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March 1, 2010

VIA MESSENGER

Mr. James A. Bohl, Jr.

Alderman, 5th Aldermanic District

City of Milwaukee

Room 205, City Hall

200 East Wells Street

Milwaukee, WI 53202

Re: Airport Connection of Wisconsin, Inc. d/b/a Go Airport Connection/City
of Milwaukee – (Shuttle Services in Milwaukee)

Dear Alderman Bohl:

Thank you for talking to me a few weeks back when I asked you for some suggestions as to what the issues were in the above matter. I have had an opportunity to review the exchange of letters between you and Brian Dunn, President of GO Airport Connection ("GO"), including your letter of January 4, 2010, Mr. Dunn's January response, and your reply of February 12, 2010.

I am discussing a number of options with our clients that will keep both the City and the County happy, keep the GO shuttles operating, all without unnering the taxi cab industry.

One option is an amendment to the City ordinance which exempts the countywide shuttle operated by GO under a Service Agreement with Milwaukee County so that the exemption only applies to actual airport shuttle operations and not to what might be called shared ride services or pre-reserved transportation. See, ¶ 100-50-2.b, *Milwaukee Code of Ordinances* ("Ord.").¹

In addition, I believe an amendment is needed to accommodate the passenger capacity of the thirty to forty vans that GO currently operates, in the Milwaukee metropolitan area. Section 100-3-4-23-b.2, *Ord.*, requires a shuttle vehicle to have a passenger capacity of 11 or more excluding the driver. GO operates a fleet of 42 shuttles of which 40 shuttles are Ford 10 passenger capacity vans, excluding the driver, and, with the exception of being one passenger seat short, comply with all other requirements of Ch. 100, *Ord.*²

¹ This exemption was established by Common Council Resolution, File No. 990127, *A substitute ordinance relating to shuttle vehicles providing services to General Mitchell International Airport*, approved by the Milwaukee Common Council on May 11, 1999.

² At the time that the City set the 11 passenger limit, GO and other shuttle companies operated 11 passenger vehicles. Sometime after that, Ford redesigned its vans for 10 passengers to provide extra comfort and a little more room. The other truck and van manufacturers quickly followed suit. Accordingly in many cases, the 11 passenger capacity limit cannot be met if vans of certain manufacturers are used by a shuttle business.

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If those amendments can be worked out, then GO would apply to the City, probably in phases of eight to ten vehicles per sequence, to have them inspected and licensed as City shuttles under Chapter 100, *Ord.*.

I already exchanged calls with Rebecca Grill to get her recommendations regarding procedures and I have discussed this with Sergeant Paul MacGillis at the Milwaukee Police Department, Licenses Investigations Unit, and Bruce Schrimpf, Assistant City Attorney, to let them know of our proposal.

Inasmuch as shuttle licensing review is now handled by the Committee on Public Safety, I am also forwarding a copy of this letter to Alderman Robert Donovan, Chair of that committee.

We look forward to working with both you and Alderman Donovan as well as City staff and the Milwaukee Police Department in resolving these matters so that all of GO's equipment will be in compliance with Chapter 100, *Ord.*, while at the same time maintaining the exemption granted by Chapter 100, *Ord.*, when GO is performing shuttle services for Milwaukee County to or from GMIA.

If you have any immediate questions or comments, please give me a call at your earliest convenience.

Thank you for your attention to this matter.

Very truly yours,

FRIEBERT, FINERTY & ST. JOHN, S.C.



John D. Finerty
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JDF/ier

cc: Alderman Robert Donovan, Chair, Committee on Public Safety – Via Messenger
Sergeant Paul MacGillis, MPD, L.I.U. – Via Messenger
Ms. Rebecca Grill, City License Clerk – Via Messenger
Bruce D. Schrimpf, Esq., Assistant City Attorney – Via Messenger
Brian C. Randall, Esq.