clear, and you can read it well. President Byro said that if the Board didn't mind, he would like to look into that. He could see what is available and bring the information to the Board. Trustee Kerns said whatever company the school ordered theirs from, it was nicely crated, and everything was well packaged.

President Byro said that the house that sits next to the maintenance building is empty again. The grass is high, and the owner is from Indiana. The Board has been dealing with this gentleman for a long time. President Byro said that he thought it an opportune time to make a move, and it would be nice to put a nice building there so that the Village can get their trucks out of that other building before it falls down. Mr. Loyd said that the roof was leaking badly now. President Byro wondered if the Board can pursue that and find out what the owner has in mind. He said we could find out if he plans to rent to another tenant. He said that there have been 3 or 4 families that have lived there, and he doesn't seem to do anything. He put a railing up in the back and Casper dinged him about it a couple of times. President Byro said that he would like to look into acquiring the property. He said it would be nice to have a building right there and make downtown look better. He said that the Village could put some nice, big garage doors on it to make it look better. He said the Village has the money, and he apologized to Treasurer Payton, and she said she was all for it. Trustee Elliot asked if there had been any discussions with the owner and Treasurer Payton said that the current owner doesn't communicate. President Byro stated you cannot communicate with the owner. Clerk Payton said that the Village was never notified that the last tenants moved out, and she believed that the owner passed away as the bill goes to his widow and she never responds to anything. Trustee Kerns said that he met those people once and they didn't seem that old. Mr. Loyd said he had closed the front door and the back door three times. Trustee Kerns said he thought there were different owners. He said you could look it up. Clerk Payton said that the Village did turn the water off. Trustee Kerns said he met with them once, and they wanted to sell him the property. Trustee Elliot asked if it was Vincente Pelayo and President Byro said yes and he lives in Indiana. Clerk Payton said she thought there was a note in the system that said he passed away. Trustee Kerns said he may have met with his daughter. Trustee Ward said that his son used to come over sometimes, too. Trustee M. Hibshman asked if the inside is that bad, maybe the Village might want to go in a different direction. Trustee Kerns said he didn't think they'd sell it if that approach was taken. Trustee M. Hibshman said that the village could offer to buy it. Trustee Kerns said we could let them know the Village is interested. President Byro said they would look into it and see if anything could be done.

President Byro asked if there was anything else that needs to be discussed. Clerk Payton asked if the Board decided what they were doing with the Golf Cart Ordinance. Someone in the subdivision is interested in registering a golf cart and she wanted to know if she should charge her the \$35 fee. President Byro said that he thought the Village was not going to charge the fee anymore. Clerk Payton asked if the ordinance would be rewritten as it still says there is a \$35 fee. She said she told the resident that she didn't think we would charge her the fee, but she wanted to make sure before she gave her a pat answer. Mr. Loyd asked if the side by sides and golf carts still needed to be inspected. Trustee Ward said that the Village will still need proof of insurance. Clerk Payton said she sent her a

packet that included the Certificate of Liability and gave her a copy of the ordinance that lays out all the requirements. She said it has turn signals, a horn, the orange triangle on the back, and lights.

Trustee Elliot said he spoke with Steve Katzman the other night and it seems like there are some wild guys on some mini bikes tearing up and down the street late at night. President Byro said to call the Sheriff. Trustee Elliot said he's never heard them. Trustee Ward said he's seen them. He said they tore past the fire station the other night and did not stop at Main St. They didn't even look. They just ran through the stop sign. President Byro said he's seen the bikes broken down a couple of times on South St.

President Byro said he had nothing else.

Trustee Elliot made a motion to adjourn. Trustee Hopkins seconded the motion. All voted in favor. The meeting adjourned at 7:42:00 pm.