

MALVERN CITY COUNCIL
MINUTES OF REGULAR MEETING
MALVERN CITY HALL – 100 West 5th Street
January 14, 2019 – 7 p.m.

The January 14, 2018, regular meeting of the **Malvern City Council** was called to order by Mayor Blackburn at 7 p.m., City Hall Council Chambers, 100 West 5th Street, Malvern, Iowa, following the **6:30 p.m. FY2020 Budget Work Session** in which Council addressed Library, Liberty Memorial Building, and Malvern Volunteer Fire Department budgets.

Mayor Blackburn recognized the following **Councilmembers as present**: Chris Androy, Bruce Breeding, Roger Johnson, and Kate McGann. Doug Shere was absent. A quorum was recognized. Visitors: 19. City Clerk Mary Poort was also present. Mayor Blackburn welcomed visitors and called for any non-agenda public presenters, there being none.

Johnson motioned to approve the **Consent Agenda**: tentative agenda, regular meeting minutes of December 10, 2018 and current expenditures. Breeding seconded. All ayes; motion carried.

Agenda Presenters: Blackburn recognized John Heidenescher, representing Carter Lake Model Train Club for Kids. Heidenescher talked of the Club's interest in the Chantry Elementary building for a new home. More information was presented from various Club members in attendance. Topics included: grants, funding, train shows, kid-friendly activities, former location—Rock Island Depot in Council Bluffs, building needs and maintenance, leasing/renting/owning, area needed, etc. Eleven visitors exited the meeting.

Blackburn recognized Beverly Dashner, representing MABA. Topics included: grants, grant moneys tracked through City Hall, sesquicentennial activities, block-party applications, etc. Two visitors exited the meeting.

Blackburn recognized Aaron Aistrope, representing Iowa Communities Assurance Pool (ICAP). Aistrope offered a chance to compare insurance coverage. ICAP is a member-owned and operated group-self-insurance program for Iowa public entities. City Hall is to provide information for comparison and research. One visitor exited.

McGann motioned to approve Larry Frink as the **new Malvern Volunteer Fire Department (MVFD) Chief** for 2019. Androy seconded. All ayes; motion carried. The Oath of Office was conducted by Mayor Blackburn.

Johnson motioned to **approve the MVFD Officers** with terms ending December 31, 2019. Breeding seconded. All ayes; motion carried.

DEPARTMENT UPDATES: PeopleService Report—Howard Peterson—December report. WATER: locates marked for water main replacement for JEO, plus forced main on Lambert Avenue. Nitrates—higher than November; same as 2017, within range. WASTEWATER: Little Creek line installed; air reliefs and tie-in to be completed this week. Main lift station new controls installed by Jetco.

McGann motioned to approve payment of the **yearly service agreement for the lift station pumps**/Iowa Pump Works for \$734. Johnson seconded. All ayes; motion carried.

City Clerk Poort called the **Notice of Public Review in Floodplain** to Council's attention. This Notice was posted in the Malvern Leader to complete the Water Treatment Project CDBG process.

The **2020 Budgets for Sewer and Water** were discussed in continuation of the Budget Work Session. Two visitors exited.

Street Superintendent—Dave Hoose—December Report. Daily/weekly trash, brush, equipment maintenance and repairs, acquisition of supplies and parts, City Shop: floor drain clean-out and lot light installation, pot hole patching, alley gravel and grading, Chantry roof maintenance & repair, vendor contacts for budget prep, City Shop inventory, salt & sand 12/30 snow event, 1/12 – 1/14 snow event, snow clean-up & hauling.

Citing Ordinance 69.10: “No person shall park, abandon or leave unattended any vehicle on any public street, alley or City-owned off-street parking area during snow removal operations unless the snow has been removed or plowed from said street, alley or parking area, and the snow has ceased to fall,” a discussion was held on a **snow emergency plan**. City Clerk Poort is to inform citizens of this ordinance through various medias.

Johnson motioned to **trade the old City grader as scrap metal** for dozer work per negotiations. Breeding seconded. All ayes; motion carried. Two visitors exited.

The **2020 Budget for Road Use Tax (RUT) and Streets Department** were discussed in continuation of the Budget Work Session, reflecting on various work plans for street and City Shop improvements submitted by Hoose.

Park Board Report – Chairman Steve Barrett – absent. Park Board Member Jill Smith expressed concerns and needs related to the **FY2020 Budgets for Parks and Pool**. Grants to be pursued for pool house renovation and Rec Park erosion.

UNFINISHED BUSINESS: Chantry Elementary School property/playground equipment – Johnson stated an Extended Closing Date Addendum had been signed with January 27, 2019, as a closing deadline. The Streets Department has attended to roof drainage/repair plus report of illicit entering.

McGann motioned to approve **RESOLUTION 2019-01** Setting February 11, 2019, 7 p.m. City Hall Council Chambers, 100 West 5th Street, for Date of **Public Hearing for Rezoning Costello Subdivision** from Commercial C-1/partial R1 to Multi-Family Residential R2. Breeding seconded. Roll Call Vote: Ayes—Johnson, Androy, Breeding, McGann; Nays—none; Shere absent. Motion carried.

Androy motioned to approve **RESOLUTION 2019-02 Transferring Local Option Sales Tax Dollars** from LOST Cash to General Fund, \$49,910, SW Sewer Project—Stage 2. Roll Call Vote: Ayes—Johnson, Androy, Breeding, McGann; Nays—none; Shere absent. Motion carried.

Breeding motioned to approve a **Replat of Lots 9-12, Fairview Hills**, a Subdivision in the City of Malvern, Iowa, pending Planning & Zoning Commission approval on January 23, 2019. Six lots have been reduced to five to accommodate larger lots. Androy seconded. All ayes; motion carried. Roll Call Vote: Ayes—Androy, Breeding, McGann; Abstention—Johnson; Nays—none; Shere absent. Motion carried.

NEW BUSINESS: Breeding motioned to approve **Mills County Law Enforcement Services Contract 7/1/2019 – 6/30/2020** for \$19,021.84. McGann seconded. All ayes; motion carried.

Breeding motioned to approve **RESOLUTION 2019-03** Setting February 11, 2019, 7 p.m. City Hall Council Chambers, 100 West 5th Street, for Date of Meeting for Proposal to Approve an **Amended Development Agreement with Malvern Economic Development, LLC**, Including Annual Appropriation Tax Increment Payments McGann seconded. Roll Call Vote: Ayes—Androy, Breeding, McGann; Abstention—Johnson; Nays—none; Shere absent. Motion carried.

Breeding motioned to approve **RESOLUTION 2019-04** Setting February 11, 2019, 7 p.m. City Hall Council Chambers, 100 West 5th Street, for a **Public Hearing on the Fairview Hills Urban Renewal Plan Amendment**. McGann seconded. Roll Call Vote: Ayes—Androy, Breeding, McGann; Abstention—Johnson; Nays—none; Shere absent. Motion carried.

Johnson motioned to approve **Placement of a Little Free Library** by the Mills County Leadership Class near the Malvern Bank node bench on Main Street. Androy seconded. All ayes; motion carried.

McGann motioned to move forward in starting a **City of Malvern Facebook Page**. Breeding seconded. All ayes; motion carried.

Discussion was held regarding **Malvern Library and City Hall security** and measures already in place. City Clerk Poort is to check on capabilities of the City Hall video recorder, a 911 panic button cost, and place signs indicating video recording in place and hostile & aggressive language could lead to arrest.

The **2020 Budgets for Government and Clerks Department** were discussed in continuation of the Budget Work Session.

MAYOR'S REPORT: Androy motioned to approve \$4/day as the **Mayor Pro-tempore's salary** during mayoral absences. Breeding seconded. All ayes; motion carried.

McGann approved mayoral recommendation to **fill two Malvern Park Board positions** for three-year terms ending 12/2021 with Stephanie Butler, having filled a previous Park Board vacancy and Cindy Pelzer, former Certified Pool Operator (CPO)/manager of the Malvern City Pool. Breeding seconded. All ayes; motion carried.

Mayoral appointment of Roger Johnson as **Mayor Pro-tempore** for calendar year 2019 and Douglas Shere as temporary Mayor Pro-tempore for dates January 31 – March 17, 2019.

Mayoral appointment of **Council Department Heads** for Calendar Year 2019: Streets—Johnson and Shere, Clerical—McGann, Water & Sewer—Breeding and Johnson, Homeland Security/Public Safety/Sheriff and Park Board—Androy, Communication—McGann and Androy, Super Board—McGann. Same appointments as last year for Nuisance Districts: District 1 (SE City)—Breeding, District 2 (SW City)—Johnson, District 3 (5th Avenue West)—McGann, District 4 (NW City)—Androy, and District 5 (NE City)—Shere.

In **2020 Budgets Session Ending Comments**, a 6:30 p.m. time was set for the January 29, 2019, **Budget Workshop** at City Hall, 100 West 5th Street.

PROJECT/MEETING UPDATE: MALVERN SESQUICENTENNIAL – brief discussion of proposed plans and places. P&Z COMMISSION – Recommendations to extend two-mile extraterritorial border past HWY 34, change AR to RA in the one-mile area, and present to Council the proposed matrix for the RA one-mile border (handout distributed). WATER PROJECT 90% REVIEW MEETING—in January. 5-2-1-0 WALKING AUDIT, July 8, 2019 – to propose walking areas for need of improvements and future planning.

NUISANCE DISTRICT UPDATES: December 11, 2018 – January 14, 2019. District#1: Bruce Breeding: 301 East 1st Street--Dog At-Large displaying vicious behavior 2nd time—City Hall sent a letter, owner responded and has a plan in place. District #2: Johnson: Recent letters: 301 4th Avenue—Don and Belinda Kimsey: camper/Trailer parking/junk vehicles and 304 West 4th Street—Floyd Timmerman c/o Connie Eicke junk/junk vehicles—Kevin Eicke responded and has a plan in place. District #4: Androy: vehicles and car hood removed on Agriland rental south of Post Office.

NON-AGENDA COMMENTS: Upcoming contact with Senator Joni Ernst.

McGann motioned to **adjourn**. There being no further business, the meeting adjourned at 9:53 p.m.

Michael K. Blackburn, Mayor

ATTEST:

Mary Poort, City Clerk