MALVERN CITY COUNCIL

MINUTES OF REGULAR MEETING

Malvern City Hall − 100 W 5TH Street

The November 30, 2021 regular meeting of the Malvern City Council was **called to order** at 7:00 p.m. by Mayor Moreau. Council members present were Androy, Breeding, Shere, and West. A quorum was recognized. Also in attendance were Joe George and Amber Lidgett. Mayor Moreau recognized visitors seeking to address the Council; there being none. Androy motioned to approve the **Consent Agenda** consisting of the November 30, 2021 tentative Council meeting agenda, November 8, 2021 Council meeting minutes, and November 18, 2021 Special Council meeting minutes. Breeding seconded. All ayes; motion carried.

**Old Business:**  Androy motioned to hold the second reading of Ordinance 324 Repealing Pit Bull Ban. West seconded. All ayes; motion carried. Androy motioned to approve the second reading of Ordinance 324 Repealing Pit Bull Ban. Shere seconded. All ayes; motion carried. Discussion was held on the health and dental insurance plans recommended by Kingsolver Insurance Agency. These include the Trustmark Financial Plan 3 and Delta Dental PPO Plus Premier A/Child Ortho Rider. Shere motioned to approve the recommendation with insurance effective 12/1/2021 through 12/31/2022. Breeding seconded. All ayes; motion carried.

**New Business:**  Western Iowa Networks requested the City assign an address to their substation located near 2nd Avenue and 11th Street. WIN plans to seek approval to replace the substation in the future. Androy motioned to approve **Resolution 2021-40:** Setting Address for 1102 2nd Avenue. Shere seconded. All ayes; motion carried. A property in Fairview Hills Subdivision had previously been assigned the address of 313 Augusta Circle Unit 315. The original plat map showed plans for a duplex to be built on the property. The owner has since decided to build a single-family home and has requested a change of address to 313 Augusta Circle. Shere motioned to approve **Resolution 2021-41:** Setting Address for 313 Augusta Circle. West seconded. All ayes; motion carried. Malvern Economic Development LLC submitted the Developer’s Estimate Worksheet requesting funds for infrastructure reimbursement through tax increment financing as detailed in the Amended Developer’s Agreement. Androy motioned to approve **Resolution 2021-42:** Adopting the Annual Appropriation Resolution for Fairview Hills Subdivision. Breeding seconded. All ayes; motion carried. Androy motioned to approve the **Annual Financial Report for FY2021**. Shere seconded. All ayes; motion carried. Shere motioned to approve **Resolution 2021-43:** Certifying Charges to Mills County Treasurer for an Unpaid Water Bill. Breeding seconded. All ayes; motion carried. Discussion was held on moving the City to direct deposit of city employee paychecks. Shere motioned to table discussion until December 13, 2021, when further information can be gathered. Discussion was held regarding a sidewalk repair at 510 Prospect Avenue. A tree had disrupted the existing sidewalk and a request was made for a variance to allow the property owner to replace the sidewalk in a manner to avoid the tree and roots. Shere motioned to approve the variance. West seconded. All ayes; motion carried. Discussion was held regarding a previous ordinance related to an internet franchise. Western Iowa Networks contacted the City about right-of-way permitting for their upcoming installation of fiber optic cables throughout the city. Shere motioned to table the discussion until December 13 when a WIN representative can be present. Discussion was held on a request by a property owner to vacate a portion of right-of-way on Short Street and Prospect Avenue. The current property owner discovered that an addition to the home was previously built in the right-of-way. Shere motioned to move forward with the vacation of right-of-way with the property owner paying any associated costs. Discussion was held on a request received by the City to abandon a portion of 5th and 6th Avenues, a portion of W 3rd Street, and adjacent alleys. Council expressed concern about abandoning the portion of 5th Avenue due to location of an existing sewer line along the property. Shere motioned to move forward with abandoning a portion of 6th Avenue between W 2nd Street and vacated railroad property, a portion of W 3rd Street from 7th to 6th Avenue, and the identified adjacent alleys. Costs are to be covered by the interested party. Androy seconded. All ayes; motion carried. Discussion was held on a request made to abandon Wabash Trace Street, detailed in the plat map for Fairview Hills Subdivision. Shere motioned to table the discussion until a representative can be present to discuss the planned uses of adjacent properties. Androy seconded. All ayes; motion carried.

**Mayor’s Report:** Discussion was held on which parcels the City would be willing to annex under 80/20 voluntary annexation. Shere voted to move forward with 4 parcels consisting of 160 acres of land located on the west side of 315th Street north of Malvern city limits. West seconded. All ayes; motion carried.

**Project/Meeting Updates:** No update on the FEMA Flooded Roads Project closeout. Clerk gave a summary of the November 30 Water Treatment Plant progress meeting. Work on well 11 is complete but cannot be brought online until Sweeney replaces a modem on the well. Once well 11 is operational for 48 hours, well 10 will be taken offline for updates. Final completion of the plant is scheduled for December 10th. Marking of the water infrastructure for GIS mapping needs to be completed also. Androy motioned to approve JEO Invoice #128753 for $2,667.50. Breeding seconded. All ayes; motion carried. Shere motioned to approve Dorsey and Whitney Invoice #3705950 for $14,606.00. West seconded. All ayes; motion carried.

**Nuisance District Update:** Trailers have been removed from a property located at 610 Lincoln Avenue. The property at 107 2nd Avenue remains in Probate, the City will wait on further action. An abatement notice was issued for 409 W 4th Street for poultry residing on the property. Clerk was instructed to follow up on previous letters sent to 910 Prospect Avenue.

**Mayor and Councilmember Comments Regarding Non-Agenda Items:** Council members were invited to attend the December 6 Library Board meeting. Council members were given information on upcoming new Council member trainings.

Shere motioned to **adjourn the meeting** at 8:25 p.m. Androy seconded. All ayes; motion carried.

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Fred Moreau, Mayor

ATTEST:

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Joe George, City Clerk