

★ Roll Call Number  
15-1081

Agenda Item Number  
59

Date June 22, 2015

PUBLIC HEARING UPON APPLICATION OF  
NPI LIMO SERVICE, LLC  
FOR VEHICLE FOR HIRE COMPANY CERTIFICATE  
TO OPERATE A VEHICLE FOR HIRE SERVICE IN THE CITY OF DES MOINES

WHEREAS, by Roll Call No. 14-0651, City Council approved a one-year probationary company certificate for Brady C. Johnson d/b/a NPI Limo Service, LLC, in April 2014.

WHEREAS, the one-year probationary company certificate period has ended; therefore, Brady C. Johnson must now apply for a full Vehicle for Hire Company Certificate to continue operation.

WHEREAS, Section 126-230 of the Municipal Code of the City of Des Moines, Iowa, forbids the operation of a Vehicle for Hire Company as defined under the Section 126-277 of the municipal code (Article V of Chapter 126) as a vehicle for hire upon the streets of Des Moines without obtaining a Vehicle for Hire Company Certificate; and

WHEREAS, Brady's Transportation Services, LLC d/b/a NPI Limo Service, LLC, 3329 109<sup>th</sup> Street, Urbandale, Iowa 50322, has filed an application requesting permission of the City Council to operate a Vehicle for Hire service in the City of Des Moines, with a total of less than five (5) vehicles as allowed by Sec. 126-231(n); and

WHEREAS, pursuant to Section 126-234 on June 8, 2015, by Roll Call No. 15-0916, the City Council has fixed this date as the time and place for a public hearing on the matter of the application; and

WHEREAS, Section 126-234 provides if this Council finds at the conclusion of such public hearing that the applicant meets the requirements set forth in sections 126-231 and 126-232, and the Police Department's investigation is favorable, then the Council shall direct the City Traffic Engineer to issue a Vehicle for Hire Company Certificate stating the name and address of the applicant, and the date of issuance; otherwise the section provides the application shall be denied.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa:

That the hearing is hereby closed and the application is granted or denied, as the case may be, as set out in the next paragraph.

X Alternative One: That the application for a Vehicle for Hire Company Certificate to operate a vehicle for hire service be approved and hereby granted and the City Traffic Engineer is directed to issue a certificate stating the name and address of the applicant and the date of issuance, it being the finding of this City Council of the City of Des Moines that the applicant,

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NPI Limo Service, LLC, meets the requirements of section 126 for issuance of a Vehicle for Hire Company Certificate and the Police Department's investigation is favorable, as shown by the evidence brought forth at the public hearing;

or

Alternative Two: That the application for a Vehicle for Hire Company Certificate to operate a vehicle for hire service be hereby denied it being the finding of this City Council of the City of Des Moines that the applicant does not meet the requirements of section 126 for issuance of a Vehicle for Hire Company Certificate and/or the Police Department's investigation is unfavorable, as shown by the evidence brought forth at the public hearing.

BE IT FURTHER RESOLVED that upon adoption of Alternative One (to grant the certificate), the City Traffic Engineer is hereby directed to issue a certificate to NPI Limo Service, LLC, stating the name and address of the applicant as set out in the application, and the date of issuance.

(Council Communication Number 15-343 Attached)

MOVED BY Gatto to adopt.

APPROVED AS TO FORM:

K. Massier

*AKC*

Katharine Massier  
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MOORE	✓			
TOTAL	7			

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.

MOTION CARRIED APPROVED  
T. M. Franklin Mayor

Diane Rauh City Clerk