

**CITY OF HAWARDEN
REGULAR CITY COUNCIL MEETING AGENDA
Hawarden City Hall – Council Chambers Room
Wednesday, October 10, 2018 at 5:30 p.m.**

Standard Agenda Items

- 1a. Approval of September 26, 2018 Council Meeting Minutes.**
- 1b. Approval of October 10, 2018 Claims for Payment**
- 1c. Open business from the Community (limited to a maximum of 5 minutes per item).**
- 2a. Mayor's Report**
- 2b. Staff Reports/Discussion**
- 2c. Council Comments**

Other Agenda Items

- 3. Second Reading of Ordinance 706, An Ordinance Amending the Code of Ordinances of the City of Hawarden, Iowa By Adding a New Section to Chapter 69 of the Hawarden City Code to Regulate Parking or Storing Vehicles on Unimproved Surfaces on Residential Properties in R-1 and R-2 Zones.**
- 4. Second Reading of Ordinance 707, An Ordinance Amending the Code of Ordinances of the City of Hawarden Iowa By Amending Provisions Pertaining to Wastewater Utility Rates.**
- 5. Resolution 2018-29, Resolution Appointing Commissioner to the Sioux Valley Railroad Authority.**
- 6. Resolution 2018-30, Designation of Authorized Representation for MRES.**
- 7. Appointment of a Representative and an Alternate to the NW Iowa Solid Waste Agency.**
- 8. Closed Session pursuant to Iowa Code Section 388-9 to discuss marketing, and pricing strategies and proprietary information where the competitive position would be harmed by public disclosures not required of competitors and no public purpose is served by disclosure.**
- 9. Adjournment**

City of Hawarden

Public Meeting Procedures

These Procedural rules are to provide for the orderly conduct of City business by the City Council, with the objective of providing for full, open and comprehensive debate of issues brought before the body for action in a forum open to the public, and which encourages citizens' awareness of City Council activities. These procedures do not increase or diminish the existing powers or authority of the Mayor or City Council members, but is intended merely to serve as a general set of guidelines to assist the governmental body in conducting City business.

House Rules:

- No food or drink other than bottled water may be brought into the Council Chambers.
- Cell phones and pagers should be silenced in the Council Chambers.
- Signs and placards are not permitted in the Council Chambers.

Citizens' Right To Be Heard:

It is the Council's goal that citizens resolve their complaints for service or regarding employees' performance at the staff level. However, it is recognized that citizens may from time to time believe it is necessary to speak to City Council on matters of concern. Accordingly, City Council expects any citizen to speak in a civil manner, with due respect for the decorum of the meeting, and with respect for all persons attending.

- No member of the public shall be heard until recognized by the presiding officer.
- Public comments will only be heard during the Public Comment portion of the meeting unless the issue is a Public Hearing.
- Speakers must stand at the dais and speak into the microphone, unless unable to do so, and state your name and address for the record.
- Any citizen requesting to speak shall limit himself or herself to matters of fact regarding the issue of concern.
- Comments should be limited to five (5) minutes unless prior approval by the presiding officer.
- If a representative is elected to speak for a group, the presiding officer may approve an increased time allotment.
- Personal attacks made publicly toward any citizen or city employee are not allowed. Citizens are encouraged to bring their complaints regarding employee performance through the supervisory chain of command in accordance with the City's Personnel policies.
- Any member of the public interrupting City Council proceedings, approaching the dais without permission, otherwise creating a disturbance, or failing to abide by these rules of procedure in addressing the City Council, shall be deemed to have disrupted a public meeting and, at the direction of the presiding officer, shall be removed from the Council Chambers by Police Department personnel or other agent designated by the City Council or City Administrator.

**UNAPPROVED MINUTES REGULAR CITY COUNCIL MEETING
HAWARDEN CITY HALL – COUNCIL CHAMBERS
Wednesday, September 26, 2018 at 5:30 p.m.**

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

Present: Mayor Porter; Council Members: Bergsma, Feldhacker, Klocke, Kurth, Olson

Absent: None

Staff Present: Mike DeBruin, City Administrator/City Clerk; Tom Kane, Public Works Director;

Travis Waterman, Ass't Public Works Director; Pam Wakeman, Finance Officer; Corey Utech, Chief of Police; Jim Pickner, City Attorney

Absent: None

Standard Agenda Items

1a. Approval of September 12, 2018 Regular Council Meeting Minutes.

Moved by Feldhacker/Klocke to approve the September 12, 2018 Regular Council Meeting Minutes.
Motion carried 5-0.

1b. Approval of Claims for Payment.

Moved by Kurth/Olson to approve the September 26, 2018 Claims for Payment.
Motion carried 5-0.

1c. No Open Business from the Community was held.

2a. Mayor's Report was given.

2b. Staff Reports were given.

2c. No Council Comments were given.

Agenda Items

Item 3. Third Reading of Ordinance 703 Amending the Code of Ordinances of the City of Hawarden, Iowa by Amending Provisions Pertaining to Alcoholic Beverage Control.

Moved by Feldhacker/Bergsma to approve.

Aye: Klocke, Feldhacker, Olson, Kurth, Bergsma Nay: None Motion carried 5-0.

Item 4. Third Reading of Ordinance 704 Amending the Code of Ordinances of the City of Hawarden, Iowa by Amending Provisions Pertaining to Traffic Regulations.

Moved by Klocke/Bergsma to approve.

Aye: Olson, Kurth, Bergsma, Feldhacker, Klocke Nay: None Motion carried 5-0.

Item 5. Third Reading of Ordinance 705 Amending the Code of Ordinances of the City of Hawarden, Iowa by Amending Provisions Pertaining to Cigarette and Tobacco Permits.

Moved by Feldhacker/Bergsma to approve.

Aye: Bergsma, Olson, Kurth, Klocke, Feldhacker Nay: None Motion carried 5-0

Item 6. Discussion & Possible Action on the First Reading of Ordinance 706 Amending the Code of Ordinances of the City of Hawarden, Iowa by adding a new section to Chapter 69 of the Hawarden City Code to Regulate Parking or Storing Vehicles on Unimproved Surfaces on Residential Properties in R-1 and R-2 Zones.

Moved by Olson/Klocke to approve.

Aye: Klocke, Feldhacker, Bergsma, Olson Nay: Kurth Motion carried 4-1.

Item 7. First Reading of Ordinance 707, Amending the Code of Ordinances of the City of Hawarden, Iowa by Amending Provisions Pertaining to Wastewater Utility Rates.

Moved by Feldhacker/Bergsma to approve.

Aye: Feldhacker, Bergsma, Klocke, Olson, Kurth Nay: None Motion carried 5-0.

Item 8. Consent Agenda

a. Request from Brian Engleman dba Hawarden Golf Clubhouse for a Liquor License Transfer to Hawarden Community Center on Sat., Oct. 6, 2018.

Moved by Bergsma/Feldhacker to approve.

Motion carried 5-0.

Item 9. Adjournment.

The next regular City Council Meeting will be Wednesday, October 10, 2018 @ 5:30 p.m.

Moved by Klocke/Bergsma to adjourn the meeting. Motion carried 5-0.

Meeting adjourned at 6:15 p.m.

Ricard R. Porter, Mayor

ATTEST:

Michael De Bruin, City Administrator/City Clerk

**CITY OF HAWARDEN
COUNCIL MEETING
OCTOBER 10, 2018**

DATE	CHECK NO	VENDOR	REFERENCE	AMOUNT
10/5/2018	ACH	CITY OF HAWARDEN	PAYROLL	\$ 27,788.69
9/28/2018	52578	AD-VERTISER	LIB ADVERTISING	\$ 144.00
9/28/2018	52579	BLACKSTONE AUDIO INC	LIB AUDIO BOOKS	\$ 30.94
9/28/2018	52580	CENTRAL CATERING	LIB STAFF & BOARD MEAL	\$ 159.70
9/28/2018	52581	CHERRY LAKE PUBLISHING AND	LIB CHILDREN'S BOOKS	\$ 264.35
9/28/2018	52582	CITY OF HAWARDEN	LIB UTILITIES	\$ 363.78
9/28/2018	52583	COUNSEL	LIB COPIER CONTRACT	\$ 98.14
9/28/2018	52584	DEMCO INC	LIB SUPPLIES	\$ 11.96
9/28/2018	52585	GALE/CENGAGE LEARNING	LIB LARGE PRINT BOOKS	\$ 155.78
9/28/2018	52586	PETTY CASH	LIB POSTAGE	\$ 162.21
9/28/2018	52587	HITEC	LIB TELEPHONE	\$ 80.17
9/28/2018	52588	INGRAM LIBRARY SERVICES	LIB BOOKS	\$ 2,855.54
9/28/2018	52589	IOWA COMMUNICATIONS NETWORK	LIB LONG DISTANCE	\$ 6.44
9/28/2018	52590	IOWA OUTDOORS	LIB SUBSCRIPTION	\$ 15.00
9/28/2018	52591	JASON JANS	LIB YARD CARE	\$ 375.00
9/28/2018	52592	LORI JUHLIN	LIB MILEAGE	\$ 356.97
9/28/2018	52593	KIPLINGERS PERSONAL FINAN	LIB SUBSCRIPTION	\$ 23.95
9/28/2018	52594	MOTHER EARTH NEWS	LIB SUBSCRIPTION	\$ 17.00
9/28/2018	52595	NO STREAKING INC	LIB WINDOW CLEANING	\$ 46.00
9/28/2018	52596	OLSONS PEST TECHNICIANS	LIB PEST CONTROL	\$ 45.00
9/28/2018	52597	ROURKE EDUCATIONAL MEDIA	LIB CHILDREN'S BOOKS	\$ 417.10
9/28/2018	52598	SCHOLASTIC LIBRARY	LIB CHILDREN'S BOOKS	\$ 1,619.65
9/28/2018	52599	TASTE OF HOME BOOKS	LIB SUBSCRIPTION	\$ 8.00
9/28/2018	52600	VISA	LIB TRAVEL/TRAINING	\$ 1,325.76
9/28/2018	52601	KATHY J WILSON	LIB PROGRAM FEE	\$ 228.00
9/28/2018	52602	PRINTING ERROR	VOIDED	\$ -
10/1/2018	52603	IA SECTION AWWA REGION 3	REGISTRATION T.ERICSON	\$ 45.00
10/5/2018	52604 THRU	CITY OF HAWARDEN	PAYROLL	\$ 3,844.19
10/5/2018	52608	CITY OF HAWARDEN	PAYROLL	
10/5/2018	52609	STATE OF SOUTH DAKOTA	REIMBURSEMENT	\$ 398.28
10/5/2018	52610	CITY OF HAWARDEN	PAYROLL	\$ 1,390.28
10/5/2018	62611	CITY OF HAWARDEN	PAYROLL	\$ 4,084.60
10/10/2018	52612	AD-VERTISER	EL LINEMAN AD	\$ 1,196.81
10/10/2018	52613	AGENCY ONE SERVICES	INSURANCE 18 PICKUP	\$ 1,399.00
10/10/2018	52614	ANCERLY HOSTING	WEB HOSTING	\$ 100.00
10/10/2018	52615	APGA	MEMBERSHIP DUES	\$ 884.79
10/10/2018	52616	B & H PHOTO-VIDEO	SUPPLIES	\$ 132.30
10/10/2018	52617	MARY BEECK	UTILITY REFUND	\$ 328.61
10/10/2018	52618	BIG SIOUX EMBROIDERY	CLOTHING	\$ 105.00
10/10/2018	52619	BTN	TV PROGRAMMING COST	\$ 1,355.40
10/10/2018	52620	BLACKBURN MFG COMPANY	LOCATING PAINT	\$ 427.45
10/10/2018	52621	BOMGAARS	SUPPLIES	\$ 1,803.93

DATE	CHECK NO	VENDOR	REFERENCE	AMOUNT
10/10/2018	52622	CATALYST SOLUTIONS INC	TECH SERVICES	\$ 1,829.60
10/10/2018	52623	CENTRAL PARTS & SUPPLY	BREAK CLEANER	\$ 194.19
10/10/2018	52624	CULLIGAN WATER CONDITIONING	DRINKING WATER	\$ 40.44
10/10/2018	52625	DATA TECHNOLOGIES INC	TRAINING	\$ 190.00
10/10/2018	52626	DIAMOND VOGEL & WAX CO	PAINT	\$ 1,180.00
10/10/2018	52627	DITCH WITCH OF SOUTH DAKOTA	PARTS	\$ 93.74
10/10/2018	52628	ENVIRONMENTAL RESOURCE	LAB FEES	\$ 142.64
10/10/2018	52629	ERICSON AUTO BODY	OIL CHANGE CITY	\$ 47.00
10/10/2018	52630	FERGUSON WATERWORKS #2516	SUPPLIES	\$ 981.47
10/10/2018	52631	FLOWERS BY JAN	SUPPLIES	\$ 21.75
10/10/2018	52632	GCC ALLIANCE CONCRETE CO INC	CONCRETE	\$ 179.00
10/10/2018	52633	GRAINGER INC	SUPPLIES	\$ 1,047.60
10/10/2018	52634	GROEBNER	CONVERSION KIT	\$ 1,656.47
10/10/2018	52635	HAWARDEN AMBULANCE ASSN	RUN FEES	\$ 7,620.00
10/10/2018	52636	HAWARDEN CHAMBER	QUARTERLY PAYMENT	\$ 7,500.00
10/10/2018	52637	HAWARDEN FIRE & RESCUE	GEAR STORAGE RACK	\$ 400.00
10/10/2018	52638	HAWARDEN REGIONAL HEALTHCARE	LOCAL OPTION SALES TAX	\$ 25,335.14
10/10/2018	52639	HAWARDEN SENIOR CITIZEN CENTER	RENT	\$ 250.00
10/10/2018	52640	HITEC	GENADM PHONE SERVICE	\$ 913.50
10/10/2018	52641	BRAD HOFLAND	CLEAN CC	\$ 175.00
10/10/2018	52642	MARY HULLEMAN	RETIREMENT BENEFITS	\$ 498.57
10/10/2018	52643	IMFOA	IMFOA FALL CONF	\$ 125.00
10/10/2018	52644	IOWA DNR	PERMIT	\$ 268.00
10/10/2018	52645	IOWA PRISON INDUSTRIES	SIGNS	\$ 232.72
10/10/2018	52646	JEFFS RADIATOR & REPAIRS	TIRE & TUBE-MOWER	\$ 89.95
10/10/2018	52647	LANGEL'S PLUMBING & HEATING	BLACKFLOW TEST	\$ 475.00
10/10/2018	52648	L.G. EVERIST INC	ROCK	\$ 986.10
10/10/2018	52649	LOCATORS AND SUPPLIES INC	SUPPLIES	\$ 51.27
10/10/2018	52650	LYNOTT IMPLEMENT INC	OIL	\$ 11.49
10/10/2018	52651	MAILFINANCE	POSTAGE MACHINE LEASE	\$ 825.00
10/10/2018	52652	MANGOLD ENVIRONMENTAL	LAB FEES	\$ 64.00
10/10/2018	52653	MIDWEST ALARM COMPANY INC	FIRE & SECURITY ALARM	\$ 215.41
10/10/2018	52654	MISSOURI RIVER ENERGY SVC	LEADERSHIP ACADEMY	\$ 99.00
10/10/2018	52655	MOW & GLOW LAWN & FLOOR CARE	CLEAN CC	\$ 175.00
10/10/2018	52656	MUELLER CO	GAS FITTING	\$ 1,041.79
10/10/2018	52657	MUNICIPAL UTILITIES	UTILITIES	\$ 974.81
10/10/2018	52658	NATIONAL CABLE TELEVISION	TV PROGRAMMING COST	\$ 27,487.47
10/10/2018	52659	NO STREAKING INC	WINDOW CLEANING	\$ 560.00
10/10/2018	52660	NORTHWEST REC	POWER FOR WELLS	\$ 26.00
10/10/2018	52661	OLSONS PEST TECHNICIANS	PEST CONTROL	\$ 41.43
10/10/2018	52662	ONE OFFICE SOLUTION	SUPPLIES	\$ 288.80
10/10/2018	52663	PICKNER LAW OFFICE PC	RETAINER	\$ 700.00
10/10/2018	52664	PREMIER COMMUNICATIONS	PH T1 SERVICE	\$ 423.63
10/10/2018	52665	REGIONAL TRANSIT AUTHORITY	QTRLY PYMT	\$ 2,000.00
10/10/2018	52666	ROVI GUIDES INC	TV PROGRAMMING COST	\$ 573.84
10/10/2018	52667	SCOTTS ELECTRIC PLUMBING	FREON AC UNIT	\$ 329.24

DATE	CHECK NO	VENDOR	REFERENCE	AMOUNT
10/10/2018	52668	SD DEPT. OF TRANSPORTATION	CLPVLG LEASE	\$ 200.00
10/10/2018	52669	SHOWTIME NETWORK INC	TV PROGRAMMING COST	\$ 250.60
10/10/2018	52670	SINCLAIR BROADCAST GROUP	RETRANSMISSION	\$ 1,780.50
10/10/2018	52671	SIOUX COUNTY AUDITOR	E911 CHARGES	\$ 1,897.10
10/10/2018	52672	SIOUXLAND DISTRICT HEALTH DEPT	LAB FEES	\$ 30.00
10/10/2018	52673	SMITH ELECTRIC	REPAIR AC	\$ 84.08
10/10/2018	52674	MILLIE SORLYE	OVERPAYMENT REIMB.	\$ 70.14
10/10/2018	52675	SUNSHINE FOODS	SUPPLIES	\$ 255.28
10/10/2018	52676	TOWER DISTRIBUTION COMPANY	TV PROGRAMMING COST	\$ 184.08
10/10/2018	52677	TRUESDELL OIL INC	FUEL	\$ 1,266.77
10/10/2018	52678	USA BLUEBOOK	METER VALVE	\$ 817.25
10/10/2018	52679	UTILITY EQUIPMENT COMPANY	TAPPING SADDLES	\$ 849.90
10/10/2018	52680	WIGMAN COMPANY	SUPPLIES	\$ 148.88
10/5/2018	11140841	EFTPS	FED/FICA TAX	\$ 13,071.29
10/10/2018	11140843	TREASURER STATE OF IOWA	TELE OCT 2018	\$ 436.40
10/10/2018	11140844	CLAYTON ENERGY CORPORATION	GAS PURCHASE	\$ 5,488.21
10/10/2018	11140845	DEARBORN NATIONAL	LIFE INS	\$ 268.68
10/10/2018	11140846	PEOPLES BANK	BILLING CHGS & FEES	\$ 40.00
10/10/2018	11140847	USAC	USAC FEES	\$ 1,594.81
		***** REPORT TOTAL *****		\$ 171,189.80

ORDINANCE NO. 706

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HAWARDEN, IOWA BY ADDING A NEW SECTION TO CHAPTER 69 OF THE HAWARDEN CITY CODE TO REGULATE PARKING OR STORING VEHICLES ON UNIMPROVED SURFACES ON RESIDENTIAL PROPERTIES IN R-1 AND R-2 ZONES.

WHEREAS, City of Hawarden desires to improve Hawarden residential neighborhoods by eliminating unsightly conditions that create urban blight and reduce overall property values, and

WHEREAS, the parking of vehicles in front yards on unimproved surfaces in residential areas causes yard depressions, standing water, grass and vegetation to die, and mud to be tracked onto streets and other property, and

WHEREAS, such conditions are unsightly and unsanitary in residential neighborhoods, and serve to depress surrounding property values.

NOW THEREFORE, BE IT ENACTED by the City Council of the City of Hawarden, Iowa:

SECTION 1. NEW SECTION. The Code of Ordinances of the City of Hawarden, Iowa is amended by adding a new Section 69.15:

69.15 PARKING IN RESIDENTIAL FRONT YARDS. No person shall park or permit the parking of a vehicle in the front yard in a residential district except on a permitted, improved driveway or parking space other than temporary parking as defined herein. For purposes of this Section the following are defined:

1. "Front Yard" means the open space in that portion of a yard between the street and the face of the principal residence and a line extending from the left side of the lot to the right side of the lot. The line, as viewed from the street, shall extend parallel to the street to the nearest corner of the principal residence and then along the face of the principal residence to the right corner, and from that point on a line parallel to the street to a point on the right lot line. When there is no residence, it shall mean the area from the front building setback line to the front edge of the street right-of-way. Corner lots and through lots which abut more than one street shall be deemed to have two front yards for purposes of this section. This shall also apply to that area of the public way not covered by sidewalk and lying between the front lot line and the curb line.

2. "Improved Surface Driveway or Parking Space" means an area connected by a direct access to the street right of way by means of a continuously improved surface with such surface and parking area to be improved by surfacing with concrete, asphalt, paving stones, gravel or rock with a depth of not less than 3 inches or other hard surfaced durable material approved in advance by the City Administrator. The borders of a driveway or parking which is gravel or rock must have its borders clearly delineated with curb, brick, landscaping timbers or metal borders so that the driveway or parking area can be easily delineated from the grass and remaining yard. The area of the improved surface shall not contain more than 50% of the area of the front yard as described.

3. "Vehicle" means every device in, upon or by which any person or property is or may be transported or drawn or moved upon a street, highway, waterway or airway and shall include

any automobile, truck, motor house, motorcycles, scooters, mopeds, all-terrain vehicles, boats, recreational vehicles, golf carts, go-carts, trailers, fifth wheel trailers, campers, camper shells, folding tent trailers, motor homes, truck campers removed from a truck or pickup, horse trailers, boat trailers with or without boats, and utility trailers or wheeled towing frames. This definition does not include non-motorized bicycles, small engine lawn mowers and devices of similar scale.

4. "Temporary Parking" means parking limited to, weekend visitors, family gatherings, special events or large gatherings that are temporary in nature. No temporary parking shall exceed 48 hours in any seven-day period. Provided, however, that at no time shall such temporary parking or driving into the front yard be the cause of ruts and/or the non-growth of grass in the front yard such that the track of the vehicle is visible from the street for more than 72 hours after the end of the temporary parking.

SECTION 2. REPEALER. All ordinances or part of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. SEVERABILITY CLAUSE. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 4. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Passed and approved this _____ day of _____, 2018.

Ricard R. Porter, Mayor

ATTEST: _____
Michael J. DeBruin, City Administrator/Clerk

First Reading:
Second Reading:
Third Reading:

I Certify that the foregoing was published as Ordinance No. _____ on the ____ day of _____, 2018.

Michael J. DeBruin, City Administrator/Clerk

ORDINANCE NO. 707

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HAWARDEN IOWA BY AMENDING PROVISIONS PERTAINING TO WASTEWATER UTILITY RATES

BE IT ENACTED by the City Council of the City of Hawarden, Iowa:

SECTION ONE. SUB-SECTIONS MODIFIED. Sub Section 113.05(2) and Sub Section 113.05(7) of the Code of Ordinances of the City of Hawarden, Iowa are repealed, and the following adopted in lieu thereof:

113.05 WASTEWATER UTILITY DEFINITIONS AND RATES.

2. Normal Wastewater Contributor Rates Per Unit/User. Each contributor of normal wastewater to the City's wastewater treatment system shall pay per unit/user for services provided by the City by payment of a minimum system support charge and additional charges based on water use as measured by water meters acceptable to the City according to the following schedule:
 - A. Minimum System Support Charge: \$21.20 per month (this includes no usage);
 - B. \$1.38 per 100 cubic feet, or fraction thereof, of water used.

A contributor to the City wastewater system whose use of the wastewater system is not accurately reflected by metered water usage will be charged a minimum usage of 400 cubic feet or at the request of either the City or the contributor, be billed based upon usage adjusted by measurements of wastewater meter(s) or separate water meter(s) installed and maintained at the contributor's expense.

7. Alternate Sanitary Sewer System Rates Per Unit. The following charges shall apply on a per unit basis whenever it is necessary to use alternative sanitary sewer equipment to provide service to a property:
 - A. The minimum equipment and installation charge per unit installed shall be \$3,000.00. Additional costs shall apply where the sewer must be extended more than a length of 300 feet and for any sewer unit with a cost more than the cost of a base E-1. Sewer unit cost with all costs to be assessed to the customer.
 - B. Minimum System Support Charge: \$14.00 per month (this includes no usage) and is in addition to the applicable Normal Wastewater Contributor Rate Per Unit/User and rate per cubic feet of water used as set forth elsewhere in Section 113.05 (2) a and b.

SECTION TWO. SUBSECTION REPEALED. Subsection 113.05(8) is hereby repealed.

SECTION THREE. SEVERABILITY CLAUSE. If any section, provision of part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the

validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION FOUR. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Passed and Approved by the Council of the City of Hawarden on the 24th day of October 2018.

Ricard R. Porter, Mayor

ATTEST:

Michael DeBruin, City Administrator/Clerk

First Reading: September 26, 2018

Second Reading: October 10, 2018

Third Reading: October 24, 2018

I certify that the foregoing was published as Ordinance No. 707 on the _____ day of _____, 2018.

Michael DeBruin, City Administrator/Clerk

RESOLUTION No. 2018-29

**RESOLUTION APPOINTING COMMISSIONER
OF THE
SIOUX VALLEY REGIONAL RAILROAD AUTHORITY**

BE IT RESOLVED:

That Travis Waterman shall serve as the Ex-Officio Commissioner representing the City of Hawarden as a member of the governing board of the Authority.

BE IT FURTHER RESOLVED:

That the City Clerk of the City of Hawarden shall cause a duly certified copy of this Resolution to be filed with the SVRRA and shall file a copy of this Resolution in the permanent records of the City of Hawarden.

CERTIFICATION

I, the undersigned, the duly qualified and acting City Clerk of the City of Hawarden, Hawarden, Iowa, do hereby certify that the above and foregoing resolution was duly adopted by the members of the Hawarden City Council at a regularly called meeting held on the 10th day of October, 2018, upon motion by _____, which was seconded by _____, with the following members voting:

Aye:

No:

Absent:

Upon recording of such vote, the Mayor declared the Resolution adopted and together with the undersigned, City Clerk, executed the Resolution and affixed the Official Seal.

IN WITNESS WHEREOF, I have affixed my signature and the official seal on this 10th day of October, 2018.

CITY OF HAWARDEN

Ricard R. Porter, Mayor

City Clerk

(Seal)

RESOLUTION NO. 2018-30
DESIGNATION OF AUTHORIZED REPRESENTATIVE

KNOW ALL MEN BY THESE PRESENTS:

FIRST: That the undersigned member of MISSOURI BASIN MUNICIPAL ELECTRIC COOPERATIVE ASSOCIATION, an incorporated cooperative association organized under and pursuant to the laws of the State of Iowa (hereinafter called MBMECA), hereby designates and appoints **Travis Waterman**, to represent the undersigned at all meetings of the members of MBMECA, and, without limiting the generality of the authority herein granted and conferred, said representative is authorized and empowered: (a) to waive notice on behalf of the undersigned of the time, place, and purpose of any and all such meetings; (b) to vote upon the election of directors of MBMECA; (c) to vote upon the proposition of increasing the maximum amount which MBMECA may borrow from the United States of America acting through the Administrator of the Rural Electrification Administration; and (d) generally to take such action and to vote on behalf of and as the representative of the undersigned, at any and all meetings of the members of MBMECA, as said representative shall in his discretion deem advisable.

SECOND: In the event Tom Kane shall fail or refuse to act or be incapable of acting as the representative of the undersigned at any meeting of the members of MBMECA, **Michael DeBruin**, of the undersigned, is hereby designated and appointed the first alternate representative of the undersigned with all of the powers and privileges hereinabove granted to and conferred upon the above authorized representative, and if both such authorized representative and the alternate representative shall either fail or refuse to act or be incapable of acting as the authorized representative of the undersigned at any meeting of the members of MBMECA, then such substitute representative as shall be designated by the Mayor-Chairman of the undersigned is hereby designated and appointed the substitute representative of the undersigned with all the powers and privileges hereinabove granted to and conferred upon said authorized representative.

IN WITNESS WHEREOF, the undersigned has caused these presents to be signed in its corporate name by its Mayor-Chairman and its corporate seal to be hereunto affixed and attested by its Clerk thereunto duly authorized this 10th day of October 2018.

City of Hawarden

By _____
Ricard R. Porter, Mayor

(CORPORATE SEAL)

Attest:

Michael DeBruin, City Administrator/City Clerk

RESOLUTION NO. 2018-30
DESIGNATION OF AUTHORIZED REPRESENTATIVE

Missouri River Energy Services (MRES):

The City desires to appoint a new person to represent the City in matters relating to its membership in MRES, and the business with MRES. Council Member _____ introduced the following Resolution, and moved its adoption, and Council Member _____ seconded the motion to adopt.

Resolution to Designate Authorized Representative for the City of Hawarden as a Member of Missouri Basin Municipal Power Agency d/b/a Missouri River Energy Services.

WHEREAS, the City of Hawarden, Iowa, has entered into the Agreement Establishing the Missouri Basin Municipal Power Agency, d/b/a Missouri River Energy Services (MRES), and as a member thereof is entitled to a representative who shall represent the Municipal Utility in the business of MRES.

NOW, THEREFORE, BE IT RESOLVED that **Travis Waterman** be and is hereby designated and appointed as the representative of the City of Hawarden, Iowa, and is authorized to represent Hawarden's Municipal Utility in the business of MRES, with the powers, duties and responsibilities as provided in said agreement. The alternate representative, **Michael DeBruin**, is hereby designated and appointed, and authorized the City with equal powers.

Upon calling of the roll, the votes were as follows:

Voting for adoption of the Resolution: _____

Voting against adoption of the Resolution: _____

Whereupon, the Mayor Ricard R. Porter declared the Resolution duly adopted on the 10th day of October 2018.

Ricard R. Porter, Mayor

Attest:

Michael DeBruin, City Administrator/City Clerk

Date

NW IA AREA SOLID WASTE AGENCY
4540 360th Street
SHELDON, IA 51201
Phone & Fax: 712-324-4026
Website: nwialandfill.com
Email: nwiaswa@netllc.net

Year: 2018

City of Hawarden has duly appointed the following people to represent our interests as a member of the NW IA Area Solid Waste Agency for the year 2018.

Representative:

Name

Mailing Address

City, State, Zip Code

Business: _____ Home: _____
Phone

Email Address: _____

Alternate:

Name

Mailing Address

City, State, Zip Code

Business: _____ Home: _____
Phone

Email Address: _____

Signature

Typed Name and Title

Date

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Please update any information concerning your City or County for us:

City or County Mailing Address:

Telephone Number:

Fax Number:

Email Address:

Website Address:

Contact Person:

Year: 2018

City Mayor or County Chairperson:

City Clerk or Auditor:
