

**TENTATIVE AGENDA
MALVERN CITY COUNCIL REGULAR MEETING – 7 p.m.
October 12, 2020**

Community Building Basement – 501 Main Street, Malvern, Iowa

Due to the COVID-19 crisis, the City of Malvern will be holding this City Council meeting in a social distancing manner in the Malvern Community Building Basement. Masks are encouraged. Sanitizer and masks available at entrance.

REGULAR MEETING AGENDA

- 1. Call to Order of Regular Meeting.**
- 2. Roll Call.**
- 3. Recognition of Visitors/Request to Speak as a Community Presenter.**
- 4. Consent Agenda:**
 - A. Approval/Amendment of Tentative Agenda.
 - B. Approval/Amendment of Minutes: Regular Meeting of September 14, 2020.
 - C. Current Expenditures.
 - D. Place on File Minutes: Park Board—9/16/20, Liberty Memorial Building Board—9/24/20.
 - E. Approve/Deny: Liquor License, Pending DRAM SHOP Approval, for Little Creek, LLC, (Lakin Building).

- 5. Scheduled Presenters: Mark Hughes – Contractor Lawn Watering Charge for Sewer.**

6. Community Presenters:

Those people wishing to address the Council need to say so when visitors are recognized. Each person will be allowed 5 minutes to speak to the issue on the agenda. All comments will be directed to the issue at hand. We may disagree, but we will be respectful of one another.

- 7. PUBLIC HEARING #1:** Prior to Council Adoption of ORDINANCE NO. 321: Amending 2020 Malvern City Code of Ordinances, by Amending Chapter 2-8-3 MEETINGS.
PUBLIC HEARING #2: Status of Funded Activities Malvern Water Project – CDBG Requirement – John McCurdy.
ALL HEARINGS AGENDA:
 - A. Call to Order of Public Hearing.
 - B. Recognition of Publication: **PH#1) Notice of Public Hearing Prior to Council Action on Amending Chapter 2-8-3 Council MEETINGS, PH#2) Status of Funded Activities for the City of Malvern Water Project -- Malvern Leader, October 1, 2020.**
 - C. City Clerk to Report any Written Objection Filed at City Hall.
 - D. Mayor to Call for Objections, Statements, and/or Exhibits for Council Consideration.
 - E. Adjournment of Public Hearing.
- 8. Sealed Bid Opening** for 706 3rd Avenue, Lot Eight (8) in Block Two (2) Malvern, Iowa, City Real Estate Public Sale.
{Closed Session in New Business Items #11(M-P) Iowa Code 21.5J(j) discuss sale of city-owned real estate.}

9. Department Updates

A. PeopleService Report – Superintendent Howard Peterson

- 1) Update: Malvern Water Treatment Plant Project.

B. Street Department Report – Superintendent Dave Hoose

- 1) Approve/Deny: Leonard Warden and Clyde Parker for Sidewalk Snow Removal.

C. Park Board Report – Chairperson Jill Smith

- 1) Boehner Pond Trail Project Grants – Natalie Lancial of Malvern Healthy Hometown.
- 2) Approve/Deny: Block Party Application, Park Board, Boehner Pond, October 24th, noon – 4 pm, Fall Festival.
- 3) Discuss/Decision: Boehner Pond Long-term Tent Camper Deadline.

10. Unfinished Business

- A. Discuss/Decision: Rental Inspections Program with SWIPCO – John McCurdy.

- B. Possible motion(s) concerning ORDINANCE NO. 321: Amending the 2020 Malvern Code of Ordinances, Chapter 2-8-3 Meetings -- setting two monthly Council meetings.
 - 1) Consider motion to approve the first reading of ORDINANCE No. 321 Amending Code of Ordinances, Chapter 2-8-3 Meetings; set 2nd reading date.
 - 2) Consider motion to suspend the rules requiring an ordinance be voted on for passage at two council meetings prior to this meeting with respect to ORDINANCE NO. 321: Amending Code of Ordinances, Chapter 2-8-3 Meetings, waiving 2nd and 3rd readings.
 - 3) Consider motion for final passage and adoption with respect to ORDINANCE NO. 321: Amending Code of Ordinances, Chapter 2-8-3 Meetings.

11. New Business

- A. Approve/Deny: **RESOLUTION 2020-28** Urban Renewal Report, for year ending June 30, 2020.
- B. Discuss/Decision: Contractor Lawn Watering Charge for Sewer.
- C. Approve/Deny: **RESOLUTION 2020-29** to Set Public Hearing for Proposal to Dispose of City-owned Real Estate 90 2nd Avenue.
- D. Approve/Edit/Deny: **RESOLUTION 2020-30** to Set Public Hearing for Proposal to Dispose of City-owned Real Estate: 4 parcels, former Chantry Elementary soccer field.
- E. Approve/Deny: Pay Application #4 for Building Crafts, Inc. (Group A) \$76,636.50.
- F. Approve/Deny: Group B Change Order B-2 – Deduction of \$40,607.00.
- G. Approve/Deny: Group B Substantial Completion Form.
- H. Approve/Deny: Final Pay Application #5 for McCarthy Trenching, LLC (Group B) \$19,449.32. (To be held for 30 days after council approval, per Iowa statutes.)
- I. Approve/Deny: **RESOLUTION 2020-31** Requesting Reimbursement COVID-19 Relief Fund – Care Act.
- J. Approve/Deny: **RESOLUTION 2020-32** Set Date for Public Hearing for Malvern City Proposed Budget Amendment #1 FY21.
- K. Approve/Deny: BNSF Railway Invoice \$8,449.87 Inspector Coordinator Fees for Marion Avenue Bridge Replacement Project.
- L. Approve/Deny: Wellmark Employee Health Insurance Renewal Notice – rate increase.
- M. Discuss/Decision/Roll Call Vote: Enter into Closed Session per Iowa Code 21.5(j) to discuss sale of city-owned real estate, 706 3rd Avenue, Lot Eight (8) in Block Two (2) Malvern, Iowa, City Real Estate Public Sale.
- N. Discuss/Decision/Roll Call Vote: Return to Open Meeting.
- O. Approve/Deny: Sealed Bid Winner 706 3rd Avenue, Lot Eight (8) in Block Two (2) Malvern, Iowa Real Estate Owned by the City of Malvern, Iowa.
- P. Approve/Deny: **RESOLUTION 2020-33** Set 2nd Public Hearing/Sale and Conveyance of 706 3rd Avenue.

12. Mayor’s Report

- A. Discuss: MALVERN Hwy. 34 Entrance Sign Letter Replacement.
- B. Discuss: Ditch Clean-Out Plan of Action – November 9th deadline progress.
- C. Discuss/Decision: Chantry Fence.

13. Project/Meeting Updates

- 1) Update: City Alerts—COVID19 – Moreau/Shere.
- 2) Update: FEMA – Spring Flood/high water table Street Renovation Project – Extension – Shere.

14. Nuisance District Updates: September 15 – October 14, 2020

- A. Discuss/Decision: Nuisance Districts Abatements Issues as stated below and in update packet:
 - District#1: Bruce Breeding;
 - District#2: Roger Johnson: 307 5th Avenue, McConkey – abandoned house, follow tax compliance.
 - District#3: Kate McGann: 109 W. 6th Street, Collins—collapsing retaining wall onto sidewalk. 905 N 2nd Avenue, Aldrich—tree roots disrupting sidewalk.
 - District#4: Chris Androy: 910 Prospect Avenue, (Saal) Begbie—garage dangerous building.
 - District#5: Doug Shere: Southern RR two parcels south of Heartland Coop, subject of abatement and ownership.

15. Mayor and Councilmember Comments Regarding Non-Agenda Items.

16. ADJOURNMENT of REGULAR MEETING.