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**CITY OF MINNEAPOLIS
CITY COUNCIL
REGULATORY, ENERGY AND ENVIRONMENT COMMITTEE**

In the Matter of the Taxi Driver's License
Held by James Nels Huseby.
2419 Grand Street NE
Minneapolis, MN 55418

**FINDINGS OF FACT,
CONCLUSIONS OF LAW
AND RECOMMENDATION FOR
ADVERSE LICENSE ACTION**

Minneapolis Taxi Driver's License: L017 27058

This matter came before the Department at a License Settlement Conference on Thursday, March 1, 2012 at 1:00 p.m. in Room 1-C, Minneapolis City Hall. Appearing on behalf of licensee was James Huseby. Appearing for the City was: Ronald Martin, License Inspector; Patrick Hilden, Licensing Supervisor; and Grant Wilson, Licensing Manager. Based on the information presented, the Department makes the following findings of fact, conclusions and recommendations.

FINDINGS OF FACT

1. James Nels Huseby has held a Taxi Driver's License in the City of Minneapolis since 1978.
2. On August 13-20, 2006, James Huseby left approximately ten (10) voice messages on Council Member Hofstede's voicemail. Each message lasted the maximum amount of time allowed by the system.
3. On August 20, 2006, Huseby left approximately five (5) voice messages on Council Member Lilligren's voicemail. Each message lasted the maximum amount of time allowed by the system.
4. On November 6, 2006, Huseby left approximately eleven (11) voice messages on Council Member Hofstede's voicemail. Each message lasted the maximum amount of time allowed by the system.
5. On March 31, 2008, Huseby was sent an advisory letter from Minneapolis Council Member Gary Schiff. This letter was in response to fifty-four (54)

voicemail messages that were left by Mr. Huseby on Council Member Schiff's voicemail system on the dates of March 29-31, 2008. As a result of these numerous calls, the voicemail system was filled to capacity and was unable to receive any other messages. The letter requested Mr. Huseby to immediately cease and desist from calling CM Schiff's office, and further, that the only communication Schiff's office would accept from Mr. Huseby would be in written format.

6. On April 8, 2008, Mr. Huseby was sent an advisory letter from Minneapolis License Inspector Richard Tuffs. This letter was in response to Council Member Schiff's letter to Mr. Huseby. Tuffs advised Mr. Huseby that all future concerns or issues from Mr. Huseby should be directed to Inspector Tuffs, and that if Mr. Huseby continued to call Schiff's office repeatedly, Tuffs would be forced to take adverse action against Mr. Huseby's taxi driver's license.

7. On February 28 through March 1, 2009, Huseby left approximately twenty (20) voice messages on Council Member Colvin-Roy's voicemail. Each message lasted the maximum amount of time allowed by the system.

8. On March 14-22, 2009, Huseby left approximately forty-seven (47) voice messages on Council Member Schiff's voicemail. Each message lasted the maximum amount of time allowed by the system.

9. On April 28, 2009, James Huseby signed and agreed to the following conditions to be placed on his taxi driver's license:

I. Mr. Huseby agreed to complete an approved anger-management course within 60 days of the date the conditions are approved.

II. Mr. Huseby agreed to limit any future calls to any City of Minneapolis employee or department to one (1) call per day.

10. On January 18, 2010, Mr. Huseby successfully completed an 18 week anger-management program through East Side Neighborhood Services.

11. From June 5, 2010 – November 5, 2010, Huseby made approximately 225 documented calls to the City of Minneapolis 311 call center. All messages were directed to the City Council and the Mayor. Each message lasted the maximum amount of time allowed by the system.
12. On February 28, 2011, James Huseby agreed to and signed a second license settlement agreement, admitting that he had violated the conditions placed on his taxi driver's license in 2009. Huseby again agreed to limit any future calls to any City of Minneapolis employee or department to one (1) call per day. Huseby further agreed to accept a suspension of his license for a period of 14 days, which was stayed for a period of one year, provided that Mr. Huseby abide by his license conditions.
13. From February 28, 2011 through September 16, 2011, Huseby made repeated calls to the 311 call center, and to Minneapolis Business Licensing Supervisor Patrick Hilden and Minneapolis Business License Inspector Ronald Martin.
14. On September 16, 2011, based on these continuing calls, Mr. Huseby was again found in violation of his business license operating conditions, and as a result, he agreed to serve his stayed 14 day suspension. This suspension was removed on October 1, 2011.
15. On December 25, 2011, Huseby made approximately 31 documented calls to the City of Minneapolis 311 call center. All messages were directed to the City Council and the Mayor. Each message lasted the maximum amount of time allowed by the system.
16. On December 31, 2011, Huseby made approximately 31 documented calls to the City of Minneapolis 311 call center. All messages were directed to the City Council and the Mayor.

Each message lasted the maximum amount of time allowed by the system.

17. On January 21-22, 2012, Huseby made approximately 45 documented calls to the City of Minneapolis 311 call center. All messages were directed to the City Council and the Mayor. Each message lasted the maximum amount of time allowed by the system.
18. On January 28-29, 2012, Huseby made approximately 37 documented calls to the City of Minneapolis 311 call center. All messages were directed to the City Council and the Mayor. Each message lasted the maximum amount of time allowed by the system.
19. On February 22, 2012, Huseby made approximately 61 documented calls to the City of Minneapolis 311 call center. All messages were directed to the City Council and the Mayor. Each message lasted the maximum amount of time allowed by the system.
20. On February 25-27, 2012, Huseby made approximately 79 documented calls to the City of Minneapolis 311 call center. All messages were directed to the City Council and the Mayor. Each message lasted the maximum amount of time allowed by the system.

CONCLUSIONS

1. The licensee has continually violated the operating conditions of his business license, of which he agreed to on April 28, 2009 and again on February 28, 2011.

RECOMMENDATIONS

The Department acknowledges the licensee's interest in resolving the issues with its licensed business. Due to the expressed willingness of all parties to bring the business into compliance with all applicable ordinances, statutes, and regulations, the Department makes the following recommendations:

1. The licensee, James Huseby, shall make no more than (1) phone call in a 24 hour period to any City of Minneapolis employee, department, or other representative. The licensee further agrees to comply with a previous request from elected officials to cease and desist calling them or their staff. All communication to elected officials from the licensee shall only be submitted through writing.
2. The licensee, James Huseby, voluntarily agrees to waive his right to a hearing before the Minneapolis City Council regarding this matter. James Huseby further agrees to voluntarily surrender his Minneapolis Taxi Driver's License to the City for a period of 12 months.
3. The licensee, James Huseby, may reapply for licensure after 12 months, provided that he continues to abide by the terms of his original agreement as outlined in Section 1 of these Recommendations.

I have read and understand the above findings of fact, conclusions, and recommendations. I agree with their contents and I agree with the above noted Recommendations. I understand that the failure of my business to adhere to this agreement may be cause for further suspension, revocation, or denial of my license. I understand that this report must be accepted and approved by the Minneapolis City Council and Mayor.

Based upon the foregoing, this agreement is FREELY & VOLUNTARILY ENTERED INTO IN GOOD FAITH:

For the Licensee:

By: James Huseby
James Nels Huseby, Licensee

Dated: 3/1, 2012.

For the City of Minneapolis:

By: Grant Wilson
Grant Wilson
Manager of Business Licensing

Dated: 3-14, 2012.