

Date September 12, 2011

PUBLIC HEARING ON VEHICLE IMPOUND OF KEVIN NEUWIRTH

WHEREAS, Kevin Neuwirth, 2920 Kinsey Avenue, filed an appeal of his vehicle's impound for leaving the vehicle in the traveled portion of the roadway on March 31, 2011, and the City Hearing Officer denied said appeal; and

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

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

WHEREAS, Mr. Neuwirth's vehicle was found abandoned and illegally parked in the traveled portion of the roadway; NOW, THEREFORE,

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

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

MOVED BY Meyer TO UPHOLD DECISION. Mr. Neuwirth did not appear.

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

MOVED BY TO REVERSE DECISION.

APPROVED AS TO FORM:

Assistant City Attorney

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

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 Rauh City Clerk