MALVERN CITY COUNCIL

MINUTES OF REGULAR MEETING

Malvern City Hall − 100 W 5TH Street

The September 28, 2021 regular meeting of the Malvern City Council was **called to order** at 7:01 p.m. by Mayor Moreau. Council Members present were Androy, Johnson, and Shere. A quorum was recognized. Also in attendance were Sharon Chickering, Ardeth Henderson, Serena Shere, Cisco Shere, Teresa Shere, Frank Leahy, Jerry Lathrop, Taryn Schettler, Rich Maaske, Diane Maaske, Lynn Christensen, and Jared Horton. Johnson motioned to approve the **Consent Agenda** consisting of the September 28, 2021 tentative Council Meeting agenda, September 13, 2021 Council Meeting minutes, and direction to place Malvern Park Board minutes on file from September 7, 2021. Androy seconded. All ayes; motion carried. Breeding joined the meeting at 7:02 p.m. Mayor Moreau recognized visitors seeking to address the Council. Serena Shere discussed her desire for the City to abandon the portion of W 9th Street that lay west of 2nd Avenue. The Council directed the clerk to research the process and report back to the Council at the next meeting. No other visitors were present to address the Council.

**Old Business:** Discussion was held regarding employee health insurance. Androy motioned to table the discussion until October 11. Johnson seconded. All ayes; motion carried. **New Business:**  Androy motioned to appoint Heather West to fill the vacant Council seat for a term ending on December 31, 2021. Shere seconded. All ayes; motion carried. West was sworn in by Mayor Moreau. Shere motioned to approve **Resolution 2021-37:** Approving the FY2021 Urban Renewal Report. Breeding seconded. All ayes; motion carried. Discussion was held regarding traffic on E 7th Street. Council request more information on performing a city-wide traffic study and the price of purchasing a speed trailer. Androy motioned to table the discussion until October 11. Shere seconded. All ayes, motion carried. Jared Horton provided Council with updated site plans for two townhomes, four units, to be included in the CDBG-DR grant application. Ardeth Henderson was present to discuss the Planning and Zoning’s decision to deny support for the rezoning of property in the Costello Subdivision. Androy motioned to approve **Resolution 2021-38:** Supporting the application for CDBG-DR funding to build townhomes on lots 2 & 4 of Costello Subdivision. Johnson seconded. All ayes; motion carried. Discussion was held regarding the potential for an 80/20 voluntary annexation of land north of Malvern city limits. Conversations with the property owners showed a willingness for voluntary annexation. The clerk was instructed to contact the City Attorney and set up a meeting with interested property owners. Discussion was held on the increased use of ATVs and UTVs in the city and city parks. Council will work to identify streets for restricted use. At Water Superintendent Peterson’s suggestion, the City will seek solutions for air in the water lines toward Fairview Hills Subdivision.

**Project Updates:** The FEMA project closeout process has not advanced since the last Council update. A fissure was noted on 4th Avenue north of 2nd Street. Street Superintendent Hoose has contacted Affordable Asphalt about options for repairing. Johnson motioned to approve a JEO invoice 127417 for $7541.00. Breeding seconded. All ayes, motion carried.

**Nuisance District Updates:** Keith Tucker is working on a municipal infraction for a property at 610 Lincoln Avenue. No further action had taken place at 107 2nd Avenue since the property is in Probate Court. City will prepare a nuisance abatement notice for junk and junk vehicles at 97 3rd Avenue upon receipt of an inventory of the property. A Magistrate Court date has been set on October 14th for 905 2nd Avenue to address the removal and failure to replace sidewalk. The trailer with junk has been removed from a property at 702 3rd Avenue and the yard was mowed. Clerk is working with Tucker for legal standing on removing the occupants. A nuisance letter was sent to 709 3rd Avenue for junk, it was returned by USPS.

**Clerk’s Report:** Androy motioned to approve the City’s participation in the Water Treatment Cybersecurity Technical Assistance Program offered by US EPA. Shere seconded. All ayes; motion carried. Shere motioned to approve city clerk’s attendance of the Municipal Professionals Institute Fall Session on October 6 & 7. Johnson seconded. All ayes; motion carried.

**Mayor and Councilmember Comments Regarding Non-Agenda Items:** Johnson received a call from a property owner about settling due to the installation of a city water line. No action will be taken at this time.

Shere motioned to **adjourn** the meeting at 8:24 p.m. Androy seconded. All ayes; motion carried.

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Fred Moreau, Mayor

ATTEST:

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Joe George, City Clerk