



MARK A. BORKOWSKI
ALDERMAN, 11TH DISTRICT

COMMITTEE ASSIGNMENTS

CHAIR

- Public Works Committee

VICE CHAIR

- Public Safety Committee

MEMBER

- Capital Improvements Committee
- Judiciary and Legislation Committee
- Milwaukee Board of Harbor Commissioners
- Steering and Rules Committee

September 30, 2016

To the Honorable, the Common Council

Honorable Members:

Common Council File Number 160504 contains the following recommendations:

Renewal, with a ten (10) day suspension, based on the applicant testimony substantiating a citizen complaint, of the Taxicab Permit and Public Passenger Vehicle Driver's License for Mohamad Ali.

Renewal, with a ninety (90) day suspension, based on the applicant testimony and testimony of Mr. Mohamed substantiating a citizen complaint, of the Public Passenger Vehicle Driver's License for Robert Colbert.

Renewal, with a ten (10) day suspension, based on the applicant testimony substantiating a citizen complaint, of the Public Passenger Vehicle Driver's License for Chester Hayden.

Respectfully,

Mark Borkowski, Chair
Public Works Committee

cc: All Council Members
File 160504



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• Milwaukee Board of Harbor Commissioners
• Steering and Rules Committee

Date: September 30, 2016

To: All Members of the Milwaukee Common Council

From: The Public Works Committee

Re: Report of the Renewal Application of Mohamad F. Ali for a Public Passenger Vehicle License and Taxicab Permit.

FINDINGS OF FACT

1. Mohamad F. Ali (hereinafter the "Licensee") is the holder of a Public Passenger Vehicle license and Taxicab Permit in the City and County of Milwaukee, Wisconsin. Said licenses expire at midnight, October 31, 2016.
2. An application to renew said licenses was filed with the Office of the City Clerk.
3. Pursuant to Chapters 85 and 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 which report could form the basis of non-renewal or suspension of these licenses.
4. On September 19, 2016 the City Clerk's Office provided timely notice to the Licensee, pursuant to Chapters 85 and 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 licenses 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 28, 2016 at 9:30 a.m. in Room 301B of City Hall. At said date, time and place, the Licensee did 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. On April 28, 2015, an officer observed the applicant in the taxi stand at the Hilton Hotel, 509 West Wisconsin Avenue. The applicant was able to produce his driver's license and his PPV license. When asked to produce the trip records and daily safety inspection he showed the officers a document from March 18, 2015. He stated he was sick recently and had not been driving. He was issued a citation for trip records required and found guilty on August 14, 2015 and fined \$214.00.

B. On May 20, 2016, an officer observed the applicant in the taxi stand at the Hyatt Hotel, 333 West Kilbourn Avenue. He produced his PPV license but was unable to produce his trip records and daily safety inspection. He stated he was told at his last inspection by the city those items were no longer needed. He was advised that was not true and needed to keep them for 90 days.

C. The License Division received a citizen complaint on October 14, 2015.

“On Friday, October 9, 2015, I jumped in cab 490 a little after 6 pm to take a ride from the airport to the Psifter [sic] Hotel. I believe the driver’s name was Mohammad. He asked me why I was in town and I told him that it was to see my boyfriend play basketball against the Bucks.

The standard cab ride from the airport to downtown should be no more than \$35. The driver continued to go in circles adding up their fare. I even pulled up the GPS on my phone and told him that he was going in circles. He told me that he knew what he was doing. I was intimidated by him after his tone of voice escalated when I told him that I saw the same landmark twice in the drive to the hotel. The cab drive added up to \$53. This was unheard of. He took advantage of me just because he assumed I had the funds to pay for it. He can’t take advantage of a 22 year old female like that, be confrontational with.

When I got to the hotel, they made a complaint about the driver after seeing how much he charged me and told him that he not allowed back there. But, I want to dispute the charge. I really need a refund back. At least a partial refund. I’ve been taken advantage of, treated poorly, and I’m disappointed.

Please let me know if you can help me.

Thank you.”

D. In response to the complaint, the Licensee stated that there was an accident on the Jackson Street off-ramp, which is why he had to detour and the trip took longer, and why it cost more. He added that normally a ride from the airport to downtown is \$35.00. When questioned by Alderman Kovac if he thought it was alright to charge more than the usual rate the Licensee responded that he thought it was appropriate because of the accident.

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 Chapters 85 and 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, Mohamad F. Ali, has not met the criteria of Chapters 85 and 100 of the Milwaukee Code of Ordinances or § 349.24 of the Wisconsin Statutes to allow renewal of his Public Passenger Vehicle license and Taxicab Permit without a 10 day suspension.
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 Works Committee that the full Common Council of the City of Milwaukee should exercise its judgment to renew the Public Passenger Vehicle Driver license and Taxicab Permit held by Mohamad F. Ali with a 10 day suspension.

RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee by a vote of three (3) ayes, one (1) no and one (1) abstention recommends that the Public Passenger Vehicle license and Taxicab Permit of Mohamad F. Ali be renewed with a 10-day suspension based on applicant testimony substantiating the complaint.

Said suspension is to be in effect from November 1, 2016 to November 10, 2016.

Dated and signed at Milwaukee, Wisconsin this 30th day of September, 2016.



MARK BORKOWSKI
Chairman, Public Works Committee



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ALDERMAN, 11TH DISTRICT

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• Judiciary and Legislation Committee
• Milwaukee Board of Harbor Commissioners
• Steering and Rules Committee

Date: September 30, 2016

To: All Members of the Milwaukee Common Council

From: The Public Works Committee

Re: Report of the Renewal Application of Robert L. Colbert for a Public Passenger Vehicle License.

FINDINGS OF FACT

1. Robert L. Colbert (hereinafter the "Licensee") is the holder of a Public Passenger Vehicle license in the City and County of Milwaukee, Wisconsin. Said license expires at midnight, October 31, 2016.
2. An application to renew said license was filed with the Office of the City Clerk.
3. Pursuant to Chapters 85 and 100 of the Milwaukee Code of Ordinances and Section 349.24 of the Wisconsin Statutes, the matter was referred to the Milwaukee Police Department for investigation.
4. On September 19, 2016 the City Clerk's Office provided timely notice to the Licensee, pursuant to Chapters 85 and 100 of the Milwaukee Code of Ordinances and Section 349.24 of the Wisconsin Statutes of a complaint that could form the basis for suspension or non-renewal of the license of the licensee and included therewith a copy of the complaint. The matter was scheduled for a hearing on the complaint on September 28, 2016 at 9:30 a.m. in Room 301B of City Hall. At said date, time and place, the Licensee did 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. The citizen complaint, which was sent by the complainant to Yellow Cab on September 9, 2015 is as follow with blank lines denoting redacted matters:

"To whom it may concern:

On 8/9/15 ____ called in a Yellow Cab for ____ the cab driver (#143) pulled up at ____ Hospital. ____ approached the driver and asked was he there for _____. He #143 replied get in the cab ma'am very rude. . _____ stated that she had a

walker and the driver #143 rudely told her 'I see your walker get in the cab on the other side'. ___ said he was 'mean' and 'rude'. _____stated that they was [sic] sitting at a light a person started crossing the street and the cab driver 143 yelled out the widow and said "GET YOUR HANDICAP ASS ACROSSED [sic] THE STREET". ___stated that she had never rode with a driver that was so nasty and that she do not [sic] expect people to be rude to her if she was nothing but nice.

We are asking that Yellow Cab do not [sic] send the driver of cab number 143 to pick up our members again."

- B. The Licensee stated he did not receive the notice of the hearing for today's meeting and waived his right to notice. He added he does not recall the citizen complaint and was not suspended by Yellow Cab.
- C. Ali Mohamed, President of Yellow Cab stated he suspended the Licensee for 48 hours due to the complaint and when he talked to the Licensee the Licensee stated he told the complainant to hurry up.

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 Chapters 85 and 100 of the Milwaukee Code of Ordinances and Section 349.24, Wisconsin Statutes.
2. Based upon the above facts found, the Committee concludes that the licensee, Robert L. Colbert, has not met the criteria of Chapters 85 and 100 of the Milwaukee Code of Ordinances or Section 349.24 of the Wisconsin Statutes to allow renewal of his Public Passenger Vehicle license without a 90 day suspension.
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 Works 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 Robert L. Colbert with a 90 day suspension.

RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee by a five (5) ayes and zero (0) noes recommends that the Public Passenger Vehicle license of Robert L. Colbert be renewed with a 90-day suspension based on applicant testimony and testimony from Mr. Mohamed substantiating the complaint.

Said suspension is to be in effect from November 1, 2016 to January 29, 2017.

Dated and signed at Milwaukee, Wisconsin this 30th day of September, 2016.

A handwritten signature in black ink, appearing to read "Mark Borkowski", written in a cursive style.

MARK BORKOWSKI
Chairman, Public Works Committee

186030



MARK A. BORKOWSKI
ALDERMAN, 11TH DISTRICT

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• Steering and Rules Committee

Date: September 30, 2016

To: All Members of the Milwaukee Common Council

From: The Public Works Committee

Re: Report of the Renewal Application of Chester W. Hayden for a Public Passenger Vehicle License.

FINDINGS OF FACT

1. Chester W. Hayden (hereinafter the "Licensee") is the holder of a Public Passenger Vehicle license in the City and County of Milwaukee, Wisconsin. Said license expires at midnight, October 31, 2016.
2. An application to renew said license was filed with the Office of the City Clerk.
3. Pursuant to Chapters 85 and 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 which report could form the basis of non-renewal or suspension of this license.
4. On September 19, 2016 the City Clerk's Office provided timely notice to the Licensee, pursuant to Chapters 85 and 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 September 28, 2016 at 9:30 a.m. in Room 301B of City Hall. At said date, time and place, the Licensee did 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. On October 30, 2013 an officer observed the applicant operating American United taxi #44 parked in the taxi stand at Potawatomi Casino, 1721 West Canal Street. The applicant had his PPV license displayed but did not have his trip records and dialing inspection sheet filled out. He apologized and started filling them out. He was issued a warning.

- B. The License Division received a complaint from Jerry Van Velden on August 6, 2015.

“Elizabeth

I am just now returned [sic] after are [sic] vacation to South Dakota.

As I mentioned to you in our conversation.

On July 23rd 2015, my wife and I ordered a cab to the best western hotel at 5501 W National

We waited for almost an hour for the cab to arrive that was supposed to arrive just after 7 pm.

Once the cab arrived (cab #69) we hopped into the back seat and asked the driver to take us to The Outback steak House. Not being from Milwaukee we had no idea where it was located, and from the way The driver spoke neither did he. He proceeds to drive and was continuous in his interruption of the conversation That my wife were having, so rather than try to continue our own talk, the driver proceeds to tell us his life store in

That he has been in your city his whole life.

His conversation quickly disintegrated, to start talking about African Americans living in your city and referencing them using

The ‘N’ word. This alone was repulsive to use both. Further, as we are driving along, he kept readjusting his mirror to look at my wife,

I personally told him keep his eyes on the roadhe was rude, vulgar and a creep, furthermore, we then get to a location at approx

8:45 and says, and I quote . . . ‘OOOPS, Its FUCKING CLOSED.’ Well needless to say . . . , I snapped and told him part his car . . . and were getting out as we were being scammed,

(what a way for our first night of holidays to start) I called your dispatch and lost a gasket . . .it was horrible to say the least being taken somewhere in a City we had never been and having to get out of a cab in disgust.

We then call again and another cab after our dinner takes us back to our hotel.

This driver was very good however

I should not have been in a position of being so far away.

I feel I should be refunded my initial \$10.00 I paid in disgust and my \$20.00 for my return

I am disgusted as should you that you have a driver working for your company as a representative.

I look forward to your response.”

- C. In response to a citizen complaint, the Licensee admitted he took a customer to the wrong place because he was confused, but he does not recall using racial slurs or profanity. He added he does recall talking to the complainant about the changing demographics in the city.

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 Chapters 85 and 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, Chester W. Hayden, has not met the criteria of Chapters 85 and 100 of the Milwaukee Code of Ordinances or § 349.24 of the Wisconsin Statutes to allow renewal of his Public Passenger Vehicle license without a 10 day suspension.
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 Works 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 Chester W. Hayden with a 10 day suspension.

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 Public Passenger Vehicle license of Chester W. Hayden be renewed with a 10-day suspension based on applicant testimony substantiating the complaint and the police report.

Said suspension is to be in effect from November 1, 2016 to November 10, 2016.

Dated and signed at Milwaukee, Wisconsin this 30th day of September, 2016.



MARK BORKOWSKI
Chairman, Public Works Committee