

MALVERN CITY COUNCIL
MINUTES OF REGULAR MEETING
In-Person Social Distancing Measures/Teleconferencing
Malvern Community Building Basement - 501 Main Street
March 8, 2021 – 7 p.m.
TELECONFERENCE: 978-990-5201 Access code: 359327#

The March 8, 2021 regular meeting of the **Malvern City Council** was called to order by **Mayor Moreau** at 7:04 PM, Malvern Community Building Basement, 501 Main Street, Malvern, Iowa. Mayor Moreau recognized the following **Councilmembers as present:** Bruce Breeding, Roger Johnson, Doug Shere. Absent: Chris Androy, Kate McGann. A quorum was recognized. Park Board Chairman Jill Smith was present. City Clerk Mary Poort was also present. Mayor Moreau welcomed two guests, five visitors (all in-person), and called for any non-agenda public presenters—there being none.

Johnson motioned to approve the **Consent Agenda:** tentative agenda, regular meeting minutes of February 22, 2021, current expenditures, and place on file minutes of Library Board—2/1/21, Liberty Memorial Building Board—2/19/21, Park Board—3/21/2021. Breeding seconded. All ayes; motion carried.

Scheduled Presenters: Mills County Sheriff Travis Oetter. Discussion was held. Oetter exited at 7:25 PM. There were no community presenters.

PUBLIC HEARING #1: Proposed **FY22 Budget for the City of Malvern, Iowa:** Called to Order the Public Hearing at 7:27 PM. Recognition of Publication: Notice of the City Council’s Intent to Conduct a Public Hearing on the Proposed FY22 Budget for the City of Malvern, Iowa, had been published 2/25/2021, in the Malvern Leader. City Clerk reported no written objections filed at City Hall. Mayoral Called for Objections, Statements, and/or Exhibits for Council Consideration—none. Adjournment of Public Hearing: 7:28 PM.

PUBLIC HEARING #2: Proposal to Enter into a **General Obligation Corporate Purpose Loan Agreement** not to exceed \$100,000: Called to order the Public Hearing at 7:28 PM. Recognition of Proposal to Enter into a General Obligation Corporate Purpose Loan Agreement had been published in the Malvern Leader, 2/18/21. City Clerk reported no written objections filed at City Hall. Mayor Called for Objections, Statements, and/or Exhibits for Council Consideration—explanation of pool painting and roof replacement, roof age inquiry, contractors. Adjournment of Public Hearing: 7:31 PM.

Mayor Moreau called on **DEPARTMENT UPDATES: PeopleService—Superintendent Peterson**, absent. Update: Malvern Water Treatment Plant Project: Mayor Moreau called on Caleb White, JEO Engineer, who talked on progress, USDA site visit, first run-through, substantial completion, and final completion date. Upon further discussion, **Johnson motioned to approve Maguire Iron, Inc., Substantial Completion Form and Warranty.** Breeding seconded. All ayes; motion carried. Engineer White provided explanation of proposed project for **6” Water Main along 1st Street from Main to 3rd Ave (Figure & Opinion of Cost).** **Shere motioned to pursue this option** as outlined by White. Johnson seconded. All ayes; motion carried. White also talked about a proposal from Group A contractor to replace the existing well buildings. **Shere motioned to put a hold on well buildings** replacement due to costs over budget. Breeding seconded. All ayes; motion carried. **Johnson motioned to table PeopleService WARN System membership** until Howard is available for explanation. Shere seconded. All ayes; motion carried. Caleb White exited at 7:56 PM.

Street Department Report--Superintendent Dave Hoose, absent. February report presented daily and general work. In response to citizen complaint, **Johnson motioned that snowplow damage will be repaired** at Fairview Hills Subdivision and it is the **owners’ responsibility to provide reflector delineation** of yard/street edge before first yearly snow falls. Breeding seconded. All ayes; motion carried. In further discussion, Shere discussed the **FEMA PA 4421 PW 37 Project Obligation Reports**, scope of practice, bids, and rental of equipment in preparation for re-surfacing. Visitor Kevin Willms exited the meeting.

Park Board—Chairman Jill Smith, topics of presentation: pool painting, pool house skid resistant flooring, May 21 & 23 bike ride preparation, pond low water, removal of trees and brush, REAP grant construction of bike trail connection to Wabash Trace and around Bohner Pond, plus campground extension. Smith exited at 8:29 PM.

UNFINISHED BUSINESS: Shere motioned to approve **Mills County Law Enforcement Services Contract**, \$17.33/capita, 7/1/21 - 6/30/22. Johnson seconded. All ayes; motion carried.

Johnson motioned to approve **RESOLUTION 2021-09 Adopting FY22 Malvern City Budget**. Shere seconded. Ayes--Johnson, Shere, Breeding; nays—none; absent--Androy, McGann. Motion carried.

Mayor Moreau called for the **SECOND 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. Shere motioned approve the second reading and **set a THIRD READING for April 12, 2021 for ORDINANCE No. 322:** Amending the 2020 Malvern Code of Ordinances, Adopting the 2015 Edition of the International Property Maintenance Code. Breeding seconded. Ayes--Shere, Breeding; nays—Johnson; absent--Androy, McGann. Motion carried.

Shere explained work that has been completed and work to be completed according to Olmsted & Perry Consulting Engineers 2009 **Malvern Drainage Study of SW City Limits**, with culvert replacement before FEMA road project, and equipment rental needed.

NEW BUSINESS: Breeding motioned to approve **Water Project Pay App. #9** Building Crafts, Inc., 3/2/2021, \$53,779.50 and **Pay App. #2** Maguire Iron, Inc., 10/21/2021, \$34,696.88. Johnson seconded. All ayes; motion carried.

Johnson motioned to approve **Water Project Invoices:** JEO engineering fee \$7,067.50, CDBG SWIPCO January administration fee \$4,220. Breeding seconded. All ayes; motion carried. Four visitors exited the meeting.

Breeding motioned to move forward with **early closing of the Water Treatment Plant Project USDA Revenue Loans** and set a special Council meeting for Wednesday, March 17, 2021, at 7 PM. Shere seconded. All ayes; motion carried.

Discussion was held on approximately **-\$19,507.50 expected receipts from January – June 2021 of Local Option Sales Tax (LOST)** due to COVID inactivity.

Shere motioned to approve **RESOLUTION 2021-08 Authorizing and approving a Loan Agreement**, providing for the issuance of \$100,000 General Obligation Corporate Purpose Note, and providing for the levy of taxes to pay the same. Breeding seconded. Ayes--Shere, Breeding, Johnson; nays—none; absent--Androy, McGann. Motion carried.

Shere motioned to **approve Malvern Concert Series Block Party Application**, 5-21-21 and 6-12-21 throughout summer, barricades for 'Art Alley' 6-9 PM. Johnson seconded. All ayes; motion carried.

Johnson motioned for **MABA to explore alternative funding sources** for the \$611.79 bid overage on the \$12,000 lighting entrance grant and report back to Council at the April Council meeting. Shere seconded. All ayes; motion carried.

Shere motioned to approve **RESOLUTION 2021-10 to Establish 1310 Prospect Avenue** as a New Address on the 1300 Block of Prospect Avenue, Malvern, Iowa. Johnson seconded. All ayes; motion carried.

MAYOR'S REPORT: Mills County Public Health is accepting residents age 64 and younger with preexisting medical conditions for the COVID-19 vaccine beginning March 8. **NON-AGENDA COMMENTS—none.** There being no further business, the **meeting adjourned** with a motion by Shere at 9:26 PM.

Fred A. Moreau, Mayor

ATTEST:

Mary Poort, City Clerk