



Roll Call Number

09-719

Agenda Item Number

52

Date May 4, 2009

PUBLIC HEARING ON APPEAL OF DENIAL OF TRANSIENT MERCHANT LICENSE TO ABED SALEH

WHEREAS, Abed Saleh, 3816 106th Street, Urbandale, Iowa 50322, filed a notice of appeal to the City Council from the administrative hearing officer's decision upholding the deputy zoning enforcement officer's denial of his application for a transient merchant license for a location at 1815 University Avenue in Des Moines; and

WHEREAS, pursuant to Municipal Code Sec. 78-70.01, a public hearing on the appeal was duly scheduled for May 4, 2009 at 5:00 p.m. in City Council Chambers in Des Moines; and

WHEREAS, Mr. Saleh has been provided with the opportunity to address the City Council on the matter of his appeal.

NOW THEREFORE BE IT RESOLVED (Choose one of the two alternatives):

Alternative One: That the order of the administrative hearing officer be affirmed and Mr. Saleh's transient license for 1815 University Avenue is denied.

Moved by Meyer to AFFIRM DENIAL

Alternative Two: That the order of the administrative hearing officer be reversed and Mr. Saleh's transient merchant license for 1815 University Avenue is granted.

Moved by to REVERSE DENIAL

APPROVED AS TO FORM:

Michael F. Kelley Assistant City Attorney

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, HENSLEY, KIERNAN, MAHAFFEY, MEYER, VLASSIS, 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.

T.M. Franklin Council Mayor

Diane Fauh City Clerk