

MALVERN CITY COUNCIL  
MINUTES OF REGULAR MEETING  
Malvern City Hall – 100 W 5TH Street

The August 31, 2021, regular meeting of the Malvern City Council was **called to order** at 7:02 p.m. by Mayor Moreau. Council Members present were Breeding, Johnson, and Shere. McGann was present via teleconference. A quorum was recognized. Also in attendance were Rachel Reis, John Phelps, Joe Wearin, and Ed Mulholland. Breeding motioned to approve the **Consent Agenda** consisting of the August 31, 2021 tentative Council Meeting agenda, August 9, 2021 Council Meeting minutes, and direction to place Malvern Park Board minutes of file from August 8, 2021. Shere seconded. All ayes; motion carried. Mayor Moreau recognized John Phelps to discuss maintenance of the Malvern Cemetery. Phelps stated that the cemetery was in poor financial health and that the upcoming need to replace their grounds keeper would likely result in an increased deficit. Phelps will come before Council again during budget planning sessions to discuss the City's future involvement with Malvern Cemetery. No other visitors were present to address the council.

**New Business:** Mayor Moreau opened the public hearing for the proposed sale and conveyance of rights, title, and interest to the real property legally described as Lot 9, Block 44, 3<sup>rd</sup> Ave, Malvern, IA 51551 at 7:14 p.m. Moreau recognized the publication of notice for the proposed sale in Malvern Leader on August 19, 2021. Clerk reported no written objections. Mayor called for objections or statements for Council consideration; there being none. No bids were submitted. Mayor closed public hearing at 7:15 p.m. Shere motioned to table discussion on **Resolution 2021-31:** Approving the Sale and Conveyance of Real Estate Owned by the City of Malvern. Johnson seconded. All ayes; motion carried. Johnson motioned to approve a block party application for the alley located between E 5<sup>th</sup> St. and E 4<sup>th</sup> St. just east on Main St for September 18-19. McGann seconded. All ayes; motion carried. Discussion was held regarding Section 3.7.5 of the Malvern Zoning ordinance. Current ordinance allows for metal roofs as long as they are not corrugated. No action was taken. Discussion was also held relating to a request from Mills County Board of Supervisors on projects that could potentially be covered under American Rescue Plan funding. Potential projects included UV sanitation or grinder pumps at the sewage lagoon, broadband internet expansion, and replacing existing water lines. Shere motioned to approve **Resolution 2021-32:** Approving the Iowa Waste Services 2022 Solid Waste Comprehensive Plan Update. Johnson seconded. All ayes; motion carried.

**Mayor's Report:** Mayor Moreau presented Council with a summary of recommendations detailed in the 2017 Community Tree Management Plan conducted by Iowa DNR. Recommendations included removal of 44 trees in the right-of-way including 21 Ash trees and an increase in the City's tree budget to accommodate care, maintenance, and removal of trees. Moreau also spoke regarding the 2021 Debt Obligation report filed annually by the City. Current debt totals \$4.1 million and includes Main Street and Marion Avenue bridge replacements, roof for Liberty Memorial Building, and Water Treatment Plant.

**Project Updates:** George reported that Reimbursement Request #2 for \$ 82,541.49 and Management Cost Reimbursement for \$931.75 had been submitted through EMGrantsPro and a project closeout request was pending. A final inspection is necessary to complete project

closeout. A report from Caleb White detailed the progress as the Water Treatment Plant since the last Council Meeting. Council expressed concerns about the project's delays and the improper plumbing of a pipe from Well 10 to nitrate filtration system. Shere motioned to approve the pay request from JEO for \$2885.00. Motion failed to gain a second. No Council action was taken.

**Nuisance District Updates:** City Attorney is drafting a municipal infraction for property located at 610 Lincoln Avenue. Further action is delayed on 107 2<sup>nd</sup> Avenue as the property is in Probate Court. 97 3<sup>rd</sup> Avenue will receive an additional nuisance abatement notice for junk/junk vehicles. 952 2<sup>nd</sup> Avenue was sent a letter for damaged travel trailer on property. Clerk's presence at Magistrate Court has been requested by City Attorney on September 14 for a property located at 905 2<sup>nd</sup> Avenue. Council directed Clerk to send a nuisance abatement for weeds, junk/junk vehicles, and trailer on an unprepared surface for a property at 702 3<sup>rd</sup> Avenue.

**Clerk's Report:** George updated the Council on upcoming dates for the November 2, 2021 regular city election. The City of Malvern has the mayor and 3 at-large city council seats on the ballot. George also informed the Council of the opportunity to attend ICMA Virtual conference on October 3-6.

**Mayor and Councilmember Comments Regarding Non-Agenda Items:** Council and Mayor thanked Kate McGann for her dedication and service to the City of Malvern in her 8 years on Council.

McGann motioned to adjourn the meeting. Breeding seconded. All ayes; motion carried.

Fred Moreau, Mayor

ATTEST:

Joe George, City Clerk