

★ Roll Call Number

10-1459

Agenda Item Number

29

Date September 13, 2010

RESOLUTION SCHEDULING PUBLIC HEARING ON PROPOSED  
ANNEXATION MORATORIUM AGREEMENT AND 28E AGREEMENT  
WITH PLEASANT HILL

WHEREAS, the cities of Des Moines and Pleasant Hill entered into an Annexation Moratorium Agreement dated July 24, 2000, wherein the two cities have established a line of demarcation beyond which each city agreed not to annex for the ten year term of the agreement; and,

WHEREAS, the cities of Des Moines and Pleasant Hill have both exercised their authority under Iowa Code §354.9 to review subdivision plats and plats of survey for divisions or subdivisions in the unincorporated area within two miles of each city's respective boundary; and,

WHEREAS, the City Manager has proposed that the City of Des Moines enter into an *Annexation Moratorium Agreement and 28E Agreement* with Pleasant Hill which extends the Annexation Moratorium Agreement for a new ten year term pursuant to Iowa Code §368.4, and which addresses the review of subdivision plats and plats of survey within the area between the two cities pursuant to Iowa Code 354.9; NOW THEREFORE,

BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, as follows:

1. That the City Council shall consider approval of the proposed Annexation Moratorium Agreement and 28E Agreement with the City of Pleasant Hill at a public hearing to be held in the Council Chamber, City Hall, Des Moines, Iowa at 5:00 p.m. on October 25, 2010, at which time the City Council will hear both those who oppose and those who favor the proposal.
2. The City Clerk is hereby authorized and directed to publish notice of the hearing in the accompanying form by publication in the Des Moines Register and in the Carlisle Citizen on October 7, 2010.
3. The Legal Department is hereby authorized and directed to cause notice of the hearing to be timely mailed to all interested parties as required by law.

(Council Communication No. 10-556)

MOVED by Hensley to adopt.

( continued )



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FORM APPROVED:

Roger K. Brown

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Assistant City Attorney

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Exhibits:

"1" - Annexation Moratorium Agreement and 28E Agreement

"2" - Combined Notice of Hearing

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GRIESS	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MEYER	✓			
MOORE	✓			
TOTAL	7			

MOTION CARRIED APPROVED  
*T. M. Franklin*  
 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