

COMMITTEE ASSIGNMENTS

CHAIR

Public Safety Committee

MEMBER

Anti-Graffiti Policy Committee

Finance & Personnel Committee

Steering & Rules Committee



ROBERT G. DONOVAN

Alderman, 8th District

October 2, 2009

To the Honorable, the Common Council

Dear Members:

Common Council File 090444 contains the following recommendation:

Renewal, with a 10-day suspension based on the police report and driving record, of the public passenger vehicle driver's license of Yakov Gorovits.

Renewal, with a 10-day suspension based on the police report and driving record, of the public passenger vehicle driver's license of Yasser Naser (Committee votes: 2 ayes – Ald. Witkowski and Ald. Donovan and one no – Ald. Puente).

Renewal, with a 60-day suspension based on the police report, of the public passenger vehicle driver's license of Glenn Lawrence.

Nonrenewal, based on the testimony provided at the committee hearing related to rudeness to passengers and dispatch personnel, of the public passenger vehicle driver's license of Jaggi Ghotra. (Committee vote: 3 ayes – Ald. Donovan, Ald. Witkowski and Ald. Davis and 2 noes – Ald. Witkowiak and Ald. Puente)

With regard to the file listed above, the Public Safety Committee held evidentiary hearings on September 16th and October 1st.

Pursuant to Chapter 100-54, Milwaukee Code of Ordinances, and § 349.24, Wis. Stats., the Committee is transmitting a copy of its Report and Recommendations, regarding the above matters 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 Licensee.

These matters have been scheduled for a hearing before the full Common Council at its meeting on **Tuesday, October 13, 2009** at 9:00 A.M. in the Common Council Chambers.

Respectfully,

A handwritten signature in black ink that reads 'Robert G. Donovan'. The signature is written in a cursive style with a large, sweeping initial 'R'.

Robert G. Donovan, Chair
Public Safety Committee

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ROBERT G. DONOVAN

Alderman, 8th District

Date: October 2, 2009

To: All Members of the Milwaukee Common Council

From: The Public Safety Committee

Re: Report of the Renewal Application of Yakov Gorovits for a Public Passenger Vehicle Driver License.

FINDINGS OF FACT

1. Yakov Gorovits (hereinafter the "Licensee") is the holder of a Public Passenger Vehicle Driver license in the City and County of Milwaukee, Wisconsin. Said license expires at midnight October 31, 2009.
2. An application to renew said license was filed with the Office of the City Clerk on August 27, 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 August 28, 2009, and the applicant's driving record abstract that could form the basis of non-renewal or suspension of this license.
4. On September 18, 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 and driving record abstract 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 October 1, 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 January 4, 2008 a Milwaukee police officer was off duty and observed American United taxicab #105 stopped in the curb lane with the doors open. The driver was assisting two elderly clients into taxicab #131. The driver of taxicab #131 was observed smoking a cigarette and when he saw the known officer he flicked the cigarette out of the window onto the street. The officer approached the driver and asked him, "Why are you smoking in your cab?" On January 23, 2009 the officer met up with taxicab #131 and told him he would be cited for the cigarette smoking incident. The applicant was cited for public passenger vehicle smoking/permitting smoking and found guilty on March 17, 2009 and fined \$100.00.
- B. On March 10, 2009 a Milwaukee police officer was checking passenger vehicles for licensing violations. American United taxicab #131 was observed picking up a client at 820 North Plankinton Avenue. The officer requested to see the driver's daily safety inspection sheet. The sheet was dated March 8, 2009 and had not been filled out since that date. The officer observed there were no complaint forms readily available to clients in the rear passenger compartment. The applicant was charged with public passenger vehicle-complaint forms required and a trial was held on September 14, 2009. The applicant was charged with public passenger vehicle-daily safety checklist required and he was found guilty on May 15, 2009 and fined \$85.00.
- C. The applicant's driver's license revealed the following:
 - 12/13/07 13-day suspension for failure to pay forfeiture eligible for reinstatement 12/26/07
 - 1/21/09 7-day suspension for failure to pay forfeiture eligible for reinstatement 1/28/09
 - 2/19/09 14-day suspension for failure to pay forfeiture eligible for reinstatement 3/5/09
- D. The driving record abstract of the licensee indicates that he had a conviction for a miscellaneous violation on August 26, 2008, conviction for failure to obey a sign on January 20, 2009, a conviction for following too closely on September 10, 2008 and a non fatal accident on August 11, 2008, and a warning letter on January 21, 2009.
- E. The licensee testified that the unregistered vehicle conviction in his driving record abstract was because of an employer that did not have the vehicle properly registered.

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.

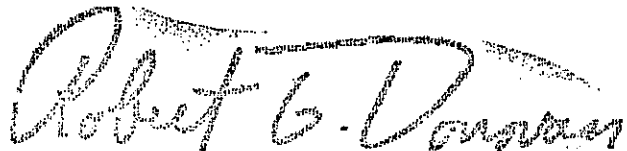
2. Based upon the above facts found, the Committee concludes that the licensee, Yakov Gorovits, has not met the criteria of Chapter 100 of the Milwaukee Code of Ordinances or Wis. Stat. § 349.24 to allow renewal of his Public Passenger Vehicle Driver license without undergoing a ten (10) day suspension of said license based upon the police report. 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 Yakov Gorovits 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 Yakov Gorovits be renewed with a ten (10) day suspension based upon the police report and driving record abstract of the applicant in this matter.

Said suspension is to be in force from midnight October 31, 2009 through midnight November 10, 2009.

Dated and signed at Milwaukee, Wisconsin this 2nd day of October, 2009.



ROBERT DONOVAN
Chairman, Public Safety Committee

COMMITTEE ASSIGNMENTS

CHAIR

Public Safety Committee

MEMBER

Anti-Graffiti Policy Committee

Finance & Personnel Committee

Steering & Rules Committee



ROBERT G. DONOVAN

Alderman, 8th District

Date: September 17, 2009

To: All Members of the Milwaukee Common Council

From: The Public Safety Committee

Re: Report of the Renewal Application of Yasser M. Naser for a Public Passenger Vehicle Driver License.

FINDINGS OF FACT

1. Yasser M. Naser (hereinafter the "Licensee") is the holder of a Public Passenger Vehicle Driver license in the City and County of Milwaukee, Wisconsin. Said license expires at midnight October 31, 2009.
2. An application to renew said license was filed with the Office of the City Clerk on August 11, 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 August 12, 2009, that could form the basis of non-renewal or suspension of this license. There were also objections based on the applicant's violation of the rules and regulations of Chapter 100 of the Milwaukee Code of Ordinances relating to reckless driving, threats, rude and disorderly behavior to customers, and other factors which relate to health, safety and welfare.
4. On August 27, 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 September 16, 2009 at 11:00 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 April 27, 2006 the Wisconsin Department of Transportation suspended the applicant's Wisconsin driver's license for 6 days for failure to pay a forfeiture. The applicant failed to return his public passenger vehicle license to the City of Milwaukee Clerk as required by § 100-59-1 of the Milwaukee Code of Ordinances. The applicant's license is currently valid.
 - B. On October 28, 2007 a City of Milwaukee police officer observed Yellow Cab number 19 driven by the applicant along with Yellow Cab number 223 at North 2nd Street and West Michigan. Once the light turned green, both cabs had tires squealing as they went westbound at speeds estimated to be 50 plus MPH in a 30 MPH zone. Both vehicles were swerving at each other and into other lanes of traffic. Both vehicles were stopped and eventually admitted to racing each other in an attempt to pick up a fare first at the Hilton Hotel. The applicant's boss stated he was not in service for failing to answer the dispatcher and not suppose to be picking up fares. The applicant was cited for reckless driving-endangering safety and was found guilty on May 7, 2008 and fined \$298.00.
 - C. The driving record of the applicant reveals that he had two property damage accidents on February 19, 2008 and December 6, 2008, a defective speedometer citation (speeding) on May 1, 2007, resulting in a conviction on May 7, 2008, a reckless driving citation on October 28, 2007 resulting in a conviction on May 7, 2008, a failure to fasten seat belt citation on July 25, 2007 resulting in a conviction on August 24, 2007 and a failure to obey traffic signal citation on October 12, 2006 resulting in a conviction on December 6, 2006.

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, Yasser M. Naser, 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.

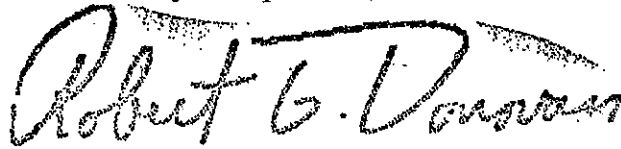
3. In order to protect the health, safety and welfare of the citizens of the City of Milwaukee, it is the recommendation of the Public Safety Committee that the full Common Council of the City of Milwaukee should exercise its judgment to renew the Public Passenger Vehicle Driver license held by Yasser M. Naser 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 Yasser M. Naser 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 midnight October 31, 2009 through midnight November 10, 2009.

Dated and signed at Milwaukee, Wisconsin this 17th day of September, 2009.

A handwritten signature in black ink that reads "Robert G. Donovan". The signature is written in a cursive style with a large, sweeping initial "R".

ROBERT DONOVAN
Chairman, Public Safety Committee

COMMITTEE ASSIGNMENTS

CHAIR

Public Safety Committee

MEMBER

Anti-Graffiti Policy Committee

Finance & Personnel Committee

Steering & Rules Committee



ROBERT G. DONOVAN

Alderman, 8th District

Date: October 2, 2009

To: All Members of the Milwaukee Common Council

From: The Public Safety Committee

Re: Report of the Renewal Application of Glenn A. Lawrence for a Public Passenger Vehicle Driver License.

FINDINGS OF FACT

1. Glenn A. Lawrence (hereinafter the "Licensee") is the holder of a Public Passenger Vehicle Driver license in the City and County of Milwaukee, Wisconsin. Said license expires at midnight October 31, 2009.
2. An application to renew said license was filed with the Office of the City Clerk on August 21, 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 August 24, 2009, that could form the basis of non-renewal or suspension of this license.
4. On September 22, 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 October 1, 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 February 5, 2008 he applicant was charged in Milwaukee County with possession with intent to deliver-THC (>200-1000g) and he was found guilty of this citation on May 21, 2008 and sentenced to 3 years probation and a 6 month license suspension. The applicant is on probation until May 21, 2011.
- B. The applicant's driver's license revealed the following:
 - 2-year suspension beginning 3/18/2008 for failure to pay forfeiture
 - 6-month suspension beginning 5/21/08 for drugs
 - 19-day suspension beginning 6/13/08 for failure to pay forfeiture
- C. During the period of suspension the applicant failed to return his public passenger vehicle license to the City Clerk as required by Milwaukee Code of Ordinances § 100-59-1-b.
- D. At hearing, the licensee explained that he was a heavy marijuana smoker, and, indeed, was found with a half pound of marijuana in his vehicle. The licensee says that since his arrest, he has been complying with all the rules of probation, and is a changed man now turning to religion. Though the licensee stated that he worked for UPS during the holiday seasons, it was a non-driving position.

CONCLUSIONS OF LAW

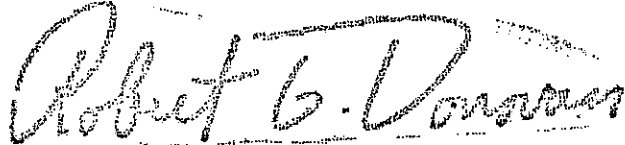
1. The Committee has jurisdiction to hold hearings and provide Findings of Fact and Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapter 100 of the Milwaukee Code of Ordinances and Wis. Stat. § 349.24.
2. Based upon the above facts found, the Committee concludes that the licensee, Glenn A. Lawrence, 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 sixty (60) day suspension of said license based upon the police report. The Committee finds the police report 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 Glenn A. Lawrence with a sixty (60) day suspension of said license based upon the police report 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 Glenn A. Lawrence be renewed with a sixty (60) day suspension based upon the police report on file in this matter.

Said suspension is to be in force from midnight October 31, 2009 through midnight December 30, 2009.

Dated and signed at Milwaukee, Wisconsin this 2nd day of October, 2009.

A handwritten signature in cursive script that reads "Robert B. Donovan". The signature is written in black ink on a white background.

ROBERT DONOVAN
Chairman, Public Safety Committee

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COMMITTEE ASSIGNMENTS

CHAIR
Public Safety Committee

MEMBER
Anti-Graffiti Policy Committee
Finance & Personnel Committee
Steering & Rules Committee



ROBERT G. DONOVAN
Alderman, 8th District

Date: October 2, 2009

To: All Members of the Milwaukee Common Council

From: The Public Safety Committee

Re: Report of the Renewal Application of Jaggi S. Ghotra for the renewal of the Public Passenger Vehicle Driver's license held by him.

FINDINGS OF FACT

1. Jaggi S. Ghotra (hereinafter the "Licensee") is the holder of Public Passenger Vehicle Driver's license in the City and County of Milwaukee, Wisconsin. Said license expires at midnight, October 31, 2009.
2. An application to renew said license was timely filed with the Office of the City Clerk on August 6, 2009.
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 August 7, 2009. There were objections to the renewal based on the applicant's violation of the rules and regulations of Chapter 100 of the Milwaukee Code of Ordinances relating to overcharging, failure to operate the meter in accordance with regulations, theft from passengers, rude and disorderly behavior to customers, and other factors which relate to health, safety and welfare.
4. On August 27, 2009, and on September 18, 2009 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 the above-noted objections that could form the basis for suspension or non-renewal of the license of the licensee. The matter was scheduled for a hearing on the alleged objections on September 16, 2009 at 10:45 a.m. in Room 301B of City Hall and on October 1, 2009 commencing at 9:30 a.m. in Room 301 B of City Hall. At said date, times and places, the licensee did appear and was represented by Attorney Vincent Bobot, 1919 West Henry, Milwaukee, Wisconsin.

5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
 - A. On September 16, 2009 the general manager of Yellow Cab Dispatch appeared and testified to an incident wherein the applicant overcharged a passenger on a trip to Chicago, and the applicant was forced by Yellow Cab to give a refund to the passenger.
 - B. In addition the applicant has been suspended by Yellow Cab for up to two hours at a time on a number of occasions because the applicant was rude to passengers and refused to accept American Express® credit cards even though Yellow Cab Co-Op advertises that American Express® credit cards are accepted by the co-op. Documentary evidence was presented of the complaints from customers and the over charges by this applicant.
 - C. Also on September 16, 2009, the Yellow Cab Co-op manager also testified to an incident wherein the applicant threw a stone at him and threw a milk carton at his motorcycle.
 - D. At the hearings the applicant denied he improperly refused credit cards and claimed the individuals presenting them did not have identification. At hearing of September 16, 2009 the applicant also testified that he did not throw anything at the manager of Yellow Cab Co-op.
 - E. At the hearing on September 16, 2009 the applicant testified that he left American United because he was being charged 32% as a fee for renting the cab.
 - F. At the hearing on September 16, 2009, the applicant also presented evidence that he has filed a complaint with the Wisconsin Equal Rights Division of the Department of Workforce Development claiming religious discrimination in the manner of his dismissal from the dispatch service at Yellow Cab Co-op. That matter is currently pending with no resolution.
 - G. Also at the hearing on September 16, 2009 the applicant pointed out that he has no citations in his record either for traffic offenses, except one OWI a number years ago, and no violations of City of Milwaukee cab regulations.
 - H. At that juncture Mr. Richard “Red” Christiansen appeared at the hearing on September 16, 2009 and testified that he wished to offer testimony regarding this applicant. Mr. Christiansen testified that he was listening to the proceedings of September 16, 2009 while at his office and decided that he would come and clarify some of the information presented by the applicant. Mr. Christiansen testified that the applicant was rude to passengers and personnel of American United and indeed threatened both Mr. Christiansen

and his manager at American United and for that reason was disallowed from the use of the American United dispatch system. Mr. Christiansen testified that the applicant spit at him on one occasion. Mr. Christiansen also testified that his firm has records of the complaints from customers regarding this applicant's rude behavior toward passengers. No sinister motive has been expressed for the spontaneous testimony of Mr. Christiansen and taking time away from his work to appear at the proceedings of September 16, 2009.

- I. In light of the testimony of the applicant, that of the general manager of the Yellow Cab Co-op, Mr. Richard "Red" Christiansen of American United Dispatch Service, and the written statement provided by the licensee at the hearing of October 1, 2009, the Public Safety Committee believes the testimony that this applicant has engaged in conduct in the delivery of cab service in the City of Milwaukee that is deleterious to the health safety and welfare of the citizens of the City of Milwaukee and to the public that he serves.
- J. After Mr. Christiansen's testimony the licensee admitted that American United discontinued him from taking its dispatches.
- K. At the hearing on October 1, 2009 the applicant presented a statement in which he attributes business motives as the reason for the testimony of Mr. Justice Khalsa, the manger of Yellow Cab Co-op. He claims his suspensions were motivated by business reasons for re-directing fares to a cab leased by Mr. Khalsa and driven by other drivers. Further the applicant denies that he ever threw a milk carton at Mr. Khalsa and that if true there would have been a police report made of the incident. That incident as well is blamed on retaliation for having filed a complaint with the Wisconsin Department of Workforce Development. The applicant reasserts a denial that refused to accept credit cards and only did so if the fare had no other identification.
- L. Regarding the fare refund, the applicant insists that what he did was within his rights and the only reason that he refunded \$65.00 of the agreed upon fare was because he was suspended until he did so.
- M. Finally Mr. Ghotra explains the complaint of Mr. Ray Williams going to 2503 North Buffum Street as an attempt by Mr. Williams to defraud the applicant of \$35.00 by giving Mr. Ghotra a \$5.00 bill when the claimed arrangement was that Mr. Ghotra would give Mr. Williams \$35.00 back for \$50.00 bill on a \$12.00 cab ride and the remainder (\$3.00) being Mr. Ghotra's tip. That explanation would require the Committee to believe that Mr. Ghotra, a cab driver of many years, did not notice the difference between a \$50.00 bill and a \$5.00 bill until after the \$35.00 had been given to Mr. Williams.

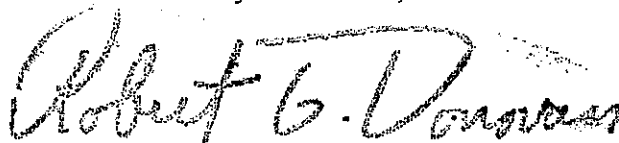
CONCLUSIONS OF LAW

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. Specifically Section 100-51-16-b-4 authorizes the non renewal of a public passenger vehicle permit based upon "any other factor or factors which reasonably relate to the public health safety and welfare."
2. Based upon the above facts found, the Committee concludes that the licensee, Jaggi S. Ghotra, 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 application for Public Passenger Vehicle Driver's license held by the applicant due to his conduct toward passengers and personnel of the dispatch services to which he subscribed.
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 not deny the renewal application for Public Passenger Vehicle Driver's license held by Jaggi S. Ghotra based upon the objections to rude behavior to customers and dispatch service personnel.

RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee recommends that the renewal application for Public Passenger Vehicle Driver's license held by Jaggi S. Ghotra be denied based upon the objections to rude behavior to passengers and dispatch service personnel.

Dated and signed at Milwaukee, Wisconsin this 2nd day of October, 2009.



ROBERT DONOVAN
Chairman, Public Safety Committee

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