

★ Roll Call Number
10-051

Agenda Item Number
33 ✓

Date January 11, 2010

PUBLIC HEARING ON VEHICLE
 IMPOUND OF JAMES SCHLOEMER

WHEREAS, James Schloemer, 2112 Garfield Avenue South, #13, Minneapolis, MN, filed an appeal of his vehicle's impound for violation of an Emergency No Parking order on September 27, 2009 and the City Hearing Officer denied said appeal; and

WHEREAS, Mr. Schloemer requested an opportunity to address the City Council on the matter of his appeal; and

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

WHEREAS, Mr. Schloemer's vehicle was found parked illegally on a street marked "No Parking (Emergency)"; NOW THEREFORE,

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

 Alternative One: That the order of the hearing officer be upheld.

MOVED BY TO UPHOLD DECISION.

✓ Alternative Two: That the order of the hearing officer be reversed and a Certificate of No Probable Cause be issued to Mr. Schloemer.

MOVED BY Hensley TO REVERSE DECISION, and reimburse the \$20 Impound Fee and the \$94.87 towing charge and to void parking citation 340076894.

FORM APPROVED:

K. Massier
 Katharine Massier
 Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN		✓		
GRIESS	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MEYER	✓			
MOORE	✓			
TOTAL	6	1		

MOTION CARRIED APPROVED
T. M. Franklin 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 Rauh City Clerk