

Village of Creston Minutes Tuesday September 2, 2025 - Amended

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 August 5, 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.

Visitors & Communications – President Byro introduced visitors and communications. President Byro said he wasn't aware of any. He asked Attorney Tess if he wanted to talk down the line and Attorney Tess said whenever President Byro was ready. President Byro said he would have him speak later.

Aaron Moore was not present. President Byro said he had a car for Mr. Moore to take care of. It is a black vehicle that has been sitting on north Grove Street with flat tires for the last 6 months. Curtis Loyd said that there are no parking signs down in that area by the apartments and that someone who lives there does mechanical work. Per the manager of the building, tenants are only allowed 1-2 parking spaces. They run out of parking spaces so the guy that does mechanical work parks the cars out on the street. Mr. Loyd said that in the wintertime it is terrible. President Byro said that the Village will give him a little encouragement. Mr. Loyd said that No Parking signs were placed all the way down that side of the street in an attempt to prevent that, but he doesn't know if the Village can/will enforce it or not. President Byro said he would talk to Mr. Moore about it.

Kevin Bunge said he saw that the storm sewer project was later in the agenda. He said that they have been working on the sidewalk project, and he has a note from the last meeting that someone was going to give him more pieces to do. He said he hadn't seen that yet. President Byro asked if Kevin was talking about more sidewalk pieces. Trustee M. Hibshman said that was on him. He said he completely forgot that Kevin had requested that, and he would have those for him before the next meeting for sure. Kevin said that regarding the water main on West Street, they were still cleaning that up, but all the fieldwork was done. Regarding the tower mixer, he was tasked at the previous meeting with getting a package together, but he was struggling to get an electrician. He said that they reached out to 6 total. Four of them said no and two of them were waiting on quotes, but it had been two weeks already. He said that they would reach out that week and nag them, but he said that they were having a hard time finding someone. Trustee Ward asked if they didn't want to work at that height and Kevin replied that they don't want to go up. He said that an electrician must install the control box, so he said if they strike out with the remaining 2, they will have to start the search over. He was surprised that 4 of them outright said no. Trustee Ward suggested calling the electrical BA and asking who they have that would do that job. Kevin said that other than that, the Storm Sewer Project was later in the agenda.

President Byro asked Mr. Loyd to talk about what he found. Mr. Loyd said that at North St and Fremont, he uncovered the storm drain lid and water was pouring in around the pipe like a few years ago. Kevin asked if it was storm drain or sanitary drain. Mr. Loyd corrected it to sanitary drain. He said that he opened the lids after the last big rain the Village had and that was when he discovered it. He said the ground was pretty well saturated. He said that the one at Cederholm and Main was the same as was the one at Cederholm and N Prairie St. Mr. Loyd said he wanted to uncover more. Mr. Loyd said he believed those were the ones they sealed. Trustee Kerns said they did the one on Fremont for sure. Mr. Loyd said he wanted to check more but he didn't get around to it with everything that was going on. Kevin confirmed the locations as North and Fremont; Cederholm and Main, and Cederholm and N. Prairie. Mr. Loyd said that was correct. Kevin said he would check into it. He asked if the Village wanted to bring back the same people that were used previously, and President Byro said yes. Trustee Kerns asked how many they were doing in a day. Kevin said that they once did 2 days' worth and got 7 or 8 done. He said one other time they had 3 located for them. Trustee Ward said it seemed like this was an ongoing issue so if they were going to come in, the Village might as well get as many done as possible. Trustee Kerns said to have them for the whole day. Mr. Loyd said that the last time it was done, they told him it would only last 3-4 years and then they would have to be re-done. Trustee Ward asked what was failing on them, the joints or the boot. Kevin said it sounds like the joint at the bottom and there was more water coming between some of the joints as well. He said that the boot is evidently under constant hydro pressure as the trench is holding water. President Byro said that it needed to be looked at because the day that Village had 2" of rain, there was a big increase in sewer flow. Mr. Loyd said that he wanted to check more, and he asked if there were some on the south side of town the last time. Kevin said that there were. Kevin said that if Mr. Loyd can find more, they will keep the crew for a longer time to get more done. Mr. Loyd said that the only way to find out is to wait for another heavy rain to come in.

Committee Reports

Finance - Trustee Hopkins said that he had nothing.

Streets & Alleys – Trustee Ward said that he had nothing other than the sealcoat finally getting done. President Byro said they got quite a bit done that day. He was impressed. Trustee Ward added there was very little dust. President Byro said they were going to come back and sweep up all the loose material. Trustee Ward said he would call and find out how long it has to sit before that can be done. President Byro said it would be nice to have it done before Booster Days. Trustee Kerns said that it seems like it gets pushed off at the intersections. He said that he wasn't sure it all needed to be swept up. He said that it seemed like vehicles would push it off into the intersection, so it got some marbles in the intersection, but it seemed like the other parts tightened up pretty well. President Byro said there was a spot up by the elevator and Trustee Kerns said that they took a tractor up there and cleaned some of it up. He said that on the sides of the road you don't notice it because it rolls into the ditch, but the intersections are where it gathers. He said that someone on a motorcycle told him that they almost lost it as it was like riding on marbles. The intersections are where the problem is.

Water & Sewer – Trustee Kerns said he had nothing

Health & Safety - Trustee M. Hibshman said he had nothing.

Zoning & Planning – Trustee Elliot said that he had nothing regarding zoning or planning.

Subdivision - Trustee Elliot said the subdivision looks good. President Byro said that he would talk about some streetlights out there later in the meeting. Trustee Elliot said that Mr. Hayden had called him to talk about the parks up in the subdivision. Trustee Elliot said he was happy with how it all looked.

New Business – President Byro introduced the Farm Property and invited Attorney Tess to present on that subject. Attorney Tess said that after about 3-1/2 years of work, there is finally an agreement between the Village of Creston and the landfill. The Board will need to vote on the agreement. The sale will take place within 30 days of the anticipated signature of President Byro on the evening of the meeting and then it would go to the landfill company to get their signatures, and it is expected to be done within 30 days. Under lease, there was an initiation fee which was a way for them to get it in. That is an attorney's fee from about 6 years ago that is owed to Attorney Tess' office. Those are not the only attorneys' fees involved in this. There were 3 plus years of additional work, so attorneys' fees will probably run about \$20,000 in total. Attorney Tess said that the farm was given to the Village in the sense that it was negotiated back when the landfill agreement was done. Attorney Tess said that they didn't charge any fees as that was part of the deal, but he said there will probably be \$20,000 in attorney's fees. He said that they will take care of that when they close. Regarding the rest of the agreement, it was agreed at the insistence of President Byro and Trustee Elliot that the Village doesn't want any more berms on the property as they want someone to be able to farm it. As a result, the berm requirement is being removed. The berm that is currently there will stay. They may take some of the dirt from the west side of the berm. The berm is really wide at the north end, and they may take some out and reshape it as needed. If they don't need it, they won't take it. Attorney Tess said that his understanding was that by 2040 they will be tight on dirt, so he believes they will take some of that dirt and reshape the berm. Attorney Tess said that if one looks at exhibit 1, the landfill goes to the left and the farm is there with the red across the middle. The "hoopty hoops" is the roadway and that will be removed. To the north of roadway is the berm and then there is a large area of dirt storage. That storage will come out first. That will come out at the same time that the road is removed. There is no requirement to move dirt twice. As they need dirt, they will take it out. When that goes out, they will remove the road and there will be straight farming north to south. On the left-hand side under the roadway is another stockpile and that will be the second stockpile removed. The third stockpile is to the north, and it is really large. That likely will not move until they do final cover. Attorney Tess said that the Village will still be able to farm that land. They did not disturb where the roadway was going to go. That will go in the Southeast corner off Creston Rd, and the landfill has to put that in. They will remove all the fencing that is in there and all the trees. They won't remove trees in the existing berm, but they will remove any of the other trees. They cannot go into the wetlands that are on the east side to remove those trees. Trustee Ward asked about the trees in the ditch line and Attorney Tess said that those were coming out. Attorney Tess said that what brought a lot of this to bear was, going way back, when they did all of this, everything was subject to the EPA. The EPA came back late after much of the renovation was approved. There is a waterway through there and they have to move the waterway. There were a lot of changes in the waterway and how they were going to move that. When that happened, they came back and said they needed more ground. The EPA wanted a protection line. In Exhibit 2, parcel 4B is that protection line. That had to be returned to them. The creek is going to run on the other side of that, and parcel 4B will go back to the landfill and the city of Rochelle as a kind of setback for where the creek will be. The Village got every bit of land that they could possibly get. It is about 111 acres. Attorney Tess said that the people associated with the landfill have been excellent to work with. Like the Village, they are anxious to have this behind them. They have been giving the Village the farm rent for the last couple of years. He said this is just a culmination of 3 years' worth of work to get as much ground as possible and get it into a position where the Village can farm and let the landfill do their work. Attorney Tess asked for a motion to approve the

agreement and a second as well as any discussion after that to authorize President Byro to execute the first amendment modification of the agreement between Rochelle Waste Disposal LLC and the Village of Creston. Trustee Elliot made a motion to accept the agreement as presented and move the process forward. Trustee M. Hibshman seconded the motion. President Byro asked for further discussion and voiced his concern about timeframe. He said that they have not given any kind of timeframe as to when any of the work is going to happen. He said he hoped they would get some of it done right away. Trustee Hibshman said that they are good to work with, and President Byro and Attorney Tess both agreed. Attorney Tess said that the lack of a timeframe was a huge sticking point that they went back and forth on for six months. He wanted some kind of deadline, even if it was a year in the future, and they said they didn't know. He said that a lot of factors figured into that, and they were not going to tie themselves into a specific timeframe. President Byro said it was frustrating. He asked for other comments. Trustee Elliot said that in 2040, most of the people at the table now won't be here and the Board needs to make sure they get this done right for those who come in behind them. President Byro asked for a vote. Trustees J. Hibshman, Ward, M. Hibshman, Elliot, Kerns, and Hopkins all voted yes. The agreement was approved. Attorney Tess had President Byro sign both originals so that each entity will have an original. President Byro signed both copies. Attorney Tess said he didn't know why they didn't want the clerk to attest to any of it and Clerk Payton offered to put the seal on the paperwork.

Attorney Tess moved onto property condemnation. Attorney Wilt was not at the meeting because he had a jury trial that day that ended about an hour previously. Attorney Wilt did tell Attorney Tess that the property condemnation paperwork was filed and there was a status hearing scheduled for later in the month. The taxes were sold, and Attorney Wilt was going to have to rename the plaintiff to get the person who bought the taxes listed as the owner. He will basically have to start over. President Byro said the owner of 224 E Depot St is doing some tree work to get the yard cleaned up, but he didn't know if there was any work being done on the house. President Byro said he asked Mr. Moore to look into it and send a letter so that the Village can find out what is going on. There was supposed to be progress and there doesn't appear to be much. President Byro thanked Attorney Tess and Attorney Tess said that he wanted to thank everyone for their cooperation with the landfill agreement.

President Byro moved on to streetlights in the subdivision. The Village has an agreement with RMU to take care of the streetlights in the Village and that agreement has been in place for a long time. There are 6 streetlights in the subdivision that are not working at all. They have tried to get as many running as possible, but they are 20 years old, and they cannot get parts for them. President Byro and Trustee Ward had a meeting with Blake Talbert from RMU, and he suggested that they change out the lights to a different kind of light. There is no globe anymore. The light shines down toward the pavement. The ones that Blake suggested are the same ones as Rochelle uses and he suggested the Village transition to those. RMU can order them for the Village, and the Village could have an agreement with RMU to do as many of them as needed. The streetlights run about \$1200 a piece and there are 19 total streetlights in the subdivision. RMU installed one to see how it looks. Trustee Elliot asked if the old streetlights were LEDs. President Byro said that they are not, but the new ones are. It is RMU's job to install the new lights and they would buy and install them, and the Village would reimburse them. President Byro said that he wasn't sure if the Board wanted to replace part of them, or half of them, or none of them. Trustee Kerns asked if the ones currently up there could be repaired and President Byro said they are not fixable. Trustee Ward asked if RMU maintains them after they are installed and President Byro said that the lights have a 5-year warranty, and they maintain them. They have to have 3 spares on hand and went through those a long time ago. Trustee M. Hibshman asked how many streetlights were in the subdivision and President Byro said 19 total and 6 that are out right now. Trustee M. Hibshman asked if the total cost would be around \$21-22,000. President Byro said it could cost that much. President Byro said they don't have to replace them all at once. Trustee Kerns asked if the streetlights in the subdivisions are the Village's responsibility and President Byro said yes. Mr. Loyd said that they did upgrade the old streetlights that were out there that they had parts for and could fix to LEDs. Mr. Loyd said they may last years to come, or they could go out tomorrow. President Byro asked what the Board was interested in doing. Trustee Elliot said he has seen the lights in Rochelle near his mother-in-law's house, and he thinks they look pretty decent. They shine down rather than shine out. Trustee M. Hibshman said if the Village has to replace them, then they need to be replaced. Trustee M. Hibshman asked when the other 11 would need to be replaced. President Byro said he would do whatever the Village wants. President Byro said he believed there were 9 good ones. Trustee M. Hibshman said it was 8. Trustee Ward suggested having them replace the 6 that no longer work and have a couple of spares on hand in case another one breaks. Trustee Elliot said that since they are the same streetlights that are used in Rochelle, they will have them on hand. Trustee M. Hibshman said he would make a motion to purchase 8 and they will see what they look like. Mr. Loyd said that there is one at the lift station that works now if anyone wants to see it. Trustee Elliot seconded the motion. President Byro clarified that the motion is to purchase 8 streetlights for the subdivision. He said he could call Blake the following day and tell him to go ahead and order them. President Byro then called for a vote. Trustees Hopkins, Kerns, M. Hibshman, Elliot, Ward, and J. Hibshman all voted yea. Motion passed.

President Byro introduced the fireworks for Booster Days. President Byro said that he couldn't remember how much the Village donated the previous year. Trustee M. Hibshman said he thought it was \$3500 but it might have been \$4500. Trustee M. Hibshman said he forwarded the contract to Josiah Christianson and Steve Katzman, and the price went up to \$7000. President Byro asked what the Board thought. Trustee M. Hibshman said he couldn't remember if it was \$3500 or \$4500. Trustee J. Hibshman asked if Josiah asked for a specific amount and Trustee M. Hibshman said no, he just asked if the Village could donate like they did last year. Trustee

Hopkins said he believed the amount was \$3500. He didn't think it was \$4000. Trustee Ward said that \$3500 would be half the cost. Trustee M. Hibshman said he did know it went up \$500 from the previous year. He said it would be different this year as they can't use the 3" mortars anymore and he has to use 2". The show will be longer with smaller mortars. Trustee Ward made a motion to donate \$3500 to the Creston Booster Club to help cover the cost of the fireworks for Booster Days. Trustee Hopkins seconded the motion. President Byro asked for questions or discussion. There was none. Roll call vote taken. Trustees M. Hibshman, Elliot, Kerns, Hopkins, J. Hibshman, Ward all voted yes. Motion passed.

Old Business – President Byro said that all he had under old business was the Storm Sewer Project. Kevin said that all the pipes were in the ground, and all of the structures were pretty much done except for the very south as they don't have the lid on it yet. He said that there was a lot of cleanup to do. They had the rough grading done, but there was a lot more grading work to do. He said that they were happy that all the pipes and structures were in the ground. President Byro said that he didn't know whether it would be seen on this bill nor not, but they had been spending extra money with Core & Main because Mr. Loyd found 2 bad valves underneath the roads, and there was a 4' water line that had a drip, so they had to put a clamp on that. Kevin said that every time a hole is dug in the Village, they find something. Even if they do all the work beforehand to make sure there are no surprises, they always find something. Kevin said crossing Cederholm, they designed it to fit beneath a 6' deep water main and the water main was 9' in the ground. Evidently it was buried at a normal depth and the road over the culvert just came up that far. Mr. Loyd was down there checking on them and they have been great and done some extra things for the Village. They found a curb stop that was 30 years old that was broken, and they offered to fix it if Mr. Loyd got them the parts. Trustee M. Hibshman asked what was in the budget to fix the yard for the gentleman who has the generator in his yard. Kevin asked what was in the budget and M. Hibshman clarified to fix his yard, and Kevin said that they would restore it to pre-construction form. President Byro said that Mr. Loyd had been talking to him. President Byro said that he may be interested in helping the Village out with some things and give Mr. Loyd some rest.

President Byro said the only other thing he had was the Village sign. He forgot to put it on the agenda. President Byro said he has been talking to a company in Sandwich. He said they are really nice people. He said he had attempted to talk to the library, and they have a lot of questions about logistics, so he isn't sure how to move forward with that. President Byro passed some literature around and he said that there was a 3'x6' sign and a 4'x8' sign and they come with or without electric. He said that either way, it's a good chunk of money. He said they are nice looking signs. The company's name is Correct Digital Displays, and they do a lot of work all over northern Illinois. He said they do work in DeKalb, Sandwich, Somonauk, etc. Trustee Ward asked if could have changeable messages, and President Byro said yes. He said it is LED and programmable by computer. He wanted the Board members to look at the information so they can think about which way they want to go. He said that he would try to talk to the library again. Trustee Hopkins asked if there was any way to put the sign down on the corner by the highway. President Byro asked if he was talking about where the Hueber sign is. He said that if anything ever continued with the storm drainage there was supposed to be a pond there, so it couldn't be right on that corner. Trustee M. Hibshman said he would love to have a sign out on Rte 38. President Byro said he just didn't know where. Trustee Hopkins said that was the problem. President Byro referenced the cement Village of Creston signs that are on either end of the Village on Route 38. He wasn't sure if it could be put out there or not. Trustee M. Hibshman asked if there was power out there and President Byro said there was. Trustee Ward said that the problem with where the cement signs are is that people are approaching at speeds of 50-60 miles per hour and he said that is the problem with Malta's sign as it is too small and if it is a long message, motorists can't read the whole thing. President Byro said it was just something to think about. Trustee M. Hibshman said that 3'x6' is kind of small if you're driving by. President Byro said he just wanted to let the Board know that he had been working on it and he would keep the Board informed. He said he thought it would be a good-looking sign. Trustee M. Hibshman asked how big the sign at the school was, if it was 3'x6'. President Byro said he thought it might be bigger than that. Trustee Kerns said he thought it was 3'x6' and Trustee Hopkins said he thought so, too. He said there is a lot of white around it, but he would say the board was 3'x6'. Trustee Ward asked if it was a dimmable sign. President Byro said he would assume you could do all kinds of things with it. Trustee Ward said that if the sign is facing west, that could be a problem for the residents across the street. President Byro said he would keep working on that. Trustee Elliot suggested turning the sign off at 10pm. Trustee Ward said that some have a photocell that dims them at night like the phone does.

Trustee M. Hibshman asked what the Village gets for rent on the Village farm. Attorney Tess said \$250 an acre. He said the other farm is more. Trustee M. Hibshman asked how much, and Trustee Hopkins said \$325 an acre. Trustee Ward said the Village inherited the lease on the land from the landfill. Trustee Hopkins said that when the Village owns that property and President Byro said that it would go out for bid. Attorney Tess said part of the consideration is he has to work around the road. He said it's a tough farm to farm and to go in on one side and go down the other. Trustee Ward asked what happened to the ~~laundering~~ **monitoring** wells that are out there. President Byro said they are still there. Trustee Ward asked if they stay there once the Village owns the property and President Byro said they don't ever go away. President Byro said that when he worked for Tom Hill, they knocked it down a couple of times and they just put it back up.

Treasurer's Report – President Byro introduced the bills. Trustee Ward reminded everyone about the pancake breakfast at the fire station on Saturday 9/13. Trustee Hopkins made a motion to pay the bills. Trustee Ward seconded the motion. President Byro asked if there were any questions. There were none. Roll call vote taken. Trustees J. Hibshman, Kerns, Hopkins, Ward, M. Hibshman and Elliot all voted yes.

Trustee Hopkins stated that regarding the farm rent, even though the Village will be acquiring the farm, typically an existing tenant needs to be notified by September 1st, so the Village will be late on that. Trustee Hopkins said he didn't know if changing ownership had any impact on that or not. President Byro said that last year the check was \$14,000. Trustee Hopkins said that it could go out for bids, but that couldn't happen for the upcoming year. Trustee Kerns said that since we don't own the farm yet, that's not an option.

President Byro said he had nothing else.

Trustee Kerns made a motion to adjourn. Trustee J. Hibshman seconded the motion. All voted in favor. The meeting adjourned at 7:45:37 pm.