

## Village of Creston Minutes Tuesday, February 6, 2024

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

President Byro introduced the minutes and asked for additions or corrections. There were none. Trustee Hibshman made a motion to approve the minutes. Trustee Ward seconded the motion. Minutes were unanimously approved as presented.

**Visitors & Communications** – President Byro asked if there were any visitors or communications. President Byro introduced two nursing students from Kishwaukee College. They are doing a windshield survey, and they chose Creston. The project looks at the town and assesses what life is like for the pediatric population and they asked if someone would be available to answer some questions after the meeting. President Byro asked if the project was ongoing, and they said it was just for the first half of this semester. He told them to let Clerk Payton know if they needed anything. President Byro then introduced Chad Horner, who is running for Ogle County Coroner. He spoke to those in attendance about his credentials as a 6<sup>th</sup> generation funeral director and a 3<sup>rd</sup> generation to serve the people of Ogle County through the coroner's office. He spoke about his propensity to serve people before himself. He stated that all the Republican coroners that neighbor Ogle County publicly endorse him because they know what he brings to the Ogle County Coroner's office. This has been a goal for a long time, and he has worked hard the last 5 years as a deputy coroner so he could run for Ogle County Coroner. He believes that speaks for his accountability in running for the office and he appealed to those in attendance for support. He also invited any questions anyone may have.

Attorney Crull stated that he had a few things going on, some of which would be discussed later in the meeting. He said that they were working on the surveys for the landfill to make sure that the Village gets the correct amount of land. He said he would discuss things relative to the demolitions later in the meeting. Regarding the subdivision, Atty Crull felt he had answered all the questions that the Board had, and President Byro said he had requested a specific impact fee list per ordinance that the Village has to collect and he gave everyone a copy as the impact fee topic would be discussed at a later time.

President Byro asked Atty Crull if he could approve raffle licenses as Liquor Commissioner, or if the Board had to vote on them. Atty Crull reviewed the ordinance and stated that the Village Board had to approve them. It is up to the Board to make sure all requirements have been met and if they have, then the Board would vote to approve the applications. President Byro said that the Sycamore American Legion Riders Post 99 wanted to hold a Queen of Hearts raffle and they had completed the application. It was not on the agenda, but President Byro wanted to get it approved so that the group could move forward with it. President Byro said that no payment had been made yet. Trustee Hibshman made a motion to approve the Raffle License for the Sycamore American Legion Riders Post 99. Trustee Kerns seconded the motion. Roll Call Vote was taken. Trustees Katzman, Ward, Elliot, Hibshman, Kerns and Hopkins all voted yes. Raffle license was approved.

Casper Manheim spoke about the house at 308 E North Street that was set to be demolished. He stated that he had Rochelle Municipal Utilities come out and disconnect the electric service. The gas service had already been disconnected. He said that he assumed water and sewer had already been shut off. President Byro stated that he had 2 bids for the demolition that would be discussed later in the meeting. Casper said that if no one is going to rebuild, then the sewer would need to be disconnected. Aaron and Casper went to see the house on N Prairie St that was replacing a home lost to fire. He said they had a rough-in and the house should be move-in ready in March. He also visited the house that is being built on Hall Street and said that they are making good progress on that home as well. Casper also said he had looked over the Comprehensive Plan and he thought it looked good. He said he didn't think that much needed to be changed and he thought it spelled everything out well. Trustee Elliot said that he had been looking through it as well and he was trying to schedule a Planning Commission meeting.

Kevin Bunge said everything he had would be discussed later in the meeting.

### **Committee Reports**

Finance - Trustee Hopkins had nothing.

Streets & Alleys – Trustee Ward stated he had nothing to report, but he brought up the Ogle County Highway Department. He said he didn't know how the county was handling sealcoat projects as Terry, who used to run the program, went to work for someone else. Trustee Kerns stated that the Village would have to go to the Highway Department and have a meeting with Jeremy. Trustee Ward said he hadn't looked at anything on the south side and he wasn't sure if any work needed to be done. He thought it would be okay to

skip a year to build up the Motor Fuel Tax Fund. President Byro stated that he thought that was the plan. Trustee Ward said he would let them know that the Village won't need any sealcoating this year.

Water & Sewer – Trustee Kerns said he had nothing. Trustee Ward brought up that the Lead Service Inventory Survey is due 4/15/24. He asked if anything had been done with it yet. President Byro stated that he and Curtis Loyd were working on it. Trustee Ward stated that the spreadsheet wanted a lot of information, such as what type of main the service is being fed off of, what the service is on the Village side and what the service is on the resident side. He said he just wanted to make sure that we got everything in on time. President Byro said that the water leak could be discussed later.

Health & Safety - Trustee Hibshman stated he had nothing.

Zoning & Planning – Trustee Katzman said he had nothing.

Subdivision - President Byro said that Trustee Elliot knew what was going on up at the Subdivision. The new owners were going to do some testing and look to fix any leaks that may be present. Curtis Loyd had some ideas as did Kevin. Trustee Elliot stated that the new owners were working on getting brush and volunteer trees removed. Trustee Hopkins said that they had done trimming and mowing up there and it already looked a lot better.

**New Business** – President Byro spoke about the storm drain on North St. He said that he had asked Kevin to give the Board some ideas about working on the line between North St and Cederholm St. President Byro said that he felt that the Village should definitely replace that line. The size of the line was one of his concerns. Kevin said that everything from Headon's down to basically the 6" tile had already been built and was in place. The next phase of this would be installing a 36" pipe from North to Cederholm Streets. He said that the Village could build something smaller, but that he would not recommend that. He said that the project would pick up from the middle of the North Street pavement and run to north of Cederholm. Even then, there was a certain point where the pipe cannot drain. There would be nothing to drain into until something happened with the Berg parcel. Kevin proposed that the Village get the 36" in place to the north side of Cederholm as there is a structure there that can allow overflow but can also use the drain tile that is there to dry the pipe up. It simply wouldn't have the desired capacity until something happened with the Berg parcel, but it would be better than what the Village has now. President Byro said he wanted to do this section now and the next section can be addressed later. Kevin said that what he recommended would definitely help. There is just no outlet low enough to hit just now, but it would move a lot of the water out of the area, and it would definitely solve the problem for North and Cederholm. The line had been replaced and patched many times in the past. President Byro asked if it had to be a major project. Trustee Ward said he thought it would be over \$20,000. Kevin said that the project would involve 400' of 36" pipe and that the cost would be more in the \$60,000 range and would have some major structure on the north side that converted it back from the brand new pipe to the existing drain tile. Trustee Hopkins said that it would help drain through that section faster, but it probably wouldn't overload it to the point of overflowing. Kevin said that the pipe was already surcharged and that there was really no way to add to it, but it would allow the water to move downstream better. President Byro said he hoped it would take care of some of the standing water behind the old Eggleston house by the tracks. Trustee Ward brought up the fact that the project would be crossing private property and that an easement would most likely be needed. Kevin said he would much rather knock on doors and ask for permission. Atty Crull agreed that it would be better to get permission. Kevin said that he hoped that the Village seeking to fix the problem would help them get the needed easements. Trustee Ward said that there are 2 property owners with empty lots that are for sale, too. President Byro said that the homeowner to the east side of that line was having basement problems. Kevin said he appreciated what Trustee Ward was saying, but the property owners are not allowed to block the drainage. Even without the easement, they are not allowed to build on or disrupt the drain that is there. Trustee Ward said that the Village does have a savior in that there is an alley nearby and Trustee Kerns added that the property owner could deny permission. Kevin said that if they deny permission, then the existing tile would stay where it is and the owners would forever have to work around it. Trustee Ward said Plan B could be to go down Center St or down the alley. Trustee Ward said that Atty Crull could attest to the fact that getting easements can take a long time. Kevin agreed that if the Board wanted him to design the project, then he wanted to talk to the property owners to decide if that was where it could and should go before he started a design. President Byro asked if the Board wanted to move ahead with the project and the Board members agreed. Kevin said that what was nice about completing this project was that the issues to the south could be tackled as well. Trustee Hopkins said that North St would need to be crossed and it would get really complicated on that side. Trustee Kerns asked if it would be a good idea to go all the way to the tracks at this time. Trustee Hopkins thought that sounded like a good idea. Kevin said that North St would be ripped up anyway, so continuing south would be more cost efficient. Trustee Kerns said it would be a whole other animal to get under the tracks. Kevin said that was where the sizes came from. If the Village had designed it as a storm sewer system from the beginning, these are the sizes it should be. President Byro said that when the project was originally discussed, it was a \$2 million. Curtis Loyd said that on the north side of the tracks, there is a culvert underneath the tracks. Just to the north of that track he guessed was a 10" clay tile and the rest ran on top of the ground. Kevin said there was a smaller tile there as well. Kevin said it was exciting to talk about getting this project done as it had been talked about for a long time.

President Byro told the Board about a water leak he thought was in the Subdivision. When the snow started melting, President Byro and Curtis Loyd noticed a lot of water coming through there and going past the school. They were afraid there was another leak in the subdivision. The water ended up being storm water from the melting snow. The water leak ended up being at the old gas station inside the building. When they redid the building, they put in 2" water line. The ball valve blew, and it ran for about 3 days before Curtis drove by and saw water coming out from beneath the garage door. Curtis said it was leaking 38,000 gallons a day.

**Old Business** - President Byro introduced 2 new bids for the home demolition at 308 E North St. One bid was from Queens, and it came in at \$14,404. There was a second one from Burns that came in at \$19,880. He said he didn't know how the board felt, but he would like to get the demolition done. They wanted to cap the cost at \$15,000 and Queens' bid fit in that range. Trustee Elliot made a motion to accept Queens' bid to demolish the house at 308 E North St. Trustee Hopkins seconded the motion. President Byro asked for discussion. There was none. Roll Call Vote taken. Trustees Hopkins, Kerns, Hibshman, Elliot, Ward, and Katzman all voted yea. Demolition bid was accepted.

Atty Crull brought up the property at 123 W North St. That property was sold by the bank and he had an agreement that would require the homeowner to make all required repairs within 6 months, including replacing the roof on residence and garage, replace all broken and boarded up windows on residence and garage, fixing all rotten trim on residence, fixing the stoop, removing the tree next to the foundation, removing the weeds between the house and the garage, repairing or replacing the soffit on the garage, and addressing any other issues concerning the real property that are in violation of the Village's municipal code. If not done within 6 months and proper permits are not secured, then the court case would be dismissed against the former owners and the bank and continue with the new owners. The new owners would then have to accept service. Atty Crull recommended entering into the agreement and having Casper monitor them to make sure all the work gets done and, in the process, save the Village the money it would take to demolish the property. Trustee Kerns asked if the new owners had the agreement and Atty Crull said the new owners had signed the agreement. Trustee Hibshman said that the house was surveyed a few days prior, and President Byro said that the Wicke house was recently surveyed as well. Atty Crull said that if the new owner makes all the required repairs to 123 W North St, then the Wicke property was the last property left to deal with. Trustee Hopkins made a motion to enter into an agreement with the new property owners of 123 W North St to repair all issues involving the real property that are in violation of the Village municipal code, giving them 6 months to make all necessary repairs. Trustee Ward seconded the motion. President Byro asked if anyone had any questions. There were none. Roll Call Vote was taken. Trustees Elliot, Hibshman, Kerns, Hopkins, Katzman, and Ward all voted yea. Agreement was accepted.

**Treasurer's Report** – Trustee Ward asked about Paid Leave for All Workers Act and if the Village needed to come up with a plan to handle that as the Village has paid employees. Trustee Ward said that Malta Fire Department was paying any leave earned out at the end of the year, but Trustee Ward's employer gave it as leave based on hours worked. Trustee Hibshman said it is no questions asked time off. Trustee Ward said that employers can ask that employees give 7 days' notice if asking for time off, but they don't have to. Kevin said that the leave was supposed to accrue effective 1/1/24. President Byro asked Atty Crull who to talk about about it. Trustee Hibshman is working his way through that now and he said that it's not a big deal, employers just need to make sure they are keeping track of the leave that is earned. Atty Crull said it is 1 hour per every 40 hours of work. Kevin said he has talked to some people who are considering it as an addition to current policy, and it is not. If an employer already has a policy in place, then the PLAWA does not apply. It is only for employers who provide no paid time off. Some classes are exempted, but municipalities and volunteer fire departments were not included. Clerk Payton said that she reads the IML legislative updates that come out and IML has been lobbying to get municipalities exempted but she had not heard that that had happened. Kevin asked about the Grant Finder program through IML and Clerk Payton said she would talk to Treasurer Payton about signing up for it if the Village was not already enrolled.

Trustee Hopkins made a motion to pay the bills. Trustee Katzman seconded the motion. Roll Call Vote taken. Trustees Katzman, Ward, Hibshman, Elliot, Kerns and Hopkins all voted yea. Bills were approved.

President Byro said he had nothing else. Trustee Ward made a motion to adjourn. Trustee Hibshman seconded the motion. The meeting adjourned at 7:44:39 pm