

MALVERN CITY COUNCIL  
MINUTES OF REGULAR MEETING  
And PUBLIC HEARING  
MALVERN CITY HALL – 107 E. 4<sup>th</sup> Street  
March 12, 2018 – 7 p.m.

The March 12, 2018, regular meeting of the **Malvern City Council was called to order by Mayor Blackburn** at 7:01 p.m., at City Hall Council Chambers, Malvern, Iowa.

Mayor Blackburn recognized the following **Councilmembers as present**: Christina Androy, Bruce Breeding, Roger Johnson (by teleconferencing), Kate McGann, and Doug Shere. Visitors: eight. City Clerk Mary Poort was also present. Mayor Blackburn welcomed visitors and asked for any non-agenda public presenters; there were none.

Androy motioned to approve the **Consent Agenda**: tentative agenda, regular meeting minutes of February 12, 2018, and Public Hearing FY19 Budget/Special meeting of March 5, 2018; and current expenditures. Shere seconded. All ayes; motion carried.

Mayor Blackburn then called to order, at 7:02 p.m., the Public Hearing for Proposal to Enter into a **General Obligation Corporate Purpose Loan Agreement**. Recognition of Publication was heard: March 1, 2018, Malvern Leader. Blackburn called for written comments or objections from the City Clerk; there were none. Blackburn called for any objections, statements, and/or exhibits for Council consideration; there being none, the Mayor adjourned the public hearing at 7:03 p.m.

**Community Presenters**: Zack Jones did not present as indicated by the agenda, but did briefly question a zoning ordinance matter, which is to be taken up with updates of the 1987 Zoning Ordinance.

**DEPARTMENT UPDATES: PeopleService Report—Howard Peterson**: Hydrant flushing is scheduled earlier this year. Maguire Iron has new options on painting the water tower. The East Ridge Lift Station #2 pump was reinstalled 3-12-18; a seal problem caused the pump to shut down. Competitive bids for the maintenance of both lift stations were comparable, no need to change providers. Dirt work around the lagoon is needed to maintain the dike due to animal burrowing.

Shere motioned to accept the **Driver Sewer & Water Inc., bid** for \$49,910 to repair the force-main sewer under Little Creek. McGann seconded. All ayes; motion carried.

Discussion was held on the **sewer grinder** replacement or repair. The original grinder cannot be repaired, as determined by Motion Industries. Mayor Blackburn and Howard Peterson will work on compatibility of a replacement pump.

**Streets Superintendent Report – Dave Hoose**: February Streets Report: snow removal and sanding, truck maintenance, front main-seal leak in 2001 white dump truck—at repair shop, pool deck equipment removal, alley repairs, rebar removal from Reiken work at Boehner Pond, playground equipment moved to Boehner Pond, Main Street flag pole replacements, hauled grinder from Des Moines to Omaha. Positive comments were heard on Reiken Construction’s work at Boehner Pond jetty and renovation of the City brush pile.

**Marion Avenue Bridge Replacement**: Mayor Blackburn and Doug Shere will meet with HGM at 3:45 p.m. on 3-13-18.

Johnson motioned to move forward on sealed-bid process for sale of Streets Department equipment: **Oiler (Cimline Magma 150 DH S)**. Shere seconded. All ayes; motion carried.

Androy motioned to allow the Streets Committee to spend no more than oiler's sealed-bid and sinking-fund monies on the possible auction-purchase of **Skidsteer or Bobcat purchase** for the Streets Department. Breeding seconded. All ayes; motion carried.

Discussion was held on the following **Street Department topics**: A) City Shop Hours and Comp Time – hours in Handbook 7 a.m. – 3:30 p.m., comp-time accumulation and carry-over, vacation/time-off. B) Personal Property Stored at City Shop – personal maintenance projects. C) Detailed Reporting for Work Orders/Report to Council; D) Street Superintendent/Park Board Member – separation of duties, painting at swimming pool plan is to use City Hotsey to power wash pool house—Doug and Steve, Dave to power paint. E) Snow Removal from City Properties – north end of Prospect needs maintenance, snow removal from middle of Main Street and parking spaces.

**Park Board Report** – 1) General Update: Parks, Pool Maintenance and Operations; 2) Update on Boehner Pond jetty – Schildberg Grant – concrete/screenings/8' wide x 60' concrete pad, handicapped accessible picnic tables. Piles pushed up at Boehner Pond. Concrete is to be hauled off near Botna Valley Elevator. Grant monies are being used to move golf course playground equipment to Boehner Pond.

**UNFINISHED BUSINESS**: In efforts for City Purchase .61 Acres of Land Connecting Wabash Trace Nature Trail and Boehner Pond from Rick Rush, McGann motioned to approve Moving Forward on **Application to Split a Parcel** and **Acquire Survey Services** and Legal Description. Shere seconded. All ayes; motion carried.

Androy motioned to approve **RESOLUTION 2018-07** – Resolution Taking Additional Action on Proposal to Enter into a General Obligation Corporate Purpose Loan Agreement and Providing for the Levy of Taxes to Pay the Same. Breeding seconded. All ayes; motion carried.

Shere motioned to Set a Public Hearing for April 9, 2018, for Review of **ORDINANCE 306** Amending the Code of Ordinances of the City of Malvern, Iowa, Section 135.13, Street Use and Maintenance – Driveway Culverts. Androy seconded. All ayes; motion carried.

Discussion was held on the possibility of the former Family Worship Center demolition/Nuisance Abatement, equipment and services needed. Shere presented information. McGann motioned to **Demolish the Former Family Worship Center Building**. Androy seconded. All ayes; motion carried.

**NEW BUSINESS**: After some discussion, McGann motioned to approve **RESOLUTION 2018-09** New Address for Malvern City Hall's New Location to be 100 West 5<sup>th</sup> Street. Androy seconded. Ayes: Androy, Breeding, Johnson, McGann. Nay: Shere. Motion carried.

Androy motioned to approve **RESOLUTION 2018-08** Final Plat of Fairview Hills Subdivision (2017 Fairview Hills Golf Course Development) per Malvern Planning & Zoning Commission approval and recommendation to the City Council 3-7-18. Shere seconded. All ayes; motion carried.

Johnson motioned to approve \$120 Donation to Mills County Soil and Water Conservation District for **'Stream Signs' Project**. Shere seconded. All ayes; motion carried.

McGann motioned to approve a **Liquor License Renewal for JD's Hangout**, Pending DRAM Insurance Approval. Breeding seconded. All ayes; motion carried.

Androy motioned to approve MABA's Block Party Application for **Saturday Night Market Series**, June – September of 2018 in Heritage Park. Breeding seconded. All ayes; motion carried.

McGann motioned to table Agenda Item 9F: Discuss/Decision on **Golf Carts on City Streets**. Androy seconded. All ayes; motion carried.

**MAYOR'S REPORT:** Androy motioned to approve Mayor Blackburn's recommendation of **Mary Jane Gilbert to the Malvern Planning & Zoning Board of Adjustment** per nomination of Chairman Shane Sayers, for a term ending 6/2018, to Fill a Vacancy. Breeding seconded. All ayes; motion carried.

**PROJECT/MEETING UPDATE: The USDA RD Application** has been submitted for the Proposed City Water Treatment Facility Project. The **City Hall move date** is scheduled for March 19, with closing sale date of April 10, 2018. Mayoral Work Order for City Streets Department to conduct the move, with hire of the snow-removal crew if needed.

**NUISANCE DISTRICT UPDATES:** McGann directed the City Clerk to send a 90-day property clean-up letter for burned house property at 108 Second Avenue. McGann directed the City Clerk to send a vehicle/nuisance abatement letter to Agriland for property south of US Post Office. Androy directed the City Clerk to have the Mills County Sheriff's Department ticket vehicles parking on sidewalks throughout Malvern.

**COMMENTS ON NON-AGENDA ITEMS:** none.

Breeding motioned to adjourn; there being no further business, the meeting was **adjourned at 9:03 p.m.**

Michael K. Blackburn, Mayor

ATTEST:  
Mary Poort, City Clerk