

**City of Nashua  
CITY COUNCIL MINUTES  
City Council Chambers, City Hall**

The Nashua City Council met in regular session on August 7, 2023, in Council Chambers at City Hall. The meeting was called to order at 7:00PM with Mayor Alex Anthofer presiding. Council members present were Jake Johnson, Samantha Johnson, Harold Kelleher III, Tim Malven and Ernie Willsher. City employee(s) City Clerk John Ott, Zenda Vikturek Nashua Area EMS Director, Chad McCleary Water/Wastewater Operator, City Attorney David Skilton, and Police Chief Ryan Shawver were present along with 6 guests. Mayor Anthofer asked for consideration approving the regular agenda. Willsher/M, J. Johnson/S, M/C. RC: all ayes

Mayor Anthofer called for a motion to approve the consent agenda: Minutes from the Regular Council Meeting July 17, 2023; Alcohol Permits: Big 4 Fair; Building Permits: 307 Livingston; Fireworks: Water Over the Dam Days 2.0; Payment of Claims (see claims report): Total Claims to be Paid \$136,297.88 + Wages \$17,887.61. Willsher/M, J. Johnson/S, M/C. RC: all ayes.

Mayor Anthofer asked if anyone had any public comments. There were none.

Mayor Anthofer opened a hearing to revisit an issue regarding a dangerous dog due to new information that had been brought forth. Attorney Skilton stated that with the new information the number of persons/animals that have been bitten by this dog is now three or more. Attorney Skilton stated that at the last hearing there was only one known dog bite and so he wanted to inform the council about the other incidents that have been brought forth to see if they wanted to head a different direction, but he didn't subpoena anyone because he thought the council and the dog owner would be able to come to an agreement. Prior to the previous hearing, Attorney Skilton had no concerns because the dog owner had stated that they were going to put the dog down. The dog owner has changed their mind and so Attorney Skilton stated that they now consider what the restrictions are and if not agreed to by the owner then they will have to begin at square 1 and present all the evidence, have witnesses present, and have a new hearing; however if everything can be agreed on like the last time, the council can decide by majority vote and if the solution is approved by the owner then that is fine and if not we would have to have another hearing. It may take more than one time to do it, but we do it right he said. There is no double jeopardy if the council approves a decision based on all the information. S. Johnson/M to have the dog moved out to the property owner's other property outside city limits by September 5, 2023. Attorney Skilton stated that if the council votes and agrees and the owner agrees then they would not have to have another hearing, but if the owner does not agree then they will need to have another hearing. The owner stated that they will need to have another hearing as they are getting an attorney. Council member J. Johnson said let's have another hearing then. Attorney Skilton said he would set it up and that way all voices can be heard as part of due process.

Mayor Anthofer called for a motion to approve the following resolutions: 23-37 Resolution to Approve Transfer of Funds from FSB Checking to Library Money Market for FY'23. S. Johnson/M, Malven/S, M/C. RC: all ayes; 23-38 Resolution to Approve the Hiring of a Public Works Employee. S. Johnson/M, J. Johnson/S, M/C. RC: all ayes; and 23-39 Resolution to Approve Nashua Area EMS Crew Chief. S. Johnson/M, J. Johnson/S, M/C. RC: all ayes.

Mayor Anthofer called for a motion to approve the following permits: Building Permits: 45 Merrill St.; 101 Dixie Dr.; 325A Chickasaw St.; 200 Charles City Rd.; and 208 Charles City Rd. S. Johnson/M, J. Johnson/S, M/C to approve two of the permits 101 Dixie Dr. and 325A Chickasaw St. RC: all ayes. The reason that 45 Merrill St, 200 Charles City Rd.; and 208 Charles City Rd. were not approved were due to lack of adequate information on the application.

Business of the Mayor:

Mayor Anthofer informed the council that the request to the Chickasaw County Board of Supervisors for \$50,000 to help with costs for the dam repair was approved. The money will help pay for the engineering and other costs associated with evaluating the dam repair. Mayor Anthofer and the Council thanked the Chickasaw County Board of Supervisors for approving their request. Mayor Anthofer declared September 18-24, 2023, as National Rail Safety Week and encourages all citizens to recognize the importance of rail safety education.

Department Reports:

City Clerk Ott informed the council that June Bank Reconciliation has been completed and is ready for review. He reviewed the FY'22/23 Year End Financial Reports. He also informed the council about upcoming conferences/meetings and requested approval to attend.

Street Finance Report Training August 9<sup>th</sup> – S. Johnson/M, J. Johnson/S, M/C. RC: all ayes

Rural Economic Development Summit August 17<sup>th</sup> – City Clerk will not be able to attend but will check to see if Deputy Clerk Lisa Berends can attend. Malven/M, J. Johnson/S, to approve Lisa attending. RC: all ayes.

Department Head Training September 7<sup>th</sup> and 14<sup>th</sup> set up by Steve Diers City Administrator for City of Charles City. J. Johnson/M, Malven/S, M/C to approve City Clerk Ott attending and to check with Steve and approve Zade McCall attending as well if beneficial. RC: all ayes. City Clerk Ott will check with City Administrator Diers and get more information on who should attend. Iowa League of Cities Annual Conference and Exhibit September 20-22, 2023. Malven/M, J. Johnson/S, M/C. RC: all ayes.

Housing Conference Cedar Rapids September 6-8, 2023. City Clerk Ott stated that even though this would be a good training he didn't feel it would be very beneficial to Nashua currently as it is more for housing tax credits and home partnerships. There was no motion for approval to attend the Housing Conference.

City Council

S. Johnson mentioned that she helped with the Back the Blue and Fuel the Fire event.

Kelleher mentioned that he is concerned with several nuisance properties who have been sent letters and nothing has been addressed yet.

J. Johnson noted that he would like discussion on LED lighting added back to the agenda for the next meeting.

Chickasaw County Sheriff Ryan Shawver presented the monthly Sheriff's report for July. They spent 202 hours in Nashua in the month of July. They discussed parking at the beach. The council discussed putting two no parking signs up that say no parking between signs, but no decision was made. City Clerk Ott will look at the current parking ordinance to see what it says about parking at the beach.

City Clerk Ott presented the Welcome Center Monthly Report. The A/C unit went out at the Welcome Center. J. Johnson/M, S. Johnson/S, M/C to approve City Clerk Ott getting bids to replace the unit. RC: all ayes.

City Clerk Ott presented the Park Board Monthly Report. Watter Over the Dam Days 2.0 is scheduled for August 26<sup>th</sup> and there are a lot of fun activities planned to include a Band, Pork Producers Meal, Fireworks and Waterhawks ski team.

Chad McCleary from Ion Environmental Solution who is the current Water/Wastewater Operator presented his monthly report. He shared a lot of issues that he noted when he took over as the water/wastewater operator on July 1, 2023. There are numerous pieces of equipment in need of repair. He informed the council that they should be prepared to spend some money to get things where they need to be. He noted that he understands that repairs will be based on priority and not everything can be fixed at one time, but there are a lot of items that have needed repair and the previous operator failed to have them repaired and so the council will need to spend some money to get these items operating again.

Discussion/Action

The council discussed and took action on multiple items.

S. Johnson/M, J. Johnson/S, M/C to table further discussion on nuisance properties and the 657A process until the council creates a list of properties that need to be addressed. RC: all ayes.

The council discussed the final payment to PeopleServices. Malven/M, J. Johnson/S, M/C to have the Mayor draft a letter and provide the letter to City Clerk Ott and Attorney Skilton to proof read. The letter will explain what PeopleServices will need to provide in order to receive final payment. RC: all ayes. The council will evaluate and subtract from the amount owed based on services not performed to fulfill the contract or resource hours that the city had to utilize that were not provided by PeopleService's in-kind hours.

J. Johnson/M, Malven/S, M/C to table discussions on amending the ordinance for water service until the council can gather more information. RC: all ayes.

Willsher/M, S. Johnson/S, M/C to set the time and date of 5PM-7PM Tuesday October 31, 2023 for Trick or Treating. RC: all ayes.

The council discussed the 28E Agreement revisions with NRFC (Nashua Rural Fire Company) adding vehicle ownership to the 28E Agreement so that there is a clear record of ownership. After discussion with the NRFC, the council concluded that the 2017 Freightliner (Tanker) should be 100% owned by the NRFC. After discussion, Malven/M, Willsher/S, M/C to approve the 28E Agreement after amending to change ownership of the 2017 Freightliner from jointly owned to being owned 100% by the NRFC. RC: all ayes. The new 28E Agreement will be revised to state that the parties jointly own 3 vehicles (2008 International (Pumper), 2020 Dodge (Brush Truck), and 2008 (GMC) (Rescue Truck) and the city shall pay for licensing and insurance for the 2008 International (Pumper Truck) and the 2020 Dodge (Brush Truck)). The Nashua Rural Fire Company (NRFC) will pay for licensing and insurance for the 2017 Freightliner (Tanker) and the 2008 GMC (Rescue Truck). The parties will split the costs for maintenance and repairs as well as any sale proceeds for the 3 vehicles that are jointly owned (2008 International (Pumper), 2020 Dodge (Brush Truck), and 2008 (GMC) (Rescue Truck)).

The council discussed the dilapidated building of 223 Main St. and barricading off Woodbridge St. or making it a one-way street. Volunteer Firefighter Josh Caster is going to look into getting cement pylons to close off ½ of Woodbridge St. by the dilapidating building.

S. Johson/M, Willsher/S, M/C to approve installing a water line for the Garden Club. The Garden Club will pay for it, so it will not cost the city any money. RC: all ayes.

The council discussed individuals that may be interested in purchasing some nuisance properties, but no decisions were made.

The council discussed mowing nuisance properties. City Clerk Ott will check with Steve Diers City of Charles City City Administrator on what policy they have.

J. Johnson/M, Willsher/S, M/C to approve the lowest proposal that Chad receives for the repair work proposed by Chad McCleary from Ion Environmental Solutions.

RC: all ayes.

J. Johnson/M, Malven/S, M/C to approve starting the process to sell the old dump truck via auction. RC: all ayes. Council member J. Johnson stated that he will look into Iowa DOT auction information and council member S. Johnson noted that the next Iowa DOT auction is scheduled for September 30, 2023.

Willsher/M, Malven/S, M/C to approve the purchase of a new chain saw for approximately \$540. RC: all ayes.

Other Business

Zade and Shea cut up some wood at the park for the Boy Scouts.

The city was notified that the D.A.R.E. sign is in need to removal or replacement. City Clerk Ott will get more information as it is located outside city limits and therefore the council was wondering if it would be the city’s responsibility.

There was no other business. S. Johnson motioned to adjourn. J. Johnson/S, M/C. RC: 5 ayes. The meeting adjourned at 9:11PM.

Pending Approval by Council  
John Ott

CLAIMS REPORT (July 8-Aug. 2, 2023)

VENDOR	REFERENCE	AMOUNT
BAKER & TAYLOR	LIB-BOOKS	\$408.76
BETTER HOMES & GARDENS	LIB-BOOKS	\$38.01
BOOK LOOK	LIB-BOOKS	\$354.30
BROERS, SARA	LIB-BOOKS	\$25.00
BUTLER-BREMER COMMUNICATIONS	LIB-PHONE JULY'23	\$37.58
CAPITAL SANITARY SUPPLY	LIB-TOWELS/TP	\$110.46
CENTER POINT LARGE PRINT	LIB-BOOKS	\$47.25
CONSUMER REPORTS	LIB-SUB 1YR	\$32.10
DISCOUNT SCHOOL SUPPLIES	LIB-PROG SUPPLIES	\$123.63
GOOD HOUSEKEEPING	LIB-SUB 1YR	\$37.42
GORDON FLESCH COMPANY INC	LIB-PRINTER LEASE 6/23-9/23	\$650.90
GFC		
INGRAM	LIB-BOOKS/OTHER MATERIALS	\$493.42
MIDWEST GAME AND FISH	LIB-SUB 2YR	\$32.00
NASHUA PUBLIC LIBRARY	LIB-PETTY CASH/USPS/SUPPLIES	\$91.82
OVERDRIVE	LIB-EBOOKS	\$625.71
PEOPLE	LIB- SUB THRU AUG'25	\$278.20
RAPID PRINTERS	LIB-SUPPLIES	\$184.00
SOUTHERN LIVING	LIB-BOOKS	\$37.91
THE FAMILY HANDYMAN	LIB-TIPS AND PROJECTS	\$25.95
LINCOLN SAVINGS BANK	HSA	\$1,900.00
ALTORFER CAT	SW-LBTY LIFT STATION GEN REPAI	\$1,162.00
AVESIS	VISION-JULY'23	\$83.14
BOCKHAUS PLUMBING & HEATING	CH-AC REPLACED	\$4,323.00
CRONIN, SKILTON, SKILTON	LEGAL-JUNE	\$99.00
	WOODBIDGE/LAKESHOR	
DELTA DENTAL OF IOWA	DENTAL INS JULY'23	\$309.04
HANNEMAN, MIKE	WA-PRIVATE LINE REPAIR DRIVEWA	\$1,634.00
HENNINGS ELECTRIC LLC	CH-AC REPLACEMENT	\$553.17
HINSON CONSULTING GROUP	WA/SE-CREDIT CK J.S.	\$50.00
INRCOG	CH-FY'24 DUES	\$822.03
IOWA COMMUNITIES	AMB/EMT INS ADJUSTMENT ADDED	\$734.00
MICK GAGE PLBG & HTG, INC	WA-LEAK MAIN/PANAMA	\$1,767.95
MIDAMERICAN ENERGY	PARK-GAS/ELEC JULY'23	\$21.36
MUNICIPAL PIPE TOOL CO.	SWR-SHANK FLANGE/HOOK/NOZZLE	\$236.44
OAKLAND CORPORATION	CH-LASERFICHE INSTALL	\$4,025.00
QUALITY PUMP & CONTROL	SWR PLANT INFLUENT/RAZ PUMP	\$967.50
SHUCK BRITSON	DAM-PROJ REPAIR PLAN	\$20,751.75
SHUTTLEWORTH & INGERSOL	WASTE WATER-EPA CONSENT ORD	\$328.00

STAPLES CREDIT PLAN	PARK-RR SUPPLIES	\$99.64
STRAND ASSOCIATES	SWR-PHASE2 WASTEWTR CONSULT	\$1,250.00
U.S. POST OFFICE	WTR/SWR/GAR/REC STAMPS	\$351.00
BLUE CROSS WELLMARK	HEALTH INS-AUG'23	\$6,515.36
U.S. POST OFFICE	WTR/SWR/GAR/REC AUG'23	\$224.74
ARNOLD MOTOR SUPPLY	STREET-CABIN FILTER WP10360	\$89.38
AUTOMATIC SYSTEMS CO.	SWR-SVC CALL 7/14	\$947.50
BODENSTEINER IMP. INC.	PARKS-MOWER Z930M ZTRAK	\$8,286.28
DON BOSS	WC-CRAFTER COMMISSION 2ND QTR	\$29.25
BRUENING ROCK PRODUCTS INC	PARKS-BANDSHELL DIRT/SRV FEE	\$499.78
CITY OF NASHUA	CH-PETTY CASH	\$91.15
COOLEY PUMPING	PARK-AUG'23 CEDAR VIEW PARK	\$285.00
DIAMOND MAPS	WA/SE-UNLIMITED USERS 12 MO	\$336.00
IOWA DNR	SWR-NPDES PERMIT FEE FY23/24 WORKER'S COMPENSATION PREMIUM	\$210.00 \$702.00
IOWA ONE CALL	LOCATES	\$38.70
JENDRO SANITATION SERVICE	GAR/REC JULY'23	\$12,552.05
JOHN DEERE FINANCIAL	ST/PRK/WW-BOLTS/TORCH.LOCK/	\$238.34
KAHN TILE SUPPLY LLC	ST-MAINT 30'X20' WALL NP	\$1,280.00
KATRINA'S HELPFUL HOUSE CLEANI	WC-CLEANING JULY'23	\$798.00
MARC	PARKS-RR SUPPLIES	\$200.58
MARINE SOLUTIONS INC	DAM-DIVERS FOR INSPECT/REPAIR	\$31,847.50
MIDAMERICAN ENERGY	GAS/ELEC JULY'23	\$8,496.10
MURPHY, COE, AND SMITH	CH-TREASURER MAY'23	\$165.00
NEW HAMPTON TRIBUNE NASHUA	CH-LEGAL PUB JULY'23	\$218.55
ONE BEAT MEDICAL&TRAINING	AMB-DEFIB/CASE	\$7,822.00
PEOPLES INSURANCE AGENCY	WODD-INSURANCE	\$891.89
RILEY'S INC.	CH-COPY FEES JULY '23	\$184.98
S & T COLLISION	FD-BULB	\$53.78
THE MILL, INC.	DAM-OIL	\$1,200.00
ZENDA VIKTUREK	AMB-BREAKAWAY VESTS	\$114.32
IPERS	REGULAR IPERS	\$3,767.23
IRS - USA TAX PAYMENT	FED/FICA TAX	\$2,588.55
TREASURER STATE OF IOWA	STATE TAX	\$400.26
CSG FORTE PAYMENTS	WTR/SWR-ACH BANK FEES JUNE'23	\$42.00
IOWA MUN FINANCE OFF ASSOC	CH-UTILITY CLERK MEMBERSHIP DU	\$20.00
IOWA MUN FINANCE OFF ASSOC	CH-UTILITY CLERK MEMBERSHIP DU	\$1.50
AMAZON	SWR-JET TRUCK LIGHT BOX	\$57.67
Accounts Payable Total		\$136,297.88
Payroll Checks		\$17,887.61
***** REPORT TOTAL *****		\$154,185.49
GENERAL FUND		\$55,192.14
LAKE/DAM		\$53,868.26
ROAD USE		\$9,838.94
EMPLOYEE BENEFIT		\$4,499.76
ARPA Funds Covid 19		\$4,873.32
WATER		\$11,303.10
SEWER		\$14,609.97
TOTAL FUNDS		\$154,185.49

