



Roll Call Number

15-0814

Agenda Item Number

28

Date May 18, 2015

RESOLUTION SCHEDULING PUBLIC HEARING TO CONSIDER EXTENDING
THE ANNEXATION MORATORIUM AGREEMENT AND 28E AGREEMENT
WITH INDIANOLA AND WARREN COUNTY

WHEREAS, on May 23, 2005, by Roll Call No. 05-1319, the Des Moines City Council approved an *Annexation Moratorium Agreement and 28E Agreement* with the City of Indianola and Warren County for the following purposes:

1. To establish agreed upon boundaries for the future growth of each city towards the other to allow each city to better plan for the orderly future extension of their public infrastructure and services;
2. To establish an area between the two cities which is intended to be preserved for agricultural, outdoor recreational and open space uses; and,
3. To avoid duplication in the review of plats of unincorporated land located within two miles of both cities.

WHEREAS, the term of an annexation moratorium agreement is limited to ten years by Iowa law, and the existing agreement expires on May 30, 2015; and,

WHEREAS, on March 23, 2015, by Roll Call No. 15-0523, the City Council authorized and directed the City Manager or his designee to enter into negotiations with Warren County and Indianola to extend the agreement; and,

WHEREAS, the City Manager is supportive of a proposal to enter into the *Annexation Moratorium Agreement and 28E Agreement* now on file and available for public inspection in the office of the City Clerk, which matches the terms and conditions of the original agreement.

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

1. The City Council shall consider approval of the proposed new *Annexation Moratorium Agreement and 28E Agreement* at a future public hearing.
2. The public hearing before the City Council at which the proposed Agreement is to be considered shall be held in the Council Chambers, City Hall, Des Moines, Iowa at 5:00 p.m. on July 13, 2015, at which time the City Council will hear both those who oppose and those who favor the proposal.
3. The City Clerk is hereby authorized and directed to coordinate with Indianola and Warren County to cause a consolidated notice of said proposal, and of the planned public

(continued)



Roll Call Number

15-0814

Agenda Item Number

28

Date May 18, 2015

-2-

hearings on the proposal by the city councils of Des Moines and Indianola, and by the Board of Supervisors of Warren County, to be published in the Des Moines Register, Record Herald & Indianola Tribune, and the North Warren Town & County News.

MOVED by Hensley to adopt.

FORM APPROVED:

Roger K. Brown

Roger K. Brown, Assistant City Attorney

U:\Rog Docs\Annex\28E Agr\Indianola\2015 Agr\RC 15-05-18 Set Hrg.doc

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MOORE	✓			
TOTAL	7			

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.

T. M. Franklin Council Mayor

Diane Rauh City Clerk