

★ Roll Call Number

08-1607

Agenda Item Number

35

Date September 8, 2008

PUBLIC HEARING ON VEHICLE
IMPOUND OF MOSES MATHENGE

WHEREAS, Moses Mathenge, 1304 - 34th Street, filed an appeal of his vehicle's impound for illegal parking and the City Hearing Officer denied said appeal; and

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

WHEREAS, Mr. Mathenge as been provided with the opportunity to address the City Council on the matter of his appeal; and

WHEREAS, Mr. Mathenge's vehicle was found parked illegally in a No Parking Any Time zone and not within a proper space; NOW THEREFORE,

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

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

MOVED BY _____ TO UPHOLD DECISION.

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

MOVED BY Hensley TO REVERSE DECISION; refund the impound charges and void the parking citations, with the understanding FORM APPROVED: that Mr. Mathenge will take no additional action against the City.

K. Massier
Katharine Massier
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
HENSLEY	✓			
KIERNAN	✓			
MAHAFFEY	✓			
MEYER		✓		
VLASSIS	✓			
TOTAL	6	1		

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