

COMMITTEE ASSIGNMENTS

CHAIR

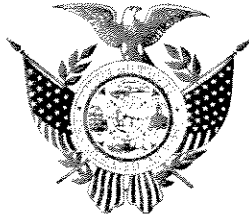
Public Safety Committee

MEMBER

Anti-Graffiti Policy Committee

Finance & Personnel Committee

Steering & Rules Committee



ROBERT G. DONOVAN

Alderman, 8th District

September 21, 2007

To the Honorable, Common Council

Dear Members:

Re: Common Council File 070600

Recommendation of renewal with a 30-day suspension, based upon a public hearing before the Public Safety Committee and the police report, of the Public Passenger Vehicle Driver license of Mohammad A. Abu-Ayyash.

With regard to the items listed above, the Public Safety Committee held an evidentiary hearing on September 13, 2007.

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, September 25, 2007** at 9:00 A.M. in the Common Council Chambers.

Respectfully,

A handwritten signature in black ink that reads "Robert G. Donovan".

Robert G. Donovan, Chair
Public Safety Committee

cc: All Council Members
CCFN: 070600

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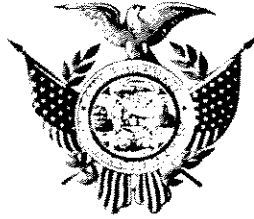
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ROBERT G. DONOVAN

Alderman, 8th District

Date: September 13, 2007

To: All Members of the Milwaukee Common Council

From: The Public Safety Committee

Re: Report of the Renewal Application of Mohammad A. Abu-Ayyash for a Public Passenger Vehicle Driver License.

FINDINGS OF FACT

1. Mohammad A. Abu-Ayyash (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 filed with the Office of the City Clerk on August 2, 2007.
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 an objection to renewal of this license dated August 3, 2007. That objection could form the basis of non-renewal or suspension of this license.
4. On August 29, 2007, 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 police objections 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 13, 2007 at 9:00 a.m. in Room 301-B of City Hall. At said date, time and place, the licensee did appear and admitted receipt of the notice 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 May 2, 2006, the applicant was charged by Milwaukee County with prostitution-sexual gratification in violation of Wis. Stat. § 944.30 (2), a Class A Misdemeanor. On May 24, 2006 the applicant was found guilty and fined in the Circuit Court of Milwaukee County. The applicant was fined in Case No. 2006CM003150. At the time of this offense Mr. Abu-Ayyash was

driving his cab. A police decoy approached his cab and Mr. Abu-Ayyash requested sexual gratification.

- B. On January 17, 2007 a Milwaukee police officer was in the area of St. Luke's Hospital, 2900 West Oklahoma Avenue checking for taxicab regulation violations. That officer observed American United taxicab #300 pull up and drop off a fare. The applicant, Mr. Mohammad A. Abu-Ayyash was the driver. Mr. Abu-Ayyash did not have a safety checklist in the cab. Mr. Abu-Ayyash was cited for daily safety checklist required. He was found guilty in the Municipal Court of the City of Milwaukee on April 13, 2007 and fined \$50.00 in Case No. 07015283.

CONCLUSIONS OF LAW

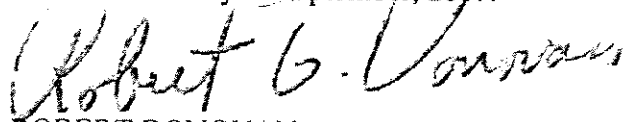
1. The Committee has jurisdiction to hold hearings and provide Findings of Fact and Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapter 100 of the Milwaukee Code of Ordinances and § 349.24, Wisconsin Statutes.
2. Based upon the above facts found, the Committee concludes that the licensee, Mohammad A. Abu-Ayyash, 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 without undergoing a thirty (30) day suspension of said license 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 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 Mohammad A. Abu-Ayyash 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 one (1) no and one (1) abstention, recommends that the Public Passenger Vehicle Driver license of Mohammad A. Abu-Ayyash be renewed with a thirty (30) day suspension based upon the police report.

Said suspension is to be in effect between midnight October 31, 2007 through midnight November 30, 2007.

Dated and signed at Milwaukee, Wisconsin this 13th day of September, 2007.


ROBERT DONOVAN
Chairman, Public Safety Committee