

March 14, 2011

Date

**PUBLIC HEARING ON TAXICAB
LICENSE APPLICATION OF HAROLD DOLAND**

WHEREAS, Harold Doland, 1344 East 37th Street, filed an application for a license to drive a taxicab in the City of Des Moines and the Department of Traffic and Transportation rejected said application; and

WHEREAS, Mr. Doland requested an opportunity to address the City Council on the matter of his application; and

WHEREAS, Mr. Doland has been provided with the opportunity to address the City Council on the matter of his application for a license to drive a taxicab; and

WHEREAS, Harold Doland's conviction for Theft 5th was the basis for his denial under Des Moines Municipal Code §126-218(a)(2)(iii) & (b)(2) regarding qualifications for taxicab license issuance; NOW, THEREFORE,

BE IT RESOLVED (Choose one of the two alternatives):

_____ Alternative One: That Mr. Harold Doland's application for license to drive a taxicab in the City of Des Moines be and is hereby denied.

MOVED BY _____ TO DENY LICENSE.

_____ Alternative Two: That Mr. Harold Doland's application for license to drive a taxicab in the City of Des Moines be and is hereby granted.

MOVED BY _____ TO GRANT LICENSE.

FORM APPROVED:

K. Massier

Katharine Massier
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
TOTAL				

MOTION CARRIED

APPROVED

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

Mayor

City Clerk

February 28, 2011



Harold Doland, Jr.
1344 E. 37th Street
Des Moines, IA 50317

Re: Taxicab License Appeal

Dear Mr. Doland:

The purpose of this letter is to acknowledge receipt of timely appeal of the decision to deny issuance of a taxicab license, as presented to you in a February 10, 2011 letter from the City Traffic Engineer.

Accordingly, I have set this matter for hearing on **March 14, 2011** at 5:00 p.m. in the City Council Chambers, City Hall, 400 Robert D. Ray Drive. A copy of the portion of the City Code pertaining to the appeal process is enclosed for your information. **Failure to appear at the scheduled hearing will be deemed as a waiver of your rights to a hearing.**

Please call if you have questions or concerns in this regard.

Sincerely,

Diane Rauh
City Clerk

DR:kh
Enc.

cc: Jeb Brewer – Engineering
K. Massier – Legal
M. West – Police
G. Fox – T & T

32

Herzberg, Karen M.

From: Gracey, Judy A.
Sent: Monday, February 28, 2011 1:37 PM
To: Rauh, Diane I.
Cc: Herzberg, Karen M.
Subject: RE: Signed request to appear before council - Taxi - Harold Doland

I would say yes, it was filed timely if the mail delivery to our office counts.

We state in the letter that they have 10 days from the date of receipt.

Just let me know if I can help any further. Sure was good to see everyone Friday!

Judy

From: Rauh, Diane I.
Sent: Monday, February 28, 2011 1:12 PM
To: Gracey, Judy A.
Cc: Herzberg, Karen M.
Subject: RE: Signed request to appear before council - Taxi - Harold Doland

Was this appeal timely filed then? I'm not sure of the date requirements.

Diane Rauh
City Clerk
City of Des Moines
515-283-4209
515-237-1645 (fax)
dirauh@dmgov.org

From: Gracey, Judy A.
Sent: Monday, February 28, 2011 12:11 PM
To: Rauh, Diane I.; Herzberg, Karen M.
Subject: Signed request to appear before council - Taxi - Harold Doland

Diane and Karen -

This was delivered to our office via USPS and received this afternoon.
I am forwarding the original via interoffice mail to your office.

FYI - We received the return receipt requested green card back and it was date stamped 2-19-11.

Judy

Diane Rauh
City Clerk
City Hall
400 Robert D. Ray Drive
Des Moines, IA 50309

I request a hearing before the City Council to appeal the decision of the City Traffic Engineer to deny my Taxicab License application, as outlined in Section 126-218 of the Municipal Code. I understand I must provide a letter from the Taxicab Company stating that they will allow me to drive for them and will provide dispatch service to me.

Name Harold Daland Jr
Address 1344 E 37th ST
Phone 515-447-7964
Date 2-21-11

Harold Daland Jr
Signature



February 10, 2011

Mr. Harold Doland
1344 East 37th Street
Des Moines, IA 50317-6758

RE: Taxi Driver's License

Dear Mr. Doland:

Please be advised that based upon a recommendation of the Des Moines Police Department, I have denied your application for a Taxi Driver's License. This denial is based on your criminal and driving records, which do not meet the requirements for obtaining a Taxi Driver's License.

According to the Police Department records, the following activity occurred:

Criminal Record:

9/18/2006 Arrested for Failure to Appear warrant for Theft 5th

Driving Record:

5/30/2006 Driver's License barred for Habitual Offender

These records do not meet the requirements for good moral character as required by the City of Des Moines Municipal Code. Therefore, your application for a Taxi Driver's License is denied under Municipal Code Section 126-218 (a-2, iii) (b-2). A copy of the code section is enclosed for your information.

If you desire to appeal this matter, you may request a hearing before the Des Moines City Council by filing a written appeal with the City Clerk within ten (10) days of receiving this letter. If you do appeal this matter, your background information will be provided to the City Council and you must appear at the designated hearing for your appeal to be considered. You must also provide a letter from the Taxi Company that they will allow you to drive for them.

Sincerely,

Gary L. Fox
Gary L. Fox
City Traffic Engineer

GLF/jag
Enclosure

cc: Jeb Brewer, City Engineer
Katharine Massier, Legal Dept.
Michael West, Police Dept.
Diane Rauh, City Clerk ✓

**City of Des Moines, Iowa
Office of
Des Moines Police Department
Community Outreach and Protective Services Section
Traffic Unit**

To: Gary Fox
Traffic and Transportation

Date: 07February2011

From: Michael West
Senior Police Officer
Traffic Unit

Subject: Taxicab License
Harold Doland

The applicant currently has an Iowa Class "D" driver's license, which does meet the requirements to operate a taxicab. A review of Mr. Doland's driving record and Iowa/Local criminal history reflects that with-in five (5) years preceding this application the following activity occurred.

05/30/2006 Driver's License Barred Habitual Offender

09/18/2006 Arrested FTA warrant for Theft 5th

Mr. Doland's Iowa Class "D" driver's license will also expire on 02/25/2011.

This application is being denied under city of Des Moines Ordinance 126-218 (a-2, iii) and 126-218 (a-1,i).



Michael West 4810

2-4-11



CITY OF DES MOINES
APPLICATION FOR LICENSE TO DRIVE A TAXICAB/LIMO/SINE

Name Doland (Last) Harold (First) HSred (Middle)

Address 1344 E. 37th St
Dsm, IA 50317 (City, State & Zip Code) 515-402-7278 (Phone Number)

Birth Date: 3/12/73 DL # SS# Class: D Exp. Date: 3/12/2014

Weight: 185 Height: 5'9 Color of Hair: Brown Color of Eyes: green

Have you ever been licensed as a City of Des Moines Taxi/Limo Driver? NO When?

Years of experience driving an automobile. 22 years Taxi/Limo:

Have you ever had your driver's license suspended/revoked? yes If so, when? 08-09

Give reason(s) for suspension/revocation. non-payment of fines

List all convictions for traffic violations for which your license was suspended/revoked during the last five (5) years.

Habitual offender - non-payment of fines

List all convictions for criminal offenses other than traffic offenses during the last ten (10) years.

Threat 5th degree

EMPLOYMENT RECORD:

From		To	Employer's Name and Address	EDUCATION RECORD	
3/08	present		Pearson's Landscaping + GRADING	School	Circ High Gra Compl
				Roosevelt	
				Elementary	1 2 3
				Hanawalt	5 6 7
				High School	9 10 11
				Roosevelt	
				College	1 2 3 4
				Trade School	1 2 3
				Other	

HEALTH RECORD:

List any physical impairments or disability that would affect your ability to drive. none

List any current medications or medical conditions for the past five (5) years which might affect your ability to drive: none

City of Des Moines
Traffic and Transportation

APPLICATION FOR LICENSE TO DRIVE A TAXICAB/LIMOUSINE IN THE CITY OF DES MOINES

REFERENCES (persons known by you for at least one year):

- 1. Name Frank Goff Phone No. 265-0082
Address SW 14th DSM IA
- 2. Name Paul Pearson Phone No. 202-2728
Address NE 51st CT DSM IA
- 3. Name Steve Pearson Phone No. 202-2727
Address NE 54th

I hereby agree that if a license to drive a Taxicab/Limousine is issued to me that I will conform with all ordinances, rules and regulations governing Taxicab/Limousines and their drivers of the City of Des Moines.

I hereby swear that I am the individual making the foregoing application for a Taxicab/Limousine License and that the answers to the foregoing questions and other statements contained herein are true to the best of my knowledge and belief.

1/26/11
(Date) Harold H. DeKard
(Applicant's Signature)

Having been duly designated by the Chief of Police of the City of Des Moines for the purpose, I hereby certify that I have examined the applicant's arrest and traffic records. After careful examination, I hereby recommend that the applicant's request for a license to drive a Taxicab/Limousine be:

APPROVED REJECTED 2/7/11 M/W-4810
(Date) (Authorized)
Representative, Chief of Police

Receipt Number: _____
Date _____
Amount: _____
Badge Number: _____
Company: _____
Owner: _____

REJECTED
Application for License APPROVED

2/10/11
(Date) Gary L. Fox
(City Traffic Engineer)



Iowa Department of Transportation

Office of Driver Services
PO Box 9204, Des Moines, IA 50306-9204

(Toll Free) 800-532-1121
515-244-9124
FAX: 515-239-1837

Certified Abstract of Driving Record

Inquiry Date:	1/26/2011	DL/ID #:	(IA)	Customer #:	359057
Name:	Doland, Harold Alfred Jr	Class:	D	ID Status:	VAL
Address:	1344 E 37TH ST	Audit #:	4972751	DL Status:	VAL
City/State:	DES MOINES, IA 503176758	Issue Date:	01/26/2011	CDL Status:	VAL
Mailing Address:	1344 E 37TH ST	Expiration Date:	03/12/2014	Restriction Supplement:	CDL Instruction Permit Expires 2/28/2011
Mailing City/State:	DES MOINES, IA 503176758	Endorsements:	3		
		Restrictions:	Commercial Instruction Permit		
		Date of Birth:	3/12/1973		
		Sex:	M		

History Information

Convictions

Citation Date	Conviction Date	ACD	Explanation	County	JUR
06/22/2005	07/26/2005	S92	Speed	77	IA
12/10/2005	12/14/2005	N01	Fail to Yield Right of Way	64	IA
12/28/2005	02/09/2006		No Insurance Card	77	IA
12/28/2005	02/09/2006	S92	Speed (10 mph & under in 35-55 mph zone)	77	IA
01/07/2006	04/05/2006	B51	No Driver's License	77	IA
12/07/2006	01/30/2007	S92	Speed	77	IA
01/03/2008	03/12/2008	B51	No Driver's License	77	IA
01/19/2009	03/10/2009	B51	No Driver's License	77	IA
01/19/2009	03/10/2009		Improper Use of Registration	77	IA
01/19/2009	03/10/2009	B64	No Insurance Card	77	IA

Sanctions

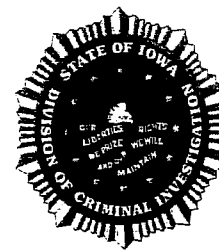
Type	Effective	End	ACD	Explanation	Occurrence	JUR
Suspended	01/03/2006	05/03/2006	W01	Habitual Violator	IA	IA
Barred	05/30/2006	05/29/2007	W01	Habitual Offender	IA	IA
Suspended	01/21/2007	01/02/2008	B63	Fail to Refile SR22		IA
Suspended	03/23/2007	07/20/2007	D27	Violation of Probation	IA	IA
Suspended	05/07/2007	01/29/2008	D53	Non-Payment of Iowa Fine	IA	IA
Suspended	11/26/2008	03/23/2009	B63	Fail to Refile SR22	IA	IA
Suspended	06/15/2009	11/04/2009	D53	Non-Payment of Iowa Fine	IA	IA
Suspended	06/15/2009	11/04/2009	D53	Non-Payment of Iowa Fine	IA	IA
Suspended	06/19/2009	11/04/2009	D53	Non-Payment of Iowa Fine	IA	IA

Name: Doland, Harold Alfred Jr DL/ID:

Pursuant to Iowa Code §321.10, I, Kim Snook, Director of Office of Driver Services, Iowa Department of Transportation, do hereby certify that I am the custodian of the records held by the Office of Driver Services, that this is a true and accurate copy of an



State of Iowa
Division of Criminal Investigation
215 E 7th St
Des Moines IA 50319
Ph. 515-725-6066 Fax 515-725-6080



Iowa Criminal History Record Check
Walk-In Request

Your name	Harold A Doland JR
Address	1344 E 37 th St
City/State/Zip	Dsm IA 50317
Phone#	5154027278

Fill in all shaded areas.

Requesting an Iowa criminal history record check on:

Last Name <i>Apellido</i> (mandatory)	First Name <i>Primer Nombre</i> (mandatory)	Middle Name <i>Segundo Nombre</i> (recommended)
Doland JR	Harold	Alfred
Date of Birth <i>Fecha Nacimiento</i> (mandatory)	Gender <i>Genero</i> (mandatory)	Social Security Number (recommended)
3/12/73	<input checked="" type="checkbox"/> Male <input type="checkbox"/> Female	
Waiver Signature <i>Firma</i> (If the request is on yourself, please sign. If the request is on someone else, write N/A.)		

Results

As of 1/26/11, a name and date of birth check revealed:

No record found

Record attached, DCI # 765681

DCI initials AC

DCI USE ONLY

765681 05/11/11

Receipt

Number of requests 1 x \$15.00 per last name = Total amount \$ 15

Method of payment: cash money order check # _____ MasterCard or Visa

Cardholder's name _____ Last 4 digits of MC or Visa _____

DCI initials AC

Credit Card Number # _____ Exp. Date _____

IOWA CRIMINAL HISTORY
MISDEMEANOR CONVICTIONS ONLY

DCI 00765681
PAGE 1 OF 1
DATE PRINTED-
2011/01/26

DCI:00765681

NAME: DOLAND, HAROLD ALFRED
DOLAND, HAROLD ALFRED JR

DOB 19730312 SEX M RAC W HGT 509 WGT 155 EYE HAZ HAIR BRO SKN POB IA

ADDITIONAL IDENTIFIERS

CCH RECORD ***

01 ARRESTED 20051210
AGENCY: IA0640100 MARSHALLTOWN PD
CHARGE NO- 01 IA STATUTE IA714-2-5
THEFT 5TH
TRK#: 075494501

COURT DISPOSITION

AGENCY: IA064015J MARSHALL CO DIST COURT
COUNT NO- 01 IA STATUTE IA714.2(5)
THEFT 5TH DEGREE - 1978
COURT CASE ID: 02641 SMCR065107
CHARGE CLASS: MISDEMEANOR CONVICTION
TRK#: 075494501

SENTENCE DISP EFF DAT APPEAL DATE
FINE \$100 20051214 20060214

02 ARRESTED 20051214
AGENCY: IA0640100 MARSHALLTOWN PD
CHARGE NO- 01 IA STATUTE IA714-2(5TH)
THEFT 5TH
TRK#: 075495701

COURT DISPOSITION

AGENCY: IA064015J MARSHALL CO DIST COURT
COUNT NO- 01 IA STATUTE IA714.2(5)
THEFT 5TH DEGREE - 1978
COURT CASE ID: 02641 SMCR065122
CHARGE CLASS: MISDEMEANOR CONVICTION
TRK#: 075495702

RESTITUTION

SENTENCE DISP EFF DAT
FINE \$100 20051214

LEI SCHG

AN ARREST WITHOUT DISPOSITION IS NOT AN INDICATION OF GUILT. THIS RECORD MAINTAINED BY THE IOWA DIVISION OF CRIMINAL INVESTIGATION, BUREAU OF IDENTIFICATION IS A PUBLIC RECORD BUT CAN ONLY BE RELEASED TO NON-LAW ENFORCEMENT AGENCIES BY THE DCI.

IN THE ABSENCE OF FINGERPRINTS FOR POSITIVE IDENTIFICATION THIS RECORD IS BASED ON INFORMATION FURNISHED. WE CANNOT CONFIRM OR DENY THAT THE RECORD COVERS THE SUBJECT OF YOUR INQUIRY.

DIVISION OF CRIMINAL INVESTIGATION

IOWA USA
IA

DRIVER LICENSE

DOLAND
HAROLD ALFRED JR

1344 E 37TH ST
DES MOINES, IA 50317

DL No. _____
Iss 01/26/2011 EXP 02/25/2011

Class **D** End **3**
Restrictions
3J

Sex **M**
Hgt **5-09**
Eyes **GRN**

Harold J. Doland Jr
DOB **03/12/1973**
DD 749727513DH1415M120314D

IOWA USA
IA

DRIVER LICENSE

DOLAND
HAROLD ALFRED JR

1344 E 37TH ST
DES MOINES, IA 50317

DL No. _____
Iss 08/31/2010 EXP 08/31/2014

Class **C** End **NONE**
Restrictions
3BJ

Sex **M**
Hgt **5-09**
Eyes **GRN**

Harold J. Doland Jr
DOB **03/12/1973**
DD 746388193DH1403M120314D

Diane Rauh
City Clerk
City Hall
400 Robert D. Ray Drive
Des Moines, IA 50309

I request a hearing before the City Council to appeal the decision of the City Traffic Engineer to deny my Taxicab License application, as outlined in Section 126-218 of the Municipal Code. I understand I must provide a letter from the Taxicab Company stating that they will allow me to drive for them and will provide dispatch service to me.

Name Harold Dalord Jr
Address 1344 E 37th ST
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Date 2-21-11

Harold Dalord Jr
Signature