

MALVERN CITY COUNCIL  
MINUTES OF REGULAR MEETING  
MALVERN CITY HALL – 100 West 5th Street  
September 9, 2019 – 7 p.m.

The September 9, 2019, 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**: Chris Androy, Bruce Breeding, Roger Johnson, and Kate McGann. Absent: Doug Shere. A quorum was recognized. City Clerk Mary Poort was also present. Mayor Blackburn welcomed six visitors and called for any non-agenda public presenters—none. Agenda presenters – Matthew Lee and John McCurdy, SWIPCO

Breeding motioned to approve the **Consent Agenda**: tentative agenda, regular meeting minutes of August 12, 2019, and current expenditures. Johnson seconded. All ayes; motion carried.

**Agenda Presenters**: Blackburn recognized SWIPCO Representatives John McCurdy and Matthew Lee to present information on building inspections and rentals inspection/enforcement.

**PeopleService Report—Howard Peterson**—absent. The August report was available as handout. Nitrates are within range. McGann voiced need for flow report, missing from handout. McGann motioned to follow the process to **install individual curb stops at all rental properties**. Androy seconded. Ayes: Androy, McGann Johnson. Abstain: Breeding. Motion carried.

**DEPARTMENT UPDATES: Street Superintendent—Dave Hoose**—August report presented daily and general work. Main Street concrete project waiting for contractor start. Abatements discussed. Discussion on driver feedback value sign covered solar operation, portability, and buy or lease.

**Park Board Report—Board member Jill Smith**—Pool: 2019 season end; pump repairs, pool draining, winterization--all needed. Boehner Pond: Sunday workday. Use of railcar. Malvern sign arrow found. REAP Grant to hear by September 30. Certified aquatic pesticide applicator needed to control coon grass.

**UNFINISHED BUSINESS**: Blackburn recognized SWIPCO Executive Director John McCurdy to talk about the quote provided to Council for five-year recodification of 2013 City Ordinances and/or yearly maintenance. Breeding motioned to **move forward with the recodification** and yearly maintenance with SWIPCO. McGann seconded. All ayes; motion carried.

Changes were discussed in a 3<sup>rd</sup> reading of the proposed 2019 Malvern City Zoning Ordinances and City Zoning Map: 7.5' setback in R-5 zone, B&B in DT Commercial: amend DT Commercial off-street parking and loading section #18 does not apply to DT Commercial. Breeding motioned to **approve the third reading of proposed 2019 Malvern City Zoning Ordinances** with stated changes and City Zoning Map. Johnson seconded. All ayes; motion carried.

McGann motioned for **final passage and adoption of 2019 Malvern City Zoning Ordinances and City Zoning Map**. Breeding seconded. All ayes; motion carried.

Blackburn recognized Chris Newhouse of Relic Real Estate Renovations to talk of **former Chantry Elementary renovations**. Newhouse suggested ideas and further consultation with Trey Hamilton.

McGann motioned to enter into **closed session per Iowa Code 21.5(j)** for purposes to discuss the sale of real estate—former Chantry Elementary partial parcel. Breeding seconded. Roll call ayes: Johnson, McGann Breeding, Androy. Shere—absent. Motion carried. Blackburn directed the visitors to wait in the Community Room down the hall. The door was closed.

Door was opened at 9:11 p.m. Johnson motioned to return to **open session**. Breeding seconded. Roll call ayes: Androy, Breeding, Johnson, McGann. Shere—absent. Motion carried.

McGann motioned to table consideration of **RESOLUTION 2019-35** until a special meeting on September 23, 2019, at 7 p.m., with closed session, to further deliberate the proposed sale of former Chantry Elementary—city-owned real estate and set public hearing. Johnson seconded. All ayes; motion carried.

Blackburn recognized McGann to speak on three **website proposals**. Johnson motioned to work with Hetzel Creative on a website update with an offer to partner with MABA. Breeding seconded. All ayes; motion carried.

**NEW BUSINESS:** Androy motioned to approve **RESOLUTION 2019-31** Amending the Annual Iowa Street Financial Report for the Year Ending June 30, 2019. Breeding seconded. All ayes; motion carried.

McGann motioned to approve **RESOLUTION 2019-34** Certification to County for Grass/Weeds Abatement, 902 2<sup>nd</sup> Avenue, Lot #1 Stephen Hollinger, Maranda Eggeling, Pat Malcom. Androy seconded. All ayes; motion carried.

Breeding motioned to set public hearing prior to Council adoption of **ORDINANCE No. 314:** Amending Code of Ordinances, Section 22.01—Park Board Commissioners. Johnson seconded. All ayes; motion carried.

McGann motioned to set public hearing prior to Council adoption of **ORDINANCE No. 315:** Amending Code of Ordinances Section 50.10—Abatement By City. Breeding seconded. All ayes; motion carried.

**MAYORAL REPORT:** City candidate paperwork is due September 19, 2019 to City Hall. Election—November 5, 2019. Bohner Pond access trail groundwork/leveling—good; needs second look. Security cameras will be discussed next meeting.

**PROJECT/MEETING UPDATE:** WATER TREATMENT PLANT PROJECT: Awaiting IDNR issuance of construction permit and late-September bid-letting schedule; possibly contact congressional reps. MARION AVENUE BRIDGE REPLACEMENT PROJECT: 8th week completed. Androy motioned to **approve the 2<sup>nd</sup> Periodic Cost Estimate, \$398,275.38**. Johnson seconded. All ayes; motion carried.

McGann motioned to **table the Marion Avenue Bridge Project BNSF flagging services invoice: \$9,019.67** City share until special meeting on September 23, 2019, 7 p.m. Breeding seconded. All ayes; motion carried.

**NUISANCE DISTRICT UPDATES:** District Territorial listing was noted for August 13, 2019 – September 9, 2019, plus District#1: Bruce Breeding: DMANDZ commercial on-site storage container @ 202 Main Street; 48-hour+ parking and non-current licensure Camero @ 301 E. Third Street; parking issues @ 610 Lincoln. District #2: Roger Johnson: Byers parcel probate/cleanup. District#3: Kate McGann: 905 N 2<sup>nd</sup>

Avenue, Barbara Aldrich—sidewalk replacement extension until November 1<sup>st</sup>. District#4: Chris Androy:  
Hardman parcel clean-up. District#5: Doug Shere—no report.

**NON-AGENDA COMMENTS:** Resolution for temporary burning dates possibly November 8 – 17, 2019.  
There being no further business, the meeting adjourned at 9:56 p.m.

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Michael K. Blackburn, Mayor

ATTEST:

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Mary Poort, City Clerk