

## Village of Creston Minutes Tuesday, November 1, 2022

President Byro called the meeting to order at 7:00 pm. Trustees Kerns, Hibshman, Hopkins, Katzman and Ward were present. Trustee Williams was not present. Attorney Tess was present.

President Byro introduced the minutes and asked for additions or corrections. Trustee Hibshman made a motion to approve the minutes. Trustee Ward seconded the motion. All voted in favor. Minutes were approved.

**Visitors & Communication** – President Byro said he had no communications. Trustee Kerns spoke about a rental property he has near the water tower that has become available. He had a retired lady and her disabled brother who were interested in moving into the unit. They loved the neighborhood and the residence but decided not to move in because of the properties next door and across the street. Both properties have cars and other junk on them, and Trustee Kerns stated that the junk was still there on the day of the meeting. He had the letter that the prospective tenants wrote to him regarding their reasons for not moving in. Trustee Kerns stated strongly that something needs to be done to clean up those properties and others like them. President Byro asked Casper if he had any ideas. Casper asked for the addresses. Trustee Kerns stated that one was 511 North St at the corner near the water tower. Trustee Ward stated it should be an even number on the south side. Trustee Hopkins stated that on the corner was 522 W North St with units A and B. Trustee Kerns said he could give Casper the addresses after the meeting and President Byro stated that he would have Casper look into it, as the Village does not want to lose prospective residents.

Attorney Crull said he a few things to discuss. He said that there are 5 properties that they are working on complaints for, and Casper is getting pictures together for him. He said that if the property on North St is a new addition, it would be best to include that with the other properties they are currently working on. Attorney Crull said the NICOR agreement was brought to his attention, and he had been looking at the last agreement from 2019 and comparing that to what NICOR is asking for now. President Byro stated that he got an email from a NICOR rep and the NICOR agreement was up in 2015 and it is a 50-year agreement. It could not be acted on at the current meeting, so President Byro said it would be on the following month's agenda. He said it is pretty cut and dried. Attorney Crull said that it fell apart during discussions in 2019 because the Village started asking for things. Attorney Crull asked if the rep was still David Sirena and President Byro stated it was someone different now, and he would get the information to Attorney Crull. Attorney Crull said that was all he had.

Casper Manheim said that after the last meeting, he went around and took pictures of six different properties, 4 of them for house demolitions. The properties were on east North St, west North Street behind the post office, on Depot St, and on South Street. He got all the pictures taken and made copies out of the code manual so he could do personalized write-ups on each property. One property on west North St has cars, boats and a trailer on the property and they have been working on that for a year and a half with no response from the property owner. President Byro said that it was time to take them to court. Casper stated he would get the address from Trustee Kerns about the properties he was talking about, and they would include them with the others. Trustee Hibshman stated that there were quite a few cars at the property on North St behind the post office over the weekend. He didn't know what they were doing there, but there were there for about half a day. He said it had been months since he had seen anyone at the residence.

Kevin Bunge reported that they would have the IEPA permit for the ARPA water main project in about a week or so. He said that they were only going out for bids on the Cederholm part of that project, so there was no hurry on the other part. He said that he needed to get the legal paperwork to Attorney Tess to do a vacation of that easement for the property on Transit unless we can find something in the ordinances. He asked Clerk Payton where she was in that process and Clerk Payton stated she was still going through the books and had gotten to the year 1906. She started with the year 1896. If Clerk Payton cannot find any evidence of a vacation in the books, then the legal steps would need to be taken to vacate the property while still maintaining the easement over it. The IEPA stated that the permit was on the way, so the bids will go out as soon as possible. President Byro asked if the work would be done in the Spring of 2023 and Kevin said yes. Kevin stated that what he would like to do with the board's approval is to tell the contractors that they have x number of days to complete the project, but give them latitude on when the actual work is done. For example, the contractors would have 30 days to complete the project, but the work could be done anytime between the months of April and June. That gives the contractors more variability in their scheduling and as a result gets better bid prices. Attorney Crull asked if the Transit easement would be needed one way or the other. Kevin replied that if Clerk Payton can find the minutes that state that the board voted to vacate that property years ago, then the legal steps would not need to be taken. The Village would just have to show that the vacation was done, and then the deed can be recorded with the County. Sidwell shows that the property was vacated, we just need to find proof of that.

President Byro also told Attorney Crull that he forgot to inform him that the Village published the ordinance for the Ward variance in the paper and the ordinance needs to be signed and given to Attorney Crull so that he can take it to the County and record it. Clerk Payton stated that it is signed and ready to go.

Attorney Crull also brought up that the EPA process for the landfill gives them the right to ask for a 3-month extension, which was granted in October.

## **Committee Reports**

Finance - Trustee Hopkins had nothing.

Streets & Alleys – Trustee Ward said he had nothing. Trustee Ward did say that he saw that the new truck was in. President Byro asked Curtis Loyd to talk about the new truck. Mr. Loyd said he took it to Zip's the previous week and had the spray-in bed liner applied. Trustee Katzman stated he gave Mr. Loyd permission to do that. Mr. Loyd said he also had them come up the side of the box and over the top for added protection. Mr. Loyd said that last he heard, Trustee Katzman called them and set up an appointment for 11/14 to have the plow, rack and lights put on if they have everything in and ready for that. The truck has a little over 200 miles on it and it seems to be running fine. Mr. Loyd said he wanted to get some miles on it before they start plowing snow. President Byro asked if Mr. Loyd had spoken to Skylar Sarver about signing the truck. Mr. Loyd stated that Skylar Sarver called him and was going to come the following day to look at the truck. Mr. Loyd said that the gentleman who was buying the old truck has been calling Mr. Loyd frequently to ask when he is able to buy it.

Water & Sewer – Trustee Kerns had nothing about water and sewer.

Health & Safety - Trustee Hibshman said the only thing he had was a car accident that happened at the corner of North and Main Streets. A driver was flying down Main St and someone ran the stop sign. One person went to the hospital and one of the cars was totaled. The railing on the steps leading into Mark's Stuff was damaged in the accident. Discussions have been had in the past about people driving too fast up Main St. Trustee Hibshman asked about the possibility of putting a stop sign up at the corner of Main St and Cederholm St. The stop sign at the corner of Transit and South Streets helped to curb some of that problem in that area. Trustee Hibshman stated that it is a pretty long stretch between Route 38 and the railroad tracks on Main St. Trustee Katzman said it would be great except for the trucks. Mr. Loyd stated that they have the same problem with grain trucks on Woodlawn. He said that sometimes trucks are going about 45 mph when they cross the tracks. Trustee Kerns stated that they moved the 25 mph signs farther out to try to slow people down. Trustee Hibshman stated that the accident happened at 8pm. If it had happened during the daytime, it could have been worse. President Byro stated that he wondered what would happen once the library builds their new building. Trustee Katzman stated that would probably be a good time to put one in. President Byro asked which way they were coming. The person ran the stop sign heading east and the other car was speeding up Main St heading south. Trustee Ward asked Kevin if he wanted to talk about **WDTG** MUTCD and warrants on that. Kevin said that the warrants would have to be looked at, as you can't just erect stop signs wherever you want. Kevin stated that it pales in comparison to keeping people safe, but the constant stopping and starting of trucks will degrade the roads. Kevin said you have to meet certain warrants. Trustee Ward stated that Federal law specifically states that you can't use traffic control devices specifically for speed enforcement. If you put too many unwarranted stop signs up, people will ignore them. Kevin said the same things happen with speed limits. If the posted speed limit is too low, people will ignore it and if they get a ticket they will fight it in court, stating that the speed limit is too low, and they will win. Trustee Hibshman said that was all he had.

Zoning & Planning – Trustee Katzman said he had nothing new. He asked Reid Elliot if he had anything new and Mr. Elliot stated he did not.

Subdivision - Trustee Williams was not present. Trustee Katzman stated it looked like some mowing had been done. President Byro asked Attorney Crull if he had heard anything new about the subdivision and he said he had not.

**New Business** – President Byro asked if Clerk Payton had heard anything from RMU, who had requested to come to a board meeting to talk about their new customer portal. Clerk Payton stated she had not heard anything from them, so President Byro opted to move on to the Tax Levy.

Treasurer Payton stated that the Tax Levy would increase by \$1,049, which would equate to \$1.68 per resident. The total levy would be \$22,075. President Byro asked if anyone had any questions. Treasurer Payton stated that the Levy must sit for 30 days, and it would need to be voted on at the next meeting. President Byro stated it would need to be put on next month's agenda. President Byro confirmed that money cannot be moved around on the Tax Levy and Treasurer Payton stated that was correct. Treasurer Payton stated that she did put the levy amount next to new equipment to use tax money for the new truck.

President Byro addressed garbage pickup. There have been a lot of issues with people moving out and leaving a lot of large items by the curb with their regular garbage and recycling pickup, and the contract states that they will take one large item in addition to the

regular pickup. President Byro and Clerk Payton have been trying to come up with ideas on how to let people know that they can't put a lot of large items curbside without notifying Northern Illinois Disposal about the additional items. President Byro stated that he was looking for input from the board about ways that we can notify people about the fact that they will need to pay additional fees for removal or notify Northern Illinois Disposal of items that need to be picked up. Clerk Payton stated that she noticed that the duplex across the street from her had put out part of a large sectional to be picked up. When she went to work Wednesday evening, she went to NI Disposal's website and filled out the online form to notify them that the address in question had a large item that needed to be picked up. She wanted to see if it would get picked up if she notified them about it. On Thursday morning when she got up, the item had been picked up, and she got an email from someone associated with NI Disposal thanking the Village for letting them know that the item was there. If we can get them notified ahead of time that there are extra items to be picked up, they will be picked up. I let her know that if we see things in the future, we will notify them so that they can have the appropriate truck and manpower to pick up those items. It was quick and easy to notify them, and she suggested that if anyone sees anything sitting out to let her know and she will contact the disposal company. President Byro stated that Clerk Payton was going to send a letter out and as part of that correspondence, residents will be reminded that they can't just put out as much stuff as they want without letting someone know. Trustee Kerns did say that the times had been different. The letter will also urge people to put their garbage and recycling out the night before to make sure it gets picked up, as they have been coming as early as 4:30 am. Trustee Hopkins stated that the Village would have trouble collecting on any additional fees if the homeowners are gone. He suggested a deposit as an idea to combat this problem. Trustee Ward stated that he feels that landscape recycling needs to be advertised more, as he doesn't feel people are using that service much. He feels that very few people use it. Trustee Ward said that they basically got smoked out of their house from people burning leaves. Clerk Payton stated that she did put the fact that yard waste is picked up the same week as recycling on the website. The last day of yard waste recycling was scheduled for November 25, 2022 weather permitting. Clerk Payton stated that another problem is that when residents leave, they don't usually notify the Village that they are moving. They clean out their homes, leave a lot of stuff at the curb with their garbage, and the Village has no idea how to contact them once they are gone.

**Old Business** – President Byro spoke about the farm lease. He recapped the fact that Erik Petry had appeared at a board meeting and stated he would go up \$20 per acre. President Byro stated that he and Mr. Petry had spoken, and Mr. Petry agreed to go up to \$350 per acre for the last year of the lease. After that, the Village will open that lease for bids. President Byro felt that it was a fair deal, and he would like to promote that the agreement be accepted. President Byro asked for a motion. Trustee Hibshman made a motion to accept \$350 per acre. Trustee Katzman seconded the motion. President Byro asked for discussion. There was none. A roll call vote was taken. Trustees Kerns, Hopkins, Katzman, Hibshman, and Ward all voted yea. Trustee Williams was not present. Clerk Payton reminded those running for their trustee positions that the deadline they need to worry about at this time is when they need to have their packets submitted, which is the week of December 12 – December 19, 2022. The last day Village Hall must be open until 5 pm. The absolute deadline is December 19, 2022, at 5pm. President Byro asked whose seats were up for election and Clerk Payton reminded him it was Trustee Kerns, Trustee Williams, and Trustee Hibshman. Clerk Payton also confirmed that she sent an email to Trustees Kerns, Williams and Hibshman about the County needing a new Statement of Economic Interest. The ones submitted previously cannot be used. Clerk Payton told them to let her know if she had any questions.

**Treasurer's Report** – Trustee Hopkins made a motion to pay the bills. Trustee Ward seconded the motion. President Byro asked if there were any questions about the bills. Roll call vote taken. Trustees Kerns, Katzman, Hopkins, Ward, and Hibshman voted yes. Trustee Williams was not present.

President Byro said he had nothing else. Trustee Ward made a motion to adjourn. Trustee Hopkins seconded the motion. All voted in favor. President Byro adjourned the meeting at 8:31:46 pm.