

**MALVERN CITY COUNCIL
MINUTES OF REGULAR MEETING
In-Person Social Distancing Measures – 501 Main Street
Malvern Community Building Basement
August 10, 2020 – 7 p.m.**

In order to help stop the spread of the COVID-19 virus, this in-person regular meeting of the Malvern City Council was held with social distancing measures in the Community Building Basement.

The July 13, 2020 regular meeting of the **Malvern City Council was called to order by Mayor Fred Moreau** at 7:00 p.m. Mayor Moreau recognized the following **Councilmembers as present:** Bruce Breeding, Roger Johnson, Kate McGann, Doug Shere. Absent: Chris Androy. A quorum was recognized. Two City Departments were represented: Dave Hoose and Howard Peterson. City Clerk Mary Poort was also present. Mayor Moreau welcomed four 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 July 13, 2020, current expenditures, and place on file minutes: Library Board of Trustees—August 3, 2020; Planning & Zoning Commission—August 5, 2020. Breeding seconded. All ayes; motion carried.

Mayor Moreau introduced **scheduled presenters:** 1) Karen Bassich, 602 Lincoln Avenue legal description/survey; 2) Beverly Dashner, MABA and Healthy Hometown Committee—speaking on proposed grant for Main Street lamp post extension as Malvern Entrance Corridor and Boehner Pond Trails Project Grant, respectively.

PUBLIC HEARING: Proposed Sale of City-Owned Real Estate for Property of 706 3rd Avenue, Malvern, Iowa. Call to Order at 7:32 p.m. by Mayor Moreau. Recognition of Publication: Notice of the City Council's Intent to Conduct a Public Hearing, Proposed Sale of City-Owned Real Estate for Property of 706 3rd Avenue, Malvern, Iowa, had been published July 23, 2020, in the Malvern Leader. City Clerk Poort reported no written objections filed at City Hall; whereupon Mayor Moreau called for objections, statements, and/or exhibits for Council consideration—there being none from visitors in attendance. Moreau adjourned the public hearing at 7:33 p.m.

PUBLIC HEARING: Recodification of Malvern City Ordinances to present the 2020 Malvern City Ordinances. Call to Order at 7:33 p.m. by Mayor Moreau. Recognition of Publication: Notice of the City Council's Intent to Conduct a Public Hearing, Recodification of Malvern City Ordinances to present the 2020 Malvern City Ordinances had been published July 23, 2020, in the Malvern Leader. City Clerk Poort reported no written objections filed at City Hall; whereupon Mayor Moreau called for objections, statements, and/or exhibits for Council consideration—there being none from visitors in attendance. Moreau adjourned the public hearing at 7:33 p.m.

Mayor Moreau called on **DEPARTMENT UPDATES: PeopleService Report—Superintendent Howard Peterson:** 1) July 2020 report—no written report. 2) Water Treatment Plant Project—Water is coming directly from wells since 8/5/20 involving transducers to read pressure at both wells and VFD programming to maintain the pressure. Building Crafts installing footings at wells/treatment plant site. Two antennae remain on tower. JEO/City punch-list walk-thru on 7/29/20. 3) Wastewater—#2 Lift Station electrical underground problem, quotes unavailable, trip-outs less; force main to be tied into sewer main at 404 Lambert Avenue. 4) Zero-read meters Excel sheet to supervisor. 5) Lead/Copper samplings; foaming two-block stretch on Lincoln and jetting for tree roots—PS maintenance fund. 6) viable hydrant is needed at Boehner Pond in extending water line to more campsites. 7) NPDES compliance strategy response letter for ammonia nitrogen wastewater issue--Engineer Perry sent IDNR on July 17, 2020, plan for 24-month monitoring during discharge periods to guide future decisions.

Street Superintendent—Dave Hoose—1) July handout presented daily and general work. 2) Motion by McGann to deny painted crosswalk at West 1st Street and request school bus pick-up on east side of road, heading north. Shere seconded. All ayes; motion carried. 3) Discussion: Lincoln/Lambert Avenues T-intersection, multiple collisions with house/garage. County engineer contacted. 4) Only paint crosswalks at marked intersections. Replace lights/globes in community building basement.

Park Board Report – No representation. 1) McGann and Shere commended the pool staff for safe procedures and excellent training completion this season, coupled with COVID 19 safe practices. 2) McGann motioned to use \$2,500 Schildberg grant as a match for the Healthy Hometown Team’s Boehner Pond Trails proposed grant applications per Mark Schildberg’s 8/10/20 approval and P&Z Commission project approval on 8/5/20. Johnson seconded. All ayes; motion carried.

UNFINISHED BUSINESS: Shere motioned to approve MABA to submit a Mills Co Foundation fall Costello grant application for Malvern Entrance Corridor lamp post extension through MidAmerican Energy, project approved by P&Z Commission on 8/5/20. Breeding seconded. All ayes; motion carried. Hoose and Dashner to meet with MidAmerican Energy engineer and determine pole locations.

McGann motioned to approve the **28E Agreement with Mills County Communications Center** for FY21. Shere seconded. All ayes; motion carried.

Shere motioned to approve the **Sealed Bid Process for city-owned real-estate property – 706 3rd Avenue**, Malvern, Iowa. Johnson seconded. All ayes; motion carried.

McGann motioned to table until September meeting amendment to 2020 Malvern City Ordinances **two Council meetings per month issue**. Johnson seconded. All ayes; motion carried.

McGann motioned to suspend the rules requiring an ordinance to be voted on for passage at two council meetings prior to the August 10, 2020 meeting with respect to the **2020 Malvern City Ordinance, waiving 2nd and 3rd readings**. Shere seconded. All ayes; motion carried.

McGann motioned for **final passage and adoption with respect to the 2020 Malvern City Ordinances, #320**. Breeding seconded all ayes; motion carried.

NEW BUSINESS: Malvern Water Treatment Plant Project: Breeding motioned to approve **JEO Engineer Construction invoice for \$11,517.50**. Johnson seconded. All ayes; motion carried. Shere motioned to approve pay application for **Building Crafts, Inc. (Group A) for \$128,668.00**. Breeding seconded. All ayes; motion carried.

McGann motioned to approve **RESOLUTION 2020 -23 to Establish New Address: 602 Kearney Avenue**. Shere seconded. Ayes: Breeding, McGann, Shere. Abstention: Johnson. Motion carried.

Discussion on **Outstanding Obligation Disclosure Statement** shows principal only; not interest. RUT Street Report due in September.

MAYOR’S REPORT: A City Limits documentation was sent to satisfy a **CENSUS requirement**. Your Count Matters: my2020census.gov OR CALL 844-330-2020.

UPDATES: A) **Chantry residential parcels survey** to be completed by Friday. B) Mills County **COVID cases** rising—report once a week. C) **FEMA flooded streets** project – matters involve SHPO and request for extension. D) Malvernia.com is online; businesses promoted. City Clerk to research phone/email alert system.

NUISANCE DISTRICT UPDATES: July 14 – August 10, 2020. District#1: Bruce Breeding: **602 Lincoln Avenue** legal description/1993 survey. Shere motioned to contact Mayberry for survey work/pin identification. Breeding seconded. All ayes; motion carried. **302 E. 3rd Street**, Winchel—exceeding Ordinance limits: 1 boat, 1 enclosed trailer, 1 inoperable vehicle; letter to be sent. District#2: Roger Johnson: City-owned parcel, **90 2nd Avenue**—SWIPCO demolition SW Iowa Housing Trust Fund, Demolition by Challenger 8/15/20—reset date; **307 5th Avenue**--no contact, send certified letter, seek abandonment procedure. **99 2nd Avenue**—Buckner junk/junk vehicles exceeding limits; ownership/abatement under scrutiny. District#3: Kate McGann: **109 West 6th Street**, Collins--retaining wall poor condition on 2nd Avenue, working with USDA. **905 N 2nd Avenue**, Barbara Aldrich—Sidewalk – McGann and Johnson to review homeowner’s

efforts to rehab sidewalk. District#4: Chris Androy: **710 2nd Avenue**, Ellis--grass and weeds; **710 3rd Avenue**, Proslow--grass/weeds and junk/torn off wooden entrance deck; **910 Prospect Avenue**, (Saal) Begbie--garage collapsing roof. District#5: Doug Shere: **Southern RR two parcels south of Heartland Coop**, subject of abatement and ownership; possible large structure burn team training; look into title search.

NON-AGENDA ITEMS: 1) Mills County Board of Adjustment expansion of existing quarry—30565 Lytle Avenue. 2) Main Street Bridge: Peeled paint--HGM contacting contractor. 3) Iowa Department of Cultural Affairs presentation of the 2020 Iowa Governor's Art Award to the City of Malvern. 4) HGM report—expected Marion Avenue Bridge \$50,000 close-out retainage receipt mid-August.

McGann motioned for **adjournment**. There being no further business, the meeting was adjourned at 9:33 p.m.

Fred A. Moreau, Mayor

ATTEST: Mary Poort, City Clerk