

COMMITTEE ASSIGNMENTS

CHAIR

Public Safety Committee

MEMBER

Anti-Graffiti Policy Committee

Finance & Personnel Committee

Steering & Rules Committee



ROBERT G. DONOVAN

Alderman, 8th District

April 3, 2009

To the Honorable, the Common Council

Dear Members:

File 081526 contains the following recommendation:

Renewal, with a 10-day suspension based on the police report, of the public passenger vehicle driver's license of Mohammad Ali.

Pursuant to section 100-54, Milwaukee Code of Ordinances, and section 349.24, Wis. Stats., the Committee is transmitting a copy of its Report and Recommendations, regarding the above matter to your Honorable Body.

Pursuant to City Ordinances, prior to the time the Common Council acts on the Committee's Report, a **roll call vote will be taken** to confirm that all members present and voting have read the Committee's Report and any objections that have been filed by the Licensees.

These matters have been scheduled for a hearing before the full Common Council at its meeting on **Tuesday, April 14, 2009** at 9:00 A.M. in the Common Council Chambers.

Respectfully,

A handwritten signature in cursive script that reads 'Robert G. Donovan'.

Robert G. Donovan, Chair
Public Safety Committee

cc: All Council Members
File 081526

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ROBERT G. DONOVAN

Alderman, 8th District

Date: April 3, 2009

To: All Members of the Milwaukee Common Council

From: The Public Safety Committee

Re: Report of the Renewal Application of Mohammad F. Ali for a Public Passenger Vehicle Driver License.

FINDINGS OF FACT

1. Mohammad F. Ali (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, 2008.
2. An application to renew said license was untimely filed with the Office of the City Clerk on March 5, 2009.
3. Pursuant to Chapter 100 of the Milwaukee Code of Ordinances and Wis. Stat. § 349.24, the matter was referred to the Milwaukee Police Department for investigation. The Milwaukee Police Department filed a police report dated March 6, 2009, that could form the basis of non-renewal or suspension of this license.
4. On March 19, 2009, the City Clerk's Office provided timely notice to the Licensee, pursuant to Chapter 100 of the Milwaukee Code of Ordinances and Wis. Stat. § 349.24 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 April 2, 2009 at 9:00 a.m. in Room 301B of City Hall. At said date, time and place, the licensee appeared and admitted receipt of the notice and police report. The licensee 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. On August 8, 2006 the licensee was cited by Milwaukee police for taxi driver-picture to be exhibited. He was found guilty of this offense on September 27, 2006 and fined \$100.00.
- B. On September 14, 2006 the licensee's Wisconsin driver's license indicated that he had moved to Illinois. The licensee did not have a valid Wisconsin driver's license. At the time of this hearing, the Milwaukee Police Department indicated that the licensee did have a valid Wisconsin driver's license.
- C. On March 15, 2007 an officer of the Milwaukee Police Department observed the licensee in the taxi stand at 333 East Kilbourn. The licensee did not have his daily safety checklist or trip record filled out for that day. He was issued a citation for this offense and found guilty on October 29, 2007 and fined \$221.00.
- D. On May 13, 2007 an officer of the Milwaukee Police Department observed the licensee in the taxi stand at 669 North 5th Street. The licensee did not have a properly filled out daily safety checklist or trip record for that date. The licensee showed the officer incomplete records and was argumentative stating that the officer had cited him previously. He was found guilty of the above offense on December 7, 2007 and fined \$221.00.
- E. The driving record abstract of the licensee demonstrates that he has had three convictions for defective speedometer (usually a plea to a speeding charge) before the immediate past license period, one obstructing traffic (usually a plea to a speeding charge in the last license period), one property damage accident and one unregistered vehicle conviction, all within the last license period. There was also one miscellaneous conviction which was not further identified.

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 Wis. Stat. § 349.24.
2. Based upon the above facts found, the Committee concludes that the licensee, Mohammad F. Ali, has not met the criteria of Chapter 100 of the Milwaukee Code of Ordinances or Wis. Stat. § 349.24 to allow renewal of his Public Passenger Vehicle Driver license without undergoing a ten (10) day suspension of said license based upon the police report and driving record abstract. The Committee finds the police report, and driving record abstract, as stated above, to be true.
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 Safety Committee that the full Common Council of the City of Milwaukee should exercise its judgment to renew the Public Passenger Vehicle Driver license held by Mohammad F. Ali with a ten

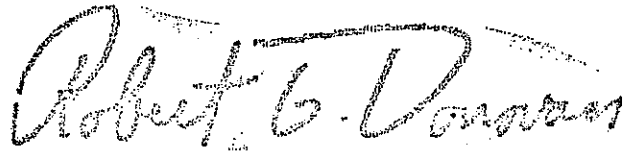
(10) day suspension of said license based upon the police report and driving record abstract on file in this matter.

RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee recommends that the Public Passenger Vehicle Driver license of Mohammad F. Ali be renewed with a ten (10) day suspension based upon the police report and driving record abstract on file in this matter.

Said suspension is to be in force from date of the Common Council action on April 14, 2009 through midnight April 23, 2009.

Dated and signed at Milwaukee, Wisconsin this 3rd day of April, 2009.

A handwritten signature in cursive script that reads "Robert B. Donovan". The signature is written in dark ink and is positioned above the printed name and title.

ROBERT DONOVAN
Chairman, Public Safety Committee