



Roll Call Number

17-1426

Agenda Item Number

68

Date August 14, 2017

**RESOLUTION RESETTING THE DATE OF PUBLIC HEARING ON PETITION TO ESTABLISH THE SHERMAN HILL SELF-SUPPORTED MUNICIPAL IMPROVEMENT DISTRICT AND SETTING NEW HEARING DATE.**

WHEREAS, on May 8, 2017, by Roll Call No. 17-0784, the City Council received a petition to establish the Sherman Hill Self-Supported Municipal Improvement District, and referred the Petition to the City Plan and Zoning Commission for preparation of an evaluative report for the Council on the merit and feasibility of the proposed project and improvements as required by Iowa Code Chapter 386; and,

WHEREAS, the City Plan and Zoning Commission has submitted its report and recommendation on the merit and feasibility of the proposed Sherman Hill Self-Supported Municipal Improvement District, and,

WHEREAS, the purpose of the proposed Sherman Hill Self-Supported Municipal Improvement District is to provide enhanced improvement and services within the district, all as more specifically described in the Petition to Establish the Sherman Hill Self-Supported Municipal Improvement District which is on file and available for public inspection in the office of the City Clerk; and,

WHEREAS, Iowa Code Chapter 386 provides that upon receipt of the final report of the Plan and Zoning Commission the Council shall set a time and place for a hearing upon the Petition and shall cause proper notice to be given; and,

WHEREAS, on June 12, 2017, by Roll Call No. 17-0971, it was duly resolved by the City Council that the Petition to Establish the Sherman Hill Self-Supported Municipal Improvement District be set down for public hearing on July 10, 2017, at 5:00 p.m., in the Council Chambers; and,

WHEREAS, on July 10, 2017, by Roll Call No. 17-1193, the public hearing was continued to August 14, 2017 at 5:00 p.m. due to a need to provide additional notice; and,

WHEREAS, the City subsequently retained a contractor to handle mailed notice, but more time is required to put the service in place and mail required notice.

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

1. That the hearing previously set for August 14, 2017 is reset for August 28, 2017.



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2. That the City Council consider the Petition to Establish the Sherman Hill Self-Supported Municipal Improvement District at a public hearing to be held on August 28, 2017, at 5:00 p.m., in the Council Chambers, at the Richard A. Clark Municipal Service Center (MSC), located at 1551 E. Martin Luther King, Jr. Parkway, Des Moines, Iowa at which time the City Council will hear both those who oppose and those who favor the proposal.

3. That notice of said proposal shall be given by publication once, not less than four nor more than 20 days before the date of hearing, as required by Iowa Code sections 386.3(4) and 362.3.

4. That notice of said proposal shall also be given by certified mail not less than 15 days before the hearing to each property owner within the proposed district at the owner's address as shown by the records of the County Auditor, all as required by Iowa Code section 386.3(4).

5. That notice referred to above shall be in the form attached hereto as Exhibit "A", which contains that information required by Iowa Code section 386.4(5).

MOVED by Hensley to adopt.

FORM APPROVED:

Thomas G. Fisher Jr. Assistant City Attorney

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, GATTO, GRAY, HENSLEY, MOORE, WESTERGAARD, and TOTAL (7).

MOTION CARRIED APPROVED Y. M. Franklin Council 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.

Diane Fauh City Clerk