

MALVERN CITY COUNCIL
MINUTES OF REGULAR MEETING
MALVERN CITY HALL
April 10, 2017 – 7 p.m.

The April 10, 2017, regular meeting of the **Malvern City Council was called to order by Mayor Blackburn** at 7 p.m. at the City Hall Council Chambers, Malvern, Iowa.

Mayor Blackburn recognized the following **Councilmembers as present**: Bruce Breeding, Roger Johnson, Kate McGann, Fred Moreau, and arriving at 7:02 p.m.—Doug Shere. Visitors: eight. City Clerk Mary Poort was also present. There were three requests to address the Council.

Johnson motioned to approve the **consent agenda**: tentative agenda, minutes: General Obligation Loan Agreement Public Hearing—March 13, 2017; Recreational Vehicle Ordinance Public Hearing—March 13, 2017, Regular Meeting—March 13, 2017; and Current Expenditures. Moreau seconded. All ayes; motion carried.

Mayor Blackburn recognized Richard and John Bolander to speak regarding **nuisance abatement issues** on their properties. Both gentlemen spoke of specific plans for working toward abatement to satisfy the Malvern City Ordinance, as requested of them in an initial City nuisance letter of October 18, 2016. A motorhome, truck, camper, and trailer will be gone. Mayor Blackburn reminded of vehicles/campers need to be road worthy and current licensure. McGann motioned to allow an extension of time set for July 1, 2017. Another Abatement Review will be scheduled on the July 10th Council agenda. Councilmember Johnson will serve as the Council liaison. Moreau seconded. All ayes; motion carried. Richard and John exited the meeting.

Mayor Blackburn recognized Terri Stacy to speak regarding **nuisance abatement issues** on her property. A plan is underway for abating several vehicles to satisfy the Malvern City Ordinance, as requested in an initial City nuisance letter of October 18, 2016. McGann motioned to allow an extension of time until June 1, 2017, and another Abatement Review will be scheduled on the June 12th Council agenda. Shere seconded. All ayes; motion carried. Terri exited the meeting.

DEPARTMENT UPDATES: PeopleService Report—Howard Peterson: Presentation topics: discharge of lagoon; chlorides to be tested to renew permits; nitrates tested—blend tests at 4.4—good; buffer strip; flushing hydrants this month; upgrade to Omni Dialer System at East Ridge Lift Station; power outage at east well; safety training/OSHA for Howard; meter reading this week; East 10th Street TIF sewer construction to be underway.

Street Superintendent Report—Dave Hoose who addressed Council with a March report: pot-hole repair, brush and compost pile management, mowing and equipment maintenance, golf-course playground-equipment removal, alley repairs, new playground-equipment moving, layout, and hole-drilling at Rec Park, planning jobs for outdoor clean-up school volunteer program, citizen work orders, pool filter work and removal. Per Mayoral Order: the Compost Pile will be closed until further notice. Patrons are to use the Brush Pile—no trash bags. The wetlands allow for a brush-pile burn. Mayor Blackburn recognized the East Mills Student Spring Clean-Up Program with much thanks to the students from the City.

Shere motioned to **conduct road surfacing projects** throughout the City as Affordable Asphalt quotes indicated last fall, Prospect Street, one-half block in front of Memorial Building, and alley work by the fire station, grocery store, and library. Johnson seconded. All ayes; motion carried. Hoose will schedule dates with Affordable Asphalt.

Marion Avenue Bridge over the BNSF RR and **Main Street Bridge** Rehabilitation Project Updates: No significant information.

Mayor Blackburn recognized Blake Birkel from JEO to give a Council presentation regarding the Malvern **2017 Water System Preliminary Engineering Report**. Copies of the report were provided to the Council. Discussion topics included: current needs, wells, pumping, water quality, nitrates, iron, manganese, proactive maintenance of wells, distribution,

main sizes, water storage tank, water main improvements/replacements, upsizing 1-inch and 2-inch mains/pressure/quality, 3rd Street line, cast iron main, construction and design costs, permits, outside tower maintenance: overcoat—for 10 years or full blast for 25-year life, 1992 tower longevity—100 years with care, condensation, mixing system, large tower—good fire capacity and flow capabilities, drilling new well, well site building improvements, generator, treatment process, 80,000 gallons used/day, ion-exchange water treatment plant, funding, grants, bond capacity, interest rates, estimated debt service, matching funds, lagoon pay-off, ranking the alternatives, in ten years—bridge paid off, DNR SRF loans, CDBG, USDA loan, rural water expansion, selling water for rural water, plan based on serving Malvern only, market rate, build water treatment facility by wells, discharge into sewer, deeper interceptor needed, sewer line to lift station, waste/pit/ pumped into town, housing, sanitary sewer extension, need for sewer line following Silver Creek. Birkel will update Funding Scenario pages, will follow-up with Howard Peterson, and will check on a Maguire Iron inspection of the water tower to determine paint condition. Application for funding can be completed upon final alternative decisions at the May 8th Council meeting.

Discussion was held regarding Membership in the **West Nishnabotna Watershed Management Coalition**. Kyle Ament from DNR is to be invited to the May meeting for further information and discussion.

Mayor Blackburn recognized **Steve Barrett, Park Board Chairman**, who gave an update of the Park Board Issues involving fill/test of the swimming pool and filter replacement, plus new playground equipment/mulch at the Rec Park—in need of \$1,200 to complete mulch, with \$1,500 MABA donation. There was a mayoral appointment of Bruce Breeding as Councilmember Liaison for the Park Board. The Paint Iowa Beautiful Grant, sponsored by Keep Iowa Beautiful and Diamond Vogel, will donate six gallons of paint for a new mural in the baby pool area. Other discussion topics: grants, updating pool house, concession stand, handicapped accessibility, costs, Costello funds with match for DNR LWCF matching-grant, kids events.

Unfinished Business: Breeding motioned to approve **Resolution 2017-3a** Internal Loan Transfers TIF Funds/Expense Accounts. McGann seconded. All ayes; motion carried.

Breeding motioned to approve **Resolution 2017-12** City Hall Sale of Property through Negotiation and Set Public Hearing for May 8, 2017 at City Hall Council Chambers, 7 p.m., allowing Mayor and City Clerk to take expressions of interest on the City Hall property up to the whole parcel. Shere seconded. All ayes; motion carried.

Breeding motioned to **table Readdressing C&M's Earlier Request** for Placement of Public Restroom with MABA Funds. Moreau seconded. All ayes; motion carried.

New Business: Shere motioned to approve **Mulholland's Grocery Liquor License Renewal** at 409 Main Street. Johnson seconded. All ayes; motion carried.

Johnson motioned to approve **Classic Café's Liquor License Renewal**, 315 Main Street. McGann seconded. All ayes; motion carried.

McGann motioned to approve **Resolution 2017-11** new address – 109 Main Street – for G5 Farms, LLC, (Ryan Goy) Storage Units. Moreau seconded. All ayes; motion carried.

Moreau motioned to approve the **Block Party Application for Silver Creek BBQ Contest** for Boehner Pond requested by Steve Barrett for August 11-12, 2017. Johnson seconded. All ayes; motion carried.

Shere motioned to approve **Awning Additions to CDBG Downtown Revitalization Properties** for Moreau's Backerei, 407 Main Street, and Kohll's Pharmacy, 401 Main Street. Breeding seconded. Ayes: Breeding, Johnson, McGann, Shere; Moreau abstained. Motion carried.

McGann motioned to approve **City Sponsorship of the Summer Youth Program** in Conjunction with MABA. Breeding seconded. All ayes; motion carried.

McGann motioned to **Cease Publication of City Board Minutes** with Postings Instead to Malvernia.com and at City Hall. Shere seconded. All ayes; motion carried.

McGann motioned to Allow Mills County Fairgrounds, Fairview Hills Golf Course, and Malvern Cemetery **Exceptions to Burn within the City Limits** while Ordinance 105.05(4) Open Burning Restricted – Yard Waste is revisited for proper wording and procedure. Shere seconded. All ayes; motion carried.

Shere motioned to approve **Resolution 2017-13** Setting Date for Public Hearing on Establishment of 2017 Malvern Housing Urban Renewal Area. McGann seconded. Ayes: Breeding, McGann, Moreau, Shere, Abstained—Johnson; motion carried.

Discussion was held regarding **City Attorney Representation**. Moreau led the discussion based on prior knowledge. There was a Mayoral Appointment of Kate McGann to research the topic.

Mayor's Report: Discussion was held on the **Proposed 1-2 Mile Extra-Territorial Limits Process**. Breeding motioned to start the process with generation of an updated City Limits Map with one- and two-mile extra-territorial limits indicated. Shere seconded. All ayes; motion carried.

Project/Meeting Update: Related to the **Iowa Great Places Grant**, discussion was held on placement of a sizable metal tree sculpture by Artist Wood Jones in Heritage Park. Installation, footing, and anchoring were also discussion topics. Breeding motioned that In Connection with the Iowa Great Places Grant, the Metal Tree Sculpture be Placed and Anchored in Heritage Park. Shere seconded. All ayes; motion carried.

Nuisance District Updates: District 1: Shere—Ordinance 51.02: 110 E 5th St. District 2: Johnson—as above. District 3: McGann—90 5th Avenue parcels: Send 2nd letter to abate; discussion on setting abatement time with follow-up of municipal infractions or City abatement. Continue as is unless budgetarily not feasible. District 4: Breeding— Ordinance 51.02: 404 Lincoln, 510 Lincoln; Ordinance 105.03: 906 Main Street; Ordinance 55.12/55.13: 710 Third Avenue. District 5: Moreau: parking problem in the alleyway at Nishna Productions and West Central regarding truck traffic service area. There is limited space for the truck to back in to service the West Central business when a van is parked on the west side of the alleyway. Comments: check ordinance for parking within 5 feet off the alley; check width of alleyway; possibly have surveyor check alley; use parking spaces available.

Non-Agenda Items: Flickering street-light, even though possibly new (white light) on Lincoln Avenue.

Breeding motioned to adjourn. There being no further business, the meeting was adjourned at 10:16 p.m.

Michael K. Blackburn, Mayor

ATTEST:

Mary Poort, City Clerk