

**CITY OF HAWARDEN**  
**UNAPPROVED MINUTES REGULAR CITY COUNCIL MEETING**  
**HAWARDEN CITY HALL - COUNCIL CHAMBERS ROOM**  
**Wednesday, July 23, 2008 at 5:30 p.m.**

The Council Meeting was called to order at 5:30 p.m.

Present: Council Members Anderson, Acting Mayor ProTem, Bauder, Hedden. Council Member Borchers was present by telephone.

Absent: Mayor Porter; Council Member Jacobs

Staff Present: Jason Metten, City Administrator/City Clerk; Jim Pickner, City Attorney; Tom Kane, Public Works Director; Sharole Rens, Finance Director; Spencer Haacke, Economic Development Director.

Staff Absent: Mike DeBruin, Chief of Police.

**Standard Agenda Items**

**1a. Approval of July 9, 2008 Regular Council Meeting and July 16, 2008 Special Council Meeting Minutes.** Moved by Bauder/Hedden to approve the minutes July 9, 2008 Regular Council Meeting and July 16, 2008 Special Council Meeting Minutes. Motion carried 4-0.

**1b. Approval of Claims for Payment.** Moved by Hedden/Bauder to approve the Schedule of Claims for payment. Motion carried 4-0.

**1c. Open business from the Community (limited to a maximum of 5 minutes per item).**

Several citizens were present to address the council regarding the locations of the new Bomgaars Store – Mike Cauwels, Tonya Hebler and Red Younkin.

**2a. Mayor's Report.** None

**2b. Council Comments.** Council Member Bauder commented regarding the locations of the Bomgaars store, as well as Council Member Hedden. Council Member Anderson commented on the All School Reunion held in Hawarden and thanked the City Staff for their assistance. She also commented on the locations of the Bomgaars store.

**2c. Staff Reports/Discussion.** Public Works Director Kane reported on problems at the grass and tree drop-off site – other items have been left there and Tom asked citizens to notify him at the office or at home or the Police Dept. if they see any illegal dumping. This site may have to close if this privilege is abused. City Administrator Metten reported on the upcoming Iowa League of Cities Annual Meeting to be held in Council Bluffs and urged council member to attend and register for the event. He also commented on the Bomgaars Store project.

**Other Agenda Items**

**3. a. Public Hearing to consider the authorization of a Loan Agreement and authorizing the issuance of a General Obligation Corporate Purpose Loan Agreement Anticipation Project Note in a principal amount not to exceed \$500,000.** Public Hearing opened at 6:00 p.m. The City Council investigated and found that notice of the proposed action of the City to enter into a loan agreement had been published according to law and as directed by the City Council and that no petition asking that the question of entering into such loan agreement be submitted to the registered voters of the City had been filed. Whereupon, the Acting Mayor ProTem declared the hearing closed at 6:01 p.m.

**b. Resolution 2008-39 – Resolution authorizing a Loan Agreement and authorizing the issuance of a General Obligation Corporate Purpose Loan Agreement anticipation Project Note in a principal amount not to exceed \$500,000.** Council Member Hedden introduced and

moved the adoption of the resolution next hereinafter set out; seconded by Council Member Bauder. After due consideration, the Acting Mayor ProTem put the question on the motion and the roll being called, the following named Council Members voted: Ayes: Bauder, Borchers, Hedden, Anderson. Nays: None. Motion carried 4-0. Whereupon, the Acting Mayor ProTem declared the resolution duly adopted, as hereinafter set out.

Council Member Jacobs was present at this time by telephone.

**4. Resolution 2008-37 – Directing the City Administrator to Draft a Development Agreement.** After Council discussion, moved by Hedden/Bauder to approve Resolution 2008.37. Aye: Hedden, Borchers, Anderson, Bauder. Nay: Jacobs. Motion carried 4-1.

Council Member Borchers left the meeting by telephone at 6:15 p.m.

**5. Resolution 2008-40 – Authorizing the Mayor or City Administrator to extend an agreement with United Commercial Real Estate, appointing an exclusive right to sell, lease, or exchange real estate.** Recommended by Council Member Anderson to table this item until a later date. Moved by Bauder/Hedden to table Resolution 2008-40. Aye: Bauder, Jacobs, Anderson, Hedden. Nay: None. Motion carried 4-0.

**6. Review and Discussion of received consultant proposals for City Administrator search.** Moved by Hedden/Bauder to table this item for further review and to be considered at a special meeting to be scheduled. Motion carried 4-0.

**7. Request for Liquor License Transfer from Brian Engleman dba Sportsmans Lanes & Lounge, Hawarden to Hawarden Community Center for August 9, 2008 and August 16, 2008.** Moved by Bauder/Hedden to approve the Liquor License Transfer Request for August 9 and August 16, 2008. Motion carried 4-0.

**8. Request for Renewal of Class B Beer Permit for on-premise sales of beer and wine coolers with Living Quarters and Sunday Sales from Don Yoerger dba The Drive In.** Moved by Hedden/Bauder to approve the Renewal of Class B Beer Permit for The Drive In. Motion carried 4-0.

Council Member Jacobs left the meeting by phone at 6:20 p.m.

**9. Closed Session for discussion of Potential Litigation under Iowa Code section 21.5,1,c.** Moved by Bauder/Hedden to enter Closed Session. Aye: Bauder, Anderson, Hedden. Nay: None. Motion carried 3-0. Entered into closed at 6:20 p.m. Return to Open Session at 6:39 p.m. and no actions were taken.

The next regular City Council Meeting will be held on Wednesday, August 13, 2008 at 5:30 p.m. Moved by Bauder/Hedden to adjourn the meeting. Motion carried 3-0. Meeting adjourned at 6:40 p.m.

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Patty Anderson, Acting Mayor ProTem

ATTEST:

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Jason R. Metten, City Administrator/Clerk

