

**MALVERN CITY COUNCIL
MINUTES OF REGULAR MEETING
In-Person Social Distancing Measures
Malvern City Hall, City Council Chambers – 100 West 5th Street
April 27, 2021 – 7 p.m.**

The April 27, 2021 regular meeting of the **Malvern City Council** was called to order by Mayor **Fred Moreau** at 7:00 PM. Mayor Moreau recognized the following **Councilmembers as present**: Chris Androy, Roger Johnson, Kate McGann, Doug Shere; absent: Bruce Breeding. City Clerk Mary Poort was also present. Water Superintendent Howard Peterson and one visitor were present. Mayor Moreau called for any **non-agenda public presenters**; there being none.

Shere motioned to approve the **Consent Agenda**: tentative agenda, regular meeting minutes of 4/12/21, Liberty Memorial Building Board minutes of 4/13/21, and Casey's Marketing Company Tobacco Sales Permit. Johnson seconded. All ayes; motion carried. **Scheduled Presenter**: none.

UNFINISHED BUSINESS: Water Superintendent Howard Peterson addressed the Council on **sewer issues** on Wilson Avenue and West 3rd Street. McGann motioned to move forward on bids for repairs and jet/televise collapsed sewer line at alley intersection and West 3rd Street. Shere seconded. All ayes; motion carried.

Androy motioned to table **JEO Change to Scope of Services**, two-blocks of new 6" water main along 1st Street (from 3rd Ave to Main Street) until May 10th meeting. Peterson is to secure bids for comparison. Shere seconded. All ayes; motion carried.

McGann motioned to approve the **Water Revenue Project Series 2020 Redemption – interest recalculation** in payment of \$28,853.32 upon closing of the Water Treatment Plant Project/Revenue Bond setup. Shere seconded. All ayes; motion carried.

Out of Agenda Order: Mayor Moreau recognized a call-in: Attorney Matt Woods teleconferenced with the Council on the proposed **Two-Mile Extra-Territorial Zoning** and County/City 28-E Agreement, which would allow the city to have more input on zoning matters within a designated one/two mile radius outside the city limits. Shere and Moreau will meet with Woods in the next two weeks to explore: vision plan, comp plan, zoning ordinance, conditional use permits, subdivision regulations, document provided by Mills County Zoning, etc.

NEW BUSINESS: Androy motioned to **approve Weathercraft Co. Invoice #00067115 \$34,461.00** for Liberty Memorial roof. Johnson seconded. All ayes; motion carried.

McGann motioned to approve **RESOLUTION 2021-15 Establishing Fees for Inspections of Residential Rental Property** within the City of Malvern and **Contract for Services** Between City of Malvern and SWIPCO. Shere seconded. Ayes: Androy, McGann, Shere; Nays: none; Abstain: Johnson; Absent: Breeding. Motion carried.

Androy motioned to approve **Wirth Construction Invoice to Collins**, 109 West 6th Street, Nuisance Abatement decaying retaining wall replacement, \$9,600. McGann seconded. All ayes; motion carried.

Androy motioned to approve **New members to the Malvern Low Rent Housing Agency Board** of Commissioners: David Bandom and Alan Obermiller, to fill vacancies of Michael Blackburn and Dale Stephens. Johnson seconded. All ayes; motion carried.

MAYOR'S REPORT: 1) COVID19 update—more educational information for individuals without vaccinations. 2) League of Cities Sensitivity Training for City employee, officials, and MVFD was held on April 19, 2021, with participation roster filed at City Hall.

PROJECT/MEETING UPDATES: 1) Update: FEMA Flooded Roads Project -- Malvern 91871 (PW#00037) 103032 (PW#01568) – City Street Department to rent equipment for West 5th Street Culvert Project, per Homeland Security advice. 2) Sign-up for the City Alert System is posted on Facebook, www.malvernia.com resources/update & minutes/agenda April 27th, and sign-up assistance at City Hall and Malvern Public Library. 3) Update: American Rescue Plan – League of Cities Webinar, April 30, 2021.

Nuisance District Updates: March 30 – April 27, 2021: District#1: Bruce Breeding: 507 Lincoln Avenue, Smithson, Cane Corso attack -- removal from city limits. District#2: Roger Johnson: Letters out: 1) 107 2nd Avenue, Wilson—vehicle/junk abatement, 2) 95 2nd Avenue, Buckner—vehicle/junk abatement, 3) 109 5th Avenue, Campbell—vehicle/junk abatement. District#3: Kate McGann: 1) 905 N 2nd Avenue, Aldrich—tree roots disrupting sidewalk: city attorney action. 2) 905 N 2nd Avenue, Aldrich--Ordinance infraction: shingle roof replacement with metal: city attorney action. Attorney Woods comments: Both issues could petition in district court to set timeline and resolve. Attorney letter to Aldrich. District#4: Chris Androy: 1) 910 Prospect Avenue, (Saal) Begbie—garage dangerous building: roofing complete; weather extension—painting. 2) 1104 2nd Avenue, Carol Green – Dead Tree in NE corner -- Motion by McGann for City Street Department to cut tree down and remove due to Main Street Bridge Project weed control. Johnson seconded. Ayes: Johnson, McGann, Shere; Nays: Androy; Absent: Breeding. Motion carried. 3) Other nuisance matters: 701 Wilson—trucks in backyard; 708 3rd Avenue—old camper, old appliances, and debris; 710 3rd Avenue—deck falling off; 302 East 3rd Street—business sign placement and corner foliage/décor within height limits for intersection line of sight. District#5: Doug Shere: none.

Non-Agenda Items (no action taken): Mulholland's alley yellow paint for truck turning. Closed session May 10th for city clerk application review. Crack seal team work on Main Street. Western Iowa Networks overlay of Malvern.

Shere **motioned to adjourn.** The regular meeting was adjourned at 8:52 PM.

Fred A. Moreau, Mayor

ATTEST:
Mary Poort, City Clerk