

Metropolitan Taxicab Commission

August 20, 2009 @ 10:00 am
Commission Headquarters, 2628 Delmar, Hearings Room

Members present: Commissioners; Haile, Hamilton, McNutt, Reeves, Rudawsky, Satz and Tucci

Members absent: Commissioners; Bennett (*One seat on the Commission remains vacant.*)

Legal Department: Counselor Thomas W. McCarthy

MINUTES

Chairman Hamilton called the meeting to order; the roll was called by Carla Boutte and Mr. Hamilton then accepted the motion of Commissioner Tucci to approve the minutes of the March 31st meeting which was sidelined due to the Commission Offices being moved. The motion was seconded by Commissioner Rudawsky and there being no discussion Mr. Hamilton called the vote and the motion was approved unanimously. Mr. Hamilton then accepted the motion of Commissioner Tucci to approve the minutes of the Executive Session from the June 2009 meeting. The motion was seconded by Commissioner McNutt and there being no discussion Mr. Hamilton called for role call and the vote and the motion was approved unanimously. Mr. Hamilton then accepted the motion of Commissioner Satz to approve the minutes of the from the June 25th 2009 meeting. The motion was seconded by Commissioner Haile and there being no discussion Mr. Hamilton called for a vote and the motion was approved unanimously. Chairman Hamilton then asked for a date to be set for the September 2009 meeting and the Board selected September 22nd at 10:00am. (*This date was later rescheduled to the 29th due to scheduling conflicts.*)

NEW BUSINESS

Chairman Hamilton then asked Director Klein to introduce the first new business item on the agenda. The Director then introduced proposed requirements for driver applicants to submit the appropriate driver history reports for ensuring that drivers have and maintain a safe driving record and measures to be taken against the MTC license of any unsafe driver.

He then discussed a second item related to the statutory requirement for the submission of fingerprints. The measure introduced would make non-compliance with the requirement a violation of the code and would subject the offending driver to the immediate suspension of his or her MTC issued license until the requirement is met. Chairman Hamilton then introduced the motion to amend the Vehicle for Hire Code as set out in Exhibit A so as to allow the Director to suspend or revoke a driver's MTC license due when the driver's state issued driver's license has been suspended or revoked. The motion was then seconded by Commissioner McNutt and the role was called and a vote was taken and with no discussion the motion was passed unanimously.

Chairman Hamilton then introduced a motion to amend the Vehicle for Hire Code as discussed for the submission of fingerprints and suspensions for non-compliance. The motion was then seconded by Commissioner McNutt and the role was called and a vote was taken and with no discussion the motion was passed unanimously.

Chairman Hamilton then introduced a motion to change the trustees of the Commission sponsored employees 457 plan to Director Ronald R. Klein and Commissioner Tom Reeves following the retirement of former Director D. Michael Tully. The motion was then seconded by Commissioner Tucci and a vote was taken and with no discussion the motion was passed unanimously.

DIRECTOR'S REPORT

After a discussion of cell phone use by drivers Chairman Hamilton asked the Director to issue his monthly report to the Board. He mentioned that the Commission staff did participate in driver appreciation day which was sponsored by the CVC and was in the process of fleet renewal inspections for the courtesy vehicle class. He also asked the Board to provide direction regarding the ability of Premium Sedan Companies to expand within the system. The Commissioners then discussed the code compliance aspects with regard to the class and discussed both legitimate and illegitimate services operating within the system and that these issues need more work before the class should be opened.

The Director then suggested that Commission Accountant, Dave Adam, be asked to audit the parking system with regard to Lambert Airport trip fees due to discovery of under reported revenues. He then informed the Board that a "Coro Fellow" would be engaged for the purpose of researching best practices for the Commission's CCN Application processes. The student would be working this fall on the project with a view to call for the re-submission of all applications for CCN in January of 2010. Commissioner Tucci made a motion to approve the expenditure for the program, the motion was seconded by Commissioner Satz and with no further discussion a vote was taken and the motion was passed unanimously.

The Director then reported on issues and progress related to existing and future taxicab stands, and on the code revision project and research being conducted on future technologies for use by the Commission.

TREASURER'S REPORT

Commissioner Reeves reported on the financials for the period through July and stated that the cash positions of the Commission remain strong and that the Commission was actually over budget for income due primarily to a change in the invoicing procedures which would presumably level out through the remainder of the year.

PUBLIC COMMENTS

Mr. William Jackson addressed the Commission, questioning the ability of the Commission to apply administrative penalties to violators of the Code. Commission Legal Counsel, Thomas W. McCarthy affirmed that the Commission does have authority for the application of financial penalties and that the matter is clear in the enabling Statute. (RSMo. §67.1818.)

Mr. Mike Nagle asked the Commission Board when the moratorium might be lifted for the premium sedan class and Chairman Hamilton stated that the Board was moving toward some action on the issue and that a solution may be arrived at soon.

Mr. Lareau asked for clarification regarding the cost of fingerprint processing due to disparate charges at L-1 Locations as opposed to the cost of processing by the Commission. Mr. Hamilton explained that the Commission does charge a nominal fee for the administration of the program at its own offices.

Mr. Joshua Osho stated that Lambert Airport Police are issuing citations for drivers using their cellular telephones due to the existing Code and asked if the Commission would consider amending the Code to allow the use of cellular telephones. Chairman Hamilton stated that strong opinion for keeping the rules as they are as well as some discussion regarding the use of the phones when not used in the presence of passengers. However, he stated that the Board intended to leave the matter to the Director of the

Commission in the interest of public safety for his recommendations in the context of the Code Revision work currently underway.

Mr. Danny Shipley stated that there was an issue where security personnel in the area of Laclede's Landing were not allowing passengers to be picked up or dropped off in the area. Mr. Hamilton suggested that he and the Director would discuss the matter with the Laclede's Landing Redevelopment Corporation for a solution to the matter.

Commissioner McNutt then moved to recess and re-convene in Executive Session. The motion seconded by Commissioner Reeves, roll call was taken and with no discussion a vote was taken and the motion was approved unanimously.

EXECUTIVE SESSION

Executive Session Minutes

Pursuant to Missouri Statute 620.021, and having been authorized by a majority of the Metropolitan Saint Louis Taxicab Commission constituting a quorum, by roll-call vote at its regular meeting of December 10, 2008, an Executive Session was 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 §610.021(17).

Vote to adjourn was unanimous by roll call of all commissioners present.

ADJOURNMENT

Commissioner Hamilton then declared that there was no further business before the Commission and entertained a motion to adjourn by Commissioner Satz, seconded by Commissioner McNutt and with a unanimous vote the meeting was adjourned.

*Minutes were interpreted from a transcript by D. Scherer.
Transcript by A. Hammond*