

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

The September 27, 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 Chris Androy, Roger Johnson, Amber Lidgett, and Heather West. Also in attendance were Joe George and Kevin Willms. Mayor Shere recognized visitors seeking to address the Council; there being none. Johnson motioned to approve the **Consent Agenda** consisting of the September 27, 2022 tentative Council meeting agenda, September 12, 2022 Council meeting minutes, and decision to place Planning and Zoning Commission minutes on file from September 8, 2022. Seconded by Androy. All ayes; motion carried.

**Departmental Reports:** PeopleService Superintendent Howard Peterson was not present but provided the Council with a report for review. Discussion was held on gallons of water billed versus gallons produced. Nitrate levels continue to stay significantly below the acceptable maximum allowable amount, meaning the water treatment plant is performing well.

**New Business:** Johnson motioned to approve the city clerk to contact Rich Maaske or Dale Stephens to investigate a drainage issue at 604 E 9<sup>th</sup> Street. If they are unable to help, an engineering firm can be contacted to formulate a solution. Seconded by Lidgett. All ayes; motion carried. Mayor Shere called to order a **public hearing** at 7:10 p.m. regarding Amendment #1 to the fiscal year 2023 budget. Shere recognized the notice of public hearing published in the Malvern Leader on September 15, 2022. Shere called for any written objection filed at City Hall or objections, statements, and or/exhibits for Council consideration; there being none. Mayor Shere adjourned the public hearing at 7:11 p.m. Androy motioned to approve **Resolution 2022-24:** approving budget amendment #1 for fiscal year 2023. Seconded by West. Androy, Johnson, Lidgett, and West voted aye; motion carried. Androy motioned to approve **Resolution 2022-25:** authorizing city clerk to make transfers between funds. Seconded by Lidgett. Androy, Johnson, Lidgett, and West voted aye; motion carried. Androy motioned to hold the 1<sup>st</sup> reading of **Ordinance 327:** rezoning a parcel of land for the Wabash Landing Subdivision from residential agricultural (RA) to single-family residential (R-1). Seconded by Lidgett. Androy, Johnson, Lidgett, and West voted aye; motion carried. Androy motioned to waive the 2<sup>nd</sup> and 3<sup>rd</sup> reading of **Ordinance 327**. Seconded by Lidgett. Androy, Johnson, Lidgett, and West voted aye; motion carried. Johnson motioned to approve the 1<sup>st</sup> and final reading and adoption of **Ordinance 327** after legal publication as required by Iowa Code 380.6. Seconded by West. Androy, Johnson, Lidgett, and West voted aye; motion carried. Androy motioned to hold the 1<sup>st</sup> reading of **Ordinance 328:** rezoning Lot 329, Strahan's Addition to Malvern from single-family residential (R-1) to commercial district (C-1). Seconded by West. Androy, Johnson, Lidgett, and West voted aye; motion carried. Androy motioned to waive the 2<sup>nd</sup> and 3<sup>rd</sup> reading of **Ordinance 328**. Seconded by Johnson. Androy, Johnson, Lidgett, and West voted aye; motion carried. Johnson motioned to approve the 1<sup>st</sup> and final reading and adoption of **Ordinance 328** after legal publication as required by Iowa Code 380.6. Seconded by West. Androy, Johnson, Lidgett, and West voted aye; motion carried. Androy motioned to hold the 1<sup>st</sup> reading of **Ordinance 329:**

amending 2019 Malvern Zoning Ordinance Sections 7.5.4 and 7.5.7. These amendments would change the front and corner side yard setbacks from 30' to 25'. Seconded by Johnson. Androy, Johnson, Lidgett, and West voted aye; motion carried. Androy motioned to waive the 2<sup>nd</sup> and 3<sup>rd</sup> reading of **Ordinance 329**. Seconded by West. Androy, Johnson, Lidgett, and West voted aye; motion carried. Lidgett motioned to approve the 1<sup>st</sup> and final reading and adoption of **Ordinance 329** after legal publication as required by Iowa Code 380.6. Seconded by Androy. Androy, Johnson, Lidgett, and West voted aye; motion carried.

**Mayor's Report:** Mayor Shere and Mayor Pro-Tempore Johnson will review candidates for the street labor position and make a hiring recommendation to Council at the next meeting.

**Project/Meeting Updates:** Engineering plans for street and public utilities as well as the preliminary plat for the Wabash Landing Subdivision have been received and submitted to the City's engineer, HGM, for review.

**Clerk's Report:** Discussion was held on TrueNorth's recommendations for 2023 health insurance plans for employees. These included plans from Blue Cross Blue Shield and United Healthcare. Clerk reported the resignation of Library Director Rebecca Bassich effective September 28, 2022. Lisa Formhals will take over as interim director until a new library director can be hired. Discussion was held on conflicts for the October 10, 2022 Council meeting. Lidgett motioned to postpone the upcoming Council meeting until recommendations are made by HGM on the preliminary plat for the Wabash Landing Subdivision. Seconded by West. All ayes; motion carried.

**Nuisance District Updates:** Discussion was held on year-round parking of recreational vehicles within city limits, specifically between November 1 and April 1. The owner of a property located at 90 5<sup>th</sup> Avenue is willing to voluntarily abandon the property to the City. The city attorney will move forward with the abandonment.

**Mayor and Councilmember Comments Regarding Non-Agenda Items:** Mayor Pro-Tempore has been in contact with Vanderhaag about selling several pieces of equipment owned by the City of Malvern. This equipment is either not functional or does not meet the City's needs. Discussion was held on painting Main Street downtown during Homecoming. Discussion was also held on the toy train engine and train cars in the City's possession. These belong to the Glenwood Resource Center and are on perpetual loan to the City of Malvern.

Androy motioned to adjourn the meeting at 7:41 p.m. Seconded by West. All ayes; motion carried.

ATTEST:

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Douglas Shere, Mayor

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Joe George, City Clerk