

Metropolitan Taxicab Commission

**June 28, 2011 @ 10:05 am**  
**Commission Headquarters, 2628 Delmar, Hearings Room**

Members present: Commissioners: Hamilton, McNutt, Bennett, Satz, Asfaw, and Gidey  
Members Late: Commissioners: Reeves  
Members absent: Commissioners: Rudawsky, Tucci  
Legal Department: Thomas McCarthy,

**MINUTES**

The Meeting was called to order by Chairman Hamilton and the roll was called by Ron Klein. Chairman Hamilton accepted a motion to approve the minutes of the April 26, 2011 meeting, the motion was seconded by Commissioner McNutt and with the roll called the Commission voted to approve the April 26, 2011 minutes by; Hamilton – yes, McNutt – yes, Bennett – yes, Satz – yes, Asfaw – yes, Gidey – yes. The board then selected Thursday, July 28<sup>th</sup>, 2011 for the next board meeting to be held at 9:00am in the hearings room at Commission Headquarters.

**NEW BUSINESS**

The first item on the agenda was the Code revision Chapter 4, clarifying the conflict in the code between felony convictions and felony convictions on crimes against people. Each individual will be looked at in their own manner and own circumstance. Section b. was added to the Code to specify different types of felony convictions, and what would disqualify an individual from getting their license.

Section 401

- C. The Director will deny (or revoke if appropriate) an application for a driver's license if the Director determines that:
  - 1. The applicant has made any material intentional misstatement or misleading statement, or omission of fact in the application.
  - 2. The applicant has been convicted of, pled guilty to or been proven guilty and received a suspended imposition of sentence for any one of the following:
    - a. Felony violation of any state statute or law involving any crime against persons, including but not limited to all forms of assaults within ten (10) years of the application or within ten (10) years of release from prison for said felony conviction.
    - b. Felony violation of any state statute or law involving theft, stealing by any means or fraud within ten (10) years of the application or within ten (10) years of release from prison for said felony conviction.
    - c. Driving while his or her Missouri's driver's license was suspended or revoked within five (5) years of the date of the application.

- d. Driving while intoxicated or some other drug or alcohol-related traffic offense within five (5) years of the application.
  - e. Criminal or driving activity which the Director determines may pose a risk of danger to the traveling public.
3. The applicant has violated any provision of this code, including non-payment of administrative penalties. Violation of minor provisions of this code or non-payment of administrative penalties may be waived by the Director if he determines that a satisfactory plan of compliance is in place.
  4. If the Director determines that charges in the nature of the above-listed crimes or violations of this code are pending against the applicant in any forum, the Director may hold the application until the charges have been resolved to the Director's satisfaction and then may take whatever action deemed appropriate under this code.

Chairman Hamilton made the motion to approve the Director's recommendation to amend the Vehicle for hire Code Section 401 C., the motion was seconded by Commissioner McNutt. Roll was called and approved by; Hamilton – yes, McNutt – yes, Reeves – yes, Bennett – yes, Satz – yes, Asfaw – yes, Gidey – yes. Motion passes.

Next item on the agenda was asked by Commissioner Asfaw, A Best Taxi Service, to address the Commission as a taxi owner. Commissioner Asfaw stepped away from the table to address the Commission. Chairman Hamilton said he understands this was an application for new CCN for disabled vehicles. The Commission received an application from Commissioner Asfaw for a Chapter 13 CCN, the director has investigated the application but the Commission will have to have a hearing for it. Chapter 13 is strictly limited to handicapped vehicles. It provides for a CCN holder to operate handicapped vehicles in the area where The Metropolitan Taxicab Commission covers, the current CCN extends to only On Call Taxicabs. If you're doing business with the airport, it is because you worked out something with the airport. Without knowing the demand for handicapped vehicles, the Commission will have to hold a separate CCN hearing. Commissioner Asfaw asked about Paraquad not having to have a CCN hearing. Paraquad a non-for-profit organization, work on a Grant thru the East West Gateway Organization. In order for Asfaw to obtain any more vehicles he will have to go thru the proper channels of a CCN hearing and follow the Code. At the last hearing it was pointed out that if currently licensed taxicab company wanted to replace existing licensed vehicles with handicapped vehicles they could without coming through the Commission other than inspections. If you want to increase the fleet size you would have go thru a separate CCN hearing. Chairman Hamilton leaves decision up to Director to set meeting for CCN hearing.

Next item on the agenda is CCN Hearing for Excellence in Transportation, LLC. A premium sedan company, there is no morturarium on a premium sedan company. It is a one vehicle CCN application.

Next item on the agenda is Don Brown Agreement. General Motors is introducing a new vehicle in the government fleet called a Caprice. Part of the working agreement would be to supply us with free driving to get the vehicle out in public. Every six months we buy a car, after six months Don Brown buys the car back for a total of twenty-four month time frame. The preliminary

approval has already been approved with that, Chairman Hamilton makes a motion to approve agreement and authorize the Director to enter into the contract with Don Brown and authorize the expenditure for the terms of the contract. The motion was seconded by Commissioner Reeves and with previous roll called agreement was approved.

Next item is informational only item, new ground transportation rules for Lambert, which is still under consideration. The copy in your packet is just a rough draft.

### **DIRECTOR'S REPORT**

Director explained On-Call Renewal Inspections, we're on pace to finish this week ending July 1, 2011. We may have to put out a five day extension to the 2011 permits on Harris, Wilson, or Metropolitan taxicabs. The Director will talk to Tim at the airport if the permits are extended.

The next item is reapplication for CCN for all Premium Sedan Companies. This is a continuation of the reapplication process we went through with all the On-Call and Airport taxi companies last year. We are now going to expand this to the Premium Sedan Companies to keep our files updated.

Next item is the Field Inspection Report (In Packets for Review) a lot of our rules and regulations are modeled off USDOT regulations. These reports will be used to help drivers who do the right thing to be recognized. Agents out working who inspect a vehicle with these reports and everything is right, will have this Field Inspection Report to keep track of that. Hopefully companies can start showing insurance carriers that their employees are doing the right thing. Accompanied with the Reports will be a sticker the Agent can put on the window. With the Agent seeing the sticker, there will be a grace period of time the Agent will not have to inspect that vehicle. This way the good and bad inspections will be documented. This will go into effect on July 1.

### **TREASURER'S REPORT**

Commissioner Reeves then discussed the financial report for April and May. Balance sheet as of May 31, 2011 shows a healthy cash position. Revenue and expenditures for May 2011, and year to date so far with, May being a rough month relating to net revenue over expenses, with May having a loss of \$40,161.00 due to professional and legal expenses. The year to date of \$21,368.00 is really tracking according to budget. No questions asked and Chairman Hamilton moves on.

### **OTHER BUSINESS**

None

### **PUBLIC COMMENTS**

Fred Sweets owner of St. Louis American Cab Company sent a letter on March 24, requesting an increase on permits explaining to the Commission about need and necessity. Fred Sweets was concerned there was never a response regarding the letter from March 24, the letter was emailed and mailed. The Director explained to Mr. Sweets that the lack of response was trying to develop a thought process to submit to

Commission on growth that is equitable, fair, and applies to everyone. Mr. Sweets explains that he is at one hundred percent. Commissioner Reeves asked Mr. Sweets about supplying symmetric s that can be looked at to show the need. Commissioner Hamilton tells Mr. Sweets we will have a session to find a standard template to follow, and try to fulfill some of the needs for Taxi companies to grow. Mr. Sweets brings up Reserve Permits. Which are basically a garage extra, companies can use this not as an extra permit, but a vehicle can operate only one goes out of service for a period of time.

Biru explains he applies for growth and never has a response from the Commission. He states by his application for disabled vehicles, Chapter 13 was brought into the Code by the Commission, and the Commission wrote the pilot program for next 18 months, which is applied.

Denis Shanayev with Chesterfield Car Service had a question regarding space at the airport. Mr. Shanayev asked about a meeting to discuss parking and traffic flow at the airport between the Commission and people at the airport. Chairman Hamilton explained under state law the Commission has nothing to do with regulating the areas where vehicles move or park at the airport, and the matter was strictly under the airport's control.

Jason Diez was discussing Taxi Pass, and the pilot program he did with Mr. Sweets in our area. Credit card transactions increased by 4x's, with Taxi Pass drivers can receive same day reimbursement, customers enjoy the secure transactions, and Taxi Pass deals with all the accounting aspects. The greatest thing taxi driver's tips seem to be better, and the customer has the option to take the secure option (pay the surcharge) or the unsecure at their own risk. Chairman Hamilton explained that drivers are required to take a credit card. Internal Revenue service is now requiring all taxicab companies and driver's to start filing 1099's.

### **EXECUTIVE SESSION**

Hearing no further comments Chairman Hamilton makes a motion to adjourn into executive session, seconded by Commissioner McNutt and by the previous roll and vote the motion was approved.

Pursuant to Missouri Statute 620.021, an Executive Session may be held to discuss legal, confidential or privileged matters under §610.021(1), RSMo 1988 Supp.; leasing, purchase or sale of real estate under §610.021(2); personnel actions under §610.021(3); discussions regarding negotiations with employee groups under §610.021(9); personnel records or applications under §610.021(13); or records under §610.021(14) which are otherwise protected from disclosure by law; or confidential or privileged communications with the District's auditor, including auditor work products under §X610.021(17).

### **ADJOURNMENT**

With no further business before the Commission a motion to adjourn the meeting was made by Commissioner Hamilton, seconded by Commissioner McNutt and with no further discussion the previous roll and vote was called for and the motion was unanimously approved.

*Minutes were interpreted from an audio recording of the meeting by Beth Dunham.*