

City of Nashua
CITY COUNCIL MINUTES
City Hall

The Nashua City Council met in regular session on October 7, 2024, in Council Chambers at City Hall. The meeting was called to order at 7:00PM with Mayor Kelleher presiding. Council members present were Peggy Hall, Jake Johnson, Sam Johnson, Ernie Willsher and Dan Zwanziger. City employee(s) City Clerk John Ott, Water/Wastewater Supervisor Nick Henningsen, Park Board President Nate Sinnwell, Angie Dietz Welcome Center Board Member, Ryan Shawver Chickasaw County Sheriff, and Maggie Burger from Speer Financial were present along with 7 guests.

Mayor Kelleher called for a motion to approve the regular agenda after amending to remove the permit for the Iowa DOT Hwy 346 Bridge and moving Resolution 24-66 and 24-67 to after the consent agenda.

J. Johnson/M, Willsher/S, M/C. RC: all ayes.

Mayor Kelleher asked for a motion to approve the consent agenda consisting of minutes from the regular meeting September 16, 2024; Permits: Building: 8 Sample St.; Demolition/Excavation 28 Charles City Rd. and Liquor License Renewal for Liberty Libations.

Consent Calendar Payment of Claims: (Sept 13 – October 3, 2024) \$250,103.17 + 22,913.15 (Wages) See Claims Report.

General Fund: \$81,945.96

Urban Revitalization: \$81,110.00

Road Use: \$4,245.77

Employee Benefit: \$2,885.72

Dam Repair-After FEMA: \$32,837.65

ARPA Funds-Covid: \$36,760.22

Water: \$15,630.38

Sewer: \$17,535.64

Total Funds: \$273,016.32

Willsher/M, J. Johnson/S, M/C. RC: all ayes.

Maggie Burger from Speer Financial came to review with the council the results from the GO bond sales. The low bidder on the GO 2024A (tax exempt portion) \$1,300,000 was Bernardi Securities out of Northfield Illinois with a 4.1574%. There was a total of 4 bids. The results for the GO 2024B (taxable) \$250,000 bond had a low bid of 5.4135%. There were 2 bids. After Maggie presented the information to the council, Willsher/M, Hall/S, M/C to adopt 24-66 Resolution Awarding General Obligation Corporate Purpose Bonds, Series 2024A (Tax Exempt) to Bernardi Securities at a true interest rate of 4.1574%. RC: all ayes. J. Johnson/M, Hall/S, M/C to adopt 24-67 Resolution Awarding General Obligation Corporate Purpose Bonds, Series 2024B (Taxable) to Bernardi Securities at a true interest rate of 5.4135%. RC: all ayes.

Mayor Kelleher called for public comments: Zade McCall Street Superintendent had a written request to the council on enforcement procedures and the process to enforce the new parking ordinance at the Welcome Center. The council discussed authorizing some of the city workers to write tickets since it is a municipal infraction. City Clerk Ott will research what procedures need to be followed for the council to authorize the city workers to write tickets for municipal infractions.

Hearings/Resolutions

Mayor Kelleher called for a motion to adopt 24-68 Resolution to Approve Reallocation of \$1,760 ARPA Funds from Bandshell to Coating the Restroom Floors with a Poly Urea Coating. S. Johnson/M, J. Johnson/S, M/C. RC: all ayes.

S. Johnson/M, J. Johnson/S, M/C to open the public hearing on zoning classifications and updating the zoning map. RC: all ayes. The public hearing was opened at 7:15PM. City Clerk Ott explained the reason this was on the agenda was because our zoning map hasn't been updated since 1988. He also mentioned that if the city wanted to look at the zoning map and property classifications, they may want to look at amending the setback requirements to be more specific on where the measurements for the setbacks should be taken from. J. Johnson inquired on if INRCOG helped with this, and City Clerk Ott stated that INRCOG can provide assistance. J. Johnson wanted to know the cost and S. Johnson stated that it needs to be done. City Clerk

Ott will get some information from INRCOG on the cost and the process. After discussion, J. Johnson/M, S. Johnson/S, M/C to close the public hearing. RC: all ayes. The public hearing was closed at 7:19PM.

Business of the Mayor:

Mayor Kelleher wanted to urge citizens that have high water consumption to make sure they are checking their commodes, faucets, water softeners, etc. He also stated that there is an app available to help residents monitor their water usage. The app can be set up to send notifications for high water usage. The app is called "Eye On Water" and it will be posted on the city's Facebook page. He also urged citizens to contact City Hall if they have questions about their bill.

He thanked everyone involved with Halloween in the Park as he heard it was a huge success.

Department Reports:

City Clerk Ott had nothing to report; however he reported on behalf of Deputy Clerk Berends. The Utility Billing reconciliation for September had been completed and City Clerk Ott informed the council that the council members who review and sign off on the claims need to review and sign the UB reconciliation as well. Berends inquired about 504 Greenwood and if they have city sewer. Nick Henningsen Water/Wastewater Superintendent stated that they do have sewer hook ups. City Clerk Ott stated that the office will need to review some accounts with him to make sure everyone is being billed for any active services. Berends informed the council that the city is working on the lead/copper report that needs to be turned in by October 16th. She also noted that she will be picking up the fire rings for Cedar View Campground on October 11th. She mentioned that someone had talked to her about implementing a \$500 fine for improper dumping at the brush dump and let the council know that there are some people inquiring about shelter rental fees for 2025.

City Council:

There were none

Nick Henningsen Water/Wastewater Superintendent presented his monthly report. He wanted to inform the council that because we are having to change the materials of the pipe for the Force Main Sewer Service Line that runs under the river the DNR is making us get a permit and therefore we need to hire an engineer. The estimate from Fehr Graham was \$4,400 to prepare the plan to replace the force main line and prepare the wastewater construction permit for the DNR. S. Johnson/M, J. Johnson/S, M/C. RC: all ayes to approve the proposal.

Henningsen also mentioned that the water/sewer department does not have any money in the budget for a clothing allowance because we previously didn't have employees to handle our water/wastewater operations. S. Johnson/M, J/Johnson/S, M/C to approve \$500 for personal protective clothing. RC: all ayes. Angie Dietz presented the monthly report for the Welcome Center. She informed the council that the painting of the Welcome Center has been completed for the bid price of \$10,000. There were 186.5 volunteer hours in September. On November 13th, they are holding a painting event. December 7th is the Christmas Craft show. There were 2 new vendors selling products at the Welcome Center. They held their craft sales vendor show and sales were down from last year.

Nate Sinnwell Park Board President presented the Park Board monthly report. He mentioned that the application for the 5-2-1-0 grant is due on October 15th and the Park Board has a committee working on it. He informed the council that they will be shutting the water off and removing the porta potties October 15th.

They will also be pulling the toilets, so they can coat the bathroom floors with a Poly Urea coating. Lynn talked to the council about Phase I plans which includes Off Street Parking, Sidewalk, 6' Wide Crusher Rock Path, Flower Garden, Picnic Shelter, and Bicycle Course and a Park Sign. Lynn acknowledged Mike Hanneman from Hanneman Construction for all the work he has put in to help with Pa's Playground. Lynn and his wife are looking at donating a picnic shelter to Pa's Playground.

After Lynn updated the council with information and specs for the picnic shelter, Lynn asked for council approval to accept the donation of the picnic shelter. S. Johnson/M, J. Johnson/S, M/C to approve the donation of the picnic shelter. RC: all ayes.

City Clerk Ott also mentioned that the Park Board may want to start thinking about Park Board Member appointments because two of the park board member's terms ends on December 31, 2024.

Nate Sinnwell also asked the council if the Park Board could apply for the Trees Forever Grant through Alliant Energy. The council had no objections of them applying for the grant.

Ryan Shawver Chickasaw County Sheriff presented his monthly report to the council. They spent 155 hours in Nashua in September. Council Member S. Johnson inquired about how many accidents have been at the intersection of Lexington and Greeley St. where the stop sign was removed. Sheriff Shawver informed the council that in the last 7 years there have been 2 accidents at that intersection. One when there was a 4 way stop and the most recent one after the stop sign was removed. The council and Sheriff discussed whether the stop sign should be put back or not. Sheriff Shawver said stop signs are good, but it may cause some back-ups. Council member Willsher thought it would cause more accidents to put it back because people are used to it being gone now. Sheriff Shawver also let the council know that if they do this, which he is not saying whether or not they should, but how many other residents would be requesting a stop sign at their corner. J. Johnson noted that if you follow the federal guidelines for putting in a stop sign that the city shouldn't even have them where they have them now. He stated that anything under 25MPH speed zone should be uncontrolled, but Sheriff Shawver noted that this may be considered a school zone possibly. There was one citizen on the phone who called in remotely, but he was unable to hear the conversation. He requested the council postpone any further decisions/discussion until they return from their trip and are able to attend the meeting.

Discussion/Action:

The council discussed and/or acted on several items.

S. Johnson/M, J. Johnson/S, M/C to have former employee Reece Reams reimburse the city per his employment agreement for the pro-rated portion of his CDL training course because he didn't work for the city for 1 full year. The reimbursement would be \$186. RC: all ayes.

The council discussed different business incentives that they could offer a new business coming into Nashua. City Clerk Ott and Attorney Skilton will look into what options the council could offer if they chose to do so.

One citizen had asked for further discussion on putting the stop sign back at the corner of Greeley St. and Lexington, but the citizen was unable to attend the meeting and won't be back until November. Willsher/M, J. Johnson/S, M/C to table further discussion until the meeting on November 4th. RC: all ayes.

S. Johnson/M, Willsher/S, M/C to close the 300-400 block of Main St. for Trunk or Treat on October 27th. RC: all ayes.

The discussion for the demolition project at 223 Main St. was moved to closed session.

The council discussed adding a comp time policy and revising the vacation policy which hasn't been updated since 1982. After discussion, council member J. Johnson stated that he would get the city clerk a copy of the policy they use. No decisions were made, but this will be discussed further at the next meeting on October 21st.

City Clerk Ott informed the council that it was determined from the facts presented by our City Attorney that if the council decided that they wanted to dredge the lake, they would be able to borrow the money via public hearings and resolutions and it wouldn't need to go on the ballot for a vote because our bond attorney has deemed the dam an essential corporate public purpose under Section 384.24(3)(i) because it is used for flood protection.

City Clerk Ott let the council know that the City of Nashua did not get selected for consultant support by the EPA for the Technical Assistance program; however, there is a new EPA program called Small Town Coaching for Brownfields, and this program will kick off later this year and run for 5 months. Our contact with the EPA is going to make sure Nashua is given priority since the Technical Assistance project didn't get selected.

S. Johnson/M, J. Johnson/S, M/C to approve the Nashua Veteran's Hall Rental Agreement drafted by City Clerk Ott. RC: all ayes.

J. Johnson/M, Hal/S, M/C to approve the waiver of charges request for 316 Main St. and allow them to pay the portion of the bill that wasn't waived over the next 6 months through a payment agreement. RC: all ayes.

S. Johnson/M to end open session and go into closed session. J. Johnson/S, M/C. RC: all ayes. The meeting went into closed session at 8:45PM for discussion on the claim of damage of 219 Main St. during the demolition of 223 Main St. The reason the meeting went into closed session was 21.5(1)(C) of the Iowa Code to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation. After Attorney Skilton provided an update to the council, S. Johnson/M, J. Johnson/S to end the closed session and return to open session. RC: all ayes. The meeting resumed open session at 8:59PM.

S. Johnson/M, J. Johnson/S, M/C to approve allowing City Attorney Skilton to respond to the letter from the Plaintiff's Attorney. RC: all ayes.

Other Business:

There was no other business:

S. Johnson/M to adjourn, J. Johnson/S, M/C. RC: all ayes. The meeting adjourned at 8:59PM.

Pending Approval by City Council
John Ott

CLAIMS REPORT (SEPT. 13-OCT 03, 2024)

VENDOR	REFERENCE	AMOUNT
		\$
BOUND TREE MEDICAL LLC	AMB-AIRWAY MGMT TRAINER	2,933.79
	WWTP-SAMPLES MAIL TO	\$
U.S. POST OFFICE	KEYSTONE	50.00
CHICKASAW COUNTY SHERIFF OFFIC		\$
	PD-QTR2FY'25(OCT-DEC'24)	31,281.25
	DAM-DEPOSITIONS	\$
COURT REPORTERS OF IOWA	NO.LACV004357	1,938.55
		\$
DELTA DENTAL OF IOWA	DENTAL INS OCT'24	303.68
		\$
INSPECTOR HOUSE CALLS LLC	COMM INSP 219 MAIN	500.00
		\$
IOWA COMMUNITIES	VFW-BLD INS 24/25	2,628.00
		\$
JENDRO SANITATION SERVICE	GAR/REC-SEPT'24-GEN	12,081.21
KATRINA'S HELPFUL HOUSE CLEANI		\$
	CH-CLEANING AUG'24	234.00
		\$
MERCY MEDICAL CENTER-NH	DRUG/ALC TESTING	35.00
		\$
PCC	AMB-JUNE'24 BILLING SERVICE	1,022.78
		\$
WEDEKING ELECTRIC LLC	PARK-CAMPER PEDISTALS/LABOR	1,095.94
		\$
BLUE CROSS WELLMARK	HEALTH INS OCT'24	5,841.12
	WWTP-WEEKLY SAMPLES TO	\$
U.S. POST OFFICE	KEYSTON	11.70
		\$
AVESIS	VISION INS OCT'24	65.45
		\$
CHICKASAW CO. RECORDER	CANNON PERK NOTICE OF USE	12.00
		\$
HAWKINS, INC.	WTR-CHEMICALS CL/SO2	70.00
		\$
IOWA DNR	2025 WATER USE FEE	115.00
		\$
IOWA ONE CALL	LOCATES	29.70
		\$
JED ROCK & SAND LLC	1'RR 9/4 9/5 PARKS 19.32TON	234.74
		\$
PCC	AMB-JULY'24 BILLING SERVICE	354.02
	PARK-TREE	\$
TIEDT NURSERY, LTD	REPLACED/GRANT'23	377.23
		\$
ZENDA VIKTUREK	AMB-CPR CERTIFICATION X2	40.00
		\$
ZOLL MEDICAL CORP	AMB-MNTR DEFIB 12 LEAD +PACK	33,826.43
		\$
U.S. POST OFFICE	POSTAGE ON SAMPLES	16.95
		\$
LINCOLN SAVINGS BANK	HSA	1,800.00
		\$
U.S. POST OFFICE	POSTAGE-BILLS OCT'24	242.73

BADGER METER	WTR MTR SERVICE SEPT'24	\$ 661.50
	CRT CSTS-	\$
CHICKASAW COUNTY clerk of cour	SCRBNR119NACICV004492	95.00
		\$
COOLEY PUMPING	PARK-CEDAR VIEW SEPT'24	285.00
		\$
D.W. ZINSER COMPANY INC	DEMO/REMOVAL OF 223 MAIN	78,000.00
		\$
DAKOTA SUPPLY GROUP	MARKER FLAGS/CURB BOX EXT	76.83
		\$
DOLLAR GENERAL	POWER STEERING FLUID	6.75
		\$
HAWKINS, INC.	WTR-CHEMICALS CL/SO2	2,401.08
		\$
MCCLEARY, CHAD		901.00
	PAS PLAYGROUND-DECORATIVE	\$
JACOBS DOZER SERVICE	ROCK	567.42
	WWTP-	\$
JOHN DEERE FINANCIAL	WHEELBRW/RATCHET/TOWELS	217.44
KATRINA'S HELPFUL HOUSE		\$
CLEANI	CH-CLEANING SEPT'24	108.00
		\$
LARSON, RON	WC-WASH/PAINT	10,000.00
		\$
MIDAMERICAN ENERGY	GAS/ELEC SEPT'24	6,850.81
		\$
MSA	313 MAIN SITE ASSESSMENT	2,600.00
		\$
MUNICIPAL PIPE TOOL CO.	SWR-TELEWISE GREENWOOD	3,500.00
		\$
ENTERPRISE MEDIA INC	CH-PUBLICATIONS SEPT'24	788.18
		\$
OTT, JOHN	IA LEAGUE CONF EXPENSES	999.95
		\$
RILEY'S INC.	CH-COPY FEES SEPT'24	198.36
SIMMONS PERRINE MOYER		\$
BERGMAN	DAM-LEGAL EXP DEPO'S AUG'24	30,899.10
		\$
SINNWELL, AMY	BANDSHELL-BLOCKS	785.69
		\$
WILSON, ELIZABETH	WC-TABLES PURCHASED	213.96
		\$
DANIEL ZWANZIGER	SWR LINE BREAK SAMPLES TO KEYS	53.60
		\$
IRS - USA TAX PAYMENT	FED/FICA TAX	3,154.00
		\$
TREASURER STATE OF IOWA	STATE TAX	478.39
		\$
AMAZON	P/ST/WA/SWR-MARKERS	12.12
		\$
AMAZON	WC/CH/AMB-OFFICE SUPPLIES	108.02
		\$
IPERS	REGULAR IPERS	4,823.66
		\$
IRS - USA TAX PAYMENT	FED/FICA TAX	3,476.88
		\$
TREASURER STATE OF IOWA	STATE TAX	541.35
		\$
AMAZON	MARKERS/PHONE CASE	47.46
		\$
AMAZON	IPAD CASE	33.37
		\$
AMAZON	WIDE MOUTH GLASS LAB BOTTLES	41.98
	AMB-MBRRSHIP FOR BOUNDTREE	\$
IOWA EMS ASSOCIATION	DIS	35.00

Accounts Payable Total	\$ 250,103.17
	\$
Payroll Checks	22,913.15
***** REPORT TOTAL *****	\$ 273,016.32
	\$
GENERAL FUND	81,945.96
	\$
LAKE/DAM	64.98
	\$
URBAN REVITAL	81,110.00
	\$
ROAD USE	4,245.77
	\$
EMPLOYEE BENEFIT	2,885.72
	\$
DAM REPAIR-AFTER FEMA	32,837.65
	\$
ARPA Funds Covid 19	36,760.22
	\$
WATER	15,630.38
	\$
SEWER	17,535.64
TOTAL FUNDS	\$ 273,016.32