

★ Roll Call Number

15-1226

Agenda Item Number

5

Date July 27, 2015

CONSIDERATION FOR ACCEPTANCE OF AGREEMENT AND RENEWAL OF CLASS E LIQUOR LICENSE WITH C BEER AND B WINE PRIVILEGE FOR NAT FOOD MART #1, 3804 HUBBELL AVENUE

WHEREAS, this license application came on for renewal on February 23, 2015, Roll Call Number 15-0275, Agenda Item Number 4-I and the motion to adopt for license issuance was denied.

WHEREAS, the Council's decision to deny was appealed to the State Alcoholic Beverages Division and the City was approached by the applicant to negotiate terms that would adequately address Council and Neighborhood concerns to allow the license to issue and the appeal to be dismissed.

WHEREAS, the license applicant has proposed terms for the operation of the business in the form on an operation or "good neighbor agreement" which would be beneficial for the neighborhood where the licensed premises is located and which serves as a compromise settlement of the denied license which is on appeal.

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

- A. The good neighbor agreement filed in the City Clerk's Office is approved as settlement of the appeal of the denial of the license on February 23, 2015.
B. The license application for Nat Food Mart #1, 3804 Hubbell Avenue is approved.

Moved by _____ to adopt

Approved as to form:

[Signature]

Douglas P. Philip
Assistant City Attorney

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, GATTO, GRAY, HENSLEY, MAHAFFEY, MOORE, and TOTAL.

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

Mayor

City Clerk