

★ Roll Call Number
15-1333

Agenda Item Number
5

Date August 10, 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.

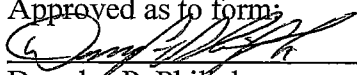
WHEREAS, the Council's decision to deny was appealed to the State Alcoholic Beverages Division and the City was approached by the applicant to negotiate terms that would adequately address Council and Neighborhood concerns to allow the license to issue and the appeal to be dismissed.

WHEREAS, the license applicant has proposed terms for the operation of the business in the form of 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 Hensley to adopt

Approved as to form:


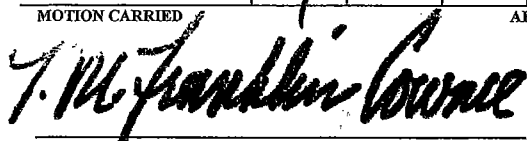
 Douglas P. Philip
 Assistant City Attorney

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
 Mayor



 Diane Rauh
 City Clerk