

Village of Creston Minutes Tuesday, September 5, 2023

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. Trustee Hibshman made a motion to approve the minutes. Trustee Ward seconded the motion. Minutes were unanimously approved.

Visitors & Communication – President Byro asked if there were any visitors or communications. Representative Brad Fritts was in attendance. He spoke about redistricting and explained how our district is drawn. The district currently runs from half of Morrison in Whiteside County to half of Polo in Ogle County and follows about a mile south of Route 64 and captures rural DeKalb. From there the district runs down Route 23 and encompasses half of Waterman, and then runs down to north Ottawa along I-80 across and up to the LaSalle County Line. The district includes all of Lee County except the bottom 4 townships and then travels back up to Sterling-Rock Falls and returns to Morrison. Rep. Fritts is originally from Dixon and graduated from Newman High School. He graduated from the University of Illinois with a degree in Agricultural and Consumer Economics. Upon graduation he had a great job offer from Cargill and his uncle asked him to come home and farm with him. He returned home to farm with his uncle for about a year and a half. Another uncle, John Fritts, was a treasurer in Lee County. John Fritts approached him about running for office and Rep Fritts thought about a lot of the frustrations that came with growing up in rural northern Illinois. He was always told to grow up, get an education and get out of Illinois. Illinois has a lot to offer, and the state should be flush with cash, but it is not due to mismanagement and that was why he decided to run for office and restore accountability in government. He has an open door and is available to serve his constituency. That open door policy resulted in 14 pieces of legislation proposed and with those, he was able to move 4 through the House that were locally driven initiatives. One bill he worked on with Senator Stoller would exempt the enterprise zone from the wind-solar provisions of HB 4412, which would protect millions of dollars of state and local investment that was made for industry in this area. He tried to be a big voice for municipalities during the budgeting cycle because he feels that local municipalities can spend money better than the General Assembly can. LGDF funding was robbed years ago and has not been restored. Municipalities want their full 10% back. Municipalities were given a small boost but nothing near the 10%. \$700 million got transferred out of the PPRT, so everyone who gets PPRT funds will get a 15-18% cut. Rep. Fritts wanted to communicate his desire to take our concerns down to Springfield to fight to make Illinois a place for people to live and grow. President Byro asked what was going to happen with redistricting. He said he heard that a few legislators were not running again because the districts are so big, and the travel too much. Rep. Fritts thinks that both parties need to consider that the biggest threat to democracy is gerrymandered lines in which politicians are picking their constituents rather than constituents picking their legislators. The redistricting is done to mess with politicians and all it does is negatively impact the constituency that the legislators are representing. President Byro thanked Rep. Fritts for stopping by and Rep. Fritts urged anyone who had any concerns to reach out to him.

Henry Altepeter thanked the board for taking care of the street signs that he spoke about a couple of meetings ago. He also spoke about the holes in the water drains, and he had Scott take some pictures. Scott could not attend the meeting because he works 2nd shift, but Mr. Altepeter submitted the photos to the board. The holes run from North St all the way to Cederholm. The culvert that goes right along Scott's house that takes the water from underneath North St will soon result in water in Scott's basements. President Byro took the photos from Mr. Altepeter, and he said that the board has it on the agenda to get something done about the problem.

Attorney Crull stated that they had an interoffice meeting about the changes needed for the 2024 Building Code updates. Attorney Crull also said he spoke to Casper about the permit issued for a new home that is to be built, which is exciting. Attorney Crull spoke about the 6 properties that the Village went to court over. 123 W North St has been found in default. President Byro and Trustee Elliot met with Attorney Crull and after those discussions, a letter was sent to the property owner telling her that the Village has an order of default, and she could either deed the property over to the Village or the Village could move forward with a condemnation action. No response had been received at the time of the board meeting. Trustee Ward asked if that included the garage, and the answer was yes. Trustee Elliot asked if the owner had responded and Attorney Crull said that she did respond once, but then went silent. That was why she was found in default. That was why he reached out to her about deeding the property and he had not received a response from that communication.

Regarding 308 E North St, a quick claim deed had been received and the property had been deeded to the Village. 224 E Depot St had a default judgment and the Village will need to decide what to do with it. 103 E South St was still currently active in court and was up for default the day after the meeting. The owner was in discussion with a realtor and Atty Crull did not think those conversations would go anywhere. He requested that the owner deed the property to the Village. That would save both the owner and the Village time and money.

509 W Cederholm is in compliance, so that matter was dismissed.

422 W North St is in compliance and that matter was also dismissed.

3 out of the 6 properties had basically been settled. The Village needs to decide what to do and if the Village decides to demolish the properties, then Atty Crull would have to go back to court and request an order for demolition. The order for demolition would set a time frame in which the demolition would need to be completed. At that point, a lien would be placed on the property for demolition costs and then at that point the lien would be foreclosed upon. Attorney Crull said he would have to do a pencil search on the properties to see if there were any other lienholders, because the lienholders are paid in the order in which they were attached to the properties. It was possible the Village may not recoup any demolition costs depending on how many liens were on each property. President Byro said they would have to go out for bids because the Village has to pay prevailing wage for the demolition. Trustee Ward asked if they had to go out for bid if it is under \$20,000. President Byro stated it wouldn't be under \$20,000. Atty Crull said it would depend on the size of the house. President Byro said he had gotten some estimates on what it would cost, and he was quoted about \$60,000 for all 4 properties. If the Village wanted to make the lots buildable, the foundations would have to go. Gas and water would need to be shut off and that cost would go to the Village. Trustee Ward confirmed that the owner of 308 E North St quick deeded the house to the Village. Atty Crull said the deed was in the file. Trustee Ward suggested moving forward with the demolition on that house, since the deed was signed over to the Village.

Attorney Crull also spoke about the landfill. A permit had been issued and there was still a period of time where the public could comment. Attorney Crull said that they reached out to the landfill and requested that they tall stake the property lines since they were surveying the land anyway, that way the Village could know where the property lines were. There were going to be some land transfers and it would be helpful if the Village knew where the property lines were.

Attorney Crull stated the only other thing he had was the farm lease. He stated that a decision needed to be made in October regarding whether the Village wanted to keep leasing to the same tenant or tell the tenant to vacate and go out for bids.

Attorney Crull also stated that the subdivision had either been sold or was in the process of being sold. They were trying to put together a meeting between Trustee Elliot, President Byro and Attorney Tess to see where the Village was in that process. The Village didn't need to approve the sale, but the Village needed to be sure it was involved in what was going on. President Byro mentioned that all the agreements that were in place with the subdivision were now null and void, so negotiations would need to take place. It was his hope that agreements could be reached, and that the subdivision could grow.

Casper Manheim stated that a new house was being built in Creston Commons. The couple lives on the other end of the street from where they intend to build. Trustee Ward asked what street and Casper said Hall St. The permit had been issued and Casper said his questions were answered and the only fees that would be collected were for water and sewer connection, but he did let them know that other fees may be levied later if applicable. Trustee Kerns asked Curtis Loyd if there was water out in that area and Mr. Loyd said there was. Casper said that he and Mr. Loyd had been dealing with 303 E Depot St. Where Grove Street dead ends next to them, they use that area as a personal driveway/dumping area. Casper said he speaks to them weekly about what they need to clean up and they clean it up and then dump more rubbish in its place. Winter is coming, so a letter has gone out. The resident on Regulators St with the dump truck was in a car accident and was in the hospital for 3 weeks, and he was in the process of finding a new home for the dump truck. He had cleaned up the rubbish out of the truck in the driveway, but the truck was still there.

Kevin Bunge was not in attendance. Trustee Katzman said that Kevin said he was going to send everyone an email, but he did not.

Committee Reports

Finance - Trustee Hopkins had nothing.

Streets & Alleys – Trustee Ward stated he had nothing.

Water & Sewer – President Byro stated that after the last meeting, he and Trustee Kerns and Mr. Loyd went up to the subdivision and confirmed that there was water running in the storm sewer and it had chlorine in it. They dug up 4 lots to try and find the source of the running water and could not find it. Trustee Kerns stated that they had the area narrowed down to one block. Trustee Kerns suggested renting a camera to find out exactly where the issue was. Trustee Kerns said that they tested the water in one storm sewer, and it showed it was chlorinated. They got to the other end, and it was not. Rochelle uses American Leak Detection and the Village had them come to see if they could find the issue. They could not find anything using Curtis' blueprints. Kevin drew up new blueprints and the hope was that they could locate the problem based on those plans. The water was running into the detention pond, and then it ran down through the school. Trustee Kerns said it daylighted on the north end of South St. Trustee Kerns thought there was a leak in the berm. President Byro said that they watched the water run into that berm. Trustee Kerns said there is a water main that runs through that berm. Trustee Elloit stated that the problem needed to be solved before winter or it would be a real mess. Mr. Loyd had Treasurer Payton pull his record from the same time last year and he compared the usage from last year to this year and the Village was using 20-30,000 gallons more per day than the same time last year. Trustee Kerns said that was why he thought there were 2 problems: the one to the south where they could get chlorine readings was a small stream. When they got to the pond, it was a big problem. The

traveling of the water to the school yard lessened the chlorine. Trustee Ward said he wondered if there was a blown gasket in that water main. Trustee Kerns said it was hitting the storm sewer before it was hitting the surface. Trustee Elliot asked how much extra water was being used this year versus last year and it was confirmed to be 20-30,000 gallons. Mr. Loyd said American Leak Detection called him to verify that they were supposed to be in the Village the following morning at 8am. They previously quoted him roughly \$2000 to complete the job, but when they called him that afternoon, they said they couldn't guarantee that amount until the job was done. Mr. Loyd asked them why they didn't finish the job two weeks ago when they were here. They seemed to think it would not exceed \$2000, and they seemed pretty sure they could find the leak. Mr. Loyd thought that once they found the leak, that should help with the chlorine smell that people have reported and the iron that was breaking loose. Trustee Kerns asked what the verdict was on the apartment building that Larry Wing used to own. Mr. Loyd stated that the issue was with one apartment out of the 4 that are in the building, and he said that was on the end of the line. Mr. Loyd stated he told the landlord he didn't know what to do. Trustee Ward asked if it was one service to the building and Mr. Loyd said he thought so. Mr. Loyd contacted Larry Wing because he could not find a curb stop for that service. He said he was pretty sure it would come off of South St. He asked Mr. Wing if he knew as Mr. Wing's dad built that building, but Mr. Wing had not gotten back to him. He was going to follow up and see if Mr. Wing could help him find it. President Byro asked if the line ended at Mr. Loyd's house. Mr. Loyd said it ended at the flush hydrant by the tracks. Mr. Loyd didn't think it came off the 2" main. He thought it was coming off the 4" main on South St.

Health & Safety - Trustee Hibshman stated he had nothing.

Zoning & Planning – Trustee Katzman said the only thing he had was the library and Doug Kroupa was there to speak about the library.

Subdivision - President Byro stated that everyone knew what was going on with the subdivision since it had already been discussed. He said he hoped negotiations with the new owners went well so that there could be growth up there.

New Business – Doug Kroupa spoke about the issues the library has been having regarding their new building. He brought copies of revised plans for the building. He explained that the state of Illinois gave them a \$800,000 grant that they can no longer fund. When they originally started to design the building, it was just under 7500 square feet. At the time they started the entire project, it was at \$1.8 million. The library put in for a \$2.2 million referendum, which passed. Prices for building materials have skyrocketed and when they went out for bids, the bids came in at \$3.1 million. With the referendum and the grant, the project was doable. With the state not funding the grant amount, the library had to redesign the building. The plans that Mr. Kroupa presented were rough plans and they didn't have the complete designs back from the architect yet. They plan to make the building smaller by about 1/3. They plan to leave the building where it was originally to be built; they plan to shorten it. They are redesigning the interior. The footprint will be about the same. A sidewalk needs to be installed along Cederholm since there will no longer be a parking lot there. The adult areas and some of the study rooms are being removed. The children's area is being taken out as well as a family bathroom. The infrastructure is staying in the floor as originally planned, and the way they are designing the building, if they have the funds to expand, they will just have to move the north and south walls out without having to add/alter infrastructure. There was some confusion about the electrical transformer. Normally that is installed against the wall. What they would like to do is put down a concrete pad and install the transformer in the original location so that expansion is possible without a \$50,000 electrical upgrade. They want to know if it is possible to install the electrical transformer where they originally intended to put it without an enclosure. The other issue is a dumpster enclosure, which according to the architect, is a \$5,000-\$10,000 project. The library does not currently have a dumpster, and they are looking to get a variance to forego the dumpster enclosure. Someone has donated a small building, and they could put some garbage cans in that utility building and roll them up to the curb as needed. The Village had previously offered a free building permit and the library board has requested that that free permit still be offered. Once the new plans are finalized, they will go out for new bids. The new plans will cost about \$275-\$325 per square foot. A typical library ranges from \$750-\$1000 per square foot. The library board is pinching pennies wherever they can to make sure they are still meeting the functions that they need, and they have excluded all monies that were promised by the state. They are going with the \$2.2 million that the referendum provided. The building will be the same width. The end walls are just coming in. Since they are eliminating a parking lot, another accessible sidewalk needs to be installed. A topological map showed that the parking lot is being eliminated along the Cederholm front. The reduction in the square footage of the building and the elimination of the parking lot should allow them to meet their requirements. Handicapped parking spots will only be reduced by 1 or 2 and curbing will be removed to make the sidewalk more accessible. They would like to put in a second access, which would be a \$60,000 addition. They would like to rough it out right now, and as funds become available then they will flush it out. The overall electric footprint calls for about a 445 amp at 220 coming in and they are trying not to reduce that in any way so that further cutting into the road will not be necessary. The water line will either be a 4" or 6" water main that will go underneath the streets as they go. They don't want to dig up the streets over and over again to increase the sizes of the water main. Some signage will also be eliminated. The lighted sign has been eliminated as has the brick wall that would have a library sign on it. The fake brick on the side of the building has been eliminated and will be replaced by cement board. Safety features will NOT be changed. A reinforced bathroom will be built as a storm shelter area. To accommodate larger meetings, the meeting room will be run perpendicular to the street as opposed to parallel to make it 80% of what it was originally planned to be. The library board is seeking permission to put the

electrical transformer where it was initially planned; permission to have the dumpster without the enclosure; and a building permit at a reduced or no charge. Trustee Elliot asked how much trash the library has. Mr. Kroupa stated that they currently do a common share with Headon's, but the way the architects are reading it, for a building the size they are planning, they need a dumpster of a certain size. President Byro stated that a dumpster would look better enclosed, but the library doesn't need huge dumpster. Mr. Kroupa stated that the interior storage room has been cut in half, so they would be putting 2 garbage cans out: one for trash and one for recycling and they would take them out as needed. President Byro stated that the library doesn't need an 8- or 10-yard dumpster. A 2 cubic yard dumpster would be big enough. President Byro was concerned that dumpsters can get dirty and nasty-looking. Trustee Elliot stated that a little storage building to roll the dumpster into would be sufficient. Mr. Kroupa reiterated that the footprint of the building will stay exactly the same based on the topological study so there will be no issues with water retention. The parking lot reduction will also cut down on water retention. There will be fewer street lights, resulting in less light pollution. He recapped the 4 items the library board is looking for: they would like to forego the dumpster enclosure; they want approval on the parking lot reduction; they want to install the transformer in the original location associated with the original building plans, and they would like a free or reduced fee building permit. President Byro asked Casper if the plans would have to be reviewed again. Casper said that yes, Kevin would need to review the new plans. The current goal was to get the new, redefined blueprints out by the end of September so they could go out for bids, and hopefully the bid could be awarded in the November timeframe, and depending on the weather, construction could then start. President Byro stated that they were onto the next step: Casper and Kevin will need to review the new plans. President Byro doesn't see a problem with the building permit at no cost. Trustee Kerns stated that the board doesn't foresee any problems with what Mr. Kroupa presented, but the proper steps must be followed. President Byro stated that something more detailed than the plans Mr. Kroupa shared with the board. Mr. Kroupa assured the board that the new blueprints would be available for Kevin and Casper to review. The interior changes aren't horribly drastic, and they are saving pennies by using less expensive lighting, and procuring shelving from other sources so that brand new shelving does not need to be purchased. President Byro asked about required number of parking spots per square foot of building space and Casper said that he and Kevin would look at that. Trustee Ward asked where the transformer would be put, and Mr. Kroupa showed him on the map. Trustee Ward also stated that the transformer issue could also be an RMU question.

President Byro brought up the fireworks for Booster Days. President Byro asked how much the board gave last year. Mr. Hibshman stated he thought it was \$4500, then he said maybe it was \$2500. Others confirmed it was \$2500. Trustee Ward asked if the fireworks would be as good as they were last year. Trustee Hibshman said yes, but they cost \$500 more. Trustee Ward said he heard a lot of comments from out-of-town people regarding last year's fireworks. Trustee Kerns made a motion to donate \$3000 toward the fireworks for Booster Days. Trustee Ward seconded the motion. President Byro asked for questions. There were none. Roll call vote taken. All voted yea.

The Village properties were discussed by Atty Crull earlier. There is property outside the Village on Route 38 that is being developed. Trustee Elliot and President Byro have met with the firm, and they are developing the land for a warehouse. Trustee Elliot said they want to put 4 warehouses out there. The people involved work with Ross Perot, so there is a lot of money involved. President Byro said that they were trying to get a hold of the Lee-Ogle Enterprise Zone. Trustee Ward said that he believed that if you're in the Enterprise Zone, your materials are tax-free. President Byro has been trying to get a hold of Andy Shaw but has not been able to. Trustee Elliot said that this firm is looking for more properties to develop. More information will be provided as it becomes available.

Old Business – Attorney Crull had a solar ordinance drafted but Trustee Elliot had some concerns about south-facing roofs. Trustee Elliot stated that he believed that issue would police itself because if someone wanted to put solar panels on a north facing, steep-pitched roof, they would be throwing money away. Attorney Crull asked if it would be pretty much as written by Mount Morris. Trustee Elliot stated that the Mount Morris ordinance restricts the panels to south facing roofs and the Village did not want to include that restriction. Atty Crull said he would finalize the ordinance.

President Byro said that had had a note from Ogle County for tire pickup. Trustee Kerns got the same letter.

The Village got a check for tipping fee monies for the last quarter.

Trustee Elliot asked about someone spraying the ditches to get rid of the morning glory and other weeds. President Byro said that the Village could look into it.

President Byro asked if anyone had anything else, and they did not.

Treasurer's Report – Trustee Ward made a motion to pay the bills. Trustee Hopkins seconded the motion. President Byro asked for questions or discussion. There was none. Roll call vote taken. All voted yea.

President Byro said he had nothing else. Trustee Ward made a motion to adjourn. Trustee Kerns seconded the motion. All voted in favor. President Byro adjourned the meeting at 8:07:31 pm.