

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

Prior to the January 30, 2024 Council meeting, an information budget meeting was held beginning at 6:30 p.m. This meeting consisted of discussion related only to a budget proposal for fiscal year 2025. No action was taken at this meeting. Mayor Douglas Shere and Council members Chris Androy and Amber Lidgett were present.

The January 30, 2024, 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, Amber Lidgett, Bryant Rasmussen, and Heather West. Also in attendance were Joe George, Marcus and Michaela Stoltenberg, Jake Zimmerer, and Terry Kerns. Mayor Shere recognized visitors seeking to address the Council; there being none. Androy motioned to approve the **Consent Agenda** consisting of the January 30, 2024, tentative Council meeting agenda and January 8, 2024, Council meeting minutes. Seconded by West. Lidgett, Rasmussen, Androy, and West voted aye; motion carried.

**Departmental Reports:** PeopleService Superintendent Howard Peterson provided a report consisting of coordinating water shut off to the former Lantern Lane mobile home park, submission of annual water use report to IDNR, and concerns regarding the sanitary sewer manhole at the intersection of 5<sup>th</sup> and Main Streets. Peterson also informed the Council of a notice of noncompliance the City of Malvern received for deferred maintenance on the wastewater lagoon facility. This deferred maintenance was identified as trees growing on the lagoon levee and weeds growing around the perimeter of the lagoons. PeopleService will take action to correct the deferred maintenance by March 18, 2024.

**New Business:** Mayor Shere called to order a **public hearing** regarding proposed plans, specifications, and form of contract and estimate of cost for the proposed Wastewater Lagoon Effluent UV Disinfection System at 7:08 p.m. Mayor Shere recognized the publication of the notice of public hearing in the Malvern Leader on January 11, 2024. City clerk reported no written objections filed at City Hall. Jake Zimmerer of Eagle Engineering proceeded with opening bids for the project. The bid amounts and bidder were as follows: King Construction-\$433,657.00, Kerns Excavating Co.-\$434,083.00, McCarthy Trenching-\$444,535.00, Eriksen Construction Co., Inc-\$477,510.00, Neuvirth's Construction Inc.-\$486,558.42, and VRBA Construction-\$505,904.00. Mayor Shere called for objections, statements, and/or exhibits for Council consideration; there being none. Mayor Shere closed the public hearing at 7:14 p.m. Lidgett motioned to **table discussion for the consideration and possible award of construction contract for Wastewater Lagoon Effluent UV Disinfection System**. Seconded by West. Androy, Rasmussen, Lidgett, and West voted aye; motion carried. Mayor Shere called to order a **public hearing** regarding the proposed revenue purpose statement and franchise agreement with MidAmerican Energy for natural gas and electrical services at 7:23 p.m. Mayor Shere recognized the publication of notice of the public hearing in the Malvern Leader on January 25, 2024. City clerk reported no written objections filed at City Hall. Mayor Shere called

for objections, statements, and/or exhibits for Council consideration; there being none. Mayor Shere closed the public hearing at 7:24 p.m. Androy motioned to approve **Resolution 2024-03-**adopting a revenue purpose statement concerning natural gas and electric service franchises with MidAmerican Energy. Seconded by West. West, Lidgett, Rasmussen, and Androy voted aye; motion carried. Androy motioned to hold and approve the first reading of **Ordinance 334-** an ordinance granting to MidAmerican Energy Company, its successors and assigns, the right and non-exclusive franchise to acquire, construct, erect, maintain, and operate in the City of Malvern, Iowa, an electric system and communications facility and to furnish and sell electricity to the City and its inhabitants and authorizing the city of collect franchise fees for a period of 25 years. Seconded by Lidgett. West, Rasmussen, Androy, and Lidgett voted aye; motion carried. West motioned to hold and approve the first reading of **Ordinance 335-** an ordinance granting to MidAmerican Energy Company, its successors and assigns, the right and non-exclusive franchise to acquire, construct, erect, maintain, and operate in the City of Malvern, Iowa, a natural gas system and to furnish and sell natural gas to the City and its inhabitants and authorizing the city of collect franchise fees for a period of 25 years. Seconded by Lidgett. West, Rasmussen, Androy, and Lidgett voted aye; motion carried.

**Mayor's Report:** Lidgett motioned to approve **Mayor's recommendation to reappoint Ardeth Henderson to the Malvern Planning and Zoning Commission for a 5-year term ending December 31, 2028.** Seconded by West. Rasmussen, Lidgett, West, and Androy voted aye; motion carried.

**Project/Meetings Update:** Infrastructure work has ceased on Wabash Landing Subdivision until the weather improves. Earnest Construction estimates 65 working days to complete the remaining infrastructure within the subdivision once the weather allows work to continue. A change order for the amount of \$1.6 million was presented to the Council for the subdivision. Vanguard Utility Services will return to Malvern to complete the remaining water meter changeouts in March 2024. No update was provided on the Wastewater Lagoon UV Sanitation Improvements. Discussion was held on bonding for the cost of renovating W 9<sup>th</sup> Street. This bond would be paid back from tax increment financing revenue generated by the Wabash Landing Subdivision.

**Mayor and Councilmember Comments Regarding Non-Agenda Items:** Discussion was held on several nuisance properties in Malvern to address in the spring. Discussion was held on requesting a presentation from the Low Rent Housing Authority regarding the facility in Malvern.

Lidgett motioned to **adjourn the meeting** at 8:10 p.m. Seconded by West. Androy, Lidgett, West, and Rasmussen voted aye; motion carried.

ATTEST:

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Douglas Shere, Mayor

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Joe George, City Clerk