

CHAIR

- Licenses Committee
- City Information Management Committee

VICE CHAIR

- Milwaukee Arts Board

MEMBER

- Steering and Rules Committee
- Public Works Committee
- Milwaukee Public Library Board
- Employee's Retirement System Annuity & Pension Board



NIK KOVAC

ALDERMAN, 3RD DISTRICT

November 20, 2018

To the Honorable, the Common Council

Dear Members:

Re: Common Council File Number 181015

Attached is the written objection to file number 181015, Substitute motion revoking the Recycling, Salvaging, or Towing Premises license of Anthony Lopez, agent for Abyss Towing LLC, for the premises at 960 West Armour Avenue doing business as "Abyss Towing" in the 13th aldermanic district.

This matter will be heard by the full Council at its Tuesday, November 27, 2018 meeting. Pursuant to City Ordinances, a roll call vote will be taken to confirm that all members have read the attached statements and materials.

Respectfully,

A handwritten signature in black ink, appearing to read 'Nik Kovac'.

Nik Kovac, Chair
Licenses Committee

cc: All Council Members
City Attorney's Office
Common Council/City Clerk – License Division
CCF 181015



HART | POWELL^{SC}

MILWAUKEE

MICHAEL F. HART*
CRAIG S. POWELL
GEOFFREY R. MISFELDT
DANIEL H. SANDERS **

* ALSO ADMITTED IN MICHIGAN

**ALSO ADMITTED IN OHIO

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November 19, 2018

Jim Owczarski
City Clerk
City Hall, Room 205
200 E. Wells Street
Milwaukee, WI 53202

Re: Report of the Licenses Committee on the complaint seeking revocation of the Recycling, Salvage, and Towing license held by Anthony Lopez, agent for Abyss Towing, for the premises located at 960 West Armour Avenue in the City and County of Milwaukee, Wisconsin (“Abyss Towing”)

Dear Clerk Owczarski,

On behalf of my clients, Anthony Lopez and Abyss Towing LLC, please regard this correspondence as Objections to the Findings of Fact, Conclusions of Law, and Recommendation issued by the Licensing Committee on November 16, 2018. As such, my clients request an opportunity to be heard at the Common Council meeting scheduled for November 27, 2018, at 9 a.m.

My clients specifically object to the Findings of Fact at paragraph P that the licensee did not own up to any mistake and falsified facts. My clients still contend that the drop fee in question was offered to the complainant and that the complainant refused to show proper identification and proof of ownership and therefor, a drop fee waiver was not provided to the complainant. In addition, although not provided by my clients at the licensing hearing, they have since located records of several drop fees accepted to date in 2018.

Based on the above, my clients specifically object to the Conclusions of Law that find my clients' have not met the criteria of Chapters 85 and 93 of the Milwaukee Code of Ordinances and that they are unfit to hold the license in question.





HART | POWELL^{SC}

MILWAUKEE

My clients' specifically object to the Committee's recommendation for revocation of my clients' Recycling, Salvage, and Towing license as it is unduly harsh given that the Committee found only a single ordinance violation over a span of three years in operation and approximately 1,000 tows per year of operation. In addition, a significant number of those tows are for abandoned vehicles.

Based on the above, the previously submitted exhibits, and the anticipated oral arguments at the upcoming Common Council meeting, my clients' implore the Common Council to take no action, or in the alternative, suspend the license for 10 days.

Respectfully submitted,

Daniel H. Sanders

Attorney for Anthony Lopez and Abyss Towing LLC

