

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

The December 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, Kate McGann and Doug Shere. A quorum was recognized. City Clerk Mary Poort was also present. Mayor Blackburn welcomed eight visitors, plus two late arrivals, and called for any non-agenda public presenters—Ernie Liljedahl and Chip Bowman from Essex.

Shere motioned to approve the **Consent Agenda:** tentative agenda, regular meeting minutes of November 12, 2019, special meeting minutes of November 19, 2019, current expenditures, place on file minutes of Liberty Memorial Board—11/21/2019 and Library Board of Trustees—12/2/2019; RESOLUTION 2019-48 Certifying City Charges to County Treasurer, John Bolander, 95 2nd Avenue, water/sewer bill, \$231.87. McGann seconded. All ayes; motion carried.

Community Presenters: Ernie Liljedahl and Chip Bowman from Essex regarding effective city endeavors. Exited at 7:42 p.m.

PUBLIC HEARING: Malvern City Proposed Budget Amendment #1 FY20. Call to Order of Public Hearing--7:40 p.m. Recognition of publication: Notice of Public Hearing for Malvern City Proposed Budget Amendment #1 FY20 had been published November 21, 2019, in the Malvern Leader. City Clerk reported no written objections filed at City Hall. Mayor called for objections, statements, and/or exhibits for Council consideration; there being none. Adjournment of public hearing at 7:41 p.m.

PUBLIC HEARING: Proposed Plans, Specifications, Form of Contract and Estimate of Cost for 2018 Water System Improvements Project: Call to Order of Public Hearing--7:41 p.m. Recognition of publication: Notice of Public Hearing for Proposed Plans, Specifications, Form of Contract and Estimate of Cost for 2018 Water System Improvements Project had been published November 28, 2019, in the Malvern Leader. City Clerk reported no written objections filed at City Hall. Mayor read aloud the general project overview provided by JEO Engineers. Mayor called for objections, statements, and/or exhibits for Council consideration; there being none. Adjournment of public hearing at 7:44 p.m.

PUBLIC HEARING: Recodification of Malvern City Ordinances to present the 2019 Malvern City Ordinances. Call to Order of Public Hearing--7:44 p.m. Recognition of publication: Notice of Public Hearing for Recodification of Malvern City Ordinances to present the 2019 Malvern City Ordinances had been published November 28, 2019, in the Malvern Leader. City Clerk reported no written objections filed at City Hall. Mayor called for objections, statements, and/or exhibits for Council consideration; there being none. Adjournment of public hearing at 7:45 p.m.

DEPARTMENT UPDATES: PeopleService Report—Howard Peterson—with November handout. Nitrates—within range. Topics of discussion: Tower signal line hit, FVH water and sewer acceptance, lift station backup battery and flow test for the pumps to come, Lincoln/Lambert sewer main jetting maintenance program with foam root control, lagoon discharge samples passed, VFD's—no bids for budget, and Blackburn to get price on square D.

Shere motioned to **accept Fairview Hills infrastructure** of water, sewer, and streets, minus the signs and ROW work. Breeding seconded. Ayes: Androy, Breeding, Shere. Abstention: Johnson, McGann. Motion carried.

Street Superintendent—Dave Hoose—November report presented daily and general work. Topics of discussion: tree trimming, truck parking on Main Street ordinance violation, truck traffic, electrical heads replacement, extra-territorial brush dumping—not a refuge site—call Sheriff.

Park Board Report—Board Chair Jill Smith—Topics of discussion: concrete dumping, continued hauling-out, permanent site farther north of Boehner Pond, ice skating @ T&N—check on liability, Mayor’s advice--bike trail concrete from Trace into Boehner Pond and extra rock on jetty—both Schildberg application.

UNFINISHED BUSINESS: Androy motioned to approve **RESOLUTION 2019-46 Approving Budget Amendment #1** for Fiscal Year 2020. Breeding seconded. All ayes; motion carried.

Shere motioned to approve RESOLUTION 2019-51 Finally Approving and Confirming Plans, Specifications, Form of Contract and Estimate of Cost for 2018 Water System Improvements Project. Breeding seconded. All ayes; motion carried.

Out of agenda order, Mayor Blackburn updated Council on the voluntary annexation meeting of property owners. McGann motioned to send annexation letters to parcels north of City Limits to Hwy. 34, four sections wide. Shere seconded. Ayes: Androy, Breeding, McGann, Shere. Abstention: Johnson. Motion carried.

Breeding motioned to table Extra-Territorial Zoning until annexation response. Shere seconded. All ayes; motion carried.

Shere motioned to approve the 1st reading of the 2019 Malvern City Ordinances and set the 2nd reading date for January 13, 2019. Breeding seconded. All ayes; motion carried.

NEW BUSINESS: A general consensus of Council was to set the first FY21 budget meetings with City Boards for January 13, 2019, starting at 6:30 p.m.

Shere motioned to approve RESOLUTION 2019-49 Transfer of LOST during FY20. Johnson seconded. All ayes; motion carried.

McGann motioned to approve RESOLUTION 2019-50 Appreciation and Documentation of Accomplishments of Mayor Michael K. Blackburn. Breeding seconded. All ayes; motion carried. Resolution 2019-50 was presented in a certificate frame to Mayor Blackburn.

Androy motioned to approve RESOLUTION 2019-52 To Fix a Date for a Public Hearing on Proposal to Enter into a Water Revenue Loan Agreement and to Borrow Money Thereunder in a Principal Amount not to exceed \$3,087,000. Breeding seconded. All ayes; motion carried.

MAYOR’S REPORT: Johnson motioned to approve Mayoral Recommendation to Reinstate Jill Smith on the Malvern Park Board for a 3-year term ending 12/2022. Shere seconded. All ayes; motion carried.

Shere motioned to approve Mayoral Recommendation to Reinstate Greg Pierce on the Liberty Memorial Building Board for a 3-year term ending 12/2022. Breeding seconded. All ayes; motion carried.

Shere motioned to approve Mayoral Recommendation to Reinstate Roger Poort on the Liberty Memorial Building Board for a 3-year term ending 12/2022. Androy seconded. All ayes; motion carried.

Oath of Office for Mayor Fred Moreau Elect, incumbent City Council Members Bruce Breeding and Roger Johnson were administered by outgoing Mayor Blackburn. Office terms to begin January 1, 2019.

PROJECT/MEETING UPDATE: RECYCLING: About 90 people signed up for **curb-side recycle**; awaiting arrival of recycle tubs. Citizens are encouraged to call City Hall 712-624-8282 for service registration. MARION AVENUE BRIDGE REPLACEMENT PROJECT: 20th week completed. Shere addressed concern for **extending fence** to guard cliff edge. Johnson motioned to erect a matching fence for such purpose. Breeding seconded. All ayes; motion carried. Shere motioned to **approve the 5th Periodic Cost Estimate, \$169,722.48**. Johnson seconded. All ayes; motion carried. Ribbon-cutting bridge-opening ceremony was December 7th at 10:30 a.m., north end of bridge, coupled with the Festival of Trees weekend. FEMA STREET PROJECT: Shere presented on **FEMA flooded street renovation meeting** of November 25th with addition of Main Street off-set water shut-off (excessive gravel- truck traffic) area to the plan for west seal-coat streets. Google maps addressed. WELLMARK HEALTHY HOMETOWN MEETING of December 9, 2019: discussion topics: current master plan, review of walking audit, 2020 vision, objectives, future steps.

NUISANCE DISTRICT UPDATES: District Territorial listing was noted for October 15 – November 12, 2019: District#1: Bruce Breeding: 610 Lincoln Avenue: no report; District#2: Roger Johnson: 90 2nd Avenue, Jerry Byers parcel—attorney pursuing title through abandonment. District#3: Kate McGann: 905 N 2nd Avenue—tree issue. District#4: Chris Androy: 706 3rd Avenue, Gary Hardman parcel— attorney pursuing title through abandonment. District#5: Doug Shere: no report.

NON-AGENDA COMMENTS—no action permitted. Mayor Blackburn talked about future goals for Council consideration: two lists—attached to City Hall file minutes: 1) City of Malvern – Things to Do w/ funding and cost, 2) Malvern Things to Do – Large Projects. There being no further business, the meeting adjourned at 9:44 p.m.

Michael K. Blackburn, Mayor

ATTEST:

Mary Poort, City Clerk