

COMMITTEE ASSIGNMENTS

CHAIR

Public Safety Committee

MEMBER

Anti-Graffiti Policy Committee

Finance & Personnel Committee

Steering & Rules Committee



ROBERT G. DONOVAN

Alderman, 8th District

March 7, 2008

To the Honorable, the Common Council

Dear Members:

Common Council File 071473 contains the following recommendation:

Nonrenewal, based on non-appearance, of the Public Passenger Vehicle Driver license of Tyrone Lockett.

With regard to the file listed above, the Public Safety Committee held an evidentiary hearing on March 6th.

Pursuant to section 90-11, Milwaukee Code of Ordinances, and section 125.12(12), 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, March 18, 2008** at 9:00 A.M. in the Common Council Chambers.

Respectfully,


Robert G. Donovan, Chair
Public Safety Committee

cc: All Council Members
Files 071473

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ROBERT G. DONOVAN

Alderman, 8th District

Date: March 6, 2008

To: All Members of the Milwaukee Common Council

From: The Public Safety Committee

Re: Report of the Renewal Application of Tyrone D. Lockett for a Public Passenger Vehicle Driver License.

FINDINGS OF FACT

1. Tyrone D. Lockett (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, 2007.
2. An application to renew said license was untimely filed with the Office of the City Clerk on January 30, 2008.
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 January 31, 2008. That report could form the basis of non-renewal or suspension of this license.
4. On February 21, 2008, 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 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 March 6, 2008 at 9:00 a.m. in Room 301B of City Hall. At said date, time and place, the licensee did not appear and 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. Notice was sent to Tyrone D. Lockett at 9009 West Villard Avenue, No. 2, Milwaukee, Wisconsin 53225, along with a copy of the police report on February 21, 2008 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, WI 53202. The address of 9009 West Villard Avenue, No. 2, Milwaukee, Wisconsin 53225 was the address given by the applicant on his renewal application. The notice included a copy of the police report. 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.

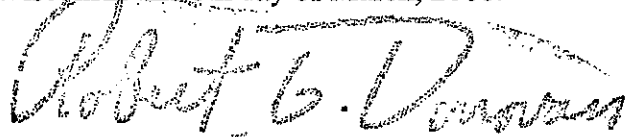
CONCLUSIONS OF LAW

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, Tyrone D. Lockett, 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 Safety 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 Tyrone D. Lockett based upon nonappearance.

RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of five (5) ayes and zero (0) noes, recommends that the Public Passenger Vehicle Driver license of Tyrone D. Lockett be denied based upon nonappearance.

Dated and signed at Milwaukee, Wisconsin this 6th day of March, 2008.



ROBERT DONOVAN
Chairman, Public Safety Committee