

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

The December 20, 2021 regular meeting of the Malvern City Council was **called to order** at 7:00 p.m. by Mayor Moreau. This meeting was called due to the postponement of the December 13, 2021 as a result of a structure fire at Mulholland Grocery. Council members present were Androy, Breeding, Johnson, Shere, and West. Also in attendance were Joe George, Dave Hoose, Amber Lidgett, Chris Nieland, and Jeff Roiland. Mayor Moreau recognized visitors seeking to address the Council. Chris Nieland and Jeff Roiland of Western Iowa Network presented on the upcoming overlay of fiber optic cable throughout Malvern. This will be done using funding awarded by the State of Iowa under the Empower Rural Iowa Broadband Grant. Roiland informed Council that the cable would be laid utilizing a directional boring technique for the majority of the work with potholing around utilities. This work would be done by a subcontractor, damages caused to utilities would be repaired at their expense, and all work sites would be returned to their original condition once work has been completed. Roiland stated that the project could begin as early as January, if weather allows, and it would take 45 days to install conduit plus an additional 120-180 days to pull the fiber optic cable through the conduit. Johnson motioned to approve the **Consent Agenda** consisting of the December 20, 2021 tentative Council meeting agenda, November 30, 2021 Council meeting minutes, direction to place the November 1, 2021 Malvern Public Library Board minutes and expenditures on file, and November 2021 Treasurer's and Claims Report. Seconded by Breeding. All ayes; motion carried.

Departmental Reports: Superintendent Peterson was not present for a report. Discussion was held on replacing a sewer main on Lincoln Avenue between Lambert and E 2nd Street. Shere motioned to move forward with cost estimates for replacing the sewer main. West seconded. All ayes; motion carried. Streets Superintendent Hoose reported on work completed in November including changing banners downtown and installing decorations, continuing education courses, brush pile maintenance, patching potholes, installation of new Christmas sign on Main, and various other work. Discussion was held on establishing a tree trimming schedule that divided Malvern into zones with regular trimming to be done annually. Superintendent Hoose informed Council that the brush pile had been inundated with trees and limbs from private companies performing work outside of Malvern. Potential solutions were discussed. Parks Chairperson Smith was not present for a report. Library Director Bassich provided Council with a copy of the November circulation report in her absence. Discussion was held on bat mitigation at the library. West motioned to table discussion until the next Council meeting. Androy seconded. All ayes; motion carried.

Old Business: Androy motioned to hold the third and final reading of Ordinance 324: removing Section 4-1-15 Pit Bulls Prohibited from the Malvern Code of Ordinances. Shere seconded. All ayes. Androy motioned to approve the third and final reading of Ordinance 324: removing Section 4-1-15 Pit Bulls Prohibited from the Malvern Code of Ordinances. Johnson seconded. All ayes; motion carried. Androy motioned to adopt Ordinance 324 after legal publication as required by Iowa Code 380.6. West seconded. All ayes; motion carried. Discussion was held on

waiving the right-of-way permitting fee for Western Iowa Network. Shere motioned to waive the fee. Johnson seconded. All ayes; motion carried.

New Business: Clerk George presented a proposal by Overland Engineering, LLC to install an 8” water line extension from 15th Street to Janke Avenue. Dollar General has agreed to pay all costs associated with the installation. Shere motioned to approve the proposed plan, DNR Construction Permit Application, and the installation of an addition fire hydrant on Main and 15th Streets. The cost of the hydrant installation to be incurred by the City. Johnson seconded. All ayes; motion carried. Shere motioned to cancel the December 28, 2021 Council meeting due to the postponement of the 1st regular Council meeting in December. West seconded. All ayes; motion carried. Shere motioned to reschedule the 1st regular Council meeting in January to the 11th. West seconded. All ayes; motion carried.

Mayor’s Report: Discussion was held on a drainage issue at 1405 Main Street and appropriate erosion control measures that should be taken. Androy motioned to table discussion until after the water line extension on Main Street is completed. West seconded. All ayes; motion carried. Discussion was held on terms ending on December 31, 2021 for 2 Park Board members, 1 Planning and Zoning Commission member, and a current vacancy on the Planning and Zoning Commission. Discussion was held on the 80/20 annexation north of Malvern. Johnson will consult with the property owners. Johnson motioned to table discussion until January 11, 2022. Androy seconded. All ayes; motion carried.

Project/Meeting Updates: No update on FEMA Flooded Roads project. JEO submitted a written project update to Council consisting of work complete in November. Discussion was held on how the water treatment plant functioned during the December 13th fire. Shere motioned to approve payment of Pay Application 12 for Building Crafts, Inc for \$95,950.00. Breeding seconded. All ayes; motion carried. Androy motioned to approve payment of Invoice #129622 for JEO in the amount of \$7,350.00. Breeding seconded. All ayes; motion carried. Androy motioned to approve certificate of substantial completion for Malvern Water System Improvements. Johnson seconded. All ayes; motion carried. JEO expects to present certificate of final completion in late January or early February.

Mayor and Councilmember Comments Regarding Non-Agenda Items: Discussion was held on the structure fire that occurred on December 13th and the need for a post-response assessment meeting.

Breeding motioned to **adjourn the meeting** at 8:41 p.m. West seconded. All ayes; motion carried.

Fred Moreau, Mayor

ATTEST:

Joe George, City Clerk