

Metropolitan Taxicab Commission

July 24, 2007 @ 10:00 am
100 North Tucker Boulevard, Auditorium

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

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

MTC staff: Barker, Boutte, Deering, Hammond, Scherer and Tully.

Legal Department: Counselor McCarthy

Chairman Hamilton called the meeting to order at 10:20 AM.

MINUTES

Chairman Hamilton requested approval for the Metropolitan Taxicab Commission meeting minutes of the June 20, 2007 and the Emergency Meeting held on June 23, 2007. A motion was made to approve both meeting minutes by Mr. McNutt, seconded by Mr. Reeves. The motion passed unanimously.

NEW BUSINESS

The Commissioners scheduled the next Commission meeting for August 14, 2007 at 10:00 AM at 100 North Tucker Boulevard in the Auditorium, pending the availability of the facility.

DIRECTOR'S REPORT

The Director began by pointing out the statistics in the Commissioner's packets. The On Call taxicab inspections are complete. Staff inspected about 750 on-call taxis. Courtesy shuttle inspections are about to commence.

The Director informed the Commissioners of the meeting he attended with Airport cab owners/managers, Commissioner Haile, and Mr. LaBoube. He then yielded his time to Mr. Haile to talk about what was discussed. Airport business, enforcement, and issues were discussed. Additional meetings are to be held in the future. Chairman Hamilton added that the Commission received 2 positive feedback forms from the CVC. The forms were completed by attendees of recent Conventions.

Director Tully informed the Commission that the Hilton on the Ballpark was requesting moving the Market and Broadway cab stand to make way for a sidewalk café. The Director is working with city officials and the architects to find a new location. The proposed location is near Calico's – about a block north. Discussion ensued between the Commissioners and the Director. The general consensus of the discussion was that the Commission would oppose the move since it negatively affected customers and drivers alike.

Taxi court, after a year in absence, is now back in place. Two sessions were held and the resulting statistics are in the Commissioner's packets.

The Wilson Taxi Company is still under investigation. A series of hearings were held. The Director will issue a decision next Friday.

An airport company was suspended for lack of non-payment of insurance. The company corrected the situation and is now in compliance. All other airport companies were investigated. They were found to all be in compliance. The Director is working with Mr. LaBoube to deal with the issue of compliance with airport requirements.

Some discussion ensued regarding conventions between the Director and Commissioners.

TREASURER'S REPORT

Vice Chairman Reeves reported on the Commission's finances. The Commissioners were provided with the first six months of the financial information for the year to date. The net income for June was \$13,911, which puts the Commission closer to budget. Total revenue for six months is within \$22,000 of budget. Overall for the six months, we're still about \$50,000 below budget on net income, due to legal and professional expenses. Mr. Reeves is optimistic that throughout the summer, we will get back on budget. The Commission still maintains a reasonable cash position and we're still being cautious of major expenses.

Dave Adam is working on a refund for an overcharge on the workman's comp. A short discussion about insurance ensued.

COUNSEL'S REPORT

The Director and Counsel appeared in Division 3 on behalf of the Commission in the matter of the Commission vs. George Frazier, et al. A number of issues were raised regarding RSMO 67.1818, which authorizes the Commission to impose administrative penalties not to exceed \$200. It was challenged as unconstitutional, contrary to Article 31 of the Missouri Constitution. The Commission won the issue since the Commission issues administrative penalties, not fines.

The combined 2005 legislation with MODOT was challenged as it was being used by the defendants as a subterfuge. The court found the testimony of the defendants was not credible.

The final issue challenged was with regard St. Louis County, St. Louis City, or other municipalities within the district. The court found the entities that adopt our code as a violation inside their governmental proceedings, are valid and not void. In essence, taxi violations can be prosecuted in other municipal court.

Some discussion ensued with regard to the Municipal League. (*Chairman Hamilton stepped out of the meeting at 10:45 AM.*)

ADJOURNMENT

Vice Chairman Reeves entertained a motion to adjourn. Mr. Rudawsky motioned to adjourn, seconded by Mr. Banahan. The motion passed unanimously. The meeting was adjourned at 10:47 AM.

*The meeting recording was transcribed by A. Hammond.
Minutes were interpreted from the transcript by D. Barker.*