

★ **Roll Call Number**

Agenda Item Number

64

Date August 10, 2009

WHEREAS, on July 27, 2009 by Roll Call No. 09-1332, the City Council duly resolved that the proposal to approve a text amendment to Municipal Code Section 134-1276(t) to revise standards concerning the screening of refuse collection containers be set down for hearing at 5:00 p.m. on August 10, 2009 in Council Chambers, City Hall in Des Moines; and

WHEREAS, due notice of the hearing was published in the Des Moines Register on July 30, 2009, setting forth the time and place for the hearing on the proposed text amendment; a true and correct copy of which is on file in the Office of the City Clerk; and

WHEREAS, pursuant to the published notice, those interested in the proposed zoning code text amendment have been given the opportunity to be heard and have presented their views to the City Council.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that upon due consideration of the facts and statements of interested persons and arguments of counsel, the objections to the proposed text amendment are hereby overruled, the hearing is closed, and the proposed amendment to Municipal Code Section 134-1276(t) is hereby approved.

Moved by _____ to approve and adopt.

APPROVED AS TO FORM:


Michael F. Kelley
Assistant City Attorney

(Council Communication No. 09-551)

| COUNCIL ACTION | YEAS | NAYS | PASS | ABSENT |
|----------------|------|------|------|--------|
| COWNIE | | | | |
| COLEMAN | | | | |
| HENSLEY | | | | |
| KIERNAN | | | | |
| MAHAFFEY | | | | |
| MEYER | | | | |
| VLASSIS | | | | |
| TOTAL | | | | |

MOTION CARRIED

APPROVED

Mayor

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

City Clerk