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ALDERMAN, 4TH DISTRICT

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- FRANK P. ZEIDLER PUBLIC SERVICE AWARD SELECTION COMMITTEE
- CAPITAL IMPROVEMENTS COMMITTEE

Date: February 20, 2015

To: All Members of the Milwaukee Common Council

From: The Public Works Committee

Re: Report of the Renewal Application of Lemont C. McCullum for a Public Passenger Vehicle Driver License.

**FINDINGS OF FACT**

1. Lemont C. McCullum (hereinafter the "Licensee") is the holder of a Public Passenger Vehicle Driver license in the City and County of Milwaukee, Wisconsin. Said license expired at midnight, October 31, 2014.
2. An application to renew said license was filed with the Office of the City Clerk on January 7, 2015.
3. Pursuant to Chapter 100 of the Milwaukee Code of Ordinances and § 349.24 of the Wisconsin Statutes, the matter was referred to the Milwaukee Police Department for investigation. The Milwaukee Police Department filed a police report dated January 8, 2015. That report could form the basis of non-renewal or suspension of this license.
4. On February 9, 2015, the City Clerk's Office provided timely notice to the Licensee, pursuant to Chapter 100 of the Milwaukee Code of Ordinances and § 349.24 of the Wisconsin Statutes of a police report that could form the basis for suspension or non-renewal of the license of the licensee and included therewith a copy of the Milwaukee Police Department report. The matter was scheduled for a hearing on the police report on February 18, 2015 at 9:30 a.m. in Room 301B of City Hall. At said date, time and place, the licensee did not appear and was not represented by counsel.

5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
  - A. Notice was sent to Lemont C. McCullum at 2348 North 12<sup>th</sup> Street, Milwaukee, Wisconsin 53206, along with a copy of the police report on December 20, 2011 in an envelope which was sent by U.S. first-class prepaid mail in an envelope bearing the return address of the License Division, 200 East Wells Street, Room 105, Milwaukee, WI 53202. The address of 2348 North 12<sup>th</sup> Street, Milwaukee, Wisconsin 53206 was the address given by the applicant on his renewal application. The notice included a copy of the police report. The licensee failed to appear at the hearing and the envelope containing the notice and police report was not returned to the License Division by the U.S. Postal Service.
  - B. On August 5, 2012 the applicant was cited in the City of Milwaukee at 5773 North 32<sup>nd</sup> Street for permitting animal at large and issued a citation. He was found guilty on September 19, 2012 and fined \$100.00.
  - C. On February 25, 2013 the applicant was cited in the City of Milwaukee at 2367 North 8<sup>th</sup> Street for assault and battery and issued a citation. He was found guilty on August 15, 2013 and fined \$366.00 and as of January 2, 2015 there was a balance of \$246.00 due on this citation.

#### CONCLUSIONS OF LAW

1. The Committee has jurisdiction to hold hearings and provide Findings of Fact and Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapter 100 of the Milwaukee Code of Ordinances and § 349.24, Wisconsin Statutes.
2. Based upon the above facts found, the Committee concludes that the licensee, Lemont C. McCullum, has not met the criteria of Chapter 100 of the Milwaukee Code of Ordinances or § 349.24 of the Wisconsin Statutes to allow renewal of his Public Passenger Vehicle Driver license based upon nonappearance and items #8-10 of the police report.
3. In order to protect the health, safety and welfare of the citizens of the City of Milwaukee, it is the recommendation of the Public Works Committee that the full Common Council of the City of Milwaukee should exercise its judgment to not renew the Public Passenger Vehicle Driver license held by Lemont C. McCullum based upon nonappearance and items #8-10 of the police report.

RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee recommends that the Public Passenger Vehicle Driver license of Lemont C. McCullum be denied based upon nonappearance and items #8-10 of the police report.

Dated and signed at Milwaukee, Wisconsin this 20<sup>th</sup> day of February, 2015.

A handwritten signature in black ink, appearing to read "Robert J. Bauman". The signature is written in a cursive style with a large initial "R".

ROBERT BAUMAN  
Chairman, Public Works Committee

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