



TO: Mayor Shaun Sipma
Members of the City Council

FROM: Chief John Klug

DATE: June 25, 2020

SUBJECT: PUBLIC HEARING FOR TAXI LICENSE DENIAL – DOUGLAS MISCHKE

I. RECOMMENDED ACTION

Recommend the City Council ratify the decision to deny a City of Minot Taxi Driver’s License to Douglas Mischke based on his disqualifying driving record.

II. DEPARTMENT CONTACT PERSONS

John Klug, Chief of Police 857-9800

III. DESCRIPTION

A. Background

On May 28, 2020, Douglas Mischke filed an application for a City of Minot Taxi Driver’s License. A background check was conducted with revealed that Mr. Mischke had several convictions for offenses while operating a vehicle.

- Reckless Driving 2/4/2012 (convicted 5/7/2012)
- Driving Under the Influence 9/2/2012 (convicted 1/18/2013)
- Duty Upon Striking Unattended Vehicle 9/24/2015 (convicted 3/11/2016)
- Reckless Driving 9/24/2015 (convicted 3/23/2016)
- 14 other traffic citations in past 10 years
- 2 other criminal violation in past 10 years

Sec. 30-53. - Obtaining a license.

(a)Each applicant for a license required by this division shall:

- (1) Possess a valid and current North Dakota driver's license;
- (2) Fill out an application form to be provided by the chief of police and filed with the city as a permanent record; and
- (3) Undergo a background examination.

(b)An applicant shall be denied a license if the background examination reveals:

- (1) That the applicant would present a threat to the health, morals, or welfare of the community;
- (2) Evidence of sex offenses within the last ten (10) years, or the requirement under the North Dakota law to register as a sex offender;
- (3) Evidence of violent criminal activity within the last ten (10) years;
- (4) Evidence of criminal activity involving the use of a motor vehicle within the last ten (10) years;

- (5) Evidence of criminal activity marked by fraudulent or deceitful behavior within the last ten (10) years; or
- (6) Prior revocation of a license issued under this division;
- (7) Any other just cause for denying the application.

B. Decision

The decision to deny Douglas Mischke a license is based on the assessment that his convictions for Reckless Driving, DUI, and Duty Upon Striking an Unattended Vehicle is cause to deny him a license under 30-53 (b) (4).

IV. IMPACT:

- A. N/A

VI. ALTERNATIVES

Alt 1. The Council could grant the taxi license.

VII. TIME CONSTRAINTS

Ordinance 30-58 gives Mr. Mischke a right to have a hearing appealing this matter to the City Council within 30 days of the decision to deny his license application. A letter stating the reason for denial of his application was mailed to Mr. Mischke on June 25, 2020 and it included a time and date of a public hearing on this matter of July 6, 2020 at 5:30 PM in the City Council chambers.

VIII. LIST OF ATTACHMENTS

- A. Douglas Mischke – Taxi License Application
- B. Letter of intent to deny and notification of public hearing