

★ Roll Call Number

12-1371

Agenda Item Number

39

Date August 27, 2012

WHEREAS, on August 13, 2012, by Roll Call No. 12-1251, it was duly resolved by the City Council that the proposal to amend Section 134-954 of the Zoning Ordinance regarding the allowed location and manner of operation of businesses engaged in the sale of liquor, wine and beer as more fully described in Exhibit "A" attached hereto, be set down for hearing on August 27, 2012, at 5:00 p.m., in the Council Chambers at City Hall; and

WHEREAS, due notice of the hearing was published in the Des Moines Register as provided by law on August 16, 2012; and

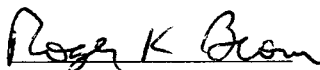
WHEREAS, in accordance with the notice, those interested in the proposed amendments, both for and against, have been given opportunity to be heard with respect thereto and have presented their views to the City Council; NOW, THEREFORE,

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

That upon consideration of the facts, statements of interested persons and arguments of counsel, the objections to said proposed amendments to the Zoning Ordinance be and the same are hereby overruled, and the hearing closed.

MOVED by Coleman to adopt and approve, subject to final passage of the enacting ordinance; refer to the City Manager and City Attorney to prepare an alternative ordinance for the September 10, 2012 Council meeting, that places the upper level in the 10,000-12,000 range, and to report on possible consequences of this change.
(Council Communication No. 12-462)

FORM APPROVED:



Roger K. Brown

Assistant City Attorney

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COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GRIESS		✓		
HENSLEY	✓			
MAHAFFEY	✓			
MEYER		✓		
MOORE	✓			
TOTAL	5	2		

MOTION CARRIED

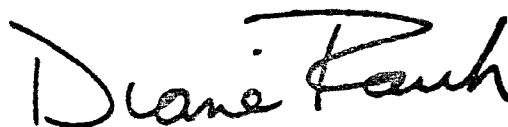
APPROVED

 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