



Office of the City Clerk

Jim Owczarski
City Clerk

Rebecca N. Grill
Deputy City Clerk

November 11, 2014

Piyush Tiwari
18560 W Beres Rd
New Berlin, WI 53146

Dear Mr. Tiwari:

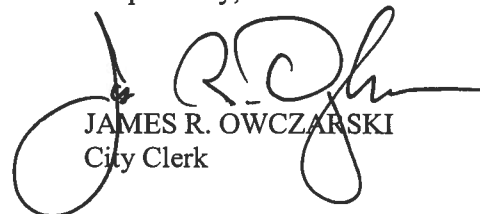
You are hereby notified that the Milwaukee Common Council will hold a hearing on Tuesday, November 25, 2014, commencing at 9:00 a.m., or as soon thereafter as this matter may be heard, in the Common Council chambers on the third floor of City Hall, 200 East Wells Street, Milwaukee, Wisconsin to consider whether to renew, renew with a suspension between 10 and 90 days, or not renew your Class "D" Operator's license.

Attached you will find a copy of the Report of the Licenses Committee, which includes its Findings of Fact, Conclusions of Law, and Recommendation, recommending renewal with a 30 day suspension of your Class "D" Operator's licenses, based upon items #2-3 of the police report. This recommendation is the result of a public hearing before the Committee held on Monday, November 10, 2014.

Please be advised that the Common Council will determine whether to renew, renew with a suspension between 10 and 90 days, or not renew your Class "D" Operator's licenses based upon the Findings of Fact contained within the Licenses Committee report.

You may file written objections to the report of the Licenses Committee. The written objections must be filed with the City Clerk by 4:45 p.m. on Wednesday, November 19, 2014 in Room 205 of City Hall. If you wish to file your objections via e-mail, they must be sent to both jowcza@milwaukee.gov and jlcelel@milwaukee.gov. You will be sent an e-mail notification that your objections were received within 24 hours. If you do not receive this notification, please contact City Clerk Jim Owczarski at (414)-286-2998. If you file written objections, you or a legal representative may then also appear at the Common Council to make oral arguments supporting the written objections. You will be given approximately five minutes to present the oral argument.

Respectfully,



JAMES R. OWCZARSKI
City Clerk



CHAIR
• Licenses Committee

MEMBER
• Community and Economic
Development Committee
• Steering and Rules Committee



TONY ZIELINSKI
ALDERMAN, 14TH DISTRICT

Date: November 11, 2014
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 Piyush Tiwari.

FINDINGS OF FACT

1. Piyush Tiwari (hereinafter the "Licensee") is the holder of a Class "D" Operator's License in the City and County of Milwaukee, Wisconsin. Said license expires at midnight, December 31, 2014
2. An application to renew said license was filed with the Office of the City Clerk on October 4, 2014.
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. On October 7, 2014, the Milwaukee Police Department responded with a police report that could form a basis for nonrenewal or suspension of said license.
4. On October 30, 2014 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 November 10, 2014, commencing at 1:00 p.m. in Room 301B of City Hall. At said date, time and place, the Licensee did appear and he 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 26, 2013 applicant was cited in the City of Milwaukee at 200 East Wells for submit untrue statement on liquor application. He was found guilty on January 27, 2014 and fined \$100.00.
 - B. On October 22, 2013, applicant was charged in Waukesha County with operating while intoxicated (3rd) and operating with PAC (3rd). He was found guilty of operating while intoxicated (3rd) and sentenced to 140 days jail, 30 months license revocation, and 30 months interlock on April 14, 2014. The PAC charge was dismissed on April 14, 2014



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, Piyush Tiwari 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 without undergoing a thirty (30) day suspension based upon 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 Licenses Committee that the full Common Council should exercise its discretion to renew the Class "D" Operator's license held by Piyush Tiwari with a thirty (30) day suspension based upon the police report.

RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of three (3) ayes and two (2) noes recommends that the Class "D" Operator's License be renewed with a 30-day suspension based upon the police report.

Said suspension is to be in effect between January 1, 2014 through January 30, 2014

Dated and signed at Milwaukee, Wisconsin this 11th day of November, 2014.



TONY ZIELINSKI
Chairman Licenses Committee