



Roll Call Number

11-1600

Agenda Item Number

42

Date September 12, 2011

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on August 18, 2011, its members voted in support of a motion to recommend **APPROVAL** of a Zoning Ordinance Text including amendments to Municipal Code Chapter 134 regarding regulation of businesses selling liquor, wine and beer; and

WHEREAS, on August 29, 2011 by Roll Call No. 11-1447, it was duly resolved by the City Council that the proposed Zoning Text amendments to the Municipal Code be set down for hearing in the Council Chambers, City Hall, Des Moines, Iowa at 5:00 p.m. on September 12, 2011, at which time the City Council will hear both those who oppose and those who favor the proposal; and

WHEREAS, due notice of the hearing was published in the Des Moines Register on September 1, 2011, as provided by law, setting forth the time and place for hearing on the proposed amendment to the Zoning Ordinance; and

WHEREAS, the Legal Department has prepared Text Amendments including amendments to the Municipal Code Chapter 134 regarding regulation of businesses selling liquor, wine or beer; and

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

(Continued on Page 2)

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-2-

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

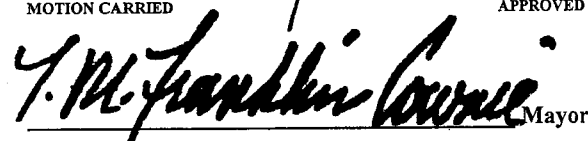
That upon due consideration of the facts, statements of interested persons and arguments of counsel, the objections to the proposed Text Amendments, including amendments to the Municipal Code Chapters 134 are hereby overruled, the hearing is closed and the Text Amendments are hereby APPROVED.

MOVED by Hensley to adopt and approve the Text Amendments to the Municipal Code, subject to final passage of the ordinance.

FORM APPROVED:

  
Michael F. Kelley  
Assistant City Attorney

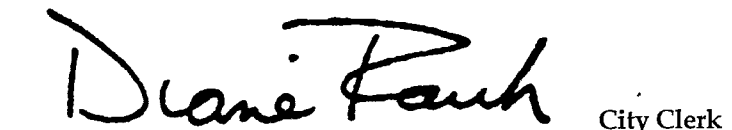
COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GRIESS	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MEYER	✓			
MOORE	✓			
TOTAL	7			
MOTION CARRIED			APPROVED	

  
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