



Office of the City Clerk

Ronald D. Leonhardt
City Clerk

www.milwaukee.gov

Carolyn Hill Robertson
Deputy City Clerk

October 3, 2003

Charles E. Means
2475 W. Garfield Avenue
Milwaukee, WI 53205


Dear Mr. Means:

You are hereby notified that the Milwaukee Common Council will hold a hearing on October 14, 2003, 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 your Public Passenger Vehicle Driver license renewal application.

Attached you will find a copy of the Report of the Utilities and Licenses Committee which includes their Findings of Fact, Conclusions of Law and Recommendation, recommending non-renewal based on your non-appearance. The recommendation is the result of a public hearing before the Committee held on September 30, 2003.

You may file a written objection to the Report of the Utilities and Licenses Committee and shall have the opportunity to present arguments in writing supporting that objection to the Common Council. Any written objections to the Committee's report must be filed with the City Clerk at least two (2) days prior to the above-mentioned date set for hearing by the Common Council. You or a legal representative may also appear at the Common Council meeting and request an opportunity to address the Common Council for approximately five (5) minutes to present an oral argument on your own behalf.

Respectfully,


RONALD D. LEONHARDT
City Clerk

73116
Enclosure



JAMES A. BOHL JR.

Alderman, 5th District

October 3, 2003

To the Honorable, the Common Council

Dear Members:

Re: Common Council File 030587

Recommendation of non-renewal based upon non-appearance of the Public Passenger Vehicle Driver license of Charles Means.

With regard to the item listed above, the Utilities and Licenses Committee held an evidentiary hearing on September 30, 2003.

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, **October 14th, 2003 at 9:00 A.M.** in the Common Council Chambers.

Respectfully,

A handwritten signature in black ink that reads 'James A. Bohl Jr.'.

James A. Bohl, Jr., Chair
Utilities & Licenses Committee

cc: City Attorney's Office
Common Council/City Clerk - License Division
Milwaukee Police Department- License Investigation Unit
All Council Members
File No. 030587



JAMES A. BOHL JR.

Alderman, 5th District

Date: October 3, 2003

To: All Members of the Milwaukee Common Council

From: The Utilities and Licenses Committee

Re: Report of the Renewal Application of Charles E. Means for a Public Passenger Vehicle Driver renewal application.

FINDINGS OF FACT

1. Charles E. Means (hereinafter the "Licensee") is the holder of a Public Passenger Vehicle Driver license. Said license expires at midnight, October 31, 2003.
2. An application to renew said license was filed with the Office of the City Clerk on August 29, 2003.
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. There was a Milwaukee Police Department objection dated September 2, 2003, which could form the basis for non-renewal or suspension of the license.
4. On September 17, 2003, the City Clerk's Office provided timely notice to the Licensees, pursuant to Chapter 100 of the Milwaukee Code of Ordinances and § 349.24 of the Wisconsin Statutes of police 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 police objections on September 30, 2003 at 9:00 a.m. in Room 301B of the third floor of City Hall. At said date, time and place, the licensee did not appear nor was he represented by counsel.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
 - A. Notice of the hearing on the police department objection together with a copy of the objection was sent to Charles Means at 2475 W. Garfield Avenue, Milwaukee, Wisconsin 53205 on September 17, 2003 by United States first-class prepaid mail in an envelope bearing the return address

of the License Division. On the date set for hearing, September 30, 2003 at 9:00 a.m. in Room 301B, the license renewal applicant failed to appear. He was not represented by counsel. The address of 2475 W. Garfield Avenue, Milwaukee, Wisconsin 53205 was the address listed by the applicant on his application as his address. The envelope bearing the notice of hearing and a copy of the police report was not returned to the License Division by the U.S. Postal Service.

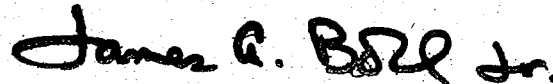
CONCLUSIONS OF LAW

1. The Committee has jurisdiction to hold hearings and provided 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.
2. Based upon the above facts found, the Committee concludes that the licensee, Charles E. Means has not met the criteria of Chapter 100 of the Milwaukee Code of Ordinances to allow renewal of his Public Passenger Vehicle Driver license based upon non-appearance.

RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of four (4) ayes, zero (0) noes and one (1) excused recommends that the Public Passenger Vehicle Driver license of Charles E. Means not be renewed based on non-appearance.

Dated and signed at Milwaukee, Wisconsin this 3rd day of October, 2003.



JAMES A. BOHL, Jr.
Chair, Utilities and Licenses Committee