

MALVERN CITY COUNCIL
MINUTES OF REGULAR MEETING
MALVERN CITY HALL – 100 West 5th Street
February 11, 2019 – 7 p.m.

The February 11, 2019, regular meeting of the **Malvern City Council was called to order by Mayor Blackburn** at 7:03 p.m., City Hall Council Chambers, 100 West 5th Street, Malvern, Iowa. Mayor Blackburn recognized the following **Councilmembers as present:** Chris Androy, Bruce Breeding, Roger Johnson—via teleconferencing, Kate McGann, and Doug Shere. A quorum was recognized. Visitors: two high-school students. City Clerk Mary Poort was also present. Mayor Blackburn welcomed visitors and called for any non-agenda public presenters, there being none.

McGann motioned to approve the **Consent Agenda:** tentative agenda, regular meeting minutes of January 14, 2019, special meeting/budget session of January 29, 2019, and current expenditures. Androy seconded. All ayes; motion carried.

PUBLIC HEARING for Rezoning Costello Subdivision from Commercial C-l/partial R1 to Multi-Family Residential R2: Call to Order at 7:04 p.m. Recognition of Publication: Notice of the City Council's Intent to Conduct a Public Hearing to rezone all of Lots 1, 2, and 4, per Mills County Beacon, Costello Subdivision, City of Malvern, Iowa, had been published January 24, 2019, in the Malvern Leader. City Clerk Poort reported no written objections filed at City Hall. Whereupon Mayor Blackburn called for objections, statements, and/or exhibits for Council consideration—there being none. Blackburn adjourned the public hearing at 7:05 p.m.

PUBLIC HEARING on Proposed Amendment to the 2017 Fairview Hills Urban Renewal Area: Call to Order of Public Hearing at 7:05 p.m. Recognition of Publication: Notice of the City Council's Intent to Conduct a Public Hearing on proposed amendment to the urban renewal plan for the 2017 Fairview Hills Urban Renewal Area, City of Malvern, Iowa, had been published January 24, 2019, in the Malvern Leader. City Clerk Poort reported no written objections filed at City Hall. Whereupon Mayor Blackburn called for objections, statements, and/or exhibits for Council consideration—there being none. Blackburn adjourned the public hearing at 7:06 p.m.

PUBLIC HEARING on Proposed Amended Development Agreement with Malvern Economic Development, LLC. Call to Order of Public Hearing at 7:06 p.m. Recognition of Publication: Notice of the City Council's Intent to Conduct a Public Hearing on Proposed Amended Development Agreement with Malvern Economic Development, LLC, had been published January 24, 2019, in the Malvern Leader. City Clerk Poort reported no written objections filed at City Hall. Whereupon Mayor Blackburn called for objections, statements, and/or exhibits for Council consideration—there being none. Blackburn adjourned the public hearing at 7:07 p.m.

Agenda Presenters: None due to inclement weather. Aaron Aistrope of Aistrope Insurance had left an informational folder for each Councilmember. Blake Birkel, JEO Engineer, had emailed a summary of the 90% review of the Water Treatment Plant Project. Both were given to Mayor and Councilmembers. Recent Publication in Malvern Leader per CDBG guidelines for Water Project: Notice of Finding of No Significant Impact on 2/7/2019. **Community Presenters:** none.

DEPARTMENT UPDATES: PeopleService Report—Howard Peterson, absent—January report handed out. WATER: Repair to east well air-relief valve causing 3-ft water accumulation, losing fluoride scale and dehumidifier. Water hydrant at 13th and Marion Avenue needs change-out due to car accident. Nitrates higher than last year—within range. WASTEWATER: The SW Sewer Project lift station force main bore under Little Creek is now complete; saddle-valve change order and boring was below estimate. Spring dirt work on deck. Poort will check with PeopleService on report's graph incompleteness.

Street Superintendent—Dave Hoose, absent—January Report. Daily/weekly trash, recycle overflow, brush maintenance; equipment maintenance per snow events: January 12, 13, 22, 23; salt & sand mix and spread, ordered more sand, possibly more salt; down-town snow piles/parking/intersections—haul away; attended CB Iowa One-Call seminar 1/29/19 and Shenandoah OSHA training class 2/6-7//19; organized additional street crew for snow events 2/8-18/19; gravel and grade alleys, snow manhours = 162.

Snow emergency plan: 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.” Citizens have been informed of this ordinance through various medias: Facebook ‘City of Malvern, IA’ (government organization), Malvern Bank marquee, along with reminders of 24-hour sidewalk clearance of snow and pet licensing at City Hall—avoid March 1 late fee.

Park Board Report – Chairman Steve Barrett – absent. Handout from Deputy Clerk Kathy Anderson: Leak Investigators to repair pool edging and pool joints and seams; earlier caulked deck seams to avoid return breakage. A+ rating with Better Business Bureau/good references. Chairman Barrett has requested a mayoral/councilmember walk-about with Leak Investigators outlining plan to repair Premier Pool’s poor workmanship.

UNFINISHED BUSINESS: Upon review of the proposed FY20 Budget, McGann motioned to adopt for publication with unofficial new water rates as figured and set a public hearing for March 4, 2019, at 5:30 p.m., City Hall--100 West 5th Street, for final budget resolution consideration. Discussion was held on comp time, yearly carry-over limit, and State unemployment benefits. Breeding seconded motion. All ayes; motion carried.

Breeding motioned to approve ORDINANCE 310 Amending the Code of Ordinances of the City of Malvern, Iowa, by Amending Provisions Pertaining to a Zoning Map Amendment, Rezoning Costello Subdivision. Mayor Blackburn allowed time for Council to read the Ordinance; whereby Breeding rescinded the first motion to now approve ORDINANCE 310 waiving the 2nd and 3rd readings. Shere seconded. Roll Call Vote: Ayes—Androy, Breeding, Johnson, McGann, Shere. Absent: none. Motion carried.

Breeding motioned to approve RESOLUTION 2019-06 to Approve Urban Renewal Plan Amendment for the 2017 Fairview Hills Urban Renewal Area. Androy seconded. Roll Call Vote: Ayes—Androy, Breeding, Shere. Abstention: Johnson, McGann. Absent: none. Motion carried.

Androy motioned to approve RESOLUTION 2019-07 Approving Amended Development Agreement with Malvern Economic Development, LLC, Authorizing Tax Increment Payments and Pledging Certain Tax Increment Revenues to the Payment of the Agreement. Breeding seconded. Roll Call Vote: Ayes—Androy, Breeding, Shere. Abstention: Johnson, McGann. Absent: none. Motion carried.

McGann motioned to approve RESOLUTION 2019-08 Authorizing and Approving a Loan Agreement, providing for the issuance of a \$120,000 General Obligation Corporate Purpose Note and providing for the levy of taxes to pay the same. Breeding seconded. Roll Call Vote: Ayes—Androy, Breeding, Johnson, McGann, Shere. Absent: none. Motion carried.

McGann motioned to approve setting a value of \$100,000 for Chantry Elementary/playground equipment in future insurance matters subject to EMC consultation. Shere seconded. All ayes; motion carried. Mayoral order for City Clerk to add additional insurance coverages as discussed to cover various locations throughout Malvern.

McGann presented that the new Facebook Page, “City of Malvern, IA” – Government Organization – is doing well, with several admins for posting.

McGann motioned that Konfrst provide additional cardboard receptacle with cardboard slot for recycling for Malvern water/sewer patrons. Androy seconded. All ayes; motion carried.

NEW BUSINESS: Shere motioned to approve Block Party Application – Malvern Sesquicentennial Committee – All-Class Reunion Dinner, Main Street from 5th to 3rd Street, 6-28-19, 3 p.m. to 12 midnight and Block Party Application – Malvern Sesquicentennial Committee – Bohner Pond fishing contest and canoe races, Main Street from 5th to 3rd Street, 6-29-19, 8 a.m. to 3 p.m. Breeding seconded. All ayes; motion carried.

PROJECT/MEETING UPDATE: BICYCLE FRIENDLY COMMUNITY: Application due August, 2019, possible reconsideration. MALVERN SESQUICENTENNIAL – June 28-29: all-class reunions, community meal, MVFD breakfast, bands, inflatables,

helicopter rides, fishing contest, paddle-pedal-putt, food vendors, selling outside storefronts, temporary ordinance with ABD regulations. P&Z COMMISSION – Recommendations to rezone properties throughout Malvern as indicated in minutes of January 23, 2019 meeting. 5-2-1-0 WALKING AUDIT, July 8, 2019 – to propose walking areas for need of improvements and future planning.

NUISANCE DISTRICT UPDATES: January 15 – February 11, 2019. District#1: Bruce Breeding—none; District #2: Johnson: 91 2nd Avenue—Orrie Gordon, semi-trailer removal: Terry Gray working on a plan—needs guidance. 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 working on plan in place. District #3: McGann—none; District #4: Androy—none. District #5: Shere checking on 704 Kearney—Kirk Anderson: vehicle junk.

NON-AGENDA COMMENTS: Handout: recent email with amortization schedule regarding interim funding for Water Treatment Plant Project. Handout: recent plat survey map of Chantry Elementary. Betterment/Beautification Awards—February 22, 2019.

McGann motioned to **adjourn**. There being no further business, the meeting adjourned at 8:23 p.m.

Michael K. Blackburn, Mayor

ATTEST:
Mary Poort, City Clerk