

Metropolitan Taxicab Commission

**July 12, 2012 @ 9:00 am**  
**Commission Headquarters, 2628 Delmar, Hearings Room**

Members present: Commissioners: Hamilton, McNutt, Reeves, Rudawsky, Tucci, and Asfaw

Members absent: Commissioners: Bennett, Gidey, and Satz

Legal Department: Tom McCarthy

**MINUTES**

The Meeting was called to order by Chairman Hamilton and the roll was called by Beth Dunham; Chairman Hamilton-here, Commissioner McNutt-here, Reeves-here, Bennett-absent, Gidey-absent, Rudawsky-here, Satz-absent, Tucci-here, and Asfaw-here. A quorum being found the meeting was called to order. The first order of business was approving the minutes from the May 15, 2012 meeting. A motion to approve the minutes was made by Chairman Hamilton, moved by Commissioner Reeves and seconded by Commissioner McNutt, with no further discussion roll was called; Chairman Hamilton-I, Commissioner McNutt-I, Reeves-I, Rudawsky-I, Tucci-I, and Asfaw-I, the minutes were approved.

**NEW BUSINESS**

The first order of new business was setting a date for the August meeting, which will be August 28, 2012 at 9:00a.m.

The second order of new business was the CCN Hearing for St. Louis Bar Cycle. The Director asked if Daniel Lloyd was present at the hearing, Mr. Lloyd stated that he was. The Director told the Commissioners a description of the CCN Application was sent out by email to each one of them. The Director then described the application to the public that the Bar Cycle business was a rolling platform that's pedaled by fourteen people but has sixteen seats, and is operated with an employed driver who operates the steering and brakes. He also explained the business was mainly operated in the Souldard neighborhood. The Director stated the CCN Application was in order and the owner did have proper insurance, but the staff made no recommendation on the CCN Application. He also explained that in the packets there were some letters of opposition from the public, including a letter of opposition from Alderwoman Phyllis Young. The Commissioners then went into discussion about the CCN Application. Mr. Lloyd addressed the Commission stating he had letters of support including, The Souldard Business Association and that the Souldard Restoration Group which had pledged support for the CCN approval. Chairman Hamilton asked Mr. Lloyd if he had spoken to anyone or reviewed the cities ordinances for the proposal of transporting patrons from bar to bar with open containers of alcohol. Mr. Lloyd stated he had talked to the Excise Commissioner in regards to city ordinances and that his operation would be compliant. Chairman Hamilton asked for the Commissions support to take the CCN Application off the agenda for today and table it until the August meeting. Chairman Hamilton stated he would like to discuss the CCN Application with the Commissions legal counsel, and have letters sent to the Excise Commissioner and City Counsel to enumerate the cities ordinances with respect to the CCN Application.

The final order of new business was the transfer age of taxicabs. The Director stated it was the desire of the staff and several of the Commissioners to put the transfer age of taxicabs as an official item on the agenda to be discussed at the next meeting. The Director explained to the public that a taxicab cannot be put into service in any fleet after it is six years old, but an existing taxicab in one fleet can operate up to nine years of age. He explained that if an owner operator wished to transfer a current taxicab from one fleet to another after it is six years old that the Code did not allow this transfer, even though the taxicab

did not completely age out for a couple more years. The Director stated that as long as the taxicab was currently in a St. Louis fleet that he had no problem letting the vehicle transfer from one fleet to another until it was completely aged out. The Director stated that a Code revision would be drafted for next month's meeting.

### **DIRECTOR'S REPORT**

The courtesy vehicle age requirements on the director's report were tabled due to litigation matters. The Director further stated that no buses licensed as courtesy vehicles would be aged out at this time and that he was inclined to extend the age of buses for operation as courtesy vehicles a considerable length due to their cost and the short nature of the trips taken. He also stated that no CCN holder would lose their license or permits while litigation over this issue was pending and that those licenses would be considered extended from month to month.

### **TREASURER'S REPORT**

Commissioner Reeves discussed the financial report in the packets. He explained page one is the balance sheet continuing to show a strong equity position, and page four explains the month of June. He continues explaining that as of June the Commission is showing a net positive of \$125,874.00, with more expenses yet to come out, and that we are tracking over budget by about \$58,700.00 for income.

### **OLD BUSINESS**

There was no old business to discuss on the agenda.

### **PUBLIC COMMENTS**

Ryan Brockschmitt was the first to address the Commission on behalf of the Soulard Restoration Group in full support of the St. Louis Bar Cycle CNN Application.

Sam Berger had a question in regards to the shuttles in Soulard. He wanted to know if the temporary permits being issued for the shuttles would continue after they expire on July 30, 2012, due to litigation matters. The Director told Mr. Berger that the temporary permits would continue being issued until the issues were resolved.

Fred Sweets had a question in regards to the signage which displays the passenger's bill of rights regarding credit card processing fees. The Director explained that if the customer does not want to pay the convenience fee for using the back seat credit card processor that untimely another means of processing the customer's credit card will have to be available.

Rose Harmon had a question about the illegal cabs coming in and out of St. Louis. It was explained to Ms. Harmon by the director that extra patrols were working on the weekends, and the agents were doing everything they could to get the illegal cabs out of St. Louis.

### **EXECUTIVE SESSION**

Chairman Hamilton made a motion to enter into Executive Session under section 610.021RSMo to discuss litigation, confidential and privileged matters, including legal and personnel matters. The motion was seconded by Commissioner Rudawsky with that roll was called; ; Chairman Hamilton-I,

Commissioner McNutt-I, Reeves-I, Rudawsky-I, Tucci-I, and Asfaw-I, and the Commissioners convened into Executive Session. The statement below appears on every agenda:

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**

Chairman Hamilton reconvened the July 12, 2012 meeting at 10:45. A motion was made by Chairman Hamilton to adjourn Executive Session, moved by Commissioner Rudawsky, seconded by Commissioner Asfaw, with that roll was called; Chairman Hamilton-I, Commissioner McNutt-I, Reeves-I, Rudawsky-I, Tucci-I, and Asfaw-I, and Executive Session was adjourned. Chairman Hamilton then made a motion to adjourn the July 12, 2012 meeting at 10:48 a.m., seconded by Commissioner McNutt, roll was called; Chairman Hamilton-I, Commissioner McNutt-I, Reeves-I, Rudawsky-I, Tucci-I, and Asfaw-I, the meeting was adjourned.

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