

**CHAIR**

- Licenses Committee
- City Information Management Committee

**VICE CHAIR**

- Milwaukee Arts Board

**MEMBER**

- Steering and Rules Committee
- Public Works Committee
- Milwaukee Public Library Board
- Employee's Retirement System Annuity & Pension Board



**NIK KOVAC**

ALDERMAN, 3RD DISTRICT

April 25, 2019

To the Honorable, the Common Council

Honorable Members:

Common Council File Number 181871 contains the following recommendation:

Nonrenewal, based on second nonappearance, of the Class D Operator's License of Bianca B. Berry.

Respectfully,

A handwritten signature in black ink, appearing to read 'Nik Kovac', written in a cursive style.



**CHAIR**

- Licenses Committee
- City Information Management Committee

**VICE CHAIR**

- Milwaukee Arts Board

**MEMBER**

- Steering and Rules Committee
- Public Works Committee
- Milwaukee Public Library Board
- Employee's Retirement System Annuity & Pension Board



**NIK KOVAC**

ALDERMAN, 3RD DISTRICT

Date: April 24, 2019

---

To: All Members of the Milwaukee Common Council

From: Licenses Committee

Re: Report on the Renewal Application of the Class "D" Operator's License of Bianca B. Berry

**FINDINGS OF FACT**

1. Bianca B. Berry (hereinafter the "Licensee") was the holder of a Class "D" Operator's License in the City and County of Milwaukee, Wisconsin. Said license expired on December 31, 2018.
2. An application to renew said license was thereafter filed with the Office of the City Clerk.
3. Pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes, the matter was referred to the Milwaukee Police Department for investigation. The Milwaukee Police Department responded with a police report that could form a basis for nonrenewal or suspension of said license.
4. On April 10, 2019 the City Clerk's Office provided timely notice to the Licensee pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes of the report of the Milwaukee Police Department and included therewith a copy of the Milwaukee Police Department report. The matter was scheduled for a hearing on the police department report on April 23, 2019 at 1:00 p.m. in Room 301B of City Hall. At said date, time and place, the Licensee did not appear.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:



- A. A notice of the hearing as well as a copy of the police report was sent to Bianca B. Berry, 4321 North 68th Street, Milwaukee, WI 53216 on April 10, 2019 by U.S. prepaid first-class mail in an envelope bearing the return address of the License Division. The address of 4321 North 68th Street, Milwaukee, WI 53216 is the address given by the Licensee on her application. The envelope was not returned to the License Division by the United States Postal Service. The Licensee failed to appear at the hearing on April 23, 2019 at 1:00 p.m.
- B. Alderman Witkowski moved denial based on her second non-appearance.

### CONCLUSIONS OF LAW

1. The Committee has jurisdiction to hold hearings and provide Findings of Fact, Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapter 125 of the Wisconsin Statutes and Chapter 90 of the Milwaukee Code of Ordinances.
2. Based on the above facts found, the Committee concludes that the Licensee, Bianca B. Berry has not met the criteria of Chapter 125 of the Wisconsin Statutes or Chapter 90 of the Milwaukee Code of Ordinances to allow renewal of the Class "D" Operator's license based upon her second 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 Licenses Committee that the full Common Council should exercise its discretion to not renew the Class "D" Operator's license held by Bianca B. Berry based upon her second nonappearance.

### RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above the Committee recommends by a vote of **three (3) ayes, zero (0) noes and two (2) excused** that the Class "D" Operator's License of Bianca B. Berry not be renewed based upon her second nonappearance.

Dated and signed at Milwaukee, Wisconsin this 24th day of April, 2019.



---

NIK KOVAC  
Chairman Licenses Committee