

MALVERN CITY COUNCIL
MINUTES OF REGULAR MEETING
MALVERN CITY HALL
August 14, 2017 – 7 p.m.

The August 14, 2017 regular meeting of the **Malvern City Council** was called to order by Mayor **Blackburn** at 7:01 p.m. at the City Hall Council Chambers, Malvern, Iowa.

Mayor Blackburn recognized the following **Councilmembers as present**: Bruce Breeding, Roger Johnson, Kate McGann, and Fred Moreau. Absent: Doug Shere; visitor: ten. City Clerk Mary Poort was also present.

Breeding motioned to approve the **consent agenda**: tentative agenda, minutes: Water Workshop/Special Meeting—August 7, 2017, Regular Meeting—July 10, 2017, and Current Expenditures. McGann seconded. All ayes; motion carried.

Mayor Blackburn recognized JW Abercrombie and Phyllis Frederickson as public presenters. Information was given on the **Malvern Senior Center** housed in the Carnegie Library Building. Coffee and tea is available each morning, card-playing, exercise, and local restaurateurs are providing the meals that need to be pre-ordered at 1-402-983-0917 or leave word at the center the day before.

DEPARTMENT UPDATES: PeopleService Report—Howard Peterson: Two water main break repairs--3rd Avenue and West 5th; corp pop-out on water main repair--West 11th/2nd Avenue; lead and copper sampling this month; lagoon spraying—looks good. Nitrates within range.

Street Superintendent Report—Dave Hoose: Preparation for dump truck sale—box switch-out; new box ordered; Keys Avenue dust control—500' east & west; tree removal—10th and Main, 701 Marion; alley repairs; weed spraying; concrete pile cleanup; weekly trash; bridge crew coordination; electrical conduit installation at Heritage Park, property cleanup 97 2nd Avenue, MWF flower hydration; pool repairs; mowing equipment maintenance; picnic table assemblage; downtown Main Street cleanup.

The **Main Street Bridge rehabilitation** two-week update was reviewed: 25% complete. In the future, traffic control needs to be reported earlier to County for available signage. Per Mayor, the water flow, drain washout, needs to be monitored for future action.

Park Board Report: No official report was given. Dave Hoose mentioned a drain cover to be replaced at the baby pool.

Breeding motioned to accept Park Board recommendation of **Dave Hoose to fill the Park Board vacancy** for a term ending 12/17. Moreau suggested too much responsibility on a street department employee, but the term limit is noted. Johnson seconded. Ayes: Johnson, Breeding, and Moreau; Nays: McGann.

Mayor Blackburn explained the need for a **contractor to work on the proposed Boehner Pond levee** this fall/winter, with MABA and grant funds. Johnson motioned to work with Leo Reiken. McGann seconded. All ayes; motion carried. This project will tie in with the proposed walking trail and land annexation of the **REAP Grant, to be submitted August 15, 2017.**

UNFINISHED BUSINESS: Breeding motioned to approve **RESOLUTION 2017-27** Authorizing and Approving a Loan Agreement, Providing for the Issuance of a \$275,000 General Obligation Corporate Purpose Note and providing for the levy of taxes to pay the same. Johnson seconded. Ayes: Breeding, Johnson, and Moreau. Abstention: McGann. Motion carried.

Mayor Blackburn recognized MABA President Bonnie Pierce to speak regarding the **proposed out-door restroom** on C&M Café's property. Topics of discussion: offer of space and daily upkeep, sewer hook-up, City attorney issues: lease agreement, public use, easement, repair, insurance, and long-term maintenance in question.

Moreau motioned to approve **RESOLUTION: 2017-26** Setting Policy Regarding the Disclosure of Private Customer Utility Records. McGann seconded. All ayes; motion carried.

NEW BUSINESS: Mayor Blackburn recognized Tiffany Yakes-Starr to speak on behalf of MABA regarding the **Wabash Marathon to be held September 9, 2017**. It was general consensus that she could paint feet on the street corners to indicate turns in the route. McGann motioned to borrow the porta-pottie from T&N Park to be used at the trail head and returned. Johnson seconded. All ayes; motion carried.

Discussion was held regarding the safety of the Wabash Marathon trail route being a detour route due to the Main Street Bridge closure. The marathon starts at 6:30 a.m. Johnson motioned to forego the 5K this year due to increased traffic jeopardizing safety. McGann seconded. Ayes: Johnson, McGann, and Moreau. Abstention: Breeding. Motion carried.

Mayor Blackburn recognized Malvern City Librarian Rebecca Bassich and Trustee Board Chairman John Downey speaking to the **recurring water drainage issues in the historical document stacks**. Thrasher, Inc. provided a plan to keep the basement dry for about \$7,150, which involves installation of a Water-Guard sub-floor drainage system and sump pump to route water to an existing discharge line. A ten percent decrease in price was explored by scheduling work in the winter months. McGann motioned to move \$7,500 from the Library Building TA account to a usable status. Breeding seconded. All ayes; motion carried.

Discussion was held on **division of duties for the zoning administration process and building permit fees**, having reviewed a recommendations handout from Councilmember Shere. McGann motioned to explore division of duties and move forward with preparing new ordinance(s) for fee schedule updates. Moreau seconded. All ayes; motion carried.

Breeding motioned to **reinstate Josie Williams to the Planning and Zoning Commission** for a five-year term ending 12/22. Johnson seconded. All ayes; motion carried. Mayor Blackburn encouraged the council to consider persons to fill two vacancies to fill a 12/18 term and a new five-year term beginning 1/18.

McGann motioned to approve **RESOLUTION 2017-28** County Certification of Water Charges—Barry Reafleng/Industries, \$112.60, past due water bill. Johnson seconded. All ayes; motion carried.

Moreau motioned to **set the Public Hearing date for proposed FY18 Malvern City Budget Amendment #1** for 7 p.m., September 11, 2017, at Malvern City Hall Council Chambers. McGann seconded. All ayes; motion carried.

Discussion was held regarding allocation of the Mills County Local Option Tax distribution agreement/1% sales tax referendum of August 7, 2001. Money had been used for the Library note, now paid in full. The **fund allocation is to meet appropriate State definition** of the Malvern Community Betterment Fund. Further research into the State definition will be undertaken.

Mayor's Report: Mayor Blackburn explained the **Loess Hills and Heritage Week Proclamation** before the Council. The intent is to promote the Loess Hills, educate the public, and encourage all to see and enjoy this rare and precious region, especially the week of September 23 to October 1, 2017. McGann motioned to adopt the Loess Hills and Heritage Week Proclamation. Johnson seconded. All ayes; motion carried.

Project/Meeting Update: Mayor Blackburn opened the **Malvern Water Project** matter for discussion; topics: Lenox, Creston, and PJ water situations, pipe ownership, royalty per gallon, price per gallon, price over 30 years, situation with partnerships, general upkeep, replacements, cost of pipe, current and future user costs and options, useful life of the pipe, growth rate, commitment, replacement of infrastructure, wells, treatment facility, 40-year contract, cost of production, USDA contract, County's part, paying for the pipe/charging to run the water, who will benefit now and later, best economic development situation. Mayor Blackburn will not attend the Supervisor meeting on August 15, 2017.

Nuisance District Updates: Johnson motioned to grant a nuisance abatement extension to Dean and Rita Stacy until October 1, 2017, with monitoring. Breeding seconded. All ayes; motion carried. The Family Worship Center property is in the final stages of litigation; mowing is a City responsibility. Unlicensed cars at 404 Lincoln Avenue are to be removed by August 22. Camper/Boat/Trailer Ordinance has been sent to appropriate addresses as a courtesy communication. Appeals can be heard after September 11, 2017.

McGann motioned to adjourn. There being no further business, the meeting was **adjourned at 9:16 p.m.**

Michael J. Blackburn, Mayor

ATTEST:
Mary Poort, City Clerk