

★ Roll Call Number

12-1929

Agenda Item Number

17

Date December 17, 2012

RESOLUTION SETTING DATE OF PUBLIC HEARING UPON APPLICATION OF EXECUTIVE EXPRESS TO INCREASE THE NUMBER OF LIMOUSINES OPERATED UNDER THEIR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE A LIMOUSINE SERVICE IN THE CITY OF DES MOINES FROM THREE (3) LIMOUSINES TO FIVE (5) LIMOUSINES

WHEREAS, Section 126-62 of the Municipal Code of the City of Des Moines, Iowa, 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, Executive Express 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 to Operate a Limousine Service in the City of Des Moines from three (3) limousines to five (5) 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 three (3) limousines to five (5) limousines at the regularly scheduled City Council meeting on January 14, 2013, 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.

Larry Logeman
Executive Express
3358 Southway Drive
St. Cloud, MN 56301

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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:

Steve Lussier by Mark Gali

Steve Lussier
Assistant City Attorney

JB

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GRIESS	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MEYER	✓			
MOORE	✓			
TOTAL	7			
MOTION CARRIED				APPROVED

Y. M. Franklin Council

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