

AGENDA  
COMMITTEE OF THE WHOLE MEETING  
CITY OF BERLIN  
TUESDAY, JULY 11, 2017, 7:00 PM  
CITY HALL COUNCIL CHAMBERS

1. Roll Call.
2. General Public Comments. Registration card required (located at podium in Council Chamber).
3. Update on 107 W. Huron Property Issues. RECOMMENDATION: Listen to staff update and action as appropriate.
4. 182 W. Noyes Raze Order. RECOMMENDATION: Review property clean-up progress and recommend to Common Council to remove the raze order on 182 W. Noyes due to property owner compliance.
5. Update on Possible Hotel Project. RECOMMENDATION: Update only.
6. Review and recommendations on Shared-Ride Taxi Related Policies as follows:
  - A. Procurement Protest Procedures Policy. RECOMMENDATION: Recommend to Common Council to approve and adopt the Procurement Protest Procedures Policy as presented and update the City of Berlin Financial Policy Bidding Procedures to reflect changes.
  - B. Safety Management Policy. RECOMMENDATION: Recommend to Common Council to approve the Safety Management Policy as presented.
  - C. Shared-Ride Taxi Service Disruptive Behavior/Direct Threat Policy. RECOMMENDATION: Recommend to Common Council to approve and adopt the Shared-Ride Taxi Service Disruptive Behavior/Direct Threat Policy and require shared-ride taxi service contractor to follow.
  - D. Shared-Ride Taxi Service Suspension Appeals Process: RECOMMENDATION: Recommend to Common Council to approve and adopt the Shared-Ride Service Suspension Appeals Process and require shared-ride taxi service contractor to follow.
7. Motion to convene into closed session pursuant to WI SS. 19.85(1)(e) for purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session (Union and non-union post-retirement health insurance benefits).

8. Reconvene into open session and take appropriate action as a result of closed session discussions.
9. Adjourn.

*In adherence to the City of Berlin Public Meeting Participation Policy, public participation will be allowed under each agenda item at the discretion of the presiding officer, with the exception of the Consent Agenda. Attendees must register their intention to participate on either a general comments section or a specific agenda item prior to the meeting by filling out a Registration Card, which can be obtained from the Internet, City Clerk's office or in the City Hall Council Chambers at the podium. Registration Cards should be turned in prior to the meeting to either the presiding officer or City Clerk.*

DATE: July 5, 2017

TO: Committee of the Whole

FROM: Lindsey Kemnitz

RE: Raze or Repair order at 182 W. Noyes Street

**BACKGROUND:**

In February a raze order was issue to 182 W. Noyes Street, shortly following that a new owner took over the property. The new owner has since fixed up the house to increase the value over 50% and to eliminate it as a nuisance property. The building inspector conducted an inspection and new windows, siding, doors, garage door, and gutters were installed. Many interior items were fixed as well.

**RECOMMENDATION:**

To remove the raze or repair order from 182 W. Noyes Street

DATE: July 6, 2017

TO: Mayor and Committee of the Whole

FROM: Jodie Olson, City Administrator

**RE: Incorporate New Policies for Shared-Ride Taxi Program**

BACKGROUND: As per the attached letter from the WisDOT relative to our Shared-Ride Taxi Program, the DOT is enhancing their overview and expectations in monitoring taxi grant programs. As a subrecipient of federal and state grant funding to run the shared-ride taxi service, we had our review on May 16. After that meeting, the WisDOT provided a list of corrections and/or additional requirements that we are to be working on. The majority of those requirements have been addressed already.

The WisDOT indicated that there were five(5) policies that the grant recipient, City of Berlin, needed to develop and follow and/or require the contractor, Classic Cab, to follow. The WisDOT provided pre-approved samples and templates for us to follow, and we relied on those heavily in developing the policies. They are as follows:

1. **PROCUREMENT PROTEST PROCEDURES:** Although we have a Procurement Policy in our Financial Policy, the WisDOT requires we also include a process for protest. The attached policy has been reviewed by Matt as well, considering it will need to be added to the City of Berlin Financial Policy. This also includes adding Sec. III, Item F regarding following WisDOT procurement procedures to the Financial Policy.
2. **SAFETY MANAGEMENT POLICY:** Although we address safety and security in the employee handbook, the WisDOT requires that subrecipients prepare a safety and security policy that is consistent with a WisDOT provided template and then require the contractor to abide by the policy.
3. **DISRUPTIVE BEHAVIOR/DIRECT THREAT POLICY:** The WisDOT requires that subrecipients prepare a policy for dealing with passengers who engage in violent, seriously disruptive, or illegal conduct and require the contractor to abide by the policy.
4. **SUSPENSION APPEALS PROCESS:** The WisDOT requires that subrecipients prepare a policy that addresses service suspension criteria and an appeals process for service suspensions.

The 5<sup>th</sup> policy is a Vehicle Maintenance Policy, which we are still working on personalizing the template provided. This will be brought forth soon at a future meeting.

**RECOMMENDATION:** Recommend to Common Council approval and adoption of the above policies.



Division of Transportation Investment Management  
Bureau of Transit, Local Roads, Railroad & Harbors  
PO Box 7913  
Madison, WI 53707-7913

Scott Walker, Governor  
Mark Gottlieb, P.E., Secretary  
Internet: [www.dot.wisconsin.gov](http://www.dot.wisconsin.gov)

Telephone: (608) 267-7350  
Facsimile (FAX): (608) 266-0658

**SENT ELECTRONICALLY**

02/20/2017

Sandra Peschke, Deputy Clerk- Treasurer  
City of Berlin  
108 N Capron St  
Berlin WI 54923

Dear Sandra Peschke

In response to Federal Transit Administration (FTA) expectations, the Wisconsin Department of Transportation (WisDOT) has developed new procedures for the administration and management of Federal grant programs, including oversight and on-site compliance reviews of its subrecipients. WisDOT has previously provided oversight and technical assistance during annual budget reviews, but has decided to conduct separate reviews for two reasons:

1. WisDOT is making the annual application and budget review process more focused and efficient (including the possibility of doing more desk reviews versus site visits); and
2. To meet FTA expectations for subrecipient oversight and technical assistance through a separate, less frequent, but more thorough site visit than when included in annual budget reviews.

WisDOT views these on-site compliance reviews as an opportunity to provide one-on-one technical assistance, specifically tailored to the needs of each transit system, with the goal of reaching compliance in all federal oversight areas.

Typical reviews will take up to eight (8) hours and may be scheduled over two days, however can vary depending on the size and complexity of the system. Compliance reviews of subrecipients will be conducted in concurrence with the Site Review Reference Guide which will be available prior to the review. WisDOT is flexible and able to accommodate scheduling needs requested by the subrecipient. The Site Review Reference Guide outlines eight (8) review categories, including:

- |                         |                             |
|-------------------------|-----------------------------|
| 1. Program Management   | 5. Service and Operations   |
| 2. Financial Management | 6. Charter and School Bus   |
| 3. Procurement          | 7. Civil Rights             |
| 4. Asset Management     | 8. Miscellaneous Provisions |

WisDOT would like to schedule a Compliance Site Review May 16, 2017. . Please contact me by March 7, 2017 at [judy.egnor@dot.wi.gov](mailto:judy.egnor@dot.wi.gov) or (608) 266 – 8968 to confirm your Compliance Site Review and discuss the review process in more detail.

I look forward to speaking with you and developing a draft schedule for the Compliance Site Review.

Sincerely,

Judy Egnor  
Compliance and Safety Oversight Manager  
Bureau of Transit, Local Roads, Rails and Harbors  
Division of Transportation Investment Management  
Wisconsin Department of Transportation  
[judy.egnor@dot.wi.gov](mailto:judy.egnor@dot.wi.gov)  
608-266-8968

### III. BIDDING Procedures

- F. 5311 Procurement Procedures.** The City of Berlin will adhere to all Wisconsin DOT Transit procurement procedures when 5311 Federal Grant monies are used, WisDOT Procurement Manual as attached.

#### **CITY OF BERLIN PROCUREMENT PROTEST PROCEDURES**

The City of Berlin has developed the following procedures to handle and resolve protests relating to the procurement process:

##### **A. Notification**

- Any party registering a bid award protest, must do so in writing within 10 days from the date of the issuance of the bid award. Upon receiving a written bid protest, City of Berlin will provide the protester with a copy of the City of Berlin protest procedures and a protest form, via e-mail or by fax within 15 days of the complainant's filing. No verbal protest or complaints will be addressed.
- Protests must be in written form and addressed to the City of Berlin City Clerk, 108 N. Capron Street, Berlin, WI 54923. The written protest should contain the following information:
  - Name and title of Protestor
  - Name and address of business
  - Phone number, e-mail address, fax number
  - Nature and extent of the protest
  - Documentation of claims
  - Action requested

##### **B. Response**

- The City Clerk or his/her designee will review and respond to the protestor in writing within 15 working days. Depending on the nature of the protest, the City Clerk, in his/her written response to the protestor, shall either respond to each substantive issue raised in the written protest, or shall indicate that the protest will be referred directly to the Common Council. The final step in the local protest procedure process rests with the Common Council. If the protestor is not satisfied with the response made by the City Clerk, the protestor may request a review by the Common Council via certified mail addressed to the Common Council and copy sent to the City Clerk, no more than 5 days after the City Clerk's written decision. Such request shall be accompanied by the following information:
  - Original complaint form
  - City Clerk's written response
  - All documentation and a written description of all pertinent facts relating to the dispute
- If the Common Council chooses to review the protest, the Council may request additional information from the protestor, which the protestor shall also provide. The City Clerk shall also issue a recommendation to the Common Council if such

recommendation is not already clearly provided in the City Clerk's written response issued to the protestor.

- The Common Council at its discretion has the right to review the request, or by inaction let the City Clerk's decision stand. If there is no response from the Common Council within 45 business days the City Clerk's decision is affirmed.
- After reviewing the written protest information, the Common Council will make a decision. If the Common Council so chooses, it may prior to its final decision, invite the protestor to provide testimony and answer questions about the protest at a meeting scheduled by the Common Council. However, the Common Council at its sole discretion may choose to render its decision without consulting the protestor based solely on the evidence and information before it.
- After the conclusion of the Common Council's deliberations and decision, the City Clerk shall provide the Common Council's record of decision to the complainant within 10 business days.
- All decisions rendered by the Common Council are final, and shall represent the completion of the local portion of the protest procedure process.
- The protestor shall have the option to request reconsideration by the Common Council only if data becomes available that was not previously known, or there has been an error of law or regulation.
- The Federal Transit Administration will only entertain a protest that alleges that the City of Berlin has failed to follow its protest procedures. Any protest to the FTA must be filed in accordance with the FTA Guidance Circular 4220.1F or the most recently revised circular.

## **FIXED ASSET CAPITALIZATION POLICY**

This policy establishes the minimum cost value (capitalization amount) that shall be used to determine the capital assets, including infrastructure assets, to be recorded in the City's annual financial statements for compliance with current GASB requirements and GAAP (generally accepted accounting principles). This policy also addresses recording and depreciating fixed assets.

### **Capital Asset Definition**

Capital assets are defined as tangible and intangible assets that have initial useful lives that extend beyond one year.

### **Capitalization Method**

All capital assets will be recorded at historical cost as of acquire or construction date. If historical cost information is not available, assets will be recorded at estimated historical cost by calculating current replacement cost and deflating the cost using the appropriate price-level index.

### **Fixed Asset Grouping**

Effective Date:	8/1/17
Updated:	

## **CITY OF BERLIN**

### **SAFETY MANAGEMENT POLICY**

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**MAP-21 and Safety Management Systems (SMS):** Moving Ahead for Progress in the 21<sup>st</sup> Century (MAP-21) granted the Federal Transit Administration (FTA) the authority to establish and enforce a comprehensive framework to oversee the safety of public transportation throughout the United States. MAP-21 expanded the regulatory authority of FTA to oversee safety, providing an opportunity for FTA to assist transit agencies in moving towards a more holistic, performance-based approach in Safety Management Systems (SMS).

To ensure transit safety and in order to comply with Federal Transit Administration (FTA) requirements, **CITY OF BERLIN** has developed and adopted this Safety Management Policy to address FTA regulations established by Section 5329(d) of the Moving Ahead for Progress in the 21<sup>st</sup> Century (MAP-21) Act signed into law by President Barack Obama on July 6, 2012.

**CITY OF BERLIN** is committed to Safety Management Systems (SMS) as a systematic and comprehensive approach to identifying safety hazards and risks associated with transit system operations and related maintenance activities. **CITY OF BERLIN** has adopted a Safety Management Systems (SMS) framework as an explicit element of the agency's responsibility by establishing a safety policy; identifying hazards and controlling risks; goal setting, planning and measuring performance. Furthermore, **CITY OF BERLIN** has adopted SMS as means by which to foster agency-wide support for transit safety by establishing a culture where management is held accountable for safety and everyone in the organization takes an active role in securing transit safety.

#### ***Safety Beliefs***

1. Safety is a core business value;
2. Safety excellence is a key component of our mission;
3. Safety is a source of our competitive advantage; our business will be strengthened by making safety excellence an integral part of all our public transportation activities; and
4. Accidents and serious incidents are preventable and do not occur out of the blue; they are preceded by precursors (events, behaviors, and conditions) that can be identified, assessed and mitigated through physical, administrative and behavioral defense strategies.

## ***Safety Culture***

**CITY OF BERLIN** believes safety promotion is critical to the success of SMS by ensuring that the entire organization fully understands and trusts the SMS policies, procedures, and structure. It involves establishing a culture that recognizes safety as a core value, training employees in safety principles, and allowing open communications of safety issues.

Positive safety culture must be generated from the top-down. The actions, attitudes, and decisions at the policy-making level must demonstrate a genuine commitment to safety. Safety must be recognized as the responsibility of each employee with the ultimate responsibility for safety resting with the Mayor and Common Council of the **CITY OF BERLIN**. Employees must trust that they will have management support for decisions made in the interest of safety while recognizing that intentional breaches of safety will not be tolerated.

## ***Safety Reporting***

**CITY OF BERLIN** is committed to the safest transit operating standards possible. To achieve this, it is imperative that the **CITY OF BERLIN** have uninhibited reporting of all incidents and occurrences which may compromise the safe conduct of our operations. To this end, every employee and contract service provider is responsible for the communication of any information that may affect the integrity of transit safety. Such communication must be completely free of any form of reprisal.

X

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Richard Schramer  
Mayor

X

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Jodie Olson  
City Administrator

Effective Date:	8/1/17
Updated:	

**CITY OF BERLIN**  
**SHARED-RIDE TAXI SERVICE**  
**DISRUPTIVE BEHAVIOR/DIRECT THREAT POLICY**

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This policy provides for an administrative process for sanctioning ADA and Shared-Ride Program Riders who engage in violent, seriously disruptive or illegal conduct while using **SHARED-RIDE TAXI SERVICE**, and/or who pose a significant risk to others. According to the Code of Federal Regulations (CFR):

- ❖ **49 CFR § 37.5 – Appendix D:** If a person is violent, seriously disruptive, or engaging in illegal conduct...the provider may, consistent with established procedures for all riders, refuse to carry the passenger.
- ❖ **29 CFR § 36.208:** ...a person who poses a significant risk to others may be excluded [from service] if reasonable modifications to the public accommodation’s policies, practices, or procedures will not eliminate that risk.

**1. DEFINITIONS**

The following definitions are applicable throughout this document:

**Contractor** relates to the service provider that is contracted to carry out the Shared-Ride Taxi Service for the City of Berlin.

**Contractor Manager** relates to the Chief Officer or Manager of the Contracted service.

**Prohibited Conduct** includes:

- Destruction of public property (vehicle, and/or its furnishings; Shared-Ride Taxi Service facilities)
- Performing violent acts to others or oneself
- Behavior that is seriously unruly, disruptive, threatening, or frightening to others
- Behavior that interferes with the safe operation of the vehicle
- Violating Shared-Ride Taxi Service animal policy by failing to control one’s service animal
- Violating Shared-Ride Taxi Service operating rules governing the provision of transportation system-wide
- Engaging in illegal conduct
- Other conduct judged by Shared-Ride Taxi Service Contractor to represent an actual or potential threat to the health, safety or wellbeing of oneself, the operator, other passengers, and/or Shared-Ride Taxi Service personnel

**Provider** relates to the City of Berlin as provider and grant recipient of Shared-Ride Taxi Service.

## 2. DEFINED RESPONSIBILITIES

- A. Decisions about refusing service to shared-ride program Riders are left to the Contractor's discretion. Shared-ride program regulations contain no prohibition against requiring Riders to be accompanied by an attendant. This policy applies to both ADA and shared-ride program Riders.
- B. Only the Contractor has the right to suspend service or impose sanctions on Riders. Contractor is required to protect their own and Authority vehicles and property, document all incidents, and report these promptly to the Provider.
- C. Contractor is responsible for recording all incidents in Riders' files.
- D. Provider and Contractor must be mindful of the critical importance of maintaining confidentiality concerning information about Riders' identity, personal circumstances, disability status, etc.

## 3. LEVELS OF OFFENSES

- A. **Level One Offenses:** This category principally includes conduct that interferes with the safe operation of a vehicle or conduct offenses that do not threaten others.
  - Fare evasion or fare non-payment related incident
  - Use of alcohol or other illicit substance
  - Equipment tampering
  - Actions which impede or deny other Rider's access to service
  - Threatening/abusive telephone calls; intentionally tying up telephone lines
  - Interfering with the safe operation of the vehicle. Examples include, but are not limited to:
    - Disruptive behavior (ex. yelling, throwing items, banging on windows, etc.)
    - Removing seat belt; leaving seat
    - Loud, abusive language; loud music
    - Littering, creating an unsanitary environmental condition
    - Smoking, having an open flame
    - Failure to follow direction of Driver
    - Exhibiting inappropriate personal hygiene, i.e. an individual whose bodily hygiene is so offensive as to constitute a nuisance to other Riders
    - Other unsafe conduct as determined by the Contractor
- B. **Level Two Offenses:** This category principally includes circumstances representing direct threat and may result in refusal of further paratransit service. Conduct that threatens the safety or wellbeing of others includes but is not limited to:
  - Assault of driver or other passenger(s)
  - Physical aggression or intimidation
  - Verbal or Sexual harassment
  - Serious health-related conditions or conduct impacting public health. Examples include, *but are not limited to:* bed bugs, TB or other contagious conditions, spitting, urinating/defecating, discharge of bodily fluids, open wounds
  - Failure to maintain control of a service animal
  - Vandalism/Destruction or damage to property

- Unauthorized operation (or attempt to operate) a City of Berlin Shared-Ride Taxi vehicle
- Serious infractions of Shared-Ride Taxi Service operating rules
- Any criminal conduct

#### 4. PENALTIES FOR OFFENSES

##### A. Level ONE Offenses:

- 1<sup>st</sup> offense: Contractor issues warning notification letter notifying Rider of incident and advising of Shared-Ride Taxi Service Policy and informing that if another incident occurs, sanctions will be imposed as follows:
- 2<sup>nd</sup> offense (within 2 yrs): 14 day Suspension (subject to appeal)
- 3<sup>rd</sup> offense (within 2 yrs): 30 day Suspension (subject to appeal)
- Subsequent offenses (within 2 yrs): 90 day Suspension (subject to appeal); further suspensions up to and permanent revocation of riding privileges will be determined at the exclusive discretion of Contract Manager or designee.

##### B. Level TWO Offenses: Immediate suspension pending outcome of investigation; offenders may be subject to additional suspension up to and including permanent suspension and possible criminal prosecution.

- 1<sup>st</sup> offense: 30 day Suspension (subject to appeal)
- 2<sup>nd</sup> offense (within 5 yrs): 90 day Suspension (subject to appeal)
- Subsequent offenses (within 5 yrs): Further suspensions up to and including permanent revocation of riding privileges will be determined at the exclusive discretion of Contract Manager or designee.
- Cases of infectious disease or other health related conduct will result in suspension until documentation attests that contagion is no longer a risk.

#### 5. SUSPENSION PROCEDURES

##### A. Level One Offenses:

1. Riders will be given a first warning by the Driver not to engage in the conduct.
2. If Rider fails to comply, Driver must report incident to Supervisor and must document incident.
3. If necessary, the Driver may contact Supervisor to be called to the scene.
4. Supervisor informs Rider of infraction and notifies if future trips are being suspended.
5. Supervisor records incident in Rider's file; issues letter informing Rider of violation and penalty (if any).

##### B. Level Two Offenses:

1. Driver must report incident to Supervisor.
2. Driver is authorized to request police assistance if necessary.

3. Contract Manager must report incident to City of Berlin immediately.
4. Contract Manager must document incident.
5. Contract Manager informs Rider of infraction and notifies if future trips are being suspended.
6. Contract Manager records incident in Rider's file, issues letter informing Rider of violation and penalty (if any).

**Any notice to Rider must identify the basis for the proposed action with specifics and describe the proposed sanction. It must notify the Rider of his/her right to appeal and how to file an appeal.**

## **6. CONTINGENCY TO REFUSAL OF SERVICE**

**49 CFR § 37.5 – Appendix D:** A requirement for an attendant is inconsistent with the general nondiscrimination principle that prohibits policies that unnecessarily impose requirements on individuals with disabilities that are not imposed on others.... If an entity may legitimately refuse service to someone, it may condition service to him on actions that would mitigate the problem.

- A. In the case of subsequent and repeated offenses, Contractor may offer continued service provided the individual be accompanied by a Personal Care Attendant. This offer is a contingency to lengthy suspension or refusal of service if such a remedy will mitigate future conduct violations.
  - Contingency to be offered in letter informing Rider of penalty
  - Contingency may not be offered if presence of an attendant cannot reasonably eliminate risk of recurrence.
- B. If it has been determined that a Rider may be refused transportation and Rider has accepted and agreed to service contingent upon conditions set by Contractor, Contractor will not transport Rider when they are not accompanied by an attendant.
- C. Offer of contingency and conditions of service provision may be reviewed when Contractor receives adequate documentation that effective steps have been taken to mitigate further conduct violations.
  - Contractor will permit Rider to resume travel without Personal Care Attendant upon receipt of satisfactory proof of action taken and sustained efficacy of action.
  - Further conduct incidents will result in refusal of service
- D. In the case of a customer with an aggressive, threatening, or disruptive Personal Care Attendant or companion, USDOT regulations permit the following:
  - Denial of transportation to offending party should they seek to accompany eligible Rider on a vehicle as a companion or PCA.
  - Eligible Rider must be given advanced written notice indicating party is not permitted to accompany them on vehicles due to the specified actions by him/her.
  - Contractor, Provider, or both may seek to prosecute the offending party.

Effective Date:	8/1/17
Updated:	

**CITY OF BERLIN  
SHARED-RIDE TAXI SERVICE  
SUSPENSION APPEALS PROCESS**

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**“You Have the Right to Appeal”**

Existing Shared-Ride Taxi Customers have the right to an administrative appeal if they do not agree with an eligibility determination or a decision to suspend service for No Shows/Late Cancellations or Disruptive Conduct. **You must submit the attached written *Notice of Appeal* form if you wish to file an appeal.** All appeals are reviewed by the City of Berlin Common Council.

**No Show Appeals:** If you are appealing a service suspension for violation of the Shared-Ride Taxi Service No Show/Late Cancellation Policy, service will be provided until an appeal hearing is concluded and a decision rendered.

**Disruptive Conduct Appeals:** If you are appealing a service suspension for violent, seriously disruptive or illegal behavior, service will **NOT** be provided during the appeal process.

**APPEALS PROCESS**

The City of Berlin has developed the following procedures to handle and resolve appeals relating to Shared-Ride Taxi Suspensions:

**Notification:** Any party appealing a Rider Suspension must do so in writing within 30 days from the date of the issuance of the written notification of suspension. Written *Notice of Appeal Form* must be submitted unless a person is unable to write. Individuals unable to write may contact the City Clerk immediately upon receipt of their eligibility determination letter or suspension notice.

**Response:** The written *Notice of Appeal* submission will be reviewed by the City Clerk, who will request a written submission relating to the suspension from the Shared-Ride Taxi Service provider. Common Council will meet within 45 days of the receipt of the *Notice of Appeal* submission to determine if the Appeal will be reviewed. The Council may request additional information from the appealing party, which the appealing party shall also provide.

After reviewing the written appeal information, the Common Council will make a decision. If the Common Council so chooses, it may prior to its final decision, invite the appealing party to provide testimony and answer questions about the suspension at a meeting scheduled by the Common Council. However, the Common Council at its sole discretion may choose to render its decision without consulting the appealing party based solely on the evidence and information before it.

After the conclusion of the Common Council's deliberations and decision, the City Clerk shall provide the Common Council's record of decision to the complainant within 10 business days. **All decisions rendered by the Common Council are final.**

The appealing party shall have the option to request reconsideration by the Common Council only if data becomes available that was not previously known, or there has been an error of law or regulation.

If you have any questions related to your right to appeal, please contact the Shared-Ride Taxi Service Manager:

**CURRENT SHARED-RIDE TAX SERVICE PROVIDER:**

**CLASSIC CAB**

**Manager: Julie Boeck**

**745 Broadway Street**

**Berlin, WI 54923**

**Fax: (920) 361-3616**

**CITY OF BERLIN  
SHARED-RIDE TAXI SERVICE  
NOTICE OF APPEAL**

If you wish to appeal your service suspension, please complete this form and return it within **30** days of your notification of suspension. *Notice of Appeal* forms must be accompanied with accurate and adequate documentation for the Common Council to base a decision on. If inadequate or misleading information is provided, the Common Council may choose not to review the Appeal or, in certain circumstances, may request further information or a verbal presentation by the party appealing.

<b>Name:</b>		<b>Phone #:</b>	
<b>Address:</b>		<b>City:</b> <b>State:</b> <b>Zip:</b>	

Please check one of the following:

	<b>I wish to appeal a "No Show" Suspension.</b>
	<b>I wish to appeal a 2<sup>nd</sup> Offense "Level One" suspension.</b>
	<b>I wish to appeal a 3<sup>rd</sup> Offense "Level One" suspension.</b>
	<b>I wish to appeal a 1<sup>st</sup> Offense "Level Two" suspension.</b>
	<b>I wish to appeal a 2<sup>nd</sup> Offense "Level Two" suspension.</b>

**Explain why you are appealing.** *On the back of this form, explain why you are appealing your shared-ride taxi service suspension. Attach additional pages of supporting documentation, if needed. You must state specifically the circumstances surrounding your suspension and why you disagree with the suspension. Documentation will also be requested and submitted from the Shared-Ride Taxi Contractor regarding the incident and considered by the Common Council in rendering any decision on your suspension appeal.*

**SHARED-RIDE TAXI NOTICE OF APPEAL STATEMENT**

By signing below, I understand the final decision on my appeal will be based solely on written materials submitted by myself and those of the Shared-Ride Taxi Service Contractor. All information I provide with this appeal submission is accurate and true to the best of my knowledge.

**Signature/Date:** (This form will be returned if unsigned)

**Name:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Signature:** \_\_\_\_\_

Return this form and include any supporting documentation to the City of Berlin as follows:

**CITY OF BERLIN-APPEALS**  
**108 N. Capron Street**  
**PO Box 272**  
**Berlin, WI 54923**  
**Fax: (920) 361-5400**

