



www.milwaukee.gov

November 18, 2008

James J. Watkinson  
911 East Center Street, No. 1  
Milwaukee, WI 53212


Dear Mr. Watkinson:

You are hereby notified that the Milwaukee Common Council will hold a hearing on November 25, 2008, 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 the renewal of your public passenger vehicle driver license application.

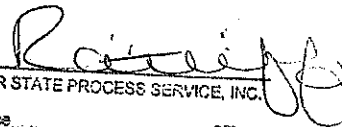
Attached you will find a copy of the Report of the Public Safety Committee which includes its Findings of Fact, Conclusions of Law and Recommendation, recommending denial of your public passenger vehicle driver license based upon nonappearance. The recommendation is the result of a public hearing before the Committee held on November 17, 2008.

You may file a written objection to the report of the Committee. If you file a written objection to the report, you may also appear before the Milwaukee Common Council to make oral arguments supporting your written objections and present oral arguments supporting that objection to the Common Council. Any written objections to the Committee's Report must be filed with the City Clerk by 4:45 p.m. on November 20, 2008. You or a legal representative may then 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

Enclosure

  
AGENT FOR STATE PROCESS SERVICE, INC.  
Time of Service \_\_\_\_\_ am pm

Date of Service \_\_\_\_\_  
Served upon: \_\_\_\_\_

at \_\_\_\_\_  
\_\_\_\_\_ Same

Office of the City Clerk [ ] Personal Service [ ] Signature personal service  
City Clerk  
[ ] Corporate Service [ ] Posting  
Jim Owczarski  
Deputy City Clerk

# AFFIDAVIT OF ATTEMPTED SERVICE

☒ Milwaukee Co. ☐ Racine Co. ☐ Kenosha Co. ☐ Waukesha Co. ☐ Washington Co. ☐ \_\_\_\_\_ Co.

STATE OF WISCONSIN  
Milwaukee County ss

Case No. \_\_\_\_\_

Court Date: \_\_\_\_\_

Document(s) attached: ☐ Summons & Complaint ☐ Summons ☐ Complaint ☐ Order to Show Cause ☐ Order ☐ Notice of Hearing ☐ Subpoena  
☐ Subpoena Duces Tecum ☐ Check in the Amount of \_\_\_\_\_ ☐ Order to Appear before a Court Commissioner  
☐ Temporary Restraining Order & Notice of Hearing ☐ Petition \_\_\_\_\_ for Termination of Parental Rights \_\_\_\_\_ for Protection and/or Services

Other \_\_\_\_\_

I, Rose Ratliff, being duly sworn that I am an adult resident of this State and I am not a party to the

legal action to which this affidavit is attached. I further swear that I was not able to serve the above listed documents upon the below named party after the

attempts and activities listed below:

Name: James Watkinson ☒ Defendant ☐ Named Parties

☒ Provided ☐ Located Address: 911 E. Center St #1

☐ City of Milwaukee / or: \_\_\_\_\_ State of Wisconsin.

** <u>11/18/08</u> <u>217</u> [ ] am [ ] pm <u>N/A 4c</u>	** <u>   </u> / <u>   </u> / <u>08</u> [ ] am [ ] pm
** <u>11/18/08</u> <u>743</u> [ ] am [ ] pm <u>N/A</u>	** <u>   </u> / <u>   </u> / <u>08</u> [ ] am [ ] pm
** <u>   </u> / <u>   </u> / <u>08</u> [ ] am [ ] pm	** <u>   </u> / <u>   </u> / <u>08</u> [ ] am [ ] pm
** <u>   </u> / <u>   </u> / <u>08</u> [ ] am [ ] pm	** <u>   </u> / <u>   </u> / <u>08</u> [ ] am [ ] pm
** <u>   </u> / <u>   </u> / <u>08</u> [ ] am [ ] pm	** <u>   </u> / <u>   </u> / <u>08</u> [ ] am [ ] pm

RESULTS/NOTES RE: ATTEMPTS No response to card  
Name on mailbox.

## ADDITIONAL ACTIVITIES TO SERVE OR LOCATE:

Checked Us Post Office, Zip Code \_\_\_\_\_ Sent by \_\_\_\_\_ Date \_\_\_\_\_ Report attached ☐ Not returned ☐

Wisconsin Drivers License Record Search ☐ Yes, affidavit attached ☐ No

WI CCAP Completed by \_\_\_\_\_ ☐ no record ☐ no new information ☐ new information, report attached

Called provided / located telephone no. \_\_\_\_\_ Results: \_\_\_\_\_

Checked directories: ☐ AT & T ☐ Polk ☐ Cole Results: \_\_\_\_\_

Notes: called Ronald Leonhardt left msg with secretary  
11/19 830 AM 11/19 410 PM sjc

Subscribed and sworn to before me this 20

STATE PROCESS SERVICE, INC.

1 OF 3 AFFIDAVITS

day of NOVEMBER 2008

Notary Public

My Commission expires: NOV 10

STATE OF WISCONSIN

© State Process Service, Inc. 2008

Fee for Service:

Fees: Mileage 30 @ .50 /mile 15.00

Fees: Hourly 1.5 @ \$37.50 /hr 56.25

Special Fees: \_\_\_\_\_

TOTAL FEES: \$ 71.25

Rose Ratliff  
AGENT

STATE PROCESS SERVICE, INC. 811 NORTH HAWLEY ROAD; MILWAUKEE, WI 53213 : (414) 256-7000 \*\*INVOICE\*\*  
ACCOUNT: 400 ATTORNEY: BRUCE SCHRIMPF/WILLIE TAYLOR FIRM: CITY OF MILWAUKEE-GENERAL  
DATE SERVED: 11/18/08 TYPE: NOTICE TICKET#: 1164117-02 BY: ROSE RATLIFF  
OPER:

----- PLAINTIFF ----- DEFENDANT ----- COURT DATE FILED  
CITY OF MILWAUKEE WATKINSON, JAMES 11/20/08

SERVED: 7:43AM  
ATTEMPTED SERVICE-INCLUDES- 1164119 &1164118

11/18 217P 11/18 743P ALL NA L/C NAME ON  
MAILBOX CALLED RONALD LEONARDT L/MSG W/SECTRY  
11/19 830A 11/19 410P SJE  
CASE #:

911 E CENTER ST NO 1  
CITY OF MILWAUKEE WI 00000  
COUNTY OF MILWAUKEE

CITY OF MILWAUKEE-GENERAL  
ATTN: LINDA HARRELL  
841 N BROADWAY 7TH FLOOR  
MILWAUKEE WI 53202  
ATT: BRUCE SCHRIMPF/WILLIE TAYLOR

- DESCRIPTION -	-- CHARGES --
1.5HR @ 37.50/H	56.25
30MLS @ .50/ML	15.00
SPECIAL FEES	.00

-----  
(PAYMENT UPON RECEIPT) TOTAL 71.25

## COMMITTEE ASSIGNMENTS

### CHAIR

Public Safety Committee

### MEMBER

Anti-Graffiti Policy Committee

Finance & Personnel Committee

Steering & Rules Committee



## ROBERT G. DONOVAN

Alderman, 8th District

Date: November 18, 2008

To: All Members of the Milwaukee Common Council

From: The Public Safety Committee

Re: Report of the Renewal Application of James J. Watkinson for a Public Passenger Vehicle Driver License.

### FINDINGS OF FACT

1. James J. Watkinson (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, 2008.
2. An application to renew said license was filed with the Office of the City Clerk on October 31, 2008.
3. Pursuant to Chapter 100 of the Milwaukee Code of Ordinances and Wis. Stat. § 349.24, the matter was referred to the Milwaukee Police Department for investigation. The Milwaukee Police Department filed a police report dated November 3, 2008, that could form the basis of non-renewal or suspension of this license.
4. On November 10, 2008, the City Clerk's Office provided timely notice to the Licensee, pursuant to Chapter 100 of the Milwaukee Code of Ordinances and Wis. Stat. § 349.24 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 November 17, 2008 at 9:00 a.m. in Room 301B of City Hall. At said date, time and place, the licensee did not appear.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
  - A. Notice was sent to James J. Watkinson at 911 East Center Street, No. 1, Milwaukee, Wisconsin 53212, along with a copy of the police report on November 10, 2008 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 911 East Center Street, No. 1, Milwaukee, Wisconsin 53212 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.

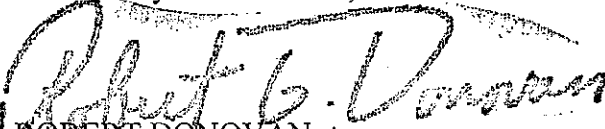
#### CONCLUSIONS OF LAW

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 Wis. Stat. § 349.24.
2. Based upon the above facts found, the Committee concludes that the licensee, James J. Watkinson, has not met the criteria of Chapter 100 of the Milwaukee Code of Ordinances or Wis. Stat. § 349.24 to allow renewal of his Public Passenger Vehicle Driver license based upon 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 of James J. Watkinson based upon nonappearance.

#### 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) excused, recommends that the Public Passenger Vehicle Driver license of James J. Watkinson not be renewed based upon nonappearance.

Dated and signed at Milwaukee, Wisconsin this 18th day of November, 2008.

  
ROBERT DONOVAN  
Chairman, Public Safety Committee



Office of the City Clerk

Ronald D. Leonhardt  
City Clerk

Jim Owczarski  
Deputy City Clerk

[www.milwaukee.gov](http://www.milwaukee.gov)

November 18, 2008

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911 East Center Street, No. 1  
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You may file a written objection to the report of the Committee. If you file a written objection to the report, you may also appear before the Milwaukee Common Council to make oral arguments supporting your written objections and present oral arguments supporting that objection to the Common Council. Any written objections to the Committee's Report must be filed with the City Clerk by 4:45 p.m. on November 20, 2008. You or a legal representative may then 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

Enclosure

## COMMITTEE ASSIGNMENTS

### **CHAIR**

Public Safety Committee

### **MEMBER**

Anti-Graffiti Policy Committee

Finance & Personnel Committee

Steering & Rules Committee



## **ROBERT G. DONOVAN**

Alderman, 8th District

Date: November 18, 2008

To: All Members of the Milwaukee Common Council

From: The Public Safety Committee

Re: Report of the Renewal Application of James J. Watkinson for a Public Passenger Vehicle Driver License.

### **FINDINGS OF FACT**

1. James J. Watkinson (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, 2008.
2. An application to renew said license was filed with the Office of the City Clerk on October 31, 2008.
3. Pursuant to Chapter 100 of the Milwaukee Code of Ordinances and Wis. Stat. § 349.24, the matter was referred to the Milwaukee Police Department for investigation. The Milwaukee Police Department filed a police report dated November 3, 2008, that could form the basis of non-renewal or suspension of this license.
4. On November 10, 2008, the City Clerk's Office provided timely notice to the Licensee, pursuant to Chapter 100 of the Milwaukee Code of Ordinances and Wis. Stat. § 349.24 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 November 17, 2008 at 9:00 a.m. in Room 301B of City Hall. At said date, time and place, the licensee did not appear.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
  - A. Notice was sent to James J. Watkinson at 911 East Center Street, No. 1, Milwaukee, Wisconsin 53212, along with a copy of the police report on November 10, 2008 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 911 East Center Street, No. 1, Milwaukee, Wisconsin 53212 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.

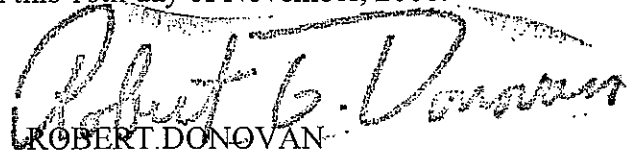
#### CONCLUSIONS OF LAW

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 Wis. Stat. § 349.24.
2. Based upon the above facts found, the Committee concludes that the licensee, James J. Watkinson, has not met the criteria of Chapter 100 of the Milwaukee Code of Ordinances or Wis. Stat. § 349.24 to allow renewal of his Public Passenger Vehicle Driver license based upon 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 of James J. Watkinson based upon nonappearance.

#### 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) excused, recommends that the Public Passenger Vehicle Driver license of James J. Watkinson not be renewed based upon nonappearance.

Dated and signed at Milwaukee, Wisconsin this 18th day of November, 2008.



ROBERT DONOVAN

Chairman, Public Safety Committee



1104117 11/18/03  
RETURN DATE - 11/19/03  
400 CITY OF MILWAUKEE - GENERAL  
CITY OF MILWAUKEE  
WALKERSON JAMES

TICKET NO. \_\_\_\_\_ SERVER \_\_\_\_\_ ATTS: \_\_\_\_\_  
POE \_\_\_\_\_ PERS ONLY ☐ 11/18 217 4c  
USPO \_\_\_\_\_ TEL CHK \_\_\_\_\_ SPL RUSH 11/18 743  
SERVED DATE \_\_\_\_\_ ☐ ☐  
TIME \_\_\_\_\_ AM \_\_\_\_\_ PM \_\_\_\_\_ COURT DATE \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
TOWN/CITY \_\_\_\_\_ SERVE BY \_\_\_\_\_  
COUNTY \_\_\_\_\_ STATE \_\_\_\_\_  
WHO SERVED ☒ \_\_\_\_\_  
TITLE-REL \_\_\_\_\_ NON FD ☐

Bruce Schrimph / Willie Taylor

STATE PROCESS SERVICE, INC. 811 NORTH HAWLEY ROAD; MILWAUKEE, WI 53213 : (414) 256-7000 \*\*INVOICE\*\*  
ACCOUNT: 400 ATTORNEY: BRUCE SCHRIMPF/WILLIE TAYLOR FIRM: CITY OF MILWAUKEE-GENERAL  
DATE SERVED: 11/18/08 TYPE: NOTICE TICKET#: 1164118-01 BY: ROSE RATLIFF  
OPKR:

----- PLAINTIFF ----- DEFENDANT ----- COURT DATE FILED  
CITY OF MILWAUKEE FLEMING, TYREE 11/20/08

SERVED: 7:59PM  
ATTEMPTED SERVICE

11/18 154P 11/18 759P ALL NA L/C NR  
INCLUDED IN- 1164117

3718 N 50TH ST  
CITY OF MILWAUKEE WI 00000  
COUNTY OF MILWAUKEE

CASE #:

CITY OF MILWAUKEE-GENERAL  
ATTN: LINDA HARRELL  
841 N BROADWAY 7TH FLOOR  
MILWAUKEE WI 53202  
ATT: BRUCE SCHRIMPF/WILLIE TAYLOR

DESCRIPTION	CHARGES
FEE FOR SERVICE	.00
FEE FOR MILEAGE	.00
SPECIAL FEES	.00
(PAYMENT UPON RECEIPT) TOTAL	.00

# AFFIDAVIT OF ATTEMPTED SERVICE

☒ Milwaukee Co. ☐ Racine Co. ☐ Kenosha Co. ☐ Waukesha Co. ☐ Washington Co. ☐ \_\_\_\_\_ Co.

STATE OF WISCONSIN  
Milwaukee County} ss

Case No. \_\_\_\_\_

Court Date: \_\_\_\_\_

Document(s) attached: ☐ Summons & Complaint ☐ Summons ☐ Complaint ☐ Order to Show Cause ☐ Order ☐ Notice of Hearing ☐ Subpoena  
☐ Subpoena Duces Tecum ☐ Check in the Amount of \_\_\_\_\_ ☐ Order to Appear before a Court Commissioner  
☐ Temporary Restraining Order & Notice of Hearing ☐ Petition \_\_\_\_\_ for Termination of Parental Rights \_\_\_\_\_ for Protection and/or Services

Other \_\_\_\_\_

I, Rose Ratliff, being duly sworn that I am an adult resident of this State and I am not a party to the

legal action to which this affidavit is attached. I further swear that I was not able to serve the above listed documents upon the below named party after the

attempts and activities listed below:

Name: Tyree Fleming ☒ Defendant ☐ Named Parties

☒ Provided ☐ Located Address: 3718 N. 50th St

☒ City of Milwaukee / or: \_\_\_\_\_ State of Wisconsin.

** <u>11/18/08</u> <u>154</u> [ ] am [ ] pm <u>NIA UC</u>	** <u>   </u> / <u>   </u> / <u>08</u> [ ] am [ ] pm
** <u>11/18/08</u> <u>759</u> [ ] am [ ] pm <u>NIA</u>	** <u>   </u> / <u>   </u> / <u>08</u> [ ] am [ ] pm
** <u>   </u> / <u>   </u> / <u>08</u> [ ] am [ ] pm	** <u>   </u> / <u>   </u> / <u>08</u> [ ] am [ ] pm
** <u>   </u> / <u>   </u> / <u>08</u> [ ] am [ ] pm	** <u>   </u> / <u>   </u> / <u>08</u> [ ] am [ ] pm
** <u>   </u> / <u>   </u> / <u>08</u> [ ] am [ ] pm	** <u>   </u> / <u>   </u> / <u>08</u> [ ] am [ ] pm

RESULTS/NOTES RE: ATTEMPTS No response from Card.

## ADDITIONAL ACTIVITIES TO SERVE OR LOCATE:

Checked Us Post Office, Zip Code \_\_\_\_\_ Sent by \_\_\_\_\_ Date \_\_\_\_\_ Report attached ☐ Not returned ☐

Wisconsin Drivers License Record Search ☐ Yes, affidavit attached ☐ No

WI CCAP Completed by \_\_\_\_\_ ☐ no record ☐ no new information ☐ new information, report attached

Called provided / located telephone no. \_\_\_\_\_ Results: \_\_\_\_\_

Checked directories: ☐ AT & T ☐ Polk ☐ Cole Results: \_\_\_\_\_

Notes: \_\_\_\_\_

Subscribed and sworn to before me this 20

day of Nov, 2008

Notary Public

My Commission expires: 10-13-10

© State Process Service, Inc. 2008

STATE PROCESS SERVICE, INC.

3 OF 3 AFFIDAVITS

Fee for Service: \_\_\_\_\_

Fees: Mileage \_\_\_\_\_ @ .50 /mile

Fees: Hourly \_\_\_\_\_ @ \$37.50 /hr

Special Fees: \_\_\_\_\_

TOTAL FEES: \$ INC

Rose Ratliff  
AGENT



www.milwaukee.gov  
November 18, 2008

11/19  
400  
4

Tyree Fleming  
3718 North 50<sup>th</sup> Street  
Milwaukee, WI 53202

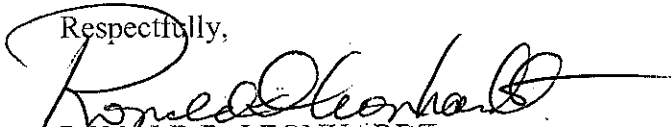
Dear Mr. Fleming:

You are hereby notified that the Milwaukee Common Council will hold a hearing on November 25, 2008, 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 the renewal of your public passenger vehicle driver license application.

Attached you will find a copy of the Report of the Public Safety Committee which includes its Findings of Fact, Conclusions of Law and Recommendation, recommending denial of your public passenger vehicle driver license based upon nonappearance. The recommendation is the result of a public hearing before the Committee held on November 17, 2008.

You may file a written objection to the report of the Committee. If you file a written objection to the report, you may also appear before the Milwaukee Common Council to make oral arguments supporting your written objections and present oral arguments supporting that objection to the Common Council. Any written objections to the Committee's Report must be filed with the City Clerk by 4:45 p.m. on November 20, 2008. You or a legal representative may then 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

Enclosure

*Ratiff*  
AGENT FOR STATE PROCESS SERVICE, INC.  
Time of Service \_\_\_\_\_ am pm  
Date of Service \_\_\_\_\_  
Served upon: *T. Fleming*  
at: *Same*

Office of the City Clerk Service | Substitute personal service  
City Clerk  
[ ] Corporate Service [ ] Posting  
Ronald D. Leonhardt  
City Clerk  
Jim Owczarski  
Deputy City Clerk

## **COMMITTEE ASSIGNMENTS**

### **CHAIR**

Public Safety Committee

### **MEMBER**

Anti-Graffiti Policy Committee  
Finance & Personnel Committee  
Steering & Rules Committee



## **ROBERT G. DONOVAN**

Alderman, 8th District

Date: November 18, 2008

To: All Members of the Milwaukee Common Council

From: The Public Safety Committee

Re: Report of the Renewal Application of Tyree Fleming for a Public Passenger Vehicle Driver License.

### **FINDINGS OF FACT**

1. Tyree Fleming (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, 2008.
2. An application to renew said license was filed with the Office of the City Clerk on September 5, 2008.
3. Pursuant to Chapter 100 of the Milwaukee Code of Ordinances and Wis. Stat. § 349.24, the matter was referred to the Milwaukee Police Department for investigation. The Milwaukee Police Department filed a police report dated September 25, 2008, that could form the basis of non-renewal or suspension of this license.
4. On October 30, 2008, the City Clerk's Office provided timely notice to the Licensee, pursuant to Chapter 100 of the Milwaukee Code of Ordinances and Wis. Stat. § 349.24 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 November 17, 2008 at 9:00 a.m. in Room 301B of City Hall. At said date, time and place, the licensee did not appear.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
  - A. Notice was sent to Tyree Fleming at 3718 North 50<sup>th</sup> Street, Milwaukee, Wisconsin 53216, along with a copy of the police report on October 30, 2008 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 3718 North 50<sup>th</sup> Street, Milwaukee, Wisconsin 53216 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.

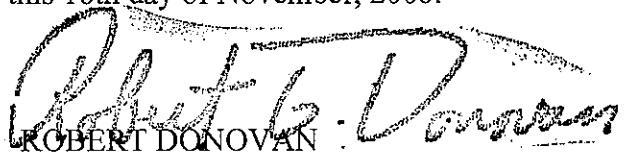
#### CONCLUSIONS OF LAW

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 Wis. Stat. § 349.24.
2. Based upon the above facts found, the Committee concludes that the licensee, Tyree Fleming, has not met the criteria of Chapter 100 of the Milwaukee Code of Ordinances or Wis. Stat. § 349.24 to allow renewal of his Public Passenger Vehicle Driver license based upon 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 of Tyree Fleming based upon nonappearance.

#### 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) excused, recommends that the Public Passenger Vehicle Driver license of Tyree Fleming not be renewed based upon nonappearance.

Dated and signed at Milwaukee, Wisconsin this 18th day of November, 2008.

  
ROBERT DONOVAN  
Chairman, Public Safety Committee



Office of the City Clerk

Ronald D. Leonhardt  
City Clerk

Jim Owczarski  
Deputy City Clerk

[www.milwaukee.gov](http://www.milwaukee.gov)

November 18, 2008

Tyree Fleming  
3718 North 50<sup>th</sup> Street  
Milwaukee, WI 53202

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Respectfully,

  
RONALD D. LEONHARDT

City Clerk

Enclosure

## **COMMITTEE ASSIGNMENTS**

### **CHAIR**

Public Safety Committee

### **MEMBER**

Anti-Graffiti Policy Committee

Finance & Personnel Committee

Steering & Rules Committee



## **ROBERT G. DONOVAN**

Alderman, 8th District

Date: November 18, 2008

To: All Members of the Milwaukee Common Council

From: The Public Safety Committee

Re: Report of the Renewal Application of Tyree Fleming for a Public Passenger Vehicle Driver License.

### **FINDINGS OF FACT**

1. Tyree Fleming (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, 2008.
2. An application to renew said license was filed with the Office of the City Clerk on September 5, 2008.
3. Pursuant to Chapter 100 of the Milwaukee Code of Ordinances and Wis. Stat. § 349.24, the matter was referred to the Milwaukee Police Department for investigation. The Milwaukee Police Department filed a police report dated September 25, 2008, that could form the basis of non-renewal or suspension of this license.
4. On October 30, 2008, the City Clerk's Office provided timely notice to the Licensee, pursuant to Chapter 100 of the Milwaukee Code of Ordinances and Wis. Stat. § 349.24 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 November 17, 2008 at 9:00 a.m. in Room 301B of City Hall. At said date, time and place, the licensee did not appear.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
  - A. Notice was sent to Tyree Fleming at 3718 North 50<sup>th</sup> Street, Milwaukee, Wisconsin 53216, along with a copy of the police report on October 30, 2008 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 3718 North 50<sup>th</sup> Street, Milwaukee, Wisconsin 53216 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 Wis. Stat. § 349.24.
2. Based upon the above facts found, the Committee concludes that the licensee, Tyree Fleming, has not met the criteria of Chapter 100 of the Milwaukee Code of Ordinances or Wis. Stat. § 349.24 to allow renewal of his Public Passenger Vehicle Driver license based upon 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 of Tyree Fleming based upon nonappearance.

#### 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) excused, recommends that the Public Passenger Vehicle Driver license of Tyree Fleming not be renewed based upon nonappearance.

Dated and signed at Milwaukee, Wisconsin this 18th day of November, 2008.

  
ROBERT DONOVAN  
Chairman, Public Safety Committee

1164118 11/19/08  
CITY OF MILWAUKEE  
FLEMING TYREL

TICKET NO. \_\_\_\_\_ SERVER \_\_\_\_\_ ATTS: \_\_\_\_\_  
POE \_\_\_\_\_ PERS ONLY ☐ 11/18 154 4  
USPO \_\_\_\_\_ TEL CHK \_\_\_\_\_ SPL RUSH 11/18 759  
SERVED DATE: \_\_\_\_\_ ☐ ☐  
TIME \_\_\_\_\_ AM \_\_\_\_\_ PM \_\_\_\_\_ COURT DATE \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
TOWN/CITY \_\_\_\_\_ SERVE BY \_\_\_\_\_  
COUNTY \_\_\_\_\_ STATE \_\_\_\_\_  
WHO SERVED ~~X~~ \_\_\_\_\_  
TITLE-REL \_\_\_\_\_ NON FD ☐ \_\_\_\_\_

STATE PROCESS SERVICE, INC. 811 NORTH HAWLEY ROAD; MILWAUKEE, WI 53213 : (414) 256-7000 \*\*INVOICE\*\*  
ACCOUNT: 400 ATTORNEY: CITY OF MILWAUKEE-GENERAL FIRM: CITY OF MILWAUKEE-GENERAL  
DATE SERVED: 11/18/08 TYPE: NOTICE TICKET#: 1164296-01 BY: PATRICIA SNEED  
OPER:

----- PLAINTIFF ----- DEFENDANT ----- COURT DATE FILED  
CITY OF MILWAUKEE KROMAH, ALPHA 11/25/08  
CO:

11/18 1140A 11/18 1217P 11/18 230P 11/18 310P  
ALL NOT THERE WENT TO OFFICE MANY TIMES PER  
SECRETARY N/THERE UNITL I FINALLY SERVED HIM  
CASE #:

SERVED: 3:25PM  
AT 325P.  
ATTY MARK A SCHOENFELDT

135 W WELLS ST #340  
CITY OF MILWAUKEE WI 00000  
COUNTY OF MILWAUKEE

CITY OF MILWAUKEE-GENERAL  
ATTN: LINDA HARRELL  
841 N BROADWAY 7TH FLOOR  
MILWAUKEE WI 53202  
ATT: CITY OF MILWAUKEE-GENERAL

- DESCRIPTION -	-- CHARGES --
1HR @ 37.50/HR	37.50
20MLS @ .50/ML	10.00
SPECIAL FEES	.00

-----  
(PAYMENT UPON RECEIPT) TOTAL 47.50

# AFFIDAVIT OF SERVICE

☒ Milwaukee Co. ☐ Racine Co. ☐ Kenosha Co. ☐ Waukesha Co. ☐ Washington Co. ☐ \_\_\_\_\_ Co.

STATE OF WISCONSIN  
Milwaukee County ss

Case No. \_\_\_\_\_

Court Date: NOV. 25 2008

Document(s): ☐ Summons ☐ Summons & Complaint ☐ Order to Appear before a Court Commissioner ☐ Order to Show Cause ☐ Order  
☐ Subpoena ☐ Subpoena Duces Tecum ☐ Check in the amount of \$ \_\_\_\_\_ Travel or Witness Fee ☐ Motion  
☐ Temporary Restraining Order & Notice of Hearing ☐ Petition \_\_\_\_\_ for Termination of Parental Rights \_\_\_\_\_ for Protection and/or Services

☒ Other hearing

## PERSONAL SERVICE

I, PATRICIA Sneed, being duly sworn on oath, state I am an adult resident of this State. I am not a party to the legal action of the attached document(s) which was/were personally served upon the below named party and endorsed as required by Wis. Stats. 801(10)(2).

Named Party Attorney Mark A Schoenfeldt Date 11-18- 2008 Time 325 am ☒ pm

Address 135 W Wells St #340 City of Milwaukee or ☐ \_\_\_\_\_ WI.

Description: ☒ Male ☐ Female Ht\* 6 Wt\* 190 Race W Hair BR Age\* 35 Notes: \_\_\_\_\_ \*Estimated

## SUBSTITUTED PERSONAL SERVICE & NOT SUCCESSFUL PERSONAL SERVICE ATTEMPTS PRIOR TO SUBSTITUTED PERSONAL SERVICE\*\*

I, \_\_\_\_\_, being duly sworn on oath, state I am an adult resident of this State. I am not a party to the legal action of the attached document(s). After reasonable diligence as annotated in this affidavit in accordance with Wis. Stats. 801.11(1) (b) (1)m or (2), I did serve and endorse as required by Wis. Stats. 801(10)(2) the attached documents on the below named party:

Named Party \_\_\_\_\_ Date \_\_\_\_\_ 2008 Time \_\_\_\_\_ [ ] am [ ] pm

at [ ] his [ ] her abode \_\_\_\_\_ [ ] City of Milwaukee or [ ] \_\_\_\_\_ WI

by leaving a true and correct copy with \_\_\_\_\_ [ ] a competent member of [ ] his [ ] her

family at least 14 years of age who was informed of the contents thereof; or, [ ] a competent adult currently residing in the abode of the "Named Party" who

was informed of the contents thereof. Description of person served:

[ ] Male [ ] Female Ht.\* \_\_\_\_\_ Wt.\* \_\_\_\_\_ Race \_\_\_\_\_ Hair \_\_\_\_\_ Age\* \_\_\_\_\_ Notes \_\_\_\_\_ \*Estimated

\*\* 11/18/08 1140 am [ ] pm NOT there \*\* 1 /08 [ ] am [ ] pm

\*\* 11/18/08 1217 am ☒ pm NOT there \*\* 1 /08 [ ] am [ ] pm

\*\* 11/18/08 230 am ☒ pm NOT there \*\* 1 /08 [ ] am [ ] pm

\*\* 11/18/08 310 am ☒ pm NOT there \*\* 1 /08 [ ] am [ ] pm

\*\* 1 /08 [ ] am [ ] pm C phone call outside of building \*\* 1 /08 [ ] am [ ] pm

RESULTS/NOTES went to office several times each time secretary would say when he would be there but was NOT in until 325 when I finally served him.

Subscribed and sworn to before me this 19

day of Nov 2008

Notary Public SANDY EMERY

My Commission expires 12/10

STATE OF WISCONSIN

© State Process Service, Inc. 2008

STATE PROCESS SERVICE, INC.

\_\_\_\_\_ OF \_\_\_\_\_ AFFIDAVITS

Fee for Service:

Fees: Mileage 20 @ .50 / mile: 10.00

Fees: Hourly 1 @ \$37.50 /hr 37.50

Special Fees: \_\_\_\_\_

TOTAL FEES: \$ 47.50

Patricia Sneed  
Agent



Office of the City Clerk

Ronald D. Leonhardt  
City Clerk

Jim Owczarski  
Deputy City Clerk

www.milwaukee.gov  
November 18, 2008

Alpha Kromah  
836 North 28<sup>th</sup> Street, No. 105  
Milwaukee, WI 53208

Attorney Mark A. Schoenfeldt  
135 West Wells Street  
Milwaukee, WI 53203

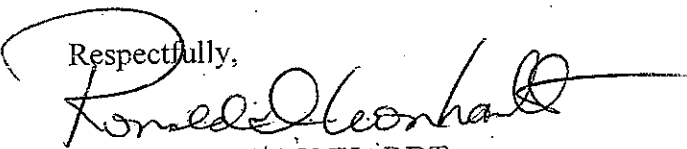
Dear Mr. Kromah and Attorney Schoenfeldt:

You are hereby notified that the Milwaukee Common Council will hold a hearing on November 25, 2008, 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 the renewal of the public passenger vehicle driver license application.

Attached you will find a copy of the Report of the Public Safety Committee which includes its Findings of Fact, Conclusions of Law and Recommendation, recommending renewal of the public passenger vehicle driver license with a ten (10) day suspension based upon a police report. The recommendation is the result of a public hearing before the Committee held on November 17, 2008.

You may file a written objection to the report of the Committee. If you file a written objection to the report you may also appear before the Milwaukee Common Council to make oral arguments supporting your written objections and present oral arguments supporting that objection to the Common Council. Any written objections to the Committee's Report must be filed with the City Clerk by 4:45 p.m. on November 20, 2008. You or a legal representative may then 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

Enclosure  
139778

## **COMMITTEE ASSIGNMENTS**

### **CHAIR**

Public Safety Committee

### **MEMBER**

Anti-Graffiti Policy Committee

Finance & Personnel Committee

Steering & Rules Committee



## **ROBERT G. DONOVAN**

Alderman, 8th District

Date: November 18, 2008

To: All Members of the Milwaukee Common Council

From: The Public Safety Committee

Re: Report of the Renewal Application of Alpha Kromah for a Public Passenger Vehicle Driver License.

### **FINDINGS OF FACT**

1. Alpha Kromah (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, 2008.
2. An application to renew said license was filed with the Office of the City Clerk on October 22, 2008.
3. Pursuant to Chapter 100 of the Milwaukee Code of Ordinances and Wis. Stat. § 349.24, the matter was referred to the Milwaukee Police Department for investigation. The Milwaukee Police Department filed a police report dated October 23, 2008, that could form the basis of non-renewal or suspension of this license.
4. On October 30, 2008, the City Clerk's Office provided timely notice to the Licensee, pursuant to Chapter 100 of the Milwaukee Code of Ordinances and Wis. Stat. § 349.24 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 November 17, 2008 at 9:00 a.m. in Room 301B of City Hall. At said date, time and place, the licensee appeared and admitted receipt of the notice and police report. The licensee was represented by Attorney Mark A. Schoenfeldt, 135 West Wells Street, Milwaukee, Wisconsin 53203.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:

- A. On March 24, 2003 the applicant was cited by the Milwaukee Police Department for theft of cable. He was found guilty on August 23, 2004 and fined \$175.00.
- B. On September 30, 2006 an officer observed the applicant operating a taxi at 606 North James Lovell Street. The applicant did not have his Wisconsin driver's license with him. He was issued a citation for license to be carried which was released at district on October 13, 2006.
- C. On September 7, 2007 an officer observed the applicant operating a taxi at 1121 North Water Street. The applicant did not have a daily checklist filled out for that day or any customer complaint forms accessible to the passengers. The applicant was issued a citation for daily safety checklist required and was found guilty on February 1, 2008 and fined \$105.00. The citation for complaint forms required was dismissed on February 1, 2008. Although found guilty, the licensee claimed at hearing that his trip sheets had been stolen.
- D. On January 26, 2008 an officer observed the applicant operating a taxi eastbound on West Wisconsin Avenue. The applicant was talking on a cell phone while making a left turn and he failed to yield the right-of-way to a westbound vehicle causing that vehicle to brake to avoid a collision. The applicant stated to the officer that the on-coming vehicle let him through and talking on his cell phone was not a distraction. The applicant had his public passenger vehicle license in the holder facing backwards and no complaint forms accessible to the passengers, which he was cited for. The officer advised the incomplete trip record, dirty cab interior, the driver not wearing his seatbelt and not changing his home address with the Department of Motor Vehicles. The citations issued to the applicant for public passenger vehicle license to be exhibited and failure to yield making left turn were dismissed without prejudice on March 19, 2008. The applicant was found guilty on the citation for complaint forms required and fined \$136.00 on March 19, 2008. The applicant was found guilty on the citation for inattentive driving which was amended to interfere with traffic sign/signal and fined \$96.40 on March 19, 2008. At hearing, the licensee claimed the officer allowed other drivers to make the same illegal turn, no car was coming, and that he was not in service at the time.

#### 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 Wis. Stat. § 349.24.

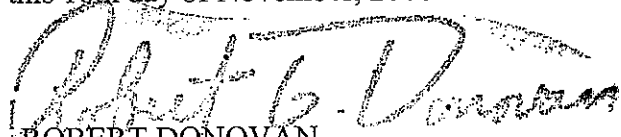
2. Based upon the above facts found, the Committee concludes that the licensee, Alpha Kromah, has not met the criteria of Chapter 100 of the Milwaukee Code of Ordinances or Wis. Stat. § 349.24 to allow renewal of his Public Passenger Vehicle Driver license without undergoing a ten (10) day suspension of said license based upon the police report. The Committee finds the police report, as stated above, to be true.
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 Alpha Kromah with a ten (10) day suspension of said license based upon the police report on file in this matter.

#### 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) excused, recommends that the Public Passenger Vehicle Driver license of Alpha Kromah be renewed with a ten (10) day suspension based upon the police report on file in this matter.

Said suspension is to be in force from date of the Common Council action on November 25, 2008 through midnight January 4, 2009.

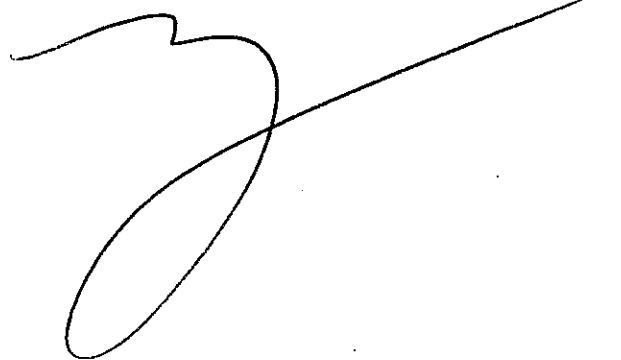
Dated and signed at Milwaukee, Wisconsin this 18th day of November, 2008.

  
ROBERT DONOVAN  
Chairman, Public Safety Committee



11/18/08 11/18/08  
RECEIVED DATE - 11/18/08  
480 CITY OF MILWAUKEE OFFICIAL  
CITY OF MILWAUKEE  
CITY MARK A SCHENFELDT

11-18-08  
325pm

X 

2722860

11-18 1140 NT  
11-18 1217NT  
11-18 230 NT  
11-18 310 NT

STATE PROCESS SERVICE, INC. 811 NORTH HAWLEY ROAD; MILWAUKEE, WI 53213 : (414) 256-7000 ICE\*\*  
ACCOUNT: 400 ATTORNEY: BRUCE SCHRIMPF/WILLIE TAYLOR FIRM: CITY OF MILWAUKEE-GENERAL  
DATE SERVED: 11/18/08 TYPE: NOTICE TICKET#: 1164119-01 BY: ROSE RATLIFF  
OPER:

----- PLAINTIFF ----- DEFENDANT ----- COURT DATE FILED  
CITY OF MILWAUKEE SIMS, JIMMIE 11/20/08

SERVED: 2:01PM  
ATTEMPTED SERVICE

BOARDED UP  
INCLUDED IN - 1164117

3247 N 29TH ST  
CITY OF MILWAUKEE WI 00000  
COUNTY OF MILWAUKEE

CASE #:

CITY OF MILWAUKEE-GENERAL  
ATTN: LINDA HARRELL  
841 N BROADWAY 7TH FLOOR  
MILWAUKEE WI 53202  
ATT: BRUCE SCHRIMPF/WILLIE TAYLOR

- DESCRIPTION -	-- CHARGES --
FEE FOR SERVICE	.00
FEE FOR MILEAGE	.00
SPECIAL FEES	.00

-----  
(PAYMENT UPON RECEIPT) TOTAL .00

# AFFIDAVIT OF ATTEMPTED SERVICE

☒ Milwaukee Co. ☐ Racine Co. ☐ Kenosha Co. ☐ Waukesha Co. ☐ Washington Co. ☐ \_\_\_\_\_ Co.

STATE OF WISCONSIN  
Milwaukee County} ss

Case No. \_\_\_\_\_

Court Date: \_\_\_\_\_

Document(s) attached: ☐ Summons & Complaint ☐ Summons ☐ Complaint ☐ Order to Show Cause ☐ Order ☐ Notice of Hearing ☐ Subpoena  
☐ Subpoena Duces Tecum ☐ Check in the Amount of \_\_\_\_\_ ☐ Order to Appear before a Court Commissioner  
☐ Temporary Restraining Order & Notice of Hearing ☐ Petition \_\_\_\_\_ for Termination of Parental Rights \_\_\_\_\_ for Protection and/or Services

Other \_\_\_\_\_

I, Rose Ratliff, being duly sworn that I am an adult resident of this State and I am not a party to the

legal action to which this affidavit is attached. I further swear that I was not able to serve the above listed documents upon the below named party after the

attempts and activities listed below:

Name: Jimmie D. Sims ☒ Defendant ☐ Named Parties

☒ Provided ☐ Located Address: 3247 N. 29th St

☒ City of Milwaukee / or: \_\_\_\_\_ State of Wisconsin.

** <u>11/18/08</u> <u>201</u> [ ] am [ ] pm <u>Board up</u>	** <u>  </u> / <u>  </u> / <u>08</u> [ ] am [ ] pm
** <u>  </u> / <u>  </u> / <u>08</u> [ ] am [ ] pm	** <u>  </u> / <u>  </u> / <u>08</u> [ ] am [ ] pm
** <u>  </u> / <u>  </u> / <u>08</u> [ ] am [ ] pm	** <u>  </u> / <u>  </u> / <u>08</u> [ ] am [ ] pm
** <u>  </u> / <u>  </u> / <u>08</u> [ ] am [ ] pm	** <u>  </u> / <u>  </u> / <u>08</u> [ ] am [ ] pm
** <u>  </u> / <u>  </u> / <u>08</u> [ ] am [ ] pm	** <u>  </u> / <u>  </u> / <u>08</u> [ ] am [ ] pm

RESULTS/NOTES RE: ATTEMPTS \_\_\_\_\_

## ADDITIONAL ACTIVITIES TO SERVE OR LOCATE:

Checked Us Post Office, Zip Code \_\_\_\_\_ Sent by \_\_\_\_\_ Date \_\_\_\_\_ Report attached ☐ Not returned ☐

Wisconsin Drivers License Record Search ☐ Yes, affidavit attached ☐ No

WI CCAP Completed by \_\_\_\_\_ ☐ no record ☐ no new information ☐ new information, report attached

Called provided / located telephone no. \_\_\_\_\_ Results: \_\_\_\_\_

Checked directories: ☐ AT & T ☐ Polk ☐ Cole Results: \_\_\_\_\_

Notes: \_\_\_\_\_

Subscribed and sworn to before me this 20

day of \_\_\_\_\_, 2008

Notary Public

My Commission expires: 11-10

© State Process Service, Inc. 2008

STATE PROCESS SERVICE, INC.

2 OF 3 AFFIDAVITS

Fee for Service: \_\_\_\_\_

Fees: Mileage \_\_\_\_\_ @ .50 /mile

Fees: Hourly \_\_\_\_\_ @ \$37.50 /hr

Special Fees: \_\_\_\_\_

TOTAL FEES: \$ INC

AGENT



www.milwaukee.gov  
November 18, 2008

Jimmie D. Sims  
3247 North 29<sup>th</sup> Street  
Milwaukee, WI 53216


Dear Mr. Sims:

You are hereby notified that the Milwaukee Common Council will hold a hearing on November 25, 2008, 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 the renewal of your public passenger vehicle driver license application.

Attached you will find a copy of the Report of the Public Safety Committee which includes its Findings of Fact, Conclusions of Law and Recommendation, recommending denial of your public passenger vehicle driver license based upon nonappearance. The recommendation is the result of a public hearing before the Committee held on November 17, 2008.

You may file a written objection to the report of the Committee. If you file a written objection to the report, you may also appear before the Milwaukee Common Council to make oral arguments supporting your written objections and present oral arguments supporting that objection to the Common Council. Any written objections to the Committee's Report must be filed with the City Clerk by 4:45 p.m. on November 20, 2008. You or a legal representative may then 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

Enclosure  
139775

AGENT FOR STATE PROCESS SERVICE, INC.  
Time of Service \_\_\_\_\_ am pm  
Date of Service \_\_\_\_\_  
Served upon: \_\_\_\_\_  
at \_\_\_\_\_

Office of the City Clerk \_\_\_\_\_ Ronald D. Leonhardt  
[ ] Personal Service [ ] Substitute personal Clerk  
[ ] Corporate Service [ ] Posting Jim Owczarski  
Deputy City Clerk

## **COMMITTEE ASSIGNMENTS**

### **CHAIR**

Public Safety Committee

### **MEMBER**

Anti-Graffiti Policy Committee  
Finance & Personnel Committee  
Steering & Rules Committee



## **ROBERT G. DONOVAN**

Alderman, 8th District

Date: November 18, 2008

To: All Members of the Milwaukee Common Council

From: The Public Safety Committee

Re: Report of the Renewal Application of Jimmie D. Sims for a Public Passenger Vehicle Driver License.

### **FINDINGS OF FACT**

1. Jimmie D. Sims (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, 2008.
2. An application to renew said license was filed with the Office of the City Clerk on October 14, 2008.
3. Pursuant to Chapter 100 of the Milwaukee Code of Ordinances and Wis. Stat. § 349.24, the matter was referred to the Milwaukee Police Department for investigation. The Milwaukee Police Department filed a police report dated October 15, 2008, that could form the basis of non-renewal or suspension of this license.
4. On October 30, 2008, the City Clerk's Office provided timely notice to the Licensee, pursuant to Chapter 100 of the Milwaukee Code of Ordinances and Wis. Stat. § 349.24 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 November 17, 2008 at 9:00 a.m. in Room 301B of City Hall. At said date, time and place, the licensee did not appear.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
  - A. Notice was sent to Jimmie D. Sims at 3247 North 29<sup>th</sup> Street, Milwaukee, Wisconsin 53216, along with a copy of the police report on October 30, 2008 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 3247 North 29<sup>th</sup> Street, Milwaukee, Wisconsin 53216 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.

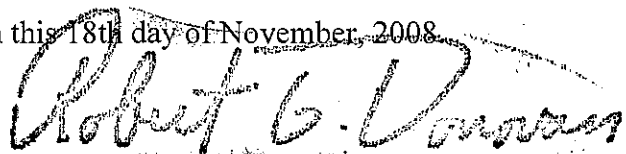
#### CONCLUSIONS OF LAW

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 Wis. Stat. § 349.24.
2. Based upon the above facts found, the Committee concludes that the licensee, Jimmie D. Sims, has not met the criteria of Chapter 100 of the Milwaukee Code of Ordinances or Wis. Stat. § 349.24 to allow renewal of his Public Passenger Vehicle Driver license based upon 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 of Jimmie D. Sims based upon nonappearance.

#### 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) excused, recommends that the Public Passenger Vehicle Driver license of Jimmie D. Sims not be renewed based upon nonappearance.

Dated and signed at Milwaukee, Wisconsin this 18th day of November, 2008.

A handwritten signature in dark ink, appearing to read "Robert G. Donovan", is written over a faint, circular official stamp.

ROBERT DONOVAN  
Chairman, Public Safety Committee



Office of the City Clerk

Ronald D. Leonhardt  
City Clerk

Jim Owczarski  
Deputy City Clerk

[www.milwaukee.gov](http://www.milwaukee.gov)

November 18, 2008

Jimmie D. Sims  
3247 North 29<sup>th</sup> Street  
Milwaukee, WI 53216

Dear Mr. Sims:

You are hereby notified that the Milwaukee Common Council will hold a hearing on November 25, 2008, 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 the renewal of your public passenger vehicle driver license application.

Attached you will find a copy of the Report of the Public Safety Committee which includes its Findings of Fact, Conclusions of Law and Recommendation, recommending denial of your public passenger vehicle driver license based upon nonappearance. The recommendation is the result of a public hearing before the Committee held on November 17, 2008.

You may file a written objection to the report of the Committee. If you file a written objection to the report, you may also appear before the Milwaukee Common Council to make oral arguments supporting your written objections and present oral arguments supporting that objection to the Common Council. Any written objections to the Committee's Report must be filed with the City Clerk by 4:45 p.m. on November 20, 2008. You or a legal representative may then 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

Enclosure  
139775

## COMMITTEE ASSIGNMENTS

**CHAIR**  
Public Safety Committee

**MEMBER**  
Anti-Graffiti Policy Committee  
Finance & Personnel Committee  
Steering & Rules Committee



**ROBERT G. DONOVAN**  
Alderman, 8th District

Date: November 18, 2008

To: All Members of the Milwaukee Common Council

From: The Public Safety Committee

Re: Report of the Renewal Application of Jimmie D. Sims for a Public Passenger Vehicle Driver License.

### FINDINGS OF FACT

1. Jimmie D. Sims (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, 2008.
2. An application to renew said license was filed with the Office of the City Clerk on October 14, 2008.
3. Pursuant to Chapter 100 of the Milwaukee Code of Ordinances and Wis. Stat. § 349.24, the matter was referred to the Milwaukee Police Department for investigation. The Milwaukee Police Department filed a police report dated October 15, 2008, that could form the basis of non-renewal or suspension of this license.
4. On October 30, 2008, the City Clerk's Office provided timely notice to the Licensee, pursuant to Chapter 100 of the Milwaukee Code of Ordinances and Wis. Stat. § 349.24 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 November 17, 2008 at 9:00 a.m. in Room 301B of City Hall. At said date, time and place, the licensee did not appear.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
  - A. Notice was sent to Jimmie D. Sims at 3247 North 29<sup>th</sup> Street, Milwaukee, Wisconsin 53216, along with a copy of the police report on October 30, 2008 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 3247 North 29<sup>th</sup> Street, Milwaukee, Wisconsin 53216 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.

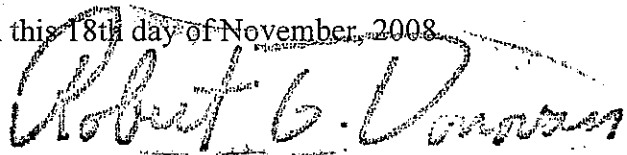
#### CONCLUSIONS OF LAW

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 Wis. Stat. § 349.24.
2. Based upon the above facts found, the Committee concludes that the licensee, Jimmie D. Sims, has not met the criteria of Chapter 100 of the Milwaukee Code of Ordinances or Wis. Stat. § 349.24 to allow renewal of his Public Passenger Vehicle Driver license based upon 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 of Jimmie D. Sims based upon nonappearance.

#### 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) excused, recommends that the Public Passenger Vehicle Driver license of Jimmie D. Sims not be renewed based upon nonappearance.

Dated and signed at Milwaukee, Wisconsin this 18<sup>th</sup> day of November, 2008



ROBERT DONOVAN  
Chairman, Public Safety Committee

1164119 11/18/08  
ETURN DATE - 11/19/08  
400 CITY OF MILWAUKEE GENERAL  
CITY OF MILWAUKEE  
SIMS JIMMIE

TICKET NO. \_\_\_\_\_ SERVER \_\_\_\_\_ ATTS: \_\_\_\_\_  
POE \_\_\_\_\_ PERS ONLY ☐ 11/18 201  
USPO \_\_\_\_\_ TEL CNK \_\_\_\_\_ SPL RUSH ☐ ☐ Board  
SERVED DATE: \_\_\_\_\_ COURT DATE \_\_\_\_\_  
TIME \_\_\_\_\_ AM \_\_\_\_\_ PM \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
TOWN/CITY \_\_\_\_\_ SERVE BY \_\_\_\_\_  
COUNTY \_\_\_\_\_ STATE \_\_\_\_\_  
WHO SERVED X \_\_\_\_\_  
TITLE-REL \_\_\_\_\_ NON FD ☐

11/18