

/Minutes of the Metropolitan Taxicab Commission Meeting
Friday, January 14, 2005
1:00 p.m., in the Auditorium at 100 North Tucker Boulevard.

(Note: there were 12 attendees in the audience today)

Meeting was called to order at 1: 10 p.m. by MTC Commissioner/Treasurer Mike Morgan, who explained that he will chair today's meeting in the absence of Chairman McCarthy and of Vice Chairman Hamilton, both of whom are out of town.

Roll was called; present were Commissioners Bennett, McNutt, Morgan, Rudawsky and Satz. Absent were Commissioners McCarthy, Hamilton, Harris and Shiferaw. Mr. Morgan confirmed that we do have the necessary quorum to conduct this meeting, since there is a balance of members from both City and County jurisdictions in attendance as is required.

Mr. Morgan stated that, as Mr. Hamilton had done at the December meeting, he is re-ordering today's Agenda to accommodate some speakers who cannot stay until the end of the meeting, yet who wish to address the board members. The formal Agenda will immediately follow, and there will be a brief Executive Session conducted today, which is a *closed meeting*.

Public Comments

First speaker was Mr. Stephen Ukman

- Speaker stated that he represents Mr. John Loynd, who is requesting the Commission's approval to purchase Archway Cab Company – the current owner, Michael Palazzolo, is also in attendance today.

Speaker said that he has submitted the appropriate information to Director Tully and is aware there is a Vehicle for Hire Code which states that the Commission must approve all sales and all transfers of licenses, adding that Archway Cab holds 22 permits.

Director Tully stood and affirmed that this application has been received, as has the contract of sale, which Mr. Tully has accepted and referred for review to our legal counsel, Mr. Patrick McCarthy, who will now explain the legal ramifications:

Mr. Patrick McCarthy then informed the board that he is developing prototypes/templates for each of these kinds of transactions; he added that the parties had met just before Christmas 2004 and he had only received the written proposal approximately 10 days ago. He stated that the next step is to have the staff review the application on its merits and to make its recommendation at the February meeting, as to whether or not to approve it.

Mr. Morgan asked Mr. (Patrick) McCarthy to clarify his own understanding that, once the members receive the staff's recommendation, it is the board's duty to consider and approve the application. (The speaker interjected a question as to whether the decision will actually be made during the February meeting.) Mr. McCarthy replied 'yes' to both those questions.

Second speaker was Mr. Jack (John) Loynd

Speaker stated that he is attending with Mr. Steve Ukman, (today's first speaker) and is involved in the aforementioned transaction, the sale of Archway Cab Company. Now that the procedure/protocol has just been explained, he withdrew his intention to speak today, and will defer his remarks until the February meeting.

Third speaker was Michael Palazzolo, the seller of Archway Cab Company

Speaker stated he is also allied with the above two speakers and will likewise refrain from speaking to the board today, but wishes to speak at the February meeting about this transaction.

Fourth (and final) speaker was Dr. Ioan Ziub, representing Airport Taxicab Company

Mr. Morgan forewarned Dr. Ziub that, before he begins speaking, if his questions/comments will pertain to the pending litigation matters involving MTC he cannot allow Dr. Ziub to voice them; likewise, if Dr. Ziub's subject is to be his previous appeal of the Director' decision in a policy matter, those remarks, too, will have to be disallowed.

Mr. Morgan stated no one else is signed up to speak today. He explained that anyone who wishes to do so must first sign a roster, and he offered attendees an opportunity to do so at this time. No additional persons signed up, however, so Mr. Morgan directed all the commissioners to revert to the official Agenda for the order of business which remains to be conducted today.

Mr. Morgan asked if all members here present had received an advance draft of the December meeting Minutes, and had read them; all answered in the affirmative. Mr. Morgan asked if there were any corrections, additions or deletions proposed; none was offered.

** Mr. Morgan made the motion to approve the December meeting Minutes; motion was seconded by Mr. McNutt and the motion to approve was passed by unanimous vote.*

Old Business

Mr. Morgan stated that Director Tully will present a report on various subjects which are shown on the Agenda, and he asked Mr. Tully to address each of them in turn.

- Mr. Tully reported that the "Yellow Pages' investigation of premium sedan operators has since expanded to encompass Websites, the "Yellow Book," etc. Rather than submit only what has been learned to date, he asked the board for permission to wait until next month's meeting for a more comprehensive report of what has been yielded from a variety of source materials.
- Mr. Tully reminded everyone that the absolute deadline for issuance of driver's licenses is January 31, and that in accordance with the VHF Code, a fine of **\$5 per day** will be assessed to any party who fails to be licensed by the deadline date.
Mr. McNutt asked whether the companies have been reminded of that deadline, and Mr. Tully stated it is published in the Code which was supplied to every certificate holder, adding that the information is also posted on our website. After some discussion, Mr. Tully agreed to issue a reminder letter about the deadline to all certificate holders of On-Call cab companies.
Mr. Rudawsky asked whether the \$5 per day penalty is to be paid by the companies, or by the drivers? Mr. Tully replied that licensing compliance is the driver's responsibility, thus these penalties are to be borne by the driver.
- Director Tully stated that, at the December public meeting, the moratorium was rescinded for the *premium sedan* classification (only) and that, to date, 2 applications from 2 companies have been received, involving a total of 9 vehicles. Mr. Tully added that we also have 3