

★ Roll Call Number

12-0697

Agenda Item Number

25

Date May 7, 2012

RESOLUTION SETTING DATE OF PUBLIC HEARING UPON APPLICATION OF
NPI LIMO SERVICE LLC TO INCREASE THE NUMBER OF LIMOUSINES OPERATED
UNDER THEIR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY
TO OPERATE LIMOUSINE SERVICE IN THE CITY OF DES MOINES FROM ELEVEN
(11) LIMOUSINES TO FIFTEEN (15) LIMOUSINES

WHEREAS, Section 126-62 of the Municipal Code forbids the operation of a limousine as a vehicle for hire upon the streets of Des Moines without obtaining a Certificate of Public Convenience and Necessity; and

WHEREAS, NPI Limo Service LLC has filed an application with the City Traffic Engineer requesting permission of the City Council to increase the number of limousines operated under their Certificate of Public Convenience and Necessity from eleven (11) limousines to fifteen (15) limousines, which application is now on file in the office of the City Clerk for public review and consideration; and

WHEREAS, upon the filing of an application for a Certificate of Public Convenience and Necessity, Section 126-64 of the Municipal Code requires the City Council to fix a time and place for a public hearing on the matter of the application to increase the number of limousines under their certificate to operate a limousine service; and

WHEREAS, Section 126-64 does require that written notice of the hearing be given to the applicant and all present holders of a certificate, if any.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA:

1. That the Des Moines City Council shall hear the matter of the request to increase the number of limousines operated under their Certificate of Public Convenience and Necessity from eleven (11) limousines to fifteen (15) limousines at the regularly scheduled City Council meeting on May 21, 2012, in the City Council Chambers at 5:00 p.m.; and
2. That the City Clerk is directed to give written notice of the time and place of the scheduled hearing to the applicant at the following address and to all the present holders of a certificate at their addresses of record.

Mark Kirchner
NPI Limo Services, LLC
3329 109th Street
Urbandale, IA 50322

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3. That any interested person, pursuant to Section 126-64, may file with the City Clerk a memorandum in support of or opposition to the issuance of the certificate.

MOVED BY Hensley to adopt.

APPROVED AS TO FORM:

K. Massier

Katharine Massier
Assistant City Attorney

| COUNCIL ACTION | YEAS | NAYS | PASS | ABSENT |
|----------------|------|------|------|--------|
| COWNIE | ✓ | | | |
| COLEMAN | ✓ | | | |
| GRIESS | ✓ | | | |
| HENSLEY | ✓ | | | |
| MAHAFFEY | ✓ | | | |
| MEYER | ✓ | | | |
| MOORE | ✓ | | | |
| TOTAL | 7 | | | |

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