

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

The September 12, 2022, regular meeting of the Malvern City Council was **called to order** by Mayor Douglas Shere at 7:00 p.m. Council members present were Bruce Breeding, Roger Johnson, and Amber Lidgett. Also in attendance were Joe George, Dave Hoose, Russ Hansen, Rachel Reis, and Jill Smith. Mayor Shere recognized visitors seeking to address the Council. Rachel Reis with Jennie Edmundson Foundation was present to discuss the City's participation in Pink Out on October 26, 2022 as a partner for the event. She also presented a t-shirt order form and a mayoral proclamation for consideration. No other visitors were present to address the Council. Johnson motioned to approve the **Consent Agenda** consisting of September 12, 2022, tentative Council meeting agenda, August 30, 2022 Council meeting minutes, decision to place Malvern Library Board meeting minutes on file from August 1, 2022, decision to place Liberty Memorial Building Board minutes on file from August 26, 2022, and approval of the claims and treasurer's report for August 2022. Seconded by Lidgett. All ayes; motion carried.

**Departmental Reports:** Street Superintendent Dave Hoose presented a street report for August consisting of drainage tube replacement at alley entrance on W 1<sup>st</sup> Street, cleaning out ditches and replacing the drainage tube at the brush pile, alley gravel and grading, golf cart signage in Fairview Hills Subdivision, mowing city-owned properties, tree removal and trimming bids, ordering supplies for winter street maintenance, and maintenance of snow removal equipment. Hoose presented Council with a bid to add 22 no overnight parking signs to Marion Avenue per existing ordinance. Lidgett motioned to approve a bid from Iowa Prison Industries for the signs in the amount of \$785.29. Seconded by Johnson. All ayes; motion carried. Discussion was held on a bid by The Green Tree Co. to trim trees over the right-of-way 25' up and 5' back. Breeding motioned to approve the bid in the amount of \$8,250.00. Seconded by Lidgett. All ayes; motion carried. Park Chairperson Jill Smith presented a report consisting of closing and winterizing the pool, need of replacing a damaged section of gutter, painting of the changing room floors, and trunk or treat event. Discussion was also held on the Park Board's decision on how to proceed with maintenance of Miller Field. Library Director Rebecca Bassich submitted a report for August 2022 for review by Council consisting of 423 patron uses with 16 new patrons. The library experienced 91 computer patrons, 157 program patrons, and 139 books, 11 magazine, 60 DVD, 40 puppet, and 19 interlibrary loans for a total of 269 items circulated.

**New Business:** Mayor Shere opened a public hearing at 7:17 p.m. regarding a request to rezone lot 329, Strahan's Addition of Malvern from single-family residential (R-1) to commercial (C-1). Shere recognized the publication of notice to the public hearing in the Malvern Leader on September 1, 2022. Clerk reported no objections filed at City Hall. Mayor Shere called for objections, statements, and/or exhibits for Council consideration; there being none. Shere adjourned the public hearing at 7:18 p.m. Breeding motioned to table decision on the request to rezone lot 329, Strahan's Addition of Malvern until the September 27, 2022 Council meeting. Seconded by Johnson. All ayes; motion carried. Mayor Shere opened a public hearing at 7:21 p.m. regarding a request to rezone a parcel for the Wabash Landing Subdivision from residential

agricultural (RA) to single-family residential (R-1). Shere recognized the publication of notice to the public hearing in the Malvern Leader on September 1, 2022. Clerk reported one objection filed at City Hall consisting of concerns of increased traffic and safety on 2<sup>nd</sup> Avenue due to 61 additional homes, disruption of the peace in an established neighborhood, and effect on property values if the subdivision is approved. Mayor Shere called for objections, statements, and/or exhibits for Council consideration; there being none. Shere adjourned the public hearing at 7:22 p.m. Breeding motioned to approve the request to rezone parcel for the Wabash Landing Subdivision from residential agricultural (RA) to single-family residential (R-1). Seconded by Lidgett. All ayes; motion carried. Mayor Shere opened a public hearing at 7:23 p.m. regarding an amendment to the 2019 Malvern Zoning Code of Ordinances, Article VII, Sections 7.5.4 & 7.5.7 to change the front and side yard of corner lot from 30' to 25 feet. Shere recognized the publication of notice to the public hearing in the Malvern Leader on September 1, 2022. Clerk reported no objections filed at City Hall. Mayor Shere called for objections, statements, and/or exhibits for Council consideration; there being none. Shere adjourned the public hearing at 7:24 p.m. Johnson motioned to approve the amendment to the 2019 Malvern Zoning Code of Ordinances, Article VII, Sections 7.5.4 & 7.5.7 to change the front and side yard of corner lot from 30' to 25 feet. Seconded by Breeding. All ayes; motion carried. Mayor Shere opened a public hearing at 7:25 p.m. regarding an amendment to the 1986 Malvern Comprehensive Plan to change the intended purpose of a parcel for the Wabash Landing Subdivision from Industrial to Residential. Shere recognized the publication of notice to the public hearing in the Malvern Leader on September 1, 2022. Clerk reported no objections filed at City Hall. Mayor Shere called for objections, statements, and/or exhibits for Council consideration; there being none. Shere adjourned the public hearing at 7:25 p.m. Breeding motioned to approve an amendment to the 1986 Malvern Comprehensive Plan to change the intended purpose of a parcel for the Wabash Landing Subdivision from Industrial to Residential. Seconded by Lidgett. All ayes; motion carried. Mayor Shere opened a public hearing at 7:26 p.m. regarding a request to vacate alleys and streets between W 2<sup>nd</sup> and W 4<sup>th</sup> Avenues, North of 2<sup>nd</sup> Street. Shere recognized the publication of notice to the public hearing in the Malvern Leader on September 1, 2022. Clerk reported no objections filed at City Hall. Mayor Shere called for objections, statements, and/or exhibits for Council consideration; there being none. Shere adjourned the public hearing at 7:26 p.m. Johnson motioned to table discussion until the September 27, 2022 Council meeting. Seconded by Lidgett. All ayes; motion carried. Discussion was held on suggestions by the City Clerk to the fiscal year 2023 budget. These include additional revenues and expenditures for the three housing project grants the City received, funding for city-wide water meter replacement, amendment of the Library budget, and addition of expenditure from road use tax for asphalt projects on Lincoln Avenue and W 6<sup>th</sup> Street. Notice of public hearing regarding amendment #1 to the budget will be published in the Malvern Leader on September 15, 2022 and the public hearing held on September 27, 2022. Breeding motioned to approve a subcontractor agreement with Iowa Rural Health Association in an amount not to exceed \$15,000 for the safe route to school project. Seconded by Lidgett. All ayes; motion carried. Lidgett motioned to approve the Malvern Park Board/MABA/Malvern Leader block party application for October 29, 2022 from 10:30 a.m.-1:30 p.m. to close the portion of Main Street between 4<sup>th</sup> and 5<sup>th</sup> Streets for Trunk or Treat. Seconded by Johnson. All ayes; motion carried. Lidgett motioned to approve a Water

Utility Vendor Agreement for Low-Income Water Assistance Program (LIWAP). Seconded by Breeding. All ayes; motion carried. Johnson motioned to approve **Resolution 2022-23**: FY2022 Street Finance Report. Seconded by Lidgett. All ayes; motion carried.

**Mayor's Report:** Mayor Shere reported that brush pile is open and citizens can begin utilizing the site again now that the purchase of the property has been finalized and improvements made to the site. Lidgett motioned to approve the mayoral proclamation regarding the 10<sup>th</sup> Annual Malvern/Methodist Jennie Edmundson Breast Health Center "Pink Out Day." Seconded by Breeding. All ayes; motion carried.

**Project/Meeting Updates:** The City Clerk is waiting to hear back from USDA on how to proceed with acquiring water meters and advertising a request for qualifications for companies interested in completing the project. Johnson motioned to approve Olmstead and Perry Invoice #02-2022-042 for engineering on the wastewater treatment lagoon UV Sanitation system in the amount of \$2,583.20. Seconded by Breeding. All ayes; motion carried.

**Clerk's Report:** PeopleService Water Superintendent Peterson's water and wastewater certifications expired due to an oversight in filing for recertification. Steve Robinette with PeopleService will serve as the certified operator of Malvern's water and wastewater system until Peterson's certifications are renewed.

Breeding motioned to adjourn the meeting at 7:45 p.m. Seconded by Johnson. All ayes; motion carried.

ATTEST:

Joe George, City Clerk

Douglas Shere, Mayor