**City of Nashua**

**CITY COUNCIL MINUTES**

**Nashua Welcome Center**

## The Nashua City Council met in regular session on November 7, 2022 at the Welcome Center. The meeting was called to order at 7:00PM with Harold Kelleher III (Hal) Mayor ProTem presiding. Council members present were Rhonda Dean, Harold Kelleher III, Samantha Johnson, Tim Malven, and Ernie Willsher. City employee(s) City Clerk John Ott,

## Chickasaw County Sheriff Martin Hemann along with 11 guests were also present.

## Mayor Pro Tem Kelleher asked for consideration approving the regular agenda. Malven/M, Dean/S, M/C. RC: all ayes.

## Mayor Pro Tem Kelleher called for a motion to approve the consent agenda: Building Permit 205 Main St., Minutes from the Regular Council Meeting October 17, 2022; Consent Calendar Payment of Claims October 14-November 3, 2022. – Payment of Claims (see claims report): total claims to be paid $101,595.87+$13,212.45 (Wages). Dean/M, Malven/S, M/C, RC: all ayes.

## Mayor Pro Tem Kelleher asked for public comments. City Clerk Ott informed the council about a citizen who is interested in acquiring the 123 Aspinwall property and putting a storage unit on the property. The citizen wanted to know if they would be required to put a house on the lot. Attorney Skilton informed the council that normally they would have to put a house on the lot; however they could allow them to put up just a storage unit if they chose to do so if they followed the special permit process. The council said they would like to see the plans,but were open to discuss it further with the person.

Resolutions

Mayor Pro Tem Kelleher called for a motion to adopt the following resolutions:

22:59 Resolution Establishing the Use of ARPA Special Funds. Malven/M, Willsher/S, M/C. RC: all ayes.

22-60 Resolution Updating Bank Signatures for First State Bank (FSB). Dean/M, Malven/S, M/C. RC: all ayes.

22-61 Resolution Updating Bank Signatures for Lincoln Savings Bank (LSB). Willsher/M, Dean/S, M/C. RC: all ayes.

Public Hearings/Resolutions

## Dean/M to open the public hearing for the FY’23 budget amendment. Malven/S, M/C. RC: all ayes. The public hearing was opened at 7:07PM. After discussion, Willsher/M, Dean/S, M/C to close the public hearing. RC: all ayes. The public hearing was closed at 7:10PM.

Mayor Pro Tem Kelleher called for a motion to approve Resolution 22-62 Approving the FY’23 Budget Amendment. Dean/M, Malven/S, M/C. RC: all ayes.

## Dean/M, Willsher/S, M/C to open the public hearing on the 1st reading adding a new chapter to the Code of Ordinances Chapter #37 Establishing a Volunteer Ambulance Service. RC: all ayes. The public hearing was opened at 7:11PM. After discussion, Malven/M, Dean/S, M/C to close the public hearing. RC: all ayes. The public hearing was closed at 7:12PM. Johnson/M, Dean/S, M/C to adopt Ordinance #345 adding a new chapter #37 Establishing a Volunteer Ambulance Service to the Code of Ordinances of the City of Nashua. RC: all ayes.

Dean/M, Malven/S, M/C to forego the 2nd and 3rd reading and move to final passage. RC: all ayes. Malven/M, Johnson/S, M/C to adopt Ordinance #345 Adding a New Chapter #37 Establishing a Volunteer Ambulance Service to the Code of Ordinances of the City of Nashua. RC: all ayes. Ordinance #345 adding a new chapter to the Code of Ordinances Chapter #37 Establishing a Volunteer Ambulance Service will become effective after publication. Dean/M, Malven/S, M/C to set a public hearing for a Special Permit for Land Mobile Radio Tower for November 21, 2022. RC: all ayes. Permits: Mayor Pro Tem Kelleher asked for a motion to approve the following permits:

Building: 806 Madison St.

Demolition/Excavation

806 Madison St., 16 Mill St., and 523 Wentling St. Johnson/M, Malven/S, M/C to approve all permits. RC: all ayes.

## Business of the Mayor:

## The Mayor had no business to discuss

City Clerk Ott requested approval to attend the budget meeting in Charles City on November 15, 2022. Dean/M, Willsher/S, M/C. RC: all ayes. City Clerk Ott talked to the council about the safety of working on the dam and some of the concerns that had been brought to his attention. After discussion, the council asked City Clerk Ott to gather more information from IMWCA, other locations and our current dam operator.

City Council:

Dean reminded the citizens that it is election day on Tuesday and wanted to thank the Nashua Volunteer Fire Department for their hot dog feed on Halloween. It was a huge success. Johnson mentioned that the Chickasaw Ambulance Council will be setting a meeting to disband the current Chickasaw County Ambulance Council.

Sheriff Martin Hemann gave his monthly report and stated that October was a fairly busy month in Nashua. He reviewed some of the calls and cases that they are working on. He also reiterated the fact that if someone sees something that they should say something. Citizens should contact the Chickasaw County Sheriff’s Department if they see suspicious or illegal activity. He stated that a lot of times the citizens are their eyes and ears for the Sheriff’s Department.

Discussion/Action

The City Council discussed and took action on many items.

Dean/M, Malven/S, M/C to approve the new Deputy Clerk Melissa Berends to receive email communication and banking information from Forte/Front Desk the CC processing system for G’Works the city’s software company. RC: 4 ayes, Johnson abstained.

The council discussed establishing a new policy for snowbirds and absentee residents. After receiving feedback from the public, Dean/M, Malven/S, M/C. to table the decision until they could review and possibly amend the version that was presented. RC: all ayes.

The council discussed amending the Code of Ordinance on snow dumping/removal, but no action was taken.

Dean/M, Malven/S, to accept the donation from the Garden Club for the banners for Main Street, but the banners would need to be paid for by the city and reimbursed by the Garden Club. RC: 4 ayes, Johnson abstain.

The ad-hoc ambulance committee presented some labor costs for the volunteers for the ambulance service. The amounts that were presented to the council were $30 – EMT, $25-Driver, $20-Attendant per call and a monthly fee for the service director/crew chief of $150.00. There would also be a standby fee of $10/hour if on a call for an extended period of time. The volunteers would only be paid for calls they respond to. Dean/M, Malven/S, M/C. RC: all ayes.

The council discussed the new criteria for Volunteer Firefighters from IMWCA the insurance carrier. There are some new tests that are required, which will cost the city extra money and so City Clerk Ott will look into what options are available, costs, and if the tests can be administered locally. City Clerk Ott stated that when he last looked Med Compass, which is a company that many cities use; they perform the physicals on site and the cost was $200/physical. He will compare local costs to Med Compass. The council also discussed some of the recommended things that the insurance carrier would like to see. Tom Johnson the Fire Chief stated that most of the recommendations are being done currently.

The council discussed changing the name of Cedar Hill St. to Cedar Hill Ave, but after discussion and input from other citizens who live on Cedar Hill St. Johnson/M, Malven/S, M/C to leave Cedar Hill Street as the name, but to change the street sign which says Cedar Hill Ave. to Cedar Hill St. RC: all ayes.

The council discussed ambulance insurance coverage limits for the ambulance service. Dean/M, Willsher/S, M/C to accept the insurance limits as presented by ICAP. The cost will be approximately $3,600, this does not include Worker’s Compensation cost. RC: all ayes.

The council discussed the nuisance properties that were reviewed at the previous council meeting on October 17, 2022. They decided that Mayor Anthofer should send a letter to those property owners who are not following through with what they said they were going to do.

The council discussed broken curb stops. City Clerk Ott will work with Nick Henningsen Water/Waste Water Superintendent on the best way to move forward.

Dean/M, Malven/S, M/C to approve Special Counsel Agreement for EPA Orders. RC: all ayes.

The council discussed a request by the Nashua Volunteer Fire Department to reimburse the Nashua Fire Association for equipment they purchased for the Nashua Fire Department. The council asked for them to bring in the expenses that they would like to be reimbursed for and they will review them. Tom Johnson will bring in the receipts.

Malven/M to end open session and go into closed session. Willsher/S, M/C. RC: all ayes. The meeting went into closed session @ 8:32PM. After discussion, Johnson/M to end closed session and resume open session. Dean/S, M/C. RC: all ayes. The meeting resumed open session @ 9:00PM. The reason the council went into closed session 21.5(1)(C) of the Iowa Code to discuss strategy with counsel in matters that are presently in litigation of where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation. After brief discussion, Johnson/M to end the regular session and go back into closed session. Willsher/S. M/C. RC: all ayes. The regular session went back into closed session at 9:01PM. The reason the council went into closed session 21.5(1)(C) of the Iowa Code to discuss strategy with counsel in matters that are presently in litigation of where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation. After discussion, Dean/M, to end the closed session and resume the open session. Malven/S, M/C. RC: all ayes. Regular session resumed at 9:06PM.

There was no other business. Johnson motioned to adjourn. Willsher seconded. M/C. RC: all ayes.

The meeting was adjourned at 9:07PM.

## Pending Approval by Council

## John Ott

## City Clerk

|  |  |  |
| --- | --- | --- |
| CLAIMS REPORT (October 14-Nov 3, 2022) | |  |
| VENDOR | REFERENCE | AMOUNT |
| LINCOLN SAVINGS BANK | HSA | $ 1,500.00 |
| U.S. POST OFFICE | GAR/WTR/SWR POSTAGE NOV22 BILL | $ 215.16 |
| U.S. POST OFFICE | GAR/WTR/SWR BULK MAIL BAL INC | $ 100.00 |
| U.S. POST OFFICE | GAR/WTR/SRW BULK MAIL PTG INC | $ 100.00 |
| 20 20 FX LLC | WTR/SWR-NEW SWITCH G'WORKS | $ 114.00 |
| AVESIS | VISION - NOV '22 | $ 61.66 |
| BOCKHAUS PLUMBING & HEATING | WTR-TURN OFF SERVICE #13 TRLR | $ 75.00 |
| BRUENING ROCK PRODUCTS INC | STREETS - ROAD ROCK | $ 104.19 |
| BUTLER-BREMER COMMUNICATIONS | PHONE EXP - NOV '22 | $ 299.52 |
| CHRISTIE DOOR COMPANY | FD-TRANSMITTER | $ 135.00 |
| DELTA DENTAL OF IOWA | DENTAL INS - NOV '22 | $ 134.34 |
| FELD FIRE | FD-BACKBOARD STRAP KIT | $ 198.76 |
| GIS BENEFITS | DEATH/DISABILITY NOV '22 | $ 91.84 |
| GWORKS | CH/WTR/SWR-CY '23 LICENSE FEES | $ 5,981.00 |
| HAWKEYE FIRE & SAFETY | FD-INSPECT FIRE EXTINGUISHERS | $ 375.50 |
| HINDERS TREE SERVICE LLC | ST-REMOVE TREES EASEMENT/ROW | $ 21,725.00 |
| IOWA DOT | STREETS- OPERATING SUPPLIES | $ 187.50 |
| IOWA MUNICIPALITIES WORKERS | WORKER'S COMPENSATION PREMIUM | $ 1,262.00 |
| IOWA RURAL WATER ASSOC. | WTR-IA RURAL WTR MEM DUE '22 | $ 275.00 |
| JENDRO SANITATION SERVICE | GAR/REC - OCT '22 | $ 11,785.73 |
| JOHN DEERE FINANCIAL | ST-INTAKE FOR MADISON/GREELY | $ 122.70 |
| KAY PARK-REC CORP. | PARKS-PICNIC TABLES-COMM FOUND | $ 10,608.00 |
| LEROY'S REPAIR | PARKS-SUPPLIES | $ 99.98 |
| MACQUEEN EQUIPMENT | ST-STREET SWEEPER | $ 67.29 |
| MIDAMERICAN ENERGY | GAS/ELEC - OCT '22 | $ 4,846.00 |
| MURPHY, COE, AND SMITH | CH-TREASURER AUG '22 | $ 165.00 |
| OTT, JOHN | CH-REIMB '22 TAX FORMS | $ 335.17 |
| PEOPLESERVICE INC. | water waste water contract | $ 20,655.00 |
| RAPID PRINTERS | WATER-PRESORT ENV BULIK MAIL | $ 93.12 |
| RONALD J. PEPPLES | FD-LEGAL EXPENSES | $ 2,975.00 |
| T & K TRACTOR REPAIR | ST-SUPPLIES | $ 13.16 |
| ZENDA VIKTUREK | FD-CPR RECERT (19X$25) | $ 475.00 |
| BLUE CROSS WELLMARK | HEALTH INS - NOV '22 | $ 4,639.86 |
| WEX BANK | CITY FUEL EXPENSES | $ 1,459.34 |
| IRS - USA TAX PAYMENT | FED/FICA TAX | $ 1,912.92 |
| TREASURER STATE OF IOWA | STATE TAX | $ 289.00 |
| IPERS | REGULAR IPERS | $ 2,834.07 |
| IRS - USA TAX PAYMENT | FED/FICA TAX | $ 2,143.35 |
| TREASURER STATE OF IOWA | STATE TAX | $ 359.00 |
| IRS - USA TAX PAYMENT | FED TAX ADJUST FROM Q1 2020 | $ 973.04 |
| IOWA DEPARTMENT OF REVENUE | SEWER-Q4 OCTOBER '22 SALES TAX | $ 316.78 |
| IOWA DEPARTMENT OF REVENUE | WET-Q4 OCT '22 | $ 1,144.76 |
| IOWA DEPARTMENT OF REVENUE | WC-SALES TAX Q4 OCT'22 | $ 347.13 |
| Accounts Payable Total |  | $ 101,595.87 |
| Payroll Checks |  | $ 13,212.45 |
| \*\*\*\*\* REPORT TOTAL \*\*\*\*\* |  | $ 114,808.32 |
| GENERAL FUND |  | $ 43,966.14 |
| LAKE/DAM |  | $ 70.44 |
| ROAD USE |  | $ 31,248.86 |
| EMPLOYEE BENEFIT |  | $ 5,098.96 |
| WATER |  | $ 17,460.19 |
| SEWER |  | $ 16,963.73 |
| TOTAL FUNDS |  | $ 114,808.32 |

## 