

★ Roll Call Number

Agenda Item Number

12-0820

50

Date May 21, 2012

VEHICLE IMPOUND APPEAL OF NICK WELTHA

WHEREAS, Nick Weltha, 201 Locust Street, Apt. 134, owned a vehicle that was impounded by the City of Des Moines for illegal parking in Emergency No Parking zone; and

WHEREAS, Mr. Weltha requested and was granted an administrative hearing where he argued his case; and

WHEREAS, The Administrative Hearing Officer listened to all arguments and found that there was probable cause to impound Mr. Weltha's vehicle; and

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

WHEREAS, Mr. Weltha now has the opportunity to address the City Council; and

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

Alternative One: To uphold the decision of the Administrative Hearing Officer and deny Mr. Weltha's appeal.

MOVED BY Hensley TO DENY APPEAL.

Alternative Two: To reverse the decision of the Administrative Hearing Officer and issue a certificate of no probable cause.

MOVED BY \_\_\_\_\_ TO GRANT APPLICATION.

FORM APPROVED:

Katharine Massier by Mark Gali

Katharine Massier Assistant City Attorney

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

MOTION CARRIED APPROVED 7. 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