MALVERN CITY COUNCIL

MINUTES OF REGULAR MEETING

Malvern City Hall − 100 W 5TH Street

The October 26, 2021 regular meeting of the Malvern City Council was **called to order** at 7:03 p.m. by Mayor Moreau. Council Members present were Breeding, Shere, and West. Johnson was present via teleconference. A quorum was recognized. Also in attendance were Dave Hoose, Brian Kingsolver, and Joe George. Johnson motioned to approve the **Consent Agenda** consisting of the October 26, 2021 tentative Council meeting agenda, October 14, 2021 Council meeting minutes, direction to place Liberty Memorial Building Board meeting minutes on file from October 19, 2021. Breeding seconded. All ayes; motion carried. Brian Kingsolver of the Kingsolver Insurance Agency presented Council with a proposal for employee health insurance, recommending the City move to a self-funded insurance policy through Trustmark Financial. Kingsolver also suggested a move to a January 1 renewal date in 2023. Mayor Moreau recognized community presenters seeking to address the Council; there being none.

**Old Business:** Shere motioned to move forward with employee interviews to determine eligibility for self-funded health insurance through Trustmark Financial. Breeding seconded. All ayes; motion carried. Discussion was held on the Main Street Bridge railing and trusses that have begun rusting. Clerk presented Council with the process required by BNSF Railway for having the work performed. The City will wait for the next 3-year bridge inspection to decide if the work needs to be done. Clerk was instructed to reach out to HGM on pricing to complete the work. The clerk updated Council on the abandonment of a portion of W 9th Street. City Attorney Woods recommended that the City wait to move forward with the abandonment until a final plat is approved on the potential subdivision to be located on W 11th Street. He also stated that it would cost the City between $500-$1,000 to abandon the property plus approximately $150 associated with public notice in the *Malvern Leader*. Shere stated that the adjacent property owner would be willing to pay this cost. West motioned to move forward with abandoning the property once a final plat is approved. Breeding seconded. West, Breeding, and Johnson voted aye with Shere abstaining; motion carried. Discussion was held on the City’s ordinance relating to animal control. Since the current ordinance covers vicious animals within city limits, Shere motioned to direct the Clerk to draft a resolution setting the date of public hearings to remove the pit bull ban from the Malvern Code of Ordinances. West seconded. All ayes; motion carried.

**New Business:**  Johnson motioned to approve MABA’s application for a block party for E 4th Street pending the expiration of the Mills County burn ban. The application is for November 27th from 6 pm to 7:30 pm with a reschedule date of December 4th, in case of poor weather. Breeding seconded. All ayes; motion carried. Shere motioned to deny consideration of Western Iowa Wireless’s request to place an antenna on the water tower. West seconded. All ayes; motion carried. Johnson motioned to approve Monte West’s contract for snow removal on city-owned property at $100 per hour for fiscal year 2022. Shere seconded. All ayes; motion carried.

**Mayor’s Report:** Mayor Moreau and City Clerk attended a Board of Supervisor’s meeting on October 5th to inform them of the City’s intention to annex 320 acres north of Malvern to Highway 34. Supervisors expressed their tentative support in moving forward with the annexation and asked the City to take into consideration the future maintenance of 315th Street. County Engineer Ferro later stated he would not be in favor of a 28E agreement for road maintenance unless there was no other way for the City to maintain 315th Street. Shere stated that the City does not currently possess equipment to maintain the shoulder. Mayor Moreau provided the Council with a letter drafted for Scott Schramm with the Iowa Department of Transportation requesting assistance through the Traffic Engineering Assistance Program. Johnson motioned to submit the letter for the application for funding. Shere seconded. All ayes; motion carried. **Project/Meeting Update:** Clerk George informed the Council that all necessary documents listed in FEMA’s pre-closeout checklist had been submitted to Iowa Department of Homeland Security. Shere motioned to approve JEO invoice #128120 totaling $6,898.00 for work completed on the water treatment plant. West seconded. All ayes; motion carried.

**Nuisance District Updates:** City Attorney Tucker is drafting a municipal infraction against the occupant of a property at 610 Lincoln Avenue for failure to remove trailers or place on a prepared surface. This issue had been ongoing since 2019. The City received a call on October 5th from a citizen expressing concern that a tractor had been stolen from a property at 107 2nd Avenue. The Sheriff’s Department was notified. The property still remains in Probate Court. The Deputy Clerk will send a nuisance abatement notice to a property at 97 3rd Avenue once an inventory is provided of the property. The Magistrate Court date was delayed concerning a property at 905 N 2nd Avenue. No further action has been taken on the property at 702 3rd Avenue. The City abated a trailer full of junk located at 709 3rd Avenue and an invoice of $448.30 was sent to the property owner. The City is still in possession of the trailer but has disposed of the junk. An abatement notice was sent to 203 E 11th Street for at-large dogs and constant barking constituting a nuisance. The occupant called the City and stated they would keep the dogs restrained and work to decrease their barking.

Shere motioned to **adjourn** the meeting at 8:47 p.m. Breeding seconded. All ayes; motion carried.

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Fred Moreau, Mayor

ATTEST:

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Joe George, City Clerk