

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

The May 30, 2023 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, Bruce Breeding, Roger Johnson, and Heather West. Also in attendance was Alex Shackleton, Howard Peterson, and Joe George. Mayor Shere recognized visitors seeking to address the Council. Shackleton presented Council with a 5-year contract for trash service through Waste Connections. Androy motioned to approve the **Consent Agenda** consisting of the May 30, 2023 tentative Council meeting agenda, May 8, 2023 Council meeting minutes, and decision to place Malvern Library Board meeting minutes on file from April 4, 2023. Seconded by Johnson. Johnson, Breeding, Androy, and West voted aye; motion carried.

Departmental Reports: Water Superintendent Peterson presented a water/wastewater report for May 2023 consisting of an update on filter #3 at the water treatment plant, Sweeney panel losing telemetry with the fluoride pump, and a sinkhole forming in the top of a levy at the wastewater lagoon. Peterson also provided an update on two breaks of the 1” copper at W 3rd Street and 3rd Avenue.

New Business: Androy motioned to **hold and approve the second reading of Ordinance 330**-an ordinance providing for the division of taxes levied on taxable property in the Malvern Urban Renewal Area, pursuant to Section 403.19 of the Code of Iowa. Seconded by West. Androy, Johnson, Breeding, and West voted aye; motion carried. Androy motioned to **waive the 3rd reading and adopt Ordinance 330 after legal publication as required by Iowa Code Section 380.6**. Seconded by West. West, Breeding, Androy, and Johnson voted aye; motion carried.

Mayor Shere **called to order** a public hearing regarding a proposed development agreement with Community Housing Solutions, LLC at 7:40 p.m. Mayor Shere recognized the publication of the notice of public hearing in the Malvern Leader on May 18, 2023. Clerk reported no written objections or comments were filed at City Hall. Mayor Shere called for objections, statements, and/or exhibits for Council consideration; there being none. Mayor Shere adjourned the public hearing at 7:41 p.m. Androy motioned to approve **Resolution 2023-18**-a resolution approving development agreement with Community Housing Solutions, LLC, authorizing annual appropriation tax incremental payments and pledging certain tax increment revenues to the payment of the agreement. Seconded by Breeding, West, Breeding, Androy, and Johnson voted aye; motion carried. Johnson motioned to approve **Resolution 2023-16**-a resolution approving contract and performance and/or payment bonds for the 2023 Water Meter Improvements Project. Seconded by Androy. Breeding, Johnson, West, and Androy voted aye; motion carried. Androy motioned to approve **Resolution 2023-19**-setting the date and time for public hearing on vacation of public streets and conveying real estate to 7:00 p.m. on June 12, 2023. Seconded by West. Androy, Breeding, Johnson, and West; motion carried. Androy motioned to **hold and approve the 1st reading of Ordinance 331**-an ordinance amending the Malvern burn site regulations. Seconded by West. Breeding, Androy, Johnson, and West voted aye; motion carried. Androy motioned to **waive the 2nd and 3rd readings and adopt Ordinance 331 after legal**

publication as required by Iowa Code Section 380.6. Seconded by West. West, Johnson, Breeding, and Androy voted aye; motion carried. Johnson motioned to **hold and approve the 1st reading of Ordinance 332**-an ordinance setting water and sewer rates for FY2024 through FY2027. Seconded by West. Johnson, Androy, West, and Breeding voted aye; motion carried. Androy motioned to **waive the 2nd and 3rd readings and adopt Ordinance 332 after legal publication as required by Iowa Code Section 380.6.** Seconded by West. Johnson, Breeding, Androy, and West voted aye; motion carried. Discussion was held on a service contract with Waste Connections on whether to provide recycling services. A survey will be sent out with the June water bill. Androy motioned to **approve the placement of the shelter and bike tree from Pocket Park to parcel 084450010000000 owned by Mills County.** Seconded by Johnson. Androy, Breeding, Johnson, and West voted aye; motion carried. Androy motioned to **approve the FY2024 renewal of MetLife employee life insurance.** Seconded by West. Androy, Johnson, West, and Breeding voted aye; motion carried.

Mayor's Report: Discussion was held on the establishment of a local emergency management commission. West motioned to **authorize Mayor Shere to sign a Wellmark Foundation grant agreement for \$100,000 award to the Wolverine Trail Safe Route to School project.**

Seconded by Breeding. Johnson, Breeding, Androy, and West voted aye; motion carried. West motioned to **approve Mayor Shere to submit a letter of support on behalf of the City of Malvern for East Mills Child Care Solutions' proposed childcare center.** Seconded by Johnson. Androy, Johnson, Breeding, and West voted aye; motion carried. Discussion was held on the potential purchase of the Costello wetlands. Johnson motioned to **approve Eagle Engineering's proposal for storm sewer extension on Grandview Avenue.** Seconded by Breeding. Breeding, Androy, and Johnson voted aye with West abstaining; motion carried.

Clerk's Report: Clerk George attended a fraud training held by the US Department of Housing and Urban Development's Office of Investigator General on May 17th & 18th. Discussion was held on the utility billing transition. Breeding motioned to **reappoint Joe George as City Clerk for a 1-year term ending June 30, 2024.** Seconded by West. West, Breeding, Androy, and Johnson voted aye; motion carried. Androy motioned to **appoint Joe George to serve as Malvern's representative on Golden Hills' watershed management coalition.** Seconded by West. Breeding, Johnson, West, and Androy; motion carried.

Project/Meeting Updates: Sanitary sewer construction has been delayed due to high water table at the Wabash Landing Subdivision. Dewatering is scheduled to begin shortly so construction can proceed. Androy motioned to **approve a request for GAX 5 for 19-DRH-011 in the amount of \$1,027,224.36.** Seconded by Breeding. Androy, Breeding, Johnson, and West voted aye; motion carried.

Breeding motioned to **adjourn** the meeting at 9:02 p.m. Seconded by Androy. Androy, Johnson, West, and Breeding voted aye; meeting adjourned.

ATTEST:

Joe George, City Clerk

Douglas Shere, Mayor