

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

The July 10, 2017 regular meeting of the **Malvern City Council** was called to order by **Mayor Blackburn** at 7:04 p.m. at the City Hall Council Chambers, Malvern, Iowa.

Mayor Blackburn recognized the following **Councilmembers as present**: Bruce Breeding, Kate McGann, Fred Moreau, and Doug Shere. Absent: Roger Johnson; visitors: four. City Clerk Mary Poort was also present. There was one scheduled request to address the Council.

McGann motioned to approve the **consent agenda**: tentative agenda, minutes: Regular Meeting—June 12, 2017; Public Hearing: Proposed Development Agreement with Malvern Economic Development, LLC—June 12, 2017, Public Hearing: Notice of Intent to File Apps with CDGB and Rural Developments—June 12, 2017, and Current Expenditures. Moreau seconded. All ayes; motion carried.

Mayor Blackburn recognized that Alex Heard was not present to address the Council and that Ray and Dee Goldsberry have a written request for extension on **nuisance abatement issues** on the Goldsberry property, scheduled under Nuisance District Updates later in the agenda.

**Department Updates: PeopleService Report—Howard Peterson**: The annual TTHM's and HAA's will be taken this month-- (byproduct measurement of free chlorine used to disinfect water). No past issues. Lead and Copper testing regarding phosphate pumped into the system. East 10<sup>th</sup> Street TIF Project is complete. Concrete pad needed to protect clean-out at east end of main. East Ridge lift station annual inspection/3-year maintenance program on two pumps is scheduled. Mowed Lagoon area/spraying needed. Nitrates—good, down from last year.

Discussion was held on Water Project alternatives: GMU information and JEO information, eight-inch line, peak capacity vs. need, pressure needed to push water up hills, booster pump, costs, options, need for engineers to be on the same page with the true numbers, importance of deadlines to meet grant requirements, need for engineers to meet, then water committee to meet with engineers possibly on July 27, competitive figures, voting seat on board, user fees in comparison to our own system.

**Street Superintendent Report—Dave Hoose** (absent)—**Per Handout**: mowing nuisance abatement, gravel and alley repair, asphalt project coordination with contractor, weed spraying, wooden bridge repair, swimming pool door repair, car abatement, acid graffiti, cross-walk painting, fallen tree cleanup, mosquito fogging, water plants on Main Street, brush & concrete pile clean-up, property abatement, trash downtown, pothole patching, sand and gravel cleanup downtown, mower maintenance, updated street supplies and uniforms, dirt replacement, brick and debris clean-up from asphalt work, traffic control, asphalt grindings, streets budget FY close-out meeting, mowing ditches, concrete disposal.

**Park Board Report—Board member Jill Smith**: REAP Grant for Boehner Pond Project, Costello money for Pool, caulking pulled out by swimmers, music: volume settings, facing speakers different ways, moving speakers. Councilmembers Moreau and Shere and Park Board Chairman Barrett have worked through this issue to set the appropriate volume, along with Mayor Blackburn's additional checks.

**UNFINISHED BUSINESS:** Shere motioned to accept Malvern Bank's June 9, 2017, offer of \$40,000 on City Hall Property up to the whole parcel at 107 East 4<sup>th</sup> Street, with January 10, 2018 as the official date of sale, and an easement for the adjacent business to have rear entrance access. Moreau seconded. Ayes: Breeding, Moreau, Shere. Abstention: McGann. Motion carried.

Moreau motioned to table the topic of Building Permit Fee Changes for Shere to present a proposal at the August meeting. Breeding seconded. All ayes; motion carried.

McGann motioned to approve RESOLUTION 2017-24 Certifying City Charges—202 East 4<sup>th</sup> Street for 6/8/2017. Shere seconded. All ayes; motion carried. McGann motioned to approve RESOLUTION 2017-25 Certifying City Charges—202 East 4<sup>th</sup> Street for 6/15/2017. Shere seconded. All ayes; motion carried. Both charges are for grass/weeds abatement.

Discussion was held on the possibility of an out-door restroom on C&M Cafe's property. The City Attorney reply was discussed regarding a land right easement for the City/public use of the facility. Maintenance, repair, and insurance are issues of concern.

**NEW BUSINESS:** Shere motioned that the designated emergency building for Emergency Watch/Warning be the Malvern Rescue Station at 110 East 5<sup>th</sup> Street, with the Malvern Community Building set for overflow and disaster. Breeding seconded. All ayes; motion carried.

Discussion was held on golf carts using the City streets. Abiding by State laws was a concern. It may be an issue for the City attorney.

Discussion was held on adoption of local policies governing confidentiality of utility customer account records. Moreau motioned to maintain private records in confidence and to create a resolution stating same. Mayor Blackburn interjected to consider use of data for utility rate analysis, City project studies, and funding acquisitions. McGann stated to prepare a resolution for approval in August similar to the example provided. Motion was not considered.

McGann motioned to take no action regarding music volume/speaker placement at the Malvern Swimming Pool based on discussion in the park report above. Shere seconded. All ayes; motion carried.

Shere motioned to approve Liquor License DRAM extension/Outdoor Service for Classic Café and JD's Hangout Pending State Approval for August 12/13, 2017, during the Rooster Tail Bike Ride Event. McGann seconded. All ayes; motion carried.

McGann motioned to approve Steve Barrett's Block Party Application for Boehner Pond, September 1 – 4, 2017. Breeding seconded. All ayes; motion carried.

Discussion was held recognizing the new State fireworks legislation. More discussion and decisions in the future will update the Malvern Fireworks Ordinance.

**Mayor's Report:** Main Street Bridge Rehabilitation funding was discussed regarding Main Street and Lambert Avenue as federal collector routes, and the possibility of Surface Transportation Block Grant monies to construct roadways through the Regional Planning Affiliation. Keys Avenue is a farm to market route, with possible funding through the county engineer.

**Project/Meeting Update:** Rich Maaske's report on the West Nishnabotna Watershed Coalition June 14<sup>th</sup> meeting was recognized for content: bylaws and officers approved, planning committee to assist in developing a comprehensive plan. Masske volunteered for the planning committee to meet July 19.

**Nuisance District Updates:** Shere will follow up on the abandoned trailer at 96 Main. Moreau motioned to grant a three-month extension to Ray and Dee Goldsberry regarding their nuisance abatement schedule, with monitoring by Councilmember Johnson. Shere seconded. All ayes; motion carried. Breeding raised questions about extraordinary vehicles/boats in yards and persons living in campers. Letters are to be sent to these individuals according to Malvern City Ordinances.

Moreau motioned to adjourn. There being no further business, the meeting was adjourned at 8:38 p.m.

Michael J. Blackburn, Mayor

ATTEST:

Mary Poort, City Clerk