

**MALVERN CITY COUNCIL**  
MINUTES OF REGULAR MEETING  
MALVERN CITY HALL  
June 12, 2017 – 7 p.m.

The June 12, 2017 regular meeting of the **Malvern City Council** was called to order by Mayor Blackburn at 7:09 p.m. at the City Hall Council Chambers, Malvern, Iowa. The meeting followed a Public Hearing at 7:04 p.m. on Proposed Development Agreement with Malvern Economic Development, LLC and a Public Hearing at 7:05 p.m. on Public Information Meeting and Notice of Intent to File Applications with CDBG and Rural Developments.

Mayor Blackburn recognized the following **Councilmembers as present**: Bruce Breeding, Roger Johnson, Kate McGann, and Doug Shere. Absent: Fred Moreau, Visitors: 22. There were two scheduled requests to address the Council. City Clerk Mary Poort was also present.

McGann motioned to approve the **consent agenda**: tentative agenda, minutes: Regular Meeting—May 8, 2017; Public Hearing Fairview Hills Urban Renewal Area—May 8, 2017, Special FY17 Budget Amendment Meeting—May 15, 2017, and Special Meeting—May 30, 2017, and Current Expenditures. Johnson seconded. All ayes; motion carried.

Mayor Blackburn recognized Terri Stacy to speak regarding **nuisance abatement issues** on the Stacy property. Johnson motioned to allow an extension of time set for August 1, 2017. Breeding seconded. All ayes; motion carried.

Mayor Blackburn recognized Jeremy Davis to speak regarding a **Council Appeal**—two dogs running at large having received two official letters. Mayor Blackburn warned to keep the dogs on a leash. Repeat offenses are subject to municipal infractions. McGann motioned to take no action at this time. Breeding seconded. All ayes; motion carried.

Guests from Glenwood Municipal Utilities: Dave Malcom, Doug Meggison, Dick Davis, and Jim Olmsted presented to the Council on a **Water Project Alternative Solution** regarding Glenwood Municipal Utilities water main extensions. Mills County Supervisor Lonnie Mayberry was also present. The following topics were presented and discussed: main extension possibilities, feasibility, flow rate, sizes of mains, main locations, water treatment, water testing, chlorines, costs, residential fees, production costs, long-term contracts tied to rates, growth area, bulk metering, source water and Malvern wells, unaccounted gallons, selling water, time involved, cooperative adventure CDBG standpoint, DNR approval, funding, USDA financing, water-use average, cost of building a water plant, hook-up costs, tap rates, joint apps CDBG eligibility, future meetings, pump to meet more demand, towers capacities, colored water and manganese content, clean water goal, keeping wells with viable well testing, JEO to work with GMU--put the pros and cons to this, get together as a water committee. Rick Allely, Mills County Economic Development Director, arrived to give final comments.

**Department Updates: PeopleService Report—Howard Peterson**: May 10—tower drained and inspected. Maguire Iron report to show recommendations on exterior tower paint. Curb stop valve and box replacement on East 3<sup>rd</sup> Street--June. Yearly Water Quality Reports complete and posted. Hydrants flushed late May—water discoloration Wilson, Kearney, East Ridge. Tower site: Shorted out one-half meter box, electrical fix by in-house Electrician Hoose. Lagoon discharge shut down for spring. Lagoon mowing and spraying in plans. Nitrates—good, down from last year.

Motion by Kate to black-top to the top of the hill in 204 Prospect Avenue alley to **remedy long-standing manhole problem**, per citizen complaint. Breeding seconded. All ayes; motion carried.

**Street Report—Dave Hoose:** May Monthly Report—repair/replace street signs; alley repair/gravel/potholes; prep for painting—took down 13 downtown street lights; new tops on refurbished lights; mowing roadside ditches and pond area; property abatements; rec park clean-up; citizen complaint work; fogging mosquitos Malvern/PJ; paint crosswalks; caution light repair; downtown floral hydration.

Discussion: **Asphalt applications** to be applied by June 26 week. **Rec Park** vandalism requires sand-blasting. Cimline 150 Magma DH **Tar Melter/Applicator—subject of trade or sale** and warrants further research. **810 2<sup>nd</sup> Avenue** ditch renovation/tube placement—Chris Androy addressed Council, Shere to follow up. **Crosswalks to be painted** at Bus-Stop intersections per school board member request.

**Park Board Report—Chairman Steve Barrett:** Schildberg Foundation Grant (\$10,000) was received for 14 picnic tables (3 handicap) and construction of handicap accessible sidewalk & jetty at Bohner Pond. Small boats (no motor) permitted on Pond; six Maple and Sycamore trees planted; lights in Pool pump-house replaced; water heater subject to repair.

**\*Motion by McGann** to approve **Block Party Application for Classic Café**, Heritage Park, August 12, 10 am – 6 pm. with music; vacate timely for Malvern Market set up. Rain date recognized as following weekend. Johnson seconded. All ayes; motion carried. **\*Motion by Shere** to approve **Block Party Application for Steve Barrett/Boehner Pond Community Party**, July 3-4, 4 pm – 10 pm. Breeding seconded. All ayes; motion carried. **\*Motion by McGann** to approve **Block Party Application for Steve Barrett/BBQ Park Fundraiser**, Main & East 4<sup>th</sup> Street, August 12, 5 am – 6 pm; vacate timely for Malvern Market set up. Rain date recognized as following weekend. JD's Hangout to extend DRAM Shop to cover BBQ area. Johnson seconded. All ayes; motion carried. **\*Motion by Johnson** to remove Brad Klindt from the **Malvern Park Board membership**. Breeding seconded. Ayes: Breeding, Johnson, McGann; nay: Shere, absent: Moreau. Motion carried.

**UNFINISHED BUSINESS:** Motion by Breeding to approve **RESOLUTION 2017-23:** Approving Development Agreement with Malvern Economic Development, LLC, Authorizing Annual Appropriation Tax Increment Payments and Pledging Certain Tax Increment Revenues to the Payment of the Agreement. Shere seconded. Ayes: Breeding, McGann, Shere; abstention: Johnson, absent: Moreau. Motion carried.

Shere motioned to approve **RESOLUTION 2017-22:** Certifying City Charges for Nuisance Abatement – John Douglas, 202 East 4<sup>th</sup> Street. Breeding seconded. All ayes; motion carried.

Shere motioned to approve **RESOLUTION 2017-14:** Official Adoption and Designation of “Miller Field” at Bohner Park. Breeding seconded. All ayes; motion carried.

Malvern Bank's **offer to purchase City Real Estate**, the City Hall building and parking lot at 107 East 4<sup>th</sup> Street, Malvern, Iowa, has been accepted by the mayor and city clerk, having been received in a timely manner pursuant to published June 9, 2017 date in the Malvern Leader. No action was taken due to insufficient Councilmember quorum/abstention per protocol.

Shere motioned to accept Gary Wunschel as **contractor for renovation** of 501 Main, City Hall office space. Breeding seconded. All ayes; motion carried.

Discussion was held on City **building permit fees**. Research to be conducted on square footage fees.

**NEW BUSINESS:** Discussion was held on a letter of rate increase to the City of Malvern from Brian Konfrst (Fred's Trash Service). Breeding motioned to approve **RESOLUTION 2017-19: Increase Rate for City Trash Collection for FY18**. Johnson seconded. All ayes; motion carried.

McGann motioned to approve **City Clerk to Cut Final Check Run** Ending Fiscal Year, June 30, 2017. Breeding seconded. All ayes; motion carried.

Shere motioned to approve **RESOLUTION 2017-21: Declaring a Bank Depository and Limits for the City of Malvern during the Fiscal Year 2018**. Breeding seconded. Ayes: Breeding, Johnson, Shere; abstention: McGann. Motion carried.

**McGann motioned** to entertain 2.5 percent **wage increase for Street employees**. Johnson seconded. Ayes: Johnson, McGann, Shere; abstention: Breeding. Motion carried. **Breeding motioned** to entertain 3 percent wage increase **for Clerk employees**. Johnson seconded. All ayes; motion carried.

McGann motioned to approve **RESOLUTION 2017-20: Setting Wages for Non-Union Employees of the City of Malvern for Fiscal Year 2017-18**, with the following wage adjustments: 2.5 percent raise per annual performance review for David Hoose, Street Superintendent; 2.5 percent raise per annual performance review for Jason Darnold, Street Laborer; 3 percent raise per annual performance review for Kathy Anderson, Deputy Clerk; and 3 percent raise per annual performance review for Mary Poort, City Clerk. Johnson seconded. All ayes; motion carried.

**MAYOR'S REPORT:** \***Shere motioned** to accept the mayoral recommendation to **reinstate Library Board members** (six-year terms): Barb Cheny and Mary Poort. Breeding seconded. All ayes; motion carried. \***Shere motioned** to accept the mayoral recommendation to **reinstate Zoning Adjustment Board member** (five-year term): Larry Koger. Johnson seconded. All ayes; motion carried. Mayor Blackburn updated Council on the **Marion Avenue Bridge** with information from Corning contact.

**PROJECT/MEETING UPDATE:** The first West Nishnabotna Watershed Coalition meeting: June 14, 2017; Malvern's Voting Delegate—Richard Maaske; Alternate—Fred Bolton. Report follow-up in July.

**NUISANCE DISTRICT UPDATES:** District #2: Johnson motioned to extend John and Richard Bolander's abatement until August 1, 2017. Shere seconded. All ayes; motion carried. District #3: McGann motioned to allow Gregg Greene to burn a brush pile adjacent to the SW City Limits boundary—west of 90 5<sup>th</sup> Avenue, only upon Fire Chief's permission, and remove the junk car. Shere seconded. All ayes; motion carried. District #4: Breeding commented on dog issues regarding municipal infractions for repeat offenders. District #5: No action: Bob Blum has been contacted regarding proposed residential, principal-structure change-of-use at 904 Lincoln Avenue.

Shere motioned to adjourn. There being no further business, the meeting was adjourned at 10:15 p.m.

Michael K. Blackburn, Mayor

ATTEST:

Mary Poort, City Clerk