



Roll Call Number

15-1195

Agenda Item Number

57

Date July 13, 2015

RESOLUTION APPROVING ANNEXATION MORATORIUM AGREEMENT
WITH THE CITY OF INDIANOLA AND WARREN COUNTY

WHEREAS, Iowa law permits cities to establish agreed upon boundaries between their future growth areas, to allow the cities to more effectively plan for the efficient extension of public services into their future growth areas; and,

WHEREAS, representatives of Warren County, and the cities of Indianola and Des Moines have negotiated a proposed *Annexation Moratorium Agreement and 28E Agreement* which establishes boundaries over which each of the cities agree not to annex for a term of ten years; establishes which city is to review subdivision plats within any overlapping area of extra-territorial jurisdiction; and, provides for each of the parties to give notice to the other of actions in the boundary areas between the jurisdictions; and,

WHEREAS, on May 18, 2015, by Roll Call No. 15-0814, it was duly resolved by the City Council that the proposed Agreement be set down for hearing on July 13, 2015, at 5:00 P.M., in the Council Chambers; and,

WHEREAS, notice of this hearing was mailed to the City Development Board, the Indianola City Council, and to the Warren County Board of Supervisors by letter of May 27, 2015, and was published in the Indianola Record Herald & Tribune on May 27, 2015, and in the Des Moines Register and the North Warren Town and County News on May 28, 2015, in satisfaction of the notice requirements imposed by Iowa Code §368.4; and,

WHEREAS, a copy of the proposed *Annexation Moratorium Agreement and 28E Agreement* is on file and available for public inspection in the office of the City Clerk; NOW THEREFORE,

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

1. The proposed *Annexation Moratorium Agreement and 28E Agreement* as described above is hereby approved.
2. The Mayor is hereby authorized and directed to sign the said Agreement on behalf of the City of Des Moines, and the City Clerk is hereby authorized and directed to attest to the Mayor's signature on such document.

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-2-

- 3. Upon execution of the Agreement, the City Clerk shall forward the Agreement to the City Attorney. The City Attorney shall coordinate with the City of Norwalk and Warren County to complete the execution and recording of the Agreement.

MOVED by Hensley to adopt.

FORM APPROVED:

Roger K. Brown

Roger K. Brown
Assistant City Attorney

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Exhibits:

A – Map of the Boundary Lines

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN				✓
GATTO	✓			
GRAY	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MOORE	✓			
TOTAL	6			1

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.

MOTION CARRIED APPROVED
T. M. Franklin Mayor

Diane Rauh City Clerk