

05 April 2023 Minutes of the Regular and Committee of the Whole Meetings of the Silvis City Council held in Silvis City Hall, Council Chambers, 121 11th Street Silvis at 6:30 pm.

1) Pledge of Allegiance:

Mayor Matt Carter called the 05 April 2023 Regular meeting of the Silvis City Council to order at 6:30 pm and led the Silvis City Council in the Pledge of Allegiance.

2) Roll Call:

Mayor Matt Carter asked City Clerk Amy Malmstrom to call Roll.

Members Present: Tony Trulson, Larry York, Kathy Hall, Rick Lohse

Members Via Video: Alderman David Smith

Members Absent: Alderman Bob Rockwell, Alderman Ian Pavelonis

3) Proclamation: Junior Achievement Day, National Work Zone Awareness Week

4) Guest Speaker:

5) Public Comment:

Brian Hendricks 712 1st Ave Silvis said the other day he was down in Springfield IL, lobbying about some issues we have with liquor laws. I was dressed like this with an Ave Tap, Silvis IL on my left front chest, and they asked me what the hell is going on. What are the people and the council doing in the City of Silvis? You are Greg Johnson, you have Neil, you have Tony Macomb, you have Mike, you have Maureen, you have people that are locally around here watching you nitpick and belittle each other in the Council Meetings. They said it is unprofessional and unethical and if you guys have a problem in the Council you don't error them out in front of everybody, you do it in private. They do not understand what you guys are doing, they think you guys are on the playground and one of you got hurt. That one of you got mad and took the ball, went home, and is not coming back to play. You are not playing nicely. I go down there to lobby, and do you know what we talked about, how you guys are unprofessional? Please get professional out here and back Matt.

6) Consent Agenda:

Mayor Matt Carter asked City Clerk Amy Malmstrom to read the Consent Agenda Dated Tuesday 05 April 2023. City Clerk Amy Malmstrom read the Consent Agenda Dated Tuesday 05 April 2023.

Motion:

Alderman Kathy Hall made a motion to establish the Consent Agenda dated 05 April 2023. The motion was seconded by Alderman Larry York.

Vote:

Members Vote: Alderman Tony Trulson - Yes, Alderman Larry York - Yes, Alderman Ian Pavelonis - Absent, Alderman Kathy Hall - Yes, Alderman Rick Lohse - Yes, Alderman David Smith - Yes, Alderman Joshua Dyer - Yes, Alderman Bob Rockwell - Absent

Motion carried 6 ayes 0 nays 2 absent

7) Vote to approve items on the consent agenda

Motion:

Alderman Larry York made a motion to establish the Consent Agenda dated 05 April 2023. The motion was seconded by Alderman Kathy Hall.

Vote:

Members Vote: Alderman Tony Trulson - Yes, Alderman Larry York - Yes, Alderman Ian Pavelonis - Absent, Alderman Kathy Hall - Yes, Alderman Rick Lohse - Yes, Alderman David Smith - Yes, Alderman Joshua Dyer - Yes, Alderman Bob Rockwell - Absent

Motion carried 6 ayes 0 nays 2 absent

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8) Approve any items removed from the Consent Agenda

9) Agenda items for discussion and possible action:

A) Public Safety

Item 1) Repair to a Fire Engine

Motion:

Alderman Tony Trulson made a motion to approve a repair to a Fire Engine from Patriot Fire & Safety in the amount of \$3,080.93. The motion was seconded by Alderman Larry York

Vote:

Members Vote: Alderman Tony Trulson - Yes, Alderman Larry York - Yes, Alderman Ian Pavelonis - Absent, Alderwoman Kathy Hall - Yes, Alderman Rick Lohse - Yes, Alderman David Smith - Yes, Alderman Joshua Dyer - Yes, Alderman Bob Rockwell - Absent

Motion carried 6 ayes 0 nays 2 absent

Item 2) Quad City Metropolitan Enforcement Group Intergovernmental Agreement

Motion:

Alderman Tony Trulson made a motion to approve Quad City Metropolitan Enforcement Group Intergovernmental Agreement. Motion seconded by Alderwoman Kathy Hall.

Vote:

Members Vote: Alderman Tony Trulson - Yes, Alderman Larry York - Yes, Alderman Ian Pavelonis - Absent, Alderwoman Kathy Hall - Yes, Alderman Rick Lohse - Yes, Alderman David Smith - Yes, Alderman Joshua Dyer - Yes, Alderman Bob Rockwell - Absent

Motion carried 6 ayes 0 nays 2 absent

Item 3) Rock Island County Integrity Task Force

Motion:

Alderman Tony Trulson made a motion to approve Rock Island County Integrity Task Force. Motion seconded by Alderman Rick Lohse.

Vote:

Members Vote: Alderman Tony Trulson - Yes, Alderman Larry York - Yes, Alderman Ian Pavelonis - Absent, Alderwoman Kathy Hall - Yes, Alderman Rick Lohse - Yes, Alderman David Smith - Yes, Alderman Joshua Dyer - Yes, Alderman Bob Rockwell - Absent

Motion carried 6 ayes 0 nays 2 absent

B) Ordinance

Item 1) Raffle Ordinance 2023-08

Alderman Tony Trulson made a motion to amend Chapter 14 of the City of Silvis Code of Ordinances to establish raffle licensing regulations. Motion seconded by Alderman Larry York.

Vote:

Members Vote: Alderman Tony Trulson - Yes, Alderman Larry York - Yes, Alderman Ian Pavelonis - Absent, Alderwoman Kathy Hall - Yes, Alderman Rick Lohse - Yes, Alderman David Smith - Yes, Alderman Joshua Dyer - Yes, Alderman Bob Rockwell - Absent

Motion carried 6 ayes 0 nays 2 absent

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C) Finance

Item 1) CD expiring 04/04/2023

Alderman Rick Lohse made a motion to reinvest the expiring on 04/05/2023. Motion seconded by Alderman Tony Trulson.

Vote:

Members Vote: Alderman Tony Trulson - Yes, Alderman Larry York - Yes, Alderman Ian Pavelonis - Absent, Alderwoman Kathy Hall - Yes, Alderman Rick Lohse - Yes, Alderman David Smith - Yes, Alderman Joshua Dyer - Yes, Alderman Bob Rockwell - Absent
Motion carried 6 ayes 0 nays 2 absent

D) Executive Session

Motion:

Alderman Larry York made a motion to go into Executive Session under 2 (C) 1 Appointment, Employment of individual legal counsel and 2 (C) 11 Pending Litigation. Motion seconded by Tony Trulson.

Vote:

Members Vote: Alderman Tony Trulson - Yes, Alderman Larry York - Yes, Alderman Ian Pavelonis - Absent, Alderwoman Kathy Hall - Yes, Alderman Rick Lohse - Yes, Alderman David Smith - Yes, Alderman Joshua Dyer - No, Alderman Bob Rockwell - Absent
Motion carried 5 ayes 1 nay 2 absent

Paused Regular Meeting at 6:39 pm

Reopened Regular Meeting at 8:12 pm

Roll Call:

Mayor Matt Carter asked City Clerk Amy Malmstrom to call Roll.

Members Present: Tony Trulson, Larry York, Kathy Hall, Rick Lohse, Mayor Carter

Members Via Video: Alderman David Smith

Members Absent: Alderman Bob Rockwell, Alderman Ian Pavelonis

E) Discussion and Potential action to override the mayor's veto of the Special Meeting Motion to retain Labor Counsel

Attorney Keri-Lyn is happy to report that the Mayor and the Council heard the concerns of the residents of the City of Silvis, and they are making a good-faith effort to work together to get beyond all the current issues. The City Council has agreed to waive its right to override the Mayor's veto of the Special Meeting motion to retain Labor Counsel, the Parties have agreed that they will settle and dismiss the lawsuit against Allison Wright and Papas Wright under the following terms: 1. The recording that is in the hands of Special Counsel right now of the February 7th Closed Session, she will make a recommendation on what to do with it. Both sides agree that if it can be released it will be released and if she recommends that it has to remain confidential, she will keep it in her custody as a city record and if other issues come up with it, it will be handled. The Parties have agreed that Allison Wright will continue to handle 3 legal matters, a pending Grievance, a pending Arbitration, and she will remain a party to the city's ASCME negotiation team, even if those items continue beyond May 18th. She will do no other legal work unless it is assigned by the Mayor and Council jointly after that. The City has agreed to pay the mayor's legal fees, the mayor's attorney has agreed to discount those legal fees by

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\$2100 and the parties are going to work together in good faith going forward with the appointment and confirmation of a permanent City Attorney, as well as agreeing on whether or not the City wants to contract out independent legal work to other law firms or Allison Wright in the future. That was what the parties are working toward and that has made Agenda Item E not essential.

F) Discussion and Potential action to override the Mayor's veto of the Special Meeting Motion to retain Labor Counsel

Motion:

Aldерwoman Kathy Hall made a motion to remove this item from the agenda. Motion seconded by Alderman Larry York.

Vote:

Members Vote: Alderman Tony Trulson - Yes, Alderman Larry York - Yes, Alderman Ian Pavelonis - Absent, Aldерwoman Kathy Hall - Yes, Alderman Rick Lohse - Yes, Alderman David Smith - Yes, Alderman Joshua Dyer - Yes, Alderman Bob Rockwell - Absent

Motion carried 6 ayes 0 nays 2 absent

(9) City Attorney Report: None

10) City Administrator's Report:

Nevada Lemke said we had a weekend water break and went on East Moline water for some time, I wanted to Thank the Public Works crew for their quick action on that, and Chief Winters and his crew for their cleanup this week after several storms came through. The Egg Parlor under new ownership, new look, new menu, and new management name will stay the same. We look forward to the grand reopening and we will support them with that. We were successful with the reclassification of Hospital Rd. It has been reviewed by the DOT and is now considered a Minor Collector which puts us in a position to go out and do Grant applications to get funds to do reconstruction. That is a really big win for the city to get that road constructed and some of the surrounding area, so a big thank you to Chief VanKlaveren and his team, Kyle from Public Works, and JD from Hutchinson Engineering for putting all that information together. We have received 2 facade applications this week for downtown businesses, and a TIF incentive application for a facility that is proposing to go up in the industrial TIF, as more details become available, I will share those. We do have our insurance renewal rates back and due to the terms of our renewal contract starting over on May 1st, I would like to go ahead and move forward on changing our service provider and moving forward with open enrollment next week if no one objects to that and I will have that contract put on the April 18th Agenda for final approval. With the rates coming back there was a clear path forward for the most efficient and cost-saving plan moving forward for the organization. Lastly, I worked with JD from Hutchinson Engineering and Tony Lotty over at the City of Moline, they have started this incredible partnership and dedicated a lot of time and energy to the extension of the water main. Further taking that to submit an application to submit that project for the National Environmental Project of the Year, we just got that submitted last week and we should hear back on that in a few weeks.

12) City Treasurer's Report: In Packet

13) City Clerk's Report: None

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14) Mayor's Report:

Mayor Matt Carter said the RRHMA which is the new locomotive shop is having a fundraiser on a cap. I think I have a few dollars left in my expense account and if anyone wants one they are about \$40 and well worth it.

15) Call for adjournment of the Regular Meeting of the Silvis City Council.

Mayor Matt Carter said if there was no more business to bring before the 05 April 2023 Regular Meeting of the Silvis City Council, he would entertain a motion to adjourn.

Motion:

Alderman Larry York made a motion to adjourn from the 05 April 2023 Regular Meeting of the Silvis City Council. The motion was seconded by Alderwoman Kathy Hall.

Vote:

Motion carried via voice vote:

05 April 2023 Regular Meeting of the Silvis City Council adjourned at 8:20 pm

16) Call the Committee of the Whole to Order & Roll Call

Mayor Matt Carter called the 05 April 2023 Silvis Council Committee of the Whole Meeting to order at 8:20 pm and asked City Clerk Amy Malmstrom to call the Roll.

Roll Call

Members Present: Tony Trulson, Larry York, Kathy Hall, Rick Lohse

Members Via Video: Alderman David Smith

Members Absent: Alderman Bob Rockwell, Alderman Ian Pavelonis

17) Comments from the Audience

18) Agenda items for discussion:

A) Finance

Item 1) Discuss funding for Silvis Main Street

Alderman Rick Lohse discussed funding for Silvis Main Street in the amount of \$6,500.

Motion:

Alderman Rick Lohse made a motion to place funding for Silvis Main Street in the amount of \$6,500 on the 18 April 2023 agenda for approval. Motion seconded by Alderman Larry York.

Vote:

Members Vote: Alderman Tony Trulson - Yes, Alderman Larry York - Yes, Alderman Ian Pavelonis - Absent, Alderwoman Kathy Hall - Yes, Alderman Rick Lohse - Yes, Alderman David Smith - Yes, Alderman Joshua Dyer - Yes, Alderman Bob Rockwell - Absent

Motion carried 6 ayes 0 nays 2 absent

Item 2) FY 2024 Budget

Alderman Rick Lohse discussed the FY 2024 Budget.

Motion:

Alderman Rick Lohse made a motion to place the FY 2024 budget on the 18 April 2023 agenda for approval. Motion seconded by Alderman Larry York.

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Vote:

Members Vote: Alderman Tony Trulson - Yes, Alderman Larry York - Yes, Alderman Ian Pavelonis - Absent, Alderwoman Kathy Hall - Yes, Alderman Rick Lohse - Yes, Alderman David Smith - Yes, Alderman Joshua Dyer - Yes, Alderman Bob Rockwell - Absent

Motion carried 6 ayes 0 nays 2 absent

B) Public Works

Item 1) Utility bill for 1116 13th St.

Alderman Larry York discussed forgiveness of the water portion of the utility bill for 1116 13th St. in the amount of \$277.26.

Motion:

Alderman Larry York made a motion to place forgiveness of the water portion of the utility bill for 1116 13th St. in the amount of \$277.26 on the 18 April 2023 agenda for approval. Motion seconded by Alderman Rick Lohse.

Vote:

Members Vote: Alderman Tony Trulson - Yes, Alderman Larry York - Yes, Alderman Ian Pavelonis - Absent, Alderwoman Kathy Hall - Yes, Alderman Rick Lohse - Yes, Alderman David Smith - Yes, Alderman Joshua Dyer - Yes, Alderman Bob Rockwell - Absent

Motion carried 6 ayes 0 nays 2 absent

C) Parks, Building, & Grounds

Item 1) Estimate from A. Fry Construction

Alderman Joshua Dyer discussed an estimate from A. Fry Construction for new Countertops in the Inspections Office.

Motion:

Alderman Joshua Dyer made a motion to place an estimate from A. Fry Construction for new Countertops in the Inspections Office in the amount of \$5,400 on the 18 April 2023 agenda for approval. Motion seconded by Alderman Larry York.

Vote:

Members Vote: Alderman Tony Trulson - Yes, Alderman Larry York - Yes, Alderman Ian Pavelonis - Absent, Alderwoman Kathy Hall - Yes, Alderman Rick Lohse - Yes, Alderman David Smith - Yes, Alderman Joshua Dyer - Yes, Alderman Bob Rockwell - Absent

Motion carried 6 ayes 0 nays 2 absent

Item 2) Monthly Fee for Panic Buttons @ City Hall for ADT

Alderman Joshua Dyer discussed an estimate for a monthly fee for the Panic buttons @ City Hall from ADT in the amount of \$32/month for 36 months.

Motion:

Alderman Joshua Dyer made a motion to place an estimate for a monthly fee for the Panic buttons @ City Hall from ADT in the amount of \$32/month for 36 months on the 18 April 2023 agenda for approval. Motion seconded by Alderman Larry York.

Vote:

Members Vote: Alderman Tony Trulson - Yes, Alderman Larry York - Yes, Alderman Ian Pavelonis - Absent, Alderwoman Kathy Hall - Yes, Alderman Rick Lohse - Yes, Alderman David Smith - Yes, Alderman Joshua Dyer - Yes, Alderman Bob Rockwell - Absent

Motion carried 6 ayes 0 nays 2 absent

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Item 3) Annual maintenance contract for the HVAC system at the Police Department

Alderman Joshua Dyer discussed the annual HVAC maintenance contract for the PD from Crawford Company in the amount of \$4,090.00.

Motion:

Alderman Joshua Dyer made a motion to place the annual HVAC maintenance contract for the PD from Crawford Company in the amount of \$4,090.00 on the 18 April 2023 agenda for approval. Motion seconded by Alderman Larry York.

Vote:

Members Vote: Alderman Tony Trulson - Yes, Alderman Larry York - Yes, Alderman Ian Pavelonis - Absent, Alderwoman Kathy Hall - Yes, Alderman Rick Lohse - Yes, Alderman David Smith - Yes, Alderman Joshua Dyer - Yes, Alderman Bob Rockwell - Absent

Motion carried 6 ayes 0 nays 2 absent

D) Ordinance

Item 1) QC Smoke-Free Ordinance 2023-09

Alderman Tony Trulson discussed amending chapter 58 of the City of Silvis Code of Ordinances to amend section 58-4 Smoking to regulate e-cigarettes and alternative nicotine products.

Motion:

Alderman Tony Trulson made a motion to place amending chapter 58 of the City of Silvis Code of Ordinances to amend section 58-4 Smoking to regulate e-cigarettes and alternative nicotine products on the 18 April 2023 agenda for approval. Motion seconded by Alderman Larry York.

Vote:

Members Vote: Alderman Tony Trulson - Yes, Alderman Larry York - Yes, Alderman Ian Pavelonis - Absent, Alderwoman Kathy Hall - Yes, Alderman Rick Lohse - Yes, Alderman David Smith - Yes, Alderman Joshua Dyer - Yes, Alderman Bob Rockwell - Absent

Motion carried 6 ayes 0 nays 2 absent

Item 2) Garbage Service Charges 2023-10

Alderman Tony Trulson discussed amending chapter 74 of the City of Silvis Code of Ordinances to amend Article 2 section 74-43 Garbage Collection Fee.

Motion:

Alderman Tony Trulson made a motion to place amending chapter 74 of the City of Silvis Code of Ordinances to amend Article 2 section 74-43 Garbage Collection Fee on the 18 April 2023 agenda for approval. Motion seconded by Alderwoman Kathy Hall.

Vote:

Members Vote: Alderman Tony Trulson - Yes, Alderman Larry York - Yes, Alderman Ian Pavelonis - Absent, Alderwoman Kathy Hall - Yes, Alderman Rick Lohse - Yes, Alderman David Smith - Yes, Alderman Joshua Dyer - Yes, Alderman Bob Rockwell - Absent

Motion carried 6 ayes 0 nays 2 absent

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Item 3) Pump Track Hours and Rules 2023-11

Alderman Tony Trulson discussed amending chapter 62 of the City of Silvis Code of Ordinances to add a new Article 1 section 62-4 establishing City Pump Track Park regulations.

Motion:

Alderman Tony Trulson made a motion to place amending chapter 62 of the City of Silvis Code of Ordinances to add a new Article 1 section 62-4 establishing City Pump Track Park regulations on the 18 April 2023 agenda for approval. Motion seconded by Alderman Larry York.

Vote:

Members Vote: Alderman Tony Trulson - Yes, Alderman Larry York - Yes, Alderman Ian Pavelonis - Absent, Alderwoman Kathy Hall - Yes, Alderman Rick Lohse - Yes, Alderman David Smith - Yes, Alderman Joshua Dyer - Yes, Alderman Bob Rockwell - Absent
Motion carried 6 ayes 0 nays 2 absent

D) Personnel

Item 1) Establish a new hiring list for the Police Department

Alderman Larry York discussed establishing a new hiring list for the Police Department.

Motion:

Alderman Larry York made a motion to place establishing a new hiring list for the Police Department on the 18 April 2023 agenda for approval. Motion seconded by Alderman Joshua Dyer.

Vote:

Members Vote: Alderman Tony Trulson - Yes, Alderman Larry York - Yes, Alderman Ian Pavelonis - Absent, Alderwoman Kathy Hall - Yes, Alderman Rick Lohse - Yes, Alderman David Smith - Yes, Alderman Joshua Dyer - Yes, Alderman Bob Rockwell - Absent
Motion carried 6 ayes 0 nays 2 absent

19) City Staff Reports

A) Fire Department:

Chief Winters said that Firefighter Mike Johnson has been going through the Instructor 1 Courses with the Fire Marshal office, he completed that this weekend, and we are just waiting for the Fire Marshal Certificate, and he will be an official instructor for us. The last 5 days or so we have had some weather events, the first one was last Thursday there was not a lot of physical damage to the city but a lot of power outages. MidAmerican did a great job in getting the power back on in a few hours. The one yesterday hit the south end of 10th Street pretty hard, there were a lot of power lines down and damage up there. Some residents are still out of power. The Public Works crews got what they could get done and most of it was waiting on MidAmerican to replace poles and pick wires up from the ground. Good effort from all the departments.

B) Inspections Department: None

C) Police Department:

Deputy Chief Copeland said he is happy to announce our newest officer has completed all his stuff and went on his own this past weekend. Colton Kipper graduates next Friday from the Academy in Dixon.

D) Public Works & Parks: None

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20) Comments from the Alderpersons:

Alderman Tony Trulson said he would like to thank the Police Department, Fire Department, and Public Works Department, we did not get hit nearly as hard as some of our other communities, let's keep them in our prayers. I want to thank our guys for being as prepared, efficient, and professional as they did.

Alderman Larry York said he wants to echo what Tony said.

Alderman Kathy Hall said she wants to thank everyone, the police, the fire, and public works they did a terrific job. I would like to thank Officer Finley; he did an awesome job calling me and telling me the downtown was out of power. I had asked VK to let me know and because they did call me, it saved thousands and thousands of dollars in plants for the Garden Club.

Alderman David Smith said dido to all the other Alderman comments on Police, Fire, and public works. Sorry, I couldn't be there, I hurt my back and have been out of work for the last week and didn't want to sit in those chairs for a couple of hours. Amy, thank you for letting me use your phone for these meetings.

Alderman Rick Lohse said he needs to call a meeting for Public Safety/Finance meeting Monday the 17th at 4 pm.

21) Adjournment

Mayor Matt Carter asked for a motion to adjourn from the 05 April 2023 Committee of the Whole meeting of the Silvis City Council

Motion:

Alderman Tony Trulson made a motion to adjourn from the 05 April 2023 Silvis City Council Committee of the Whole meeting. Motion to second by Alderman Rick Lohse.

Motion carried via voice vote:

The 05 April 2023 Committee of the Whole meeting of the Silvis City Council adjourned at 9:00 pm

Submitted by,



Amy Malmstrom
City Clerk