

MALVERN CITY COUNCIL
MINUTES OF REGULAR MEETING
In-Person Social Distancing Measures for Council/Public Teleconferencing
Malvern Community Building Basement - 501 Main Street
February 8, 2021 – 7 p.m.

FOR GENERAL PUBLIC: TELECONFERENCE: 978-990-5201 Access code: 359327# was available

The February 8, 2021 regular meeting of the **Malvern City Council** was called to order by Mayor Moreau at 7:01 PM, Malvern Community Building Basement, 501 Main Street, Malvern, Iowa. Mayor Moreau recognized the following **Councilmembers as present:** Chris Androy, Bruce Breeding, Kate McGann, with Doug Shere arriving at 7:53 PM. Absent: Roger Johnson. A quorum was recognized. Street Supervisor Hoose was present. City Clerk Mary Poort was also present. Mayor Moreau welcomed three visitors and called for any non-agenda public presenters—there being none.

Androy motioned to approve the **Consent Agenda:** tentative agenda, regular meeting minutes of January 26, 2021, current expenditures, and place on file minutes of Library Board—1/4/21, Park Board—1/12/2021, Liberty Memorial Building Board—1/22/21, Breeding seconded. All ayes; motion carried.

Scheduled Presenters: Jeremy Davis and Tyler Bartley, of Sown Local Foods, addressed the Council with issues of snow accumulation at Boehner Pond with potential effects on their high tunnel farming to the west. There were no community presenters. Davis and Bartley exited the meeting.

PUBLIC HEARING #1: Proposed Property Tax Levy - **FY22 MAX LEVY.** Mayor Moreau called to order the Public Hearing: 7:15 PM. Recognition of Publication of Notice of Proposed Action FY22 MAX LEVY: Malvern Leader, 1/28/21. City Clerk reported no written objections filed at City Hall. Mayor Called for Objections, Statements, and/or Exhibits for Council Consideration—none. Adjournment of Public Hearing: 7:16 PM.

PUBLIC HEARING #2: Proposed Amendment to the 2020 Code of Ordinances of the City of Malvern, Iowa, **Adopting the 2015 Edition of the International Property Maintenance Code**, per rental inspections protocol. Mayor Moreau called to order the Public Hearing: 7:16 PM. Recognition of Publication of Notice of Proposed Action as stated: Malvern Leader, 1/28/21. City Clerk reported no written objections filed at City Hall. Mayor Called for Objections, Statements, and/or Exhibits for Council Consideration—none. Adjournment of Public Hearing: 7:16 PM.

Mayor Moreau called on **DEPARTMENT UPDATES: PeopleService—Superintendent Peterson**, absent. McGann motioned to authorize the purchase of limestone stockpile for riprap (6" - 8" limestone rock) around the lagoon ponds @ \$19/ton, approximately \$2,280. Breeding seconded. All ayes; motion carried. **Street Department Report-- Superintendent Dave Hoose.** January report presented daily and general work. Topics: salt and sand in stock/resource. McGann motioned to look into alternatives to snow accumulation at Boehner Bond before next winter and work with Landowner Nerland Jacobson and Sown Local Foods, plan pending Park Board approval. Breeding seconded. All ayes; motion carried. Issue to be placed on March 23, 2021 meeting. McGann motioned to approve abatement/replacement of **109 W. 6th Street retaining wall** falling on City sidewalk \$9,600 bid. Discussion—owner unable to fix; assess to taxes. Androy seconded. All ayes; motion carried. **Park Board—Chairman Jill Smith**, absent; Boehner Pond and trails project on next agenda.

UNFINISHED BUSINESS: Breeding motioned to approve **RESOLUTION 2021-05 Approving the Maximum Property Tax Dollars for Budget Year 7/1/21 to 6/30/22 an increase of 101.45%--FY22 Budget Max Levy.** Discussion: Max Levy recognized to be less than 102%. McGann seconded. Three ayes, two absent; motion carried.

Mayor Moreau called for the **FIRST READING of ORDINANCE NO. 322:** Amending the 2020 Malvern Code of Ordinances, Adopting the 2015 Edition of the International Property Maintenance Code, Regulating and Governing the Conditions and Maintenance of Property, Buildings and Structures. Poort read a synopsis. McGann motioned approve the first reading and set a SECOND READING for March 8, 2020 for **ORDINANCE No. 322:** Amending the 2020 Malvern Code of Ordinances, Adopting the 2015 Edition of the International Property Maintenance Code. Breeding seconded. All ayes; motion carried.

Discussion was held on the Resolution Establishing Rental Inspection Fees and SWIPCO Contract for Services. Municipal Infractions process and cost of reports are to be clarified.

NEW BUSINESS: Androy motioned to approve **RESOLUTION 2021-06 To Establish a New Address** for United Methodist Church Parcels CDEF on the Fourth Block of East 9th Street as 413 East 9th Street. Breeding seconded. All ayes; motion carried.

McGann motioned to approve **Water Project Pay App. #7** Building Crafts, Inc., December 2020, \$147,145.50 and **Pay App. #8** Building Crafts, Inc., January 2021, \$188,166.50. Breeding seconded. All ayes; motion carried.

Androy motioned to approve **Water Project Invoices:** JEO engineering fee \$14,012.50, Thiele Geotech, Inc Invoice 72355 \$470.00, CDBG SWIPCO December administration fee \$4,219. McGann seconded. All ayes; motion carried.

McGann motioned to approve **RESOLUTION 2021—07 Setting the Date for Public Hearing and Additional Action on Proposal to Enter into a General Obligation Corporate Purpose Loan Agreement** for March 8, 2021. Breeding seconded. All ayes; motion carried.

Discussion was held on budget issues and considerations. Shere arrived at 7:53 PM. Poort provided FY22 departmental budget figures, explanation of FY21 Budget Amendment #2, and Re-Estimated state form expenses. **McGann motioned to reschedule February 23, 2021 Council meeting to Monday, February 22** due to budget publication issues. Shere seconded. All ayes; motion carried.

Androy motioned to Enter into **Closed Session** per Iowa Code 21.5(j) to discuss fire department relocation and land acquisition. Shere seconded. Roll Call Vote: Ayes: Androy, Breeding, McGann, Shere; absent—Johnson. Motion carried at 8:10 PM.

Androy motioned to Open Session at 8:30 PM. Shere seconded. Roll Call Vote: Ayes: Androy, Breeding, McGann, Shere; absent—Johnson. Motion carried.

Shere motioned for the Council to move forward with negotiations with the landowner for **fire department relocation**. Breeding seconded. All ayes; motion carried.

MAYOR'S REPORT: no report. **NON-AGENDA COMMENTS**—Topics: Heritage Park; downtown business opportunities. There being no further business, the **meeting adjourned** with a motion by McGann at 8:44 PM.

Fred A. Moreau, Mayor

ATTEST:
Mary Poort, City Clerk