



MARK A. BORKOWSKI
ALDERMAN, 11TH DISTRICT

COMMITTEE ASSIGNMENTS

CHAIR

- Public Works Committee

VICE CHAIR

- Public Safety Committee

MEMBER

- Capital Improvements Committee
- Judiciary and Legislation Committee
- Milwaukee Board of Harbor Commissioners
- Steering and Rules Committee

September 26, 2017

To the Honorable, the Common Council

Honorable Members:

Common Council File Number 170540 contains the following recommendations:

Nonrenewal, based on the second nonappearance, of the Public Passenger Driver's License for Phillip Chinn.

Respectfully,

Mark Borkowski, Chair
Public Works Committee

cc: All Council Members
File 170540



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REVISED: Committee Corrected to Public Works

Date: September 14, 2017

To: All Members of the Milwaukee Common Council

From: The Public Works Committee

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

FINDINGS OF FACT

1. Philip C. Chinn (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, 2016.
2. An application to renew said license was filed with the Office of the City Clerk.
3. On August 28, 2017, 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 and included therewith a copy of the Milwaukee Police Department report. The matter was scheduled for a hearing on the police report on September 13, 2017 at approximately 10:15 a.m. in Room 301-B of City Hall. At said date, time and place, the licensee did not appear and was not represented by counsel.
4. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
 - A. Notice was sent to Philip C. Chinn at 3131 North Fratney Street, Milwaukee, Wisconsin 53212, along with a copy of the police report on June 29, 2017 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, Wisconsin 53202. The address of 3131 North Fratney Street, Milwaukee, Wisconsin 53212 was the address given by the applicant on his renewal application. 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.



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, Philip C. Chinn, 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.
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 Philip C. Chinn based upon nonappearance.

RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee recommends by a vote of **five (5) ayes** and **zero (0) noes** that the Public Passenger Vehicle Driver License of Philip C. Chinn be nonrenewed based upon nonappearance.

Dated and signed at Milwaukee, Wisconsin this 14th day of September, 2017.



MARK BORKOWSKI
Chairman, Public Works Committee

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