

Minutes of the Metropolitan Taxicab Commission Meeting
Friday, June 3, 2005
1:00 p.m., in the Auditorium at 100 North Tucker Boulevard

Meeting was begun at 1:17 p.m., with the Call to Order by Chairman Thomas McCarthy.

The Roll was called; all Commissioners except Messrs. Bennett and Morgan were present.

Chairman McCarthy then postponed making a motion to adopt the (May 12) Minutes, because the members had no advance opportunity to review them.

Old Business:

Consulting the agenda, Chairman McCarthy asked Director Tully to address an issue previously raised by Mr. Edward Shanayev of Chesterfield Car Service. Mr. Tully explained that at the last public meeting, Mr. Shanayev had made an allegation that his complaints were not being acted upon. Mr. Tully stated that a thorough investigation of each complaint was indeed conducted by himself and the enforcement staff; and that file copies of their findings are now in the members' folders. He also provided Mr. Shanayev with a personal letter of reply, summarizing the disposition of each of his various complaints. Explaining the essence of the complaints for the audience members' benefit, Chairman McCarthy stressed that the Marriott West Hotel, and the Frontenac Hilton, both subjects of Mr. Shanayev's ongoing complaints, are located on private property, not on public streets. The MTC is only empowered to set up taxi stands on public streets, thus there are no taxi stands at either hotel, he added. As our Code is now written, *premium sedans cannot stage within 500 feet of a taxi stand*. These two hotels do permit this as a service to their guests, however, our Code states that staging is something only taxicabs may do. The Chairman asked Counsel Patrick McCarthy's advice, then instructed Director Tully to draft a change to the VFH Code which prohibits premium sedans from staging, and to post the draft text on the website as notification that this change will be considered for adoption at the next meeting.

Mr. McCarthy, again consulting the agenda, cited a staff recommendation about ABC Cab Company's May 12 appeal to the full board for 18 additional licenses. Mr. Tully explained that, at the last meeting, Mr. Jerry Beal appealed Mr. Tully's decision to deny permission for 18 additional vehicles to enter service within the next 60 days. Mr. Tully commended Mr. Beal for the presentation he has submitted today; Chairman McCarthy suggested the Commissioners should review Mr. Beal's written proposal, for discussion at next month's meeting.

Mr. Harris interjected his personal belief that any company's growth should be capped at ten percent, and that all applications for permission to expand must substantiate genuine 'necessity and convenience.' Chairman McCarthy added that, although the concurrence among board members seems to be that the current market is somewhat static, still the Commission must develop a system that allows for competition and growth, asserting that our function is not merely to maintain the *status quo*.

Mr. McNutt suggested a meeting be arranged in the interim, to be attended by industry members. Chairman McCarthy agreed, advocating the formation of a subcommittee, for which he solicited volunteers. After some discussion about potential conflicts of interest, Cmsnrs. McNutt and Satz volunteered, and Mr. Morgan (who was not present today) was nominated by the Chairman to also join this subcommittee, which is asked to discuss and analyze this subject and provide a report of its findings at the July meeting.

Chairman McCarthy then asked Mr. Tully to address two items of New Business:

1) Mr. Tully reported that effective June 13, the Airport User Exit Fee will increase from \$2, to \$3. He is working with Central Parking Company and MTC's legal counsel to draw up a legal agreement, which will be signed sometime next week.

2) Effective August 1, we will convert to the use of garage exit ‘scanner-cards,’ which will be issued by this Commission; thereafter, each company will begin receiving two monthly invoices: one from the Airport, the other from the MTC, each billing for its own portion of the \$3.00 (combined) fee.

Mr. McNutt interjected a request for confirmation that there will be weekly reporting, but monthly billing.

Mr. Tully replied that is correct, explaining that in the interim until August 1, the drivers must pay these fees in cash.

Mr. McNutt asked what measures will be taken against those who fail to pay; Director Tully replied that MTC will run a monthly report, and those who fail to pay will be prohibited from operating at the Airport, moreover, failure to comply with the new procedures can result in revocation of their CCNs by MTC.

Mr. Tully added that the parking garage’s standard \$18.00 minimum charge will apply if a driver should pull a card inadvertently, or claims he has lost his parking card. Mr. Tully added he has maintained daily contact with the Central Parking management staff, and they have been extremely cooperative and helpful to MTC as we make this transition.

Some discussion ensued about the possibility of having the Airport collect these monies and distribute MTC its share, but Mr. Hamilton explained that FAA regulations prohibit this from being done, moreover it is too problematic to accomplish once the money has been deposited into the Airport’s operating fund.

Mr. Tully added that the MTC will bear the expense of installing the scanners at each Airport garage exit point, and will pay for the ‘swipe-cards’ at a total cost of approximately \$20,000.

Counsel McCarthy interjected a request that the Commissioners entertain a staff comment. Chairman McCarthy assented, and Counsel McCarthy asked the Commissioners to now consider a motion to allow the Chairman, or in his absence the Vice chairman, to sign an agreement with the Airport Authority, establishing a separate bank account solely for the deposit of these specific revenues. ****Motion was made by Chaimran McCarthy, seconded by Mr. Rudawsky, and was carried unanimously.**

Director’s Report

Mr. Tully opened by announcing the following:

- 1) the Airport fleet inspections are nearly completed, with only approximately 10 cars yet to be inspected .
- 2) the On-call companies’ inspections are now underway, and will be concluded by the end of the month.
- 3) May enforcement statistics: at the Airport, we have been averaging 30 citations per week. Our monthly income, from fines, averages \$3000. We have ‘red-tagged’ several vehicles: we inspected about 80, and ‘red-tagged’ about 40, for infractions such as chipped paint, dents, ripped upholstery, etc.

Mr. McNutt asked the total number of airport vehicles which were inspected to date; Mr. Tully replied it’s very near 220.

Mr. Rudawsky questioned: of the original 230 Airport vehicles, weren’t 19 supposed to have come out of service, due to age? Mr. Tully consulted MTC Enforcement Agent Fred Deering, who responded that all vehicles which were required to come out of service, have now in fact been removed from service.

Public Comments

First Speaker, William Howell Jackson of St. Louis Auto Livery

- Speaker asked who will supply the airport garage transponders and whether the drivers must purchase them; if so at what cost? Chairman McCarthy replied that transponders will not be used, and the Commission will supply and pay for the ‘swipe cards’ soon to be utilized to exit the airport garage.

- Speaker then asked whether anyone has discussed the Airport User Fee increase with the St. Louis Convention/Visitors Commission, stating his view that it’s detrimental to tourism / local business alike.

He alleged the customers offset these higher fees by lowering their gratuities to the drivers, stating the impact is devastating because the new contract has a five-year duration.

Mr. Hamilton replied that he has indeed talked with Convention/Visitors Commission representatives, and although they aren't pleased about the increase, they do understand the necessity. As an example, he added, Metro is eliminating its free downtown shuttle service, and many entities have had to cut services - or increase fees - to meet rising operating costs, as they have no other recourse.

- Speaker then asked Director Tully's annual salary, and Chairman McCarthy replied it is discretionary, reminding the attendees that this Commission receives no City or State funding, and is sustained solely by its inspection/licensing fees and the fines which it assesses for Code violations.

- Speaker then questioned the wisdom of permitting Director Tully to use Commission funds to visit other cities and observe their taxi/sedan operations, as has been reported at previous public meetings. Chairman McCarthy acknowledged the speaker disagrees with much of what we do, which is his right. He suggested the speaker and the Commissioners "agree to disagree" and moved on to the next speaker's comments.

Second speaker was Mr. Robert Apollo, representing St. Louis Auto Livery

Speaker enumerated several major functions such as sporting events, concerts, the VP Fair, Strassenfest, Mardi Gras, and observed the City has *never* allowed for adequate staging at any such events, whether they are held at Savvis Center, the Edward Jones Dome, the VP Fairgrounds, etc. He stated that at Busch Stadium, there is a single row for taxicab staging, but it accommodates only 7 taxicabs, moreover the drivers are not permitted to 'stage' there until the 7th inning is underway.

Mr. Satz stated that he was unaware the drivers were being 'run off' before the 7th inning, and suggested the Commissioners should meet with Police Department officials, as well as with the City's Director of Streets, to establish taxicab stands wherever they are needed. Chairman McCarthy concurred and instructed Mr. Tully to assemble a definitive list of locations where establishment of taxi stands is warranted.

- Speaker also mentioned that Riverport Amphitheatre, located in St. Louis County, has a designated staging area which is well publicized by Maryland Heights, directing concertgoers to its ground transportation staging facility.

Mr. Hamilton stated that many patrons actually prefer to use taxis/sedans, rather than to drive personal vehicles and hassle with parking, if the vehicles are readily available and the stands are clearly marked. Mr. Hamilton added that he and Mr. McNutt have previously discussed this subject at length, and pledged they two will arrange to meet with appropriate City and County officials to ensure that staging areas are established at *nine* key locations, for the benefit of the public we serve and for the drivers' operational advantage.

Chairman McCarthy then instructed the members to select the July meeting date; after some discussion, Tuesday July 19 was chosen, **but with a 10 a.m. start time**. Chairman McCarthy instructed Director Tully to circulate that information to all affected parties, and to publicize it on the MTC website as public notice.

Chairman McCarthy announced he will entertain a motion to go into Executive Session, which is a closed meeting, for the brief discussion of a personnel matter. Mr. McNutt so moved, and Mr. Hamilton seconded. Mr. McCarthy explained to the audience that this session will last approximately 10 minutes, but said the members will reconvene solely for the purpose of adjournment and that no other subjects will be discussed or acted upon, when they do reconvene. The time is 2: 10 p.m.

An Executive Session was then held in the agents' office within the Commission's office suite, after which the Commissioners returned to the Auditorium and reconvened the public session, solely for the purpose of official adjournment, which was done at 2:18 p.m. .

-- minutes taken by Judith Cannon / MTC Office Administrator