**City of Nashua**

**CITY COUNCIL MINUTES**

**City Council Chambers, City Hall**

The Nashua City Council met in regular session on June 3, 2019 in Council Chambers at City Hall. The meeting was called to order at 7:00PM with Mayor Betsinger presiding. Council members present were Scott Cerwinske, Thomas Johnson, Harold Kelleher III, and Angelina Dietz-Robinson. Rolland Cagley was absent. City employee(s) City Clerk John Ott was also in attendance. Martin Hemann Chickasaw County Sheriff was in attendance along with 5 guests.

Cerwinske asked for consideration to amend the agenda to add discussion/possible action on the ambulance council. Mayor Betsinger called for a motion to approve the amended agenda adding discussion of the ambulance council meeting. Dietz-Robinson moved to approve the amended agenda. Kelleher Seconded. Motion Carried

The Mayor called for public comments. A concerned citizen inquired about our Dog at Large Ordinance and how many times a dog owner can be in violation of the ordinance before other measures besides giving a ticket are taken or something is done with the dog. The mayor referred the citizen to inquire with Benjamin Scholl Police Chief.

Stacy Lentz wanted to inform the council of where she stood with getting her business up and operational. She explained that she is about 1 to 2 weeks out. She said that they are getting close and requested an extension of 1 to 2 weeks to get everything done and moved to her new location. Mayor Betsinger called for a motion to approve the 1 to 2 week extension. Kelleher Motioned. Dietz-Robinson Seconded. Motion Carried.

Mayor Betsinger asked for a motion to approve the minutes of the May 20th Council Meeting. Dietz-Robinson noted two errors on the minutes from the May 20th meeting, both instances Clerk Ott put “Mayor Betsinger motioned to” instead of “Mayor Betsinger asked for a motion to” one was to Open the Public Hearing for Amending FY2019 Budget and the other was to Close the Public Hearing for Amending the FY2019 Budget. Cerwinske Motioned to approve the amended minutes. Dietz-Robinson Seconded. Motion Carried.

Discussion/Approval regarding RESOLUTION 19-20 – APPROVING SPECIAL ASSESSMENT. – Council Member Johnson inquired about the city being the developer if it wasn’t the city’s responsibility to put water/sewer/electrical into the facility. Mayor Betsinger than stated that Skilton said that we can issue the Special Assessment. Mayor Betsinger also stated that he inquired on when the Special Assessment would go on her taxes and Skilton said it would happen the next year. Johnson asked how they would do that if it would be over a period of time in installments or just one lump sum and Mayor Betsinger was not sure how it worked. Mayor Betsinger also stated that the City of Nashua could forgive the Special Assessment if the council chose to do so. Mayor Betsinger called for a Motion to Approve Resolution 19-20. Council Member Dietz-Robinson asked if the property owners were aware of the Special Assessment and the Mayor had stated that Attorney Skilton has talked to them about it before, but was unsure of when. Council Member Kelleher inquired if there were any way that if the property was for sale if the city could pay the $500 and buy back the property. Mayor Betsinger stated that he was not here when all of this took place, so he doesn’t know what the terms were. The property owner has said they have paperwork showing that they have so much time to build and Council Member Cerwinske stated that he told the property owner that if they have the paperwork than he requested he get a copy, but so far he has not received a copy. Council Member Johnson and Dietz-Robinson discussed that they remember that the property owners had a set time to develop the property and both council members thought the time frame was 2 years. The Mayor expressed that the property owner has only had the property for one year and so if it is two years than they haven’t even had it that long. Council Member Johnson asked if we could still approve the Special Assessment anytime and the Mayor stated that we could. His main concern was that the property was sold to be developed and if the property owners are not going to develop it, but rather sell it for a profit than the city should charge the property owner for the work that was done by the city. Johnson reiterated the intent of selling these properties was to spur development and not for someone to buy a lot for $500 and then resell it for a large profit. Cerwinske also stated that there are several people who are interested in the property for development. Mayor Betsinger asked for a motion again. Cerwinske Motioned. Kelleher Seconded. Motion Carried.

Roll Call: Cagley- absent; Cerwinske – aye; Dietz-Robinson – aye; Johnson – aye; Kelleher – aye. Motion Carried

Mayor Betsinger asked for a Motion to Approve the Consent Calendar Payment of Claims. After some discussion with the payment to the Nashua Chamber of Commerce for the Welcome Bags the council approved the Payment of Claims.

Payment of Claims (see claims report): Total claims to be paid: $53,690.47 + $8,255.60 (Wages)

1. General Fund: $30,293.77
2. Road Use: $6,321.25
3. Water: $6,721.77
4. Sewer: $6,544.08
5. Employee Benefits: 3,809.60

Cerwinske Motioned. Dietz-Robinson Seconded. Motion Carried.

Mayor Betsinger called for a motion to approve the permits. After some discussion on making minor revisions to the Permit Application form was discussed the permits were approved. Cerwinske Motioned. Kelleher Seconded. Motion Carried.

Business of the Mayor

Mayor Betsinger said that the last time the city offered the property by the Post Office for sale that they would revisit it in 6 months and so now he was asking the council if they wanted to put that lot up for sale again or any other lots. They mayor stated that some people have shown some interest in the property by GMT and council member Johnson asked if they decided to sell it would they want to sell it as one property or break it up. The Mayor stated that if they broke it up than the city would have to put a road in. The discussion was tabled until the next meeting. He also stated that there are no new updates on the Lake/Dam FEMA project after talking with IIW Engineers, but they are working on getting some revisions with FEMA approved. We had some residents in City Hall who were disruptive, the Deputy who handled the situation banned the residents from City Hall, but told the Mayor that the City should have Attorney Skilton draw up papers to serve the residents so that it is on record that they can’t come into City Hall. Mayor Betsinger asked the council if they would like to have Attorney Skilton draw up papers to keep these residents out of city hall. The council agreed that they should do that.

Department Reports

City Clerk Ott stated that they need to set a Public Hearing Notice to amend the Flood Plain Ordinance . He also inquired about attending a Small City Workshop in Allison on June 6th. The cost is $45. Johnson Motioned. Cerwinske Seconded. Motion Carried.

City Clerk Ott also asked the council if they would like to purchase an ad for the Dedication of Cannon Park on June 22nd. The council approved running the ad. City Clerk Ott also gave the council the May Financial Reports to review. The council had quite a few questions that Ott was not able to answer and so he will review the questions and get back to the council with the answers after researching the information.

Chickasaw County Sheriff Hemann reviewed his monthly Sheriff’s report. He commented that they have been busier with calls due to the weather warming up. He mentioned that June is a very busy month due to all the celebrations. He addressed an issue with a repeat offender for Dog at Large violations. The council, citizens, and Sheriff Hemann discussed the possible options and current ordinance to address the issue. He addressed the issue that happened at City Hall last week and stated that if the individuals show up at City Hall to call the Sheriff’s Department right away. Cerwinske inquired on whether or not the Sheriff’s Department responds to ambulance calls and Sheriff Hemann stated that they are trained in First Aid and carry some equipment to help in emergency situations, so they do go out on emergency calls for Fire and/or Ambulance. Kelleher asked whether or not they are checking the Parks now that they are opened and getting busier and Sheriff Hemann stated that they are checking the parks and requested to get the information for the Camp Host in case there are any issues they have a contact person. The Sheriff’s Department had 173 hours of service vs. the 160 hours that they are contracted for last month.

Council Reports.

Angelina Dietz-Robinson apologized for missing the Splash Pad opening. Hal Kelleher reiterated that Cannon Park is on track to open June 22nd, but they have been a little short on help. They have organized for the event to have some refreshments, Cannon fire, and a dedication speech. The Cannon Park Dedication Ceremony will be held on Saturday June 22, 2019 at 6:00PM. He also wanted to thank everyone who has helped get everything ready. Johnson mentioned that he was not at the Splash Pad opening either, but has heard that the Grand Opening went very well and the Splash Pad was used quite a bit. Some of the classes were able to go and use it as part of their last day activity. He believes that it is going to go over very well and be a great thing for the community. He wanted to thank everyone who has helped with the project. Johnson had also mentioned that the lot out by GMT that the city owns has had someone in the past bail the ground and he inquired if the city would like to do that again. Cerwinske was going to get a hold of the people who bailed it last year to see if they were interested in bailing it again this year. Johnson also brought up the street patches to see where the city is on getting some of them done. Mayor Betsinger stated that Heartland Asphalt is in town and will start patching roads, which is badly needed. Johnson also mentioned that the swimming platforms have not been put in yet and Kelleher replied that they are working on some issues with the costs and he also stated that he will check on the buoys as well. Cerwinske brought up how the city was coming on filling potholes, streets painted (crosswalks, parking lines, etc.). He also mentioned that the picnic tables that we have had since September are still stacked together at the City Shed. Kelleher stated that he made an arrangement that he and some of his family members will be assembling the tables in exchange for one of them being placed at Cannon Park. Cerwinske also addressed the approved overtime for City Clerk Ott and suggested that they would continue to allow overtime, but cut the amount down to 5 hours until the end of June and on July 1st the overtime would stop. Larry Pump CPA has agreed to come help with the books to get the books in line with a goal of having that done by July 1st. The council approved setting a Public Hearing for the Nuisance Abatement as it pertains to acceptable lawn length. The Mayor also discussed the criteria for sewer digs that was presented last meeting by Nick Henningsen Superintendant of Water/Waste Water. Mayor Betsinger talked to Nick’s boss at PeoplesServices and pointed out some of the criteria that no one would be able to meet, so PeopleServices said that they would need to change it. Johnson mentioned that there is something that other cities use as a template. Mayor Betsinger stated that there was nothing wrong with what PeopleServices had put together, but it is a matter of getting the companies that do the digs to follow it and the city to enforce the rules. Mayor Betsinger also discussed the Big Four Fair liquor license. Angie Dietz Motioned. Cerwinske Seconded. Motion carried. Cerwinske discussed the meeting with the Ambulance Council. The Ambulance Council at the last meeting approved the proposed contract to be sent to the County Board of Supervisors. He was unable to go to the County Board of Supervisors meeting; however he did watch the video and unless he missed something his understanding was that the County Supervisors did not vote. They have sent it back to the Ambulance Council with the idea that they would pay 50% ($82,500) and the remaining 50% ($82,500) would be divided up amongst the cities in Chickasaw County. The cost to the cities would be $11.21 per capita. Nashua would pay ($18,619.81). New Hampton would pay ($40,030.91) which together would be $58,650.72 with the rest of the towns making up the difference. He also stated that New Hampton has about 70% of all ambulance calls. One of the Supervisors mentioned that the towns could add $3 to $5 to the water bill each month. Cerwinske wanted to get a feeling for where the council was at because he was hoping that there was going to be a meeting coming up in a couple of days and he wanted to be able to have a feeling of where the City Council was at in regards to the ambulance contract. Mayor Betsinger questioned Cerwinske about having to still pay the $30,000 for having the ambulance. Cerwinske stated that this contract that is being discussed does not have anything to do with the ambulance sitting in the garage. Dietz-Robinson inquired about where we would get the money. Cerwinske also mentioned that in his discussions with McGrath (ambulance provider) that he believed that McGrath would try to negotiate with the towns in addition to the money after the County contract was signed. Cerwinske asked Sheriff Hemann if he was at the meeting and Hemann stated that he did not attend the meeting; however he did watch the video. He also stated that in Fredricksburg McGrath housed an ambulance there for a certain fee and they never turned the key because McGrath didn’t have the staffing. The following year he did the same thing and the City of Fredericksburg said no they weren’t going to do that. Dietz-Robinson said that he is getting the money from the communities, and he isn’t out anything because they aren’t utilizing them. Cerwinske also stated that he doesn’t feel that the money the City of Nashua has given to McGrath has done anything for the City of Nashua. He hasn’t recruited anyone from Nashua and the last few people the city sent to EMT class that the City of Nashua paid for came to us. Cerwinske stated that it is a bad situation and he doesn’t know where we go from here, but the biggest problem is coming up with the funding if it does go through. Dietz-Robinson asked if the contract is approved if we have to pay the money. Cerwinske stated that he didn’t know what would happen, but it would maybe be possible that he would provide service for the $82,500 that the county agreed to without having a contract. Cerwinske stated that he doesn’t know what that means. Sheriff Hemann stated that McGrath stated publicly at a New Hampton Council meeting that he could do it for the $50,000 that he has been getting, but he wants to hire more people to staff the other ambulances. Cerwinske stated that one of the issues that the Ambulance Council has is that there has been no mechanism in any of the contracts proposed to hold McGrath accountable to hiring more staff. Cerwinske stated that if it were easy to find recruits he would have done it already, but he is seeking money up front to recruit more staff, but nothing to ensure this happens. Cerwinske also stated that if this contract is agreed to than next year the contract will be cost more. Johnson stated that Nashua only gets 10% of the calls and so they should only have to contribute 10% of the cost which would be $8,250. Sheriff Hemann stated that one of the Supervisors did mention the same issue if the rural areas only receive 10% of the calls, so how is it fair to them. Cerwinske stated that he doesn’t disagree with the way in which the Board of Supervisors wanted to do this as he thought it was fair and with the offer that they made he thought it was beyond fair to what was originally proposed. He stated there are only 5076 residents in the county and 7363 in the towns, so why should the county pay 50% of the cost. Cerwinske stated it matters on how they determine what is fair. Is it more fair to charge per capita or based on the number of calls? Sheriff Hemann stated that the cost would be $11.21/capita for Ambulance Service and for Law Enforcement it is around $7.73, so people would be paying more for Ambulance Service than Law Enforcement. Dietz-Robinson stated it was very difficult because you want to have ambulance service, but we have limited revenue and so coming up with the funds is difficult. Cerwinske said that the Board of Supervisors has the same issue because they need to make a decision and the funds have to come out of the ending fund balances and they won’t know them until July 1st. Sheriff Hemann also stated that he read that one of the arguments for McGrath wanting so much money is that the law enforcement and fire can spend $2.4 Million, but Sheriff Hemann stated that just because it is budgeted doesn’t mean that it is spent as an example he stated that he wants to make sure that he is a good steward of the county funds and two years ago he gave back around $190,000 of his budget back to Chickasaw County. Cerwinske stated the same point that McGrath had the budget numbers for the surrounding towns for Fire and Police, and at the time Cerwinske had told McGrath that this wasn’t all budgeted money that the City of Nashua has, but there was a grant and so it appeared to him that we had that much money and that is what he was going by. Cerwinske had been asked by the Ambulance Council on how the City Council would stand on spending a little bit of money to open McGrath’s books, but the cities would have to agree to share the costs or those cities that did elect to audit him would have to pay for it if they if they decided to go with the contract. The reason this was addressed is because he keeps stating that he is losing money every year, but if that were the case than he wouldn’t be able to stay in business. Cerwinske also stated that with the current contract he will not be doing MCO, he will still do 911 Service. He will do transfers, but the person(s) will have to take care of the bill because he does not do MCO’s. Cerwinske wanted the council members to be aware of what was going on with the Ambulance Council and the contract because he is thinking they will be having a meeting and this will be more than likely be on the agenda at the next City Council meeting.

There was no other business. Cerwinske motioned to adjourn Dietz-Robinson Seconded. Motion Carried. The meeting was adjourned at 8:45PM.

Pending Approval by City Council

John Ott

City Clerk

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| Claims Report (5-21-19 to 6-3-2019) | |  |
| BRUENING ROCK PRODUCTS IN | STREETS - ROAD ROACK | 165.17 |
| BROWN SUPPLY CO. INC. | WATER/SEWER LINES SPLASH PAD | 3,366.11 |
| PEOPLES INSURANCE AGENCY | 2019 WATER OVER DAM INSURANCE | 1,373.60 |
| CENTURYLINK | WC - MAY '19 PHONE EXPENSE | 65.62 |
| CLEMENT, JAN | WC-CRAFT COMMISISION APRIL '19 | 224.63 |
| CROELL REDI-MIX, INC. | PARKS - SPLASH PAD CEMENT | 2,516.00 |
| DELTA DENTAL OF IOWA | DENTAL INS | 411.62 |
| DEVEREAUX, SHEILA | WC-APRIL'19 CRAFTER COMMISSION | 39 |
| DORMAN, SHERYL | WC-APRIL'19 CRAFT COMMISSION | 261.44 |
| GIS BENEFITS | DEATH/DISABILITY INSURANCE | 105.14 |
| HACKMAN CONSTRUCTION | PARK - SPLASH PAD LABOR ONLY | 3,466.06 |
| IOWA DEPARTMENT OF REVENU | WET TAX - MAY 2019 | 1,134.00 |
| IOWA ONE CALL | LOCATES | 37.8 |
| IPERS | REGULAR IPERS | 5,058.79 |
| IRS - USA TAX PAYMENT | FED/FICA TAX | 2,375.13 |
| JENDRO SANITATION SERVICE | JENDRO GARBAGE/REC CONTRACT | 9,458.44 |
| LAW ENFORCEMENT SYSTEMS | PD - VIOLATION NOTICES | 77 |
| LAUBE, ANDREA | WC-APRIL '19 CRAFTCOMMISSION | 37.5 |
| LEERHOF, SHARON | WC - CRAFTER COMMISION APRIL19 | 221.25 |
| LEROY'S REPAIR | PARKS - TRIMMER LINE | 14.95 |
| LINCOLN SAVINGS BANK | HSA | 1,750.00 |
| MEHMEN, MARYLEE | WC-APRIL '19 CRAFTERCOMMISSION | 66 |
| MARTIN'S FLAG COMPANY LLC | STREETS - FLAGS | 236.77 |
| MIDAMERICAN ENERGY | MAY '19 GAS/ELECTRIC EXPENSE | 5,625.14 |
| NORTH IOWA MONUMENT | SEWER - AIR COMPRESSOR RENT | 250 |
| RADIOLOGY CONSULTANTS OF | FD - X-RAY READ | 39 |
| RAPID PRINTERS | CH - ENVELOPES | 80 |
| RILEY'S INC. | CH - APRIL/MAY '19 COPY FEE | 215.54 |
| SCHERER, NANCY | WC - APRIL '19 CRAFT COMMISION | 124.28 |
| STAPLES CREDIT PLAN | CH - OFFICE SUPPLIES | 64.95 |
| TREASURER STATE OF IOWA | STATE TAX | 368 |
| WELLMARK, BLUE CROSS | JUNE '19 HEALTH INSURANCE | 5,392.16 |
| KJ DESIGN LLC | PD - GOLF CART/UTV REG STICKER | 50 |
| RIVERSIDE METAL ROOFING | PARKS - GAZEBO ROOF | 280.08 |
| AVESIS | VISION INS | 21.54 |
| MAAS, ROBERTA C. | WC-APRIL'19CRAFTERCOMMISION | 222.16 |
| NASHUA CHAMBER OF COMMERC | TERRY HINRICHS | 45 |
| SHIELD TECHNOLOGY CORP | PD - DUES | 195 |
| PAYROLL CHECKS | TOTAL PAYROLL CHECKS | 8,255.60 |
|  | CLAIMS TOTAL | 53,690.47 |
|  | GENERAL FUND FUND | 30,293.77 |
|  | ROAD USE FUND | 6,321.25 |
|  | EMPLOYEE BENEFIT FUND | 3,809.60 |
|  | WATER FUND | 6,721.77 |
|  | SEWER FUND | 6,544.08 |

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