

COMMITTEE ASSIGNMENTS

CHAIR

- Public Safety Committee

MEMBER

- Anti-Graffiti Policy Committee
- Public Works Committee
- Judiciary & Legislation Committee
- Steering & Rules Committee



ROBERT G. DONOVAN

Alderman, 8th District

October 22, 2010

To the Honorable, the Common Council

Dear Members:

Common Council File 100545 contains recommendations of nonrenewal for the public passenger vehicle drivers' licenses of Bakht Khan and Yahya Suleman, based on non-appearance; and a 10-day suspension of the public passenger vehicle license of John Papia, based on his police report and driving record. (committee vote 4:1 – Ald. Witkowski voting "no")

With regard to the file listed above, the Public Safety Committee held an evidentiary hearing on October 21st.

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 matter 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 Wednesday, November 3, 2010 at 9:00 A.M. in the Common Council Chambers.

Respectfully,

A handwritten signature in dark ink that reads 'Robert G. Donovan'.

Robert G. Donovan, Chair
Public Safety Committee

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ROBERT G. DONOVAN

Alderman, 8th District

Date: October 22, 2010

To: All Members of the Milwaukee Common Council

From: The Public Safety Committee

Re: Report of the Renewal Application of Bakht B. Khan for a Public Passenger Vehicle Driver License.

FINDINGS OF FACT

1. Bakht B. Khan (hereinafter the "Licensee") is the holder of a Public Passenger Vehicle Driver license in the City and County of Milwaukee, Wisconsin. Said license expires at midnight, October 31, 2010.
2. An application to renew said license was filed with the Office of the City Clerk on August 18, 2010.
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 August 19, 2010. That report could form the basis of non-renewal or suspension of this license.
4. On October 7, 2010, 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 October 21, 2010 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. This was the licensee's second nonappearance.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:

- A. Notice was sent to Bakht B. Khan at 3823 South Miner Street, No. 3, Milwaukee, Wisconsin 53221, along with a copy of the police report on October 7, 2010 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 3823 South Miner Street, No. 3, Milwaukee, Wisconsin 53221 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, Bakht B. Khan, 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 his second 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 Bakht B. Khan based upon his second 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 Bakht B. Khan be denied based upon his second nonappearance.

Dated and signed at Milwaukee, Wisconsin this 22nd day of October, 2010.


ROBERT DONOVAN
Chairman, Public Safety Committee

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ROBERT G. DONOVAN
Alderman, 8th District

Date: October 22, 2010

To: All Members of the Milwaukee Common Council

From: The Public Safety Committee

Re: Report of the Renewal Application of Yahya Suleman for a Public Passenger Vehicle Driver License.

FINDINGS OF FACT

1. Yahya Suleman (hereinafter the "Licensee") is the holder of a Public Passenger Vehicle Driver license in the City and County of Milwaukee, Wisconsin. Said license expires at midnight, October 31, 2010.
2. An application to renew said license was filed with the Office of the City Clerk on August 10, 2010.
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 August 25, 2010. That report could form the basis of non-renewal or suspension of this license.
4. On October 7, 2010, 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 October 21, 2010 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 Yahya Suleman at 3552 East Tesch Avenue, No. 5, St. Francis, Wisconsin 53235, along with a copy of the police report on October 7, 2010 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 3552 East Tesch Avenue, No. 5, St. Francis, Wisconsin 53235 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.

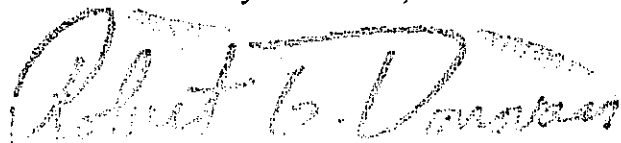
CONCLUSIONS OF LAW

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, Yahya Suleman, 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 his 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 Yahya Suleman based upon his 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 Yahya Suleman be denied based upon his nonappearance.

Dated and signed at Milwaukee, Wisconsin this 22nd day of October, 2010.



ROBERT DONOVAN
Chairman, Public Safety Committee

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ROBERT G. DONOVAN
Alderman, 8th District

Date: October 22, 2010

To: All Members of the Milwaukee Common Council

From: The Public Safety Committee

Re: Report of the Renewal Application of John A. Papia for a Public Passenger Vehicle Driver License.

FINDINGS OF FACT

1. John A. Papia (hereinafter the "Licensee") is the holder of a Public Passenger Vehicle Driver license in the City and County of Milwaukee, Wisconsin. Said license expires at midnight, October 31, 2010.
2. An application to renew said license was filed with the Office of the City Clerk on August 25, 2010.
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 September 17, 2010. That report could form the basis of non-renewal or suspension of this license.
4. On October 7, 2010, 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 October 21, 2010 at 9:00 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 March 21, 2009, an officer of the Milwaukee Police Department observed the licensee operating a taxi at North 24th Street and West Medford Avenue. The officer observed the applicant fail to stop for the stop sign at the intersection. When questioned regarding the violation, the licensee stated he was blowing off steam because the last fare was irritating. The licensee did not have his public passenger vehicle license displayed and stated he left it at home. The licensee was issued a citation for disregarding a stop sign and was found guilty on July 19, 2009 and fined \$100.00. The licensee was also issued a citation for failure to display public passenger vehicle license and was found guilty on July 19, 2009 and fined \$83.80.
- B. On March 30, 2010, the Wisconsin Department of Transportation suspended the licensee's driver's license for seven days for failure to pay forfeiture and it remained suspended until April 12, 2010. During the period of suspension the licensee failed to return his public passenger vehicle license to the City Clerk as required by Milwaukee City Ordinance § 100-59-1-b.

CONCLUSIONS OF LAW

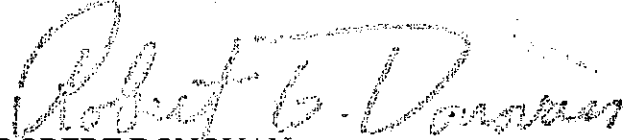
- 1. The Committee has jurisdiction to hold hearings and provide Findings of Fact and Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapter 100 of the Milwaukee Code of Ordinances and § 349.24, Wisconsin Statutes.
- 2. Based upon the above facts found, the Committee concludes that the licensee, John A. Papia, 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 ten (10) day suspension based upon his police report and driving record.
- 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 John A. Papia with a ten (10) day suspension based upon the police report and driving record.

RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee by vote of four (4) ayes and one (1) no recommends that the Public Passenger Vehicle Driver license of John A. Papia be renewed with a ten (10) day suspension based upon his police report and driving record.

Said suspension is to be in effect from the date of the Common Council hearing of November 3, 2010 and for ten days thereafter.

Dated and signed at Milwaukee, Wisconsin this 22nd day of October, 2010.

A handwritten signature in dark ink, appearing to read "Robert B. Donovan", written in a cursive style.

ROBERT DONOVAN
Chairman, Public Safety Committee