

MALVERN CITY COUNCIL  
MINUTES OF REGULAR MEETING  
And PUBLIC HEARING for Water Loan/Disbursement Agreement  
MALVERN CITY HALL – 100 West 5th Street  
September 10, 2018 – 7 p.m.

The September 10, 2018, regular meeting of the **Malvern City Council** was called to order by **Mayor Blackburn** at 7:01 p.m., City Hall Council Chambers, 100 West 5th Street, Malvern, Iowa.

Mayor Blackburn recognized the following **Councilmembers as present**: Christina Androy, Bruce Breeding—via teleconferencing, Roger Johnson, and Kate McGann. Doug Shere was absent. Visitors: four plus five high-school students. City Clerk Mary Poort was also present. Mayor Blackburn welcomed visitors and called for any non-agenda public presenters; there being two, Rodney Bents and Jim Irwin.

Johnson motioned to approve the **Consent Agenda**: tentative agenda, regular meeting minutes of August 13, 2018—with the following amendment to the Consent Agenda motion: “Johnson seconded. All ayes; motion carried.” McGann 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 Water Revenue Loan and Disbursement Agreement and to Borrow Money Thereunder in a Principal Amount Not to Exceed \$228,000. This is a no interest loan for planning and design engineering costs for the Water Treatment Plant Project. Recognition of Publication was heard: August 30, 2018, Malvern Leader. Blackburn called for any filed written comments or objections from the City Clerk; there were none. Blackburn then called for any objections, statements, and/or exhibits for Council consideration. There being none, Blackburn adjourned the public hearing at 7:03 p.m.

**COMMUNITY PRESENTERS**: Rodney Bents reported his progress in John Bolander’s abatement process, asking help from the Streets Department. Jim Irwin talked of need for street resurfacing.

**DEPARTMENT UPDATES: PeopleService Report—Howard Peterson**. Water Topics: 4” valves installed to stop a leak at Little Creek, band applied to old service line on West 1<sup>st</sup> Street. Nitrates same as July, higher than last year, within range. Wastewater Topics: Stop float & phase module replaced, grinder installed to specs and bill paid.

**Street Superintendent—Dave Hoose**, absent. July Report: Park, daily & weekly, and other work orders were noted. McGann motioned to remove truck route on West 6<sup>th</sup> Street from Main to 3<sup>rd</sup> Avenue, allowing truck route on 3<sup>rd</sup> Avenue from 5<sup>th</sup> Street to 6<sup>th</sup> Street. Move stop sign accordingly. Androy seconded. All ayes; motion carried.

Bids will be secured before the October Council Meeting with a tentative list of street resurfacing, possibly starting at 3<sup>rd</sup> Avenue from West 5<sup>th</sup> to West 1<sup>st</sup> (considering a water main project), also in front of the Library, near Wabash Trace Deport, and Lincoln between East 6<sup>th</sup> and East 7<sup>th</sup> . Tube work on an alley near 609 Lincoln.

**NEW BUSINESS:** McGann motioned to approve **Resolution 2018-25 for FY 2018 Street Finance Report.** Johnson seconded. Roll call vote: Ayes—Androy, Breeding, Johnson, McGann; Shere absent. Motion carried.

Androy motioned to approve **Resolution 2018-20a Declaring a Bank Depository** and Limits for the City of Malvern, Iowa, During the Fiscal Year 2019. Johnson seconded. Roll call vote: Ayes—Androy, Breeding, Johnson; abstention—McGann; absent—Shere. Motion carried.

Breeding motioned to approve **Resolution 2018-26 taking additional action with respect to a Water Revenue Loan and Disbursement Agreement** and authorizing, approving, and securing the payment of a \$228,000 Water Revenue Loan and Disbursement Agreement Anticipation Project Note (IFA Interim Loan and Disbursement Agreement). McGann seconded. Roll call vote: Ayes—Androy, Breeding, Johnson, McGann; absent Shere. Motion carried.

Androy motioned to approve **Resolution 2018-27 Financing Proposed Project** (Water Level Control Establishing Compliance with Reimbursement Bond regulations under the Internal Revenue Code. Johnson seconded. Roll call vote: Ayes—Androy, Breeding, Johnson, McGann; absent Shere. Motion carried.

Breeding exited the teleconferencing at 7:41 p.m.

Discussion: **temporarily lifting the burn ban** for November 2-11, 2018, to be considered in October by resolution.

Johnson motioned to approve a **block party application** blocking 3<sup>rd</sup> and 4<sup>th</sup> Streets at Main for C&M's car show, October 7, 2018. Androy seconded. All ayes; motion carried.

**Park Board Report – Chairman Steve Barrett.** Pool closed Labor Day. Discussion was held regarding a pool pressure testing to be conducted by Leak Investigators of Omaha, about 4 hours @ \$150/hour, to verify any problems, after the concrete deck work this spring. Other work to be itemized, and estimates to be secured.

Mayor Blackburn recommended **Park Board nominee Wendy Kaczmarek to fill a vacancy** created by Dave Hoose's resignation. McGann motioned to approve the recommendation of Wendy Kaczmarek to fill a Park Board vacancy, term ending 12/2020. Johnson seconded. All ayes; motion carried.

Discussion was held regarding responsibilities at Miller Field, Boehner Park, Boehner Pond, Pool, Rec Park, etc. and the on-going activities at Heritage Park being tracked by multiple groups; mayor recognizing the park to be a town-square/center. Androy motioned to **relieve the Park Board from responsibility of Heritage Park** retaining the Council's duty as initiated. Johnson seconded. All ayes; motion carried.

**UNFINISHED BUSINESS:** Androy motioned to approve **Resolution 2018-24a Certifying City Charges** to County Treasurer, 509 Lincoln Avenue, Grass/Weeds Abatement. McGann seconded. All ayes; motion carried.

McGann motioned to **table City Insurance—additional coverages**. Johnson seconded. All ayes; motion carried.

**MAYOR’S REPORT:** Mayor Blackburn extended a community-wide ‘thank you’ to citizens for storm debris clean- up efforts.

**PROJECT/MEETING UPDATE:** WATER PROJECT: JEO has been working in Malvern. A bill has been received for services. MALVERN SESQUICENTENNIAL: Planning Topics—committee persons, opening ceremony, all-school reunion, street dance, bands, fishing contest, paddle-pedal-putt, parade, banners, fireworks, all-community church service, pop-up barbershop, beard contest; mayor suggested a talent show. MARION AVE BRIDGE REPLACEMENT: Engineers to send plans to MidAmerican Energy for natural gas pipeline relocation.

**NUISANCE DISTRICT UPDATES:** District 1—Breeding: 311 East 6th Street, trailer parking on street—courtesy letter w/ ordinance attachment. District 2—Johnson: Mayor Blackburn and the Council extend appreciation to the Goldsberry Family, including Matt Stacy, for meeting the requirements of the abatement. Recognizing reports of continual improvement, Johnson motioned to allow an abatement extension until October 8, 2018, for John Bolander, 95 1/2 2<sup>nd</sup> Avenue and 99 2<sup>nd</sup> Avenue, for Dean & Rita Stacy, 92 4<sup>th</sup> Avenue/97 3<sup>rd</sup> Avenue, and for Wade (Ed) & Connie Sheppard, 4<sup>TH</sup> Avenue, Lots 11, 20 & 21, BLK 31. Johnson seconded. All ayes; motion carried. District 3: McGann: 108 2<sup>nd</sup> Avenue, Renee Lynn (Dist.2)—under City abatement by Monte West. Marty Sell rental from Agriland (Dist.2)—propane tank removal this month/letter to Agriland. District 4: Androy: 707 2<sup>nd</sup> Avenue, Rebecca Pignotti—new privacy fence, kennel use, and keeping dog quiet will be monitored, 3<sup>rd</sup> offense/year. District 5—Shere: 704 Kearney, Kirk Anderson--vehicle junk in yard, no report.

Androy motioned to adjourn. There being no further business, the meeting adjourned at 9:06 p.m.

Michael K. Blackburn, Mayor

ATTEST:

Mary Poort, City Clerk