

★ Roll Call Number

08-817

Agenda Item Number

43

Date May 5, 2008

WHEREAS, on April 21, 2008 by Roll Call No. 08-668 it was duly resolved by the City Council that the City Plan and Zoning Commission's recommendation for approval of amendments to Municipal Code of the City of Des Moines Section 134-1296 to provide standards for public utility cabinets located within a front yard, be set down for hearing on May 5, 2008 at 5:00 p.m. in the Council Chambers, 400 Robert D. Ray Drive, Des Moines, Iowa; and

WHEREAS, due notice of the hearing was published in the Des Moines Register as provided by law on April 24, 2008; and

WHEREAS, in accordance with the notice, those interested in the proposal amendments, for and against, have been given the opportunity to be heard with respect thereto and have presented their views to the City Council.

NOW, THEREFORE, BE IT RESOLVED by the City Council for the City of Des Moines, Iowa:

That upon consideration of the facts, statements of interested persons and arguments of Council, the objections to the proposed amendments to Section 134-1296 of the Municipal Code are hereby overruled, and the hearing is closed.

Moved by Meyer to refer to the City Manager to work with Qwest on three amendments to the ordinance regarding:

- APPROVED AS TO FORM:
- 1) Cabinet Height
  - 2) Placement at the curb
  - 3) Common color

Michael F. Kelley  
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
HENSLEY				✓
KIERNAN	✓			
MAHAFFEY		✓		
MEYER	✓			
VLASSIS	✓			
TOTAL	5	1		1

MOTION CARRIED APPROVED  
T.M. Franklin Council 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.

Diane Rauh City Clerk