

METROPOLITAN NASHVILLE-DAVIDSON COUNTY
TRANSPORTATION LICENSING COMMISSION

Minutes

January 31, 2013

The Metropolitan Nashville-Davidson County Transportation Commission (TLC) met in regular session on this date at the Metropolitan Courthouse. Present were Vice Chair Brian Winfrey, Commissioners Sal Hernandez, Rhonda Marko, Tom Turner, Pat McNally and Curt Wallen (6). Also present were Metro Legal Advisers Theresa Costonis and Rachelle Gallimore-Scruggs along with TLC staff members Lisa Steelman, Debbie Saddler, Walter Lawhorn and Interim Director Billy Fields.

Vice Chair Brian Winfrey called the meeting to order and introduced Pat McNally as the new TLC member then led the Pledge of Allegiance followed by a reading of the Notice of Appeal Statement which outlined the right of appeal for TLC decision.

Minutes

Commissioner Wallen, with a second from Commissioner Marko, moved to approve the minutes from the previous meeting.

Action: Approved 5-0.

TLC Officer Election

Commissioner Turner, with a second from Commissioner Wallen, moved to elect Commissioner Winfrey to be the new chair.

Action: Approved 5-0

Commissioner Turner, with a second from Commissioner Wallen, moved to elect Commissioner Hernandez as the new Vice Chair.

Action: Approved 5-0

TLC 2013 Meeting Schedule

Interim Director Fields presented the TLC meeting schedule for 2013 which was accepted.

January 31	May 23	September 26
February 28	June 27	October 24
March 21	July 25	November 21
April 25	August 22	December 12

Public Hearing on Certificates of Convenience and Necessity for Taxicabs

The Chair opened the public hearing and recognized elected officials to speak on behalf of the applicants. Those present included Metropolitan Council members Chris Harmon, Davette Blalock, Scott Davis, Tony Tenpenny and Robert Duvall. In addition, Tennessee State Representatives Harold Love and Jason Powell spoke as well.

The following individuals spoke as representatives for the applicants:

American Music City	Johnny White
Black Cab	Zelege Awash and David King
Checker Cab	Brandy Dismang
Green Cab	Jim Murphy
Kwik Cab	Devan Bhatt and Buck Dozier

TaxiUSA	Gif Thornton and Michael Solomon
TennCab	Jere Lee
United Taxi	Suldip Singh Mann
Volunteer Taxi	Michael Rowan

At the conclusion of this portion of the meeting, the following individuals spoke including Mike Kaiser, Tegegne Tujo, Sileshi Dejane, DeYuna Bailey, Adugna Denbel, Hassan Jeeaya, Godwin Poima and Mohamed Hassan.

The Chair closed the public hearing to allow the TLC an opportunity to discuss the issues. Interim Director Fields explained that the TLC was not bound by its decision for the August, 2013 meeting to assign 60 new taxicab permits at this meeting. Legal Adviser Theresa Costonis explained that the TLC could rescind and amend its actions to allow for any additional permits.

Following additional discussion on the matter, Commissioner Turner, with a second from Vice Chair Hernandez, moved to rescind the TLC action from the August meeting with provided that 60 taxicab permits would be assigned at the January 2013 and to allocate and assign 110 new permits.

Action: Passed 5-0.

Commissioner Turner, with a second from Vice Chair Hernandez, moved that Green Cab be assigned 35 permits, Kwik Cab be assigned 35, TennCab be assigned 35 and Volunteer Taxi assigned 5.

Action: Failed 2-3-1 with the Chair voting “No” to break the 2-2-1 tie.

Commissioner Wallen, with a second from Commissioner Marko, moved to assign 35 permits to Green Cab, 25 to Kwik Cab, 35 to TennCab and 15 to Volunteer Taxi.

Action: Approved 5-0.

Commissioner Turner moved that a 10 percent bonus of additional taxicab permits to any company that will place handicap accessible vehicles into the fleet. The motion failed with no second.

Interim Director Fields asked for guidance in how soon these new taxicabs should be in service. Commissioner Turner, with a second from Commissioner Wallen, moved that the new taxicabs should be in service within 120 days.

Action: Approved 5-0.

The TLC then took a five minute recess.

Public Hearing on Horse Drawn Carriage Rules

Interim Director Fields explained that TLC Horse-Carriage Rule 5 prohibited solicitation by the carriage companies with the downtown area. He explained that based on advice from Metro Legal, this rule could be considered a violation of the law and asked that the rule be vacated.

The Chair opened the public hearing and Elizabeth Luckey, Sam Roberts and Matthew Clark spoke against vacating the rule.

After some discussion, Vice Chair Hernandez moved, with a second from Commissioner Marko, to vacate the rule.

Action: Approved 5-0.

Wrecker and Towing Services

Consideration of Current Emergency Wrecker Companies

Interim Director Fields reported that the following companies reapplied for renewal as an emergency wrecker company:

1. A.B. Collier Wrecker Service
2. Bailey's Wrecker Service

3. Brown's Wrecker Service
4. Carter's Wrecker Service
5. Chapman's Wrecker Service
6. Cotton's Towing
7. Dad's Towing Service
8. Donelson Wrecker Service
15. West Nashville Wrecker Service

9. Hillwood Wrecker Service
10. Martin's Wrecker Service
11. Mike's Custom Towing
12. Smith Car Care Center
13. Tommy's Wrecker Service
14. Tow Pro

Commissioner Wallen moved with a second by Vice Chair Hernandez to approve the applications for emergency wrecker companies:

Action: Approved 4-0-1

Consideration of Current General Wrecker License Applications

Interim Director Fields reported that the following companies have reapplied as general wrecker companies:

- | | |
|----------------------------------|---|
| 1. AAA Auto Club South | 34. Interstate Towing LLC. |
| 2. A & B Automotive & Towing | 35. Iron Man Tow |
| 3. A & H Auto Repair | 36. J & J Towing |
| 4. Affordable Towing | 37. Johnson's Towing Service |
| 5. Ahora Towing | 38. Ken's Towing/K&T |
| 6. AL BAR Towing | 39. L. A. Auto Sales |
| 7. ALCAR National Recovery | 40. L & S Towing Recovery |
| 8. All Around the Clock Towing | 41. Luckshis Towing Service |
| 9. Always Towing | 42. Madison Auto Care |
| 10. American Locators & Recovery | 43. Maikel Towing |
| 11. Anytime Towing | 44. M.I.S. Towing |
| 12. Auto Recycle of Middle TN | 45. Mid-Tenn Towing |
| 13. Best Towing | 46. Mr. B Towing & Recovery |
| 14. Bo's Towing | 47. Nash Towing & Transportation |
| 15. Brown's Automotive | 48. Nashville Motors |
| 16. California Towing Service | 49. Nashville Towing & Recovery |
| 17. Calvo's Wrecker Service | 50. Nation's Auto Sales & Towing |
| 18. Car Corner | 51. Pegram's Auto Sales |
| 19. Cash Towing | 52. Performance Towing & Recovery |
| 20. Complete Auto Care Collision | 53. Perry's Wrecker Service |
| 21. Copeland's Towing & Recovery | 54. Rescue Professionals |
| 22. Cub Country Motors | 55. Servicio de Gruas Flores |
| 23. Donnie's Tire Service | 56. Southside Towing & Recovery |
| 24. Duke's Towing & Recovery | 57. Spicer Truck Service |
| 25. Eddie's Garage | 58. Tennessee Auto Recovery |
| 26. Edwards Towing Service | 59. Titan's Towing Service |
| 27. Express Auto Recyclers | 60. Tow N Time |
| 28. Express Towing & Recovery | 61. Tri-Tech Automotive |
| 29. Gaylord Opryland | 62. United Auto Recovery |
| 30. Golden Eagle Wrecker | 63. Universal Towing (MWC, LLC)—
Formerly Easy Towing (MWC, LLC) |
| 31. Grisham's Towing & Recovery | 64. We Buy Junk Cars |
| 32. Harpeth Towing & Recovery | 65. We Tow |
| 33. Harry's Towing | |

Vice Chair Hernandez moved, with a second from Commissioner Marko, to approve the applications for general wrecker licenses.

ACTION: Approved 5-0.

Consideration of New General Wrecker License

Interim Director Fields reported that Fast Towing applied as general wrecker company.

Commissioner Turner moved with a second by Commissioner Marko to approve the applications for Fast Towing as a general wrecker company.

ACTION: Approved 5-0.

Consideration of Current Wrecker Driver Application

Interim Director Fields reported that the following individuals have reapplied as general wrecker drivers:

1. AHORA, DARYOUSH
2. ALLEN, KENNETH W.
3. ANDERSON, BOBBY J.
4. ANDERSON, JERRY R.
5. ATWOOD, MARK G.
6. BARNES, EVERETT C.
7. BATES, LARRY E.
8. BRASSELL, ERIC T. SR.
9. BRAVO-HERNANDEZ, MOISES
10. BRINKLEY, JOSHUA E.
11. BROCK, RONNIE G.
12. BROWN, GARY W.
13. BUTLER, JOHN P. III
14. BYRD, RICHARD A.
15. CAMMON, DOYLE R.
16. CARLSON, RYAN P.
17. CARNEY, JEFFERY S.
18. CARTER, JAMES D.
19. CLARK, JIMMY D.
20. CLEMENTS, KYLE J.
21. COOK, VERNON R.
22. CORMIER, EUGENE C.
23. DARKS, RONALD E.
24. DENNIS, WAYNE D.
25. DEVIDTS, JOHN T.
26. DIAZ, LUIS R.
27. DUKE, CHARLES W. JR.
28. DUNN, ROBERT D.
29. ESTEVA, JULIO A.
30. EWIN, TAYLOR G.
31. FIGUEROA, KEVIN W.
32. FLORES, SANTOS C.
33. FORD, JAMES D.
34. FREELAND, WILLIAM D.
35. GANN, WILLIE E.
36. GOLDEN, RONALD J.
37. GOODARD, TOMMY L.
38. GREER, DARRELL L.
39. GREER, MATTHEW R.
40. GRIMES, JAMES C.
41. HALEY, DAVID W.
42. HAYNES, JAMES B.
43. HEPBURN, CALEB C.
44. HOGAN, JOSHUA C.
45. HOLT, DANIEL R.
46. HOPPER, RYAN E.
47. HORTON, RICHARD L.
48. HURST, BRANDON J.
49. IVEY, RONNIE D.
50. JENKINS, LARRY C.
51. JESTER, THOMAS E.
52. JIMINEZ, JASON V.
53. JOHNSON, BETHANY A.
54. JOHNSON, JOSHUA D.
55. JONES, MARK A.
56. JONES, MICHAEL D. SR.
57. JONES, WILLIAM O.
58. KRAUSHAAR, FRIEDRICH W.
59. LENOX, BYRON E.
60. LEWIS, MICHAEL E.
61. LIEN, CLINTON E.
62. LOPEZ, MANUEL JR.
63. MABRY, RONALD L.
64. MAHONEY, CHRISTOPHER S.
65. MANGUM, MICHAEL D.
66. MARTIN, DAVID B.
67. MAVUNGA, MAXWELL
68. MAYBERRY, STEPHEN E.
69. MAYES, REGINALD F.
70. MCCLANAHAN, MATTHEW Y.
71. MCWILLIAMS, KEVIN M.
72. MILLER, ANTONIO G.
73. MILLER, KENNETH D.
74. MILLER, RAYMOND F.
75. MIRIAN, ALI
76. MIXON, MARION B.
77. MULLINS, JAMES W.
78. NELTNER, LAWRENCE M. JR.
79. OGLE, ROBERT N.
80. PEDIGO, LARRY W.
81. PETTIFORD, STEVE F.
82. PROCTOR, RONALD II.
83. RANEY, WILLIAM L.
84. RAYMER, MALLARD M.
85. ROBINETTE, ANTHONY D.
86. ROGERS, MICHAEL W. JR.
87. RUSH, TROY A.
88. SEIDEL, TREVOR L.
89. SHOPE, STEPHEN D.
90. SMITH, VICTOR JR.
91. TACKETT, AUSTIN M.
92. TALLEY, KEVIN U.
93. TEFFETELLER, BERNARD A.
94. THORNE, JAMES A.
95. THRASH, CLINTON W.
96. TROTTER, IRBY R.
97. VAUGHN, AUBRY D. JR.
98. VAUGHN, AUBRY D. SR.
99. VAUGHN, JAMES A.
100. VICENS, ESAUL N.
101. WARREN, BILLY R.
102. WATERS, RODNEY T.
103. WILLIAMS, DAVID A.
104. WILLIAMS, GREGORY B.
105. WITTKOP, STANLEY S.
106. WOELK, JOHNNIE H. 3RD
107. WOODARD, MICHAEL D.
108. YABLONSKI, PAUL E.
109. ZELAYA, ALEXANDER A.

Vice Chair Hernandez moved, with a second by Commissioner Turner, to approve the applications for current wrecker driver permits.

ACTION: Approved 5-0

Consideration of New Wrecker Driver Permits

Interim Director Fields reported that the following individuals have applied as new wrecker drivers:

- | | |
|------------------------------|---------------------------|
| 1. BENTON, DARREN | 11. KARIMZADEH, JAVAD |
| 2. BUMBALOUGH, TONY W. | 12. LONG, KEVIN P. |
| 3. CHOUMMANWONG, SOURIYA JR. | 13. MAPES, FREDERICK SR. |
| 4. COOK, JEROMIE J. | 14. MORALES, CARLOS R. |
| 5. CURTSINGER, DORA E. | 15. PHELPS, CHARLES K. |
| 6. ELLIOTT, ANDREW M. | 16. PLUMMER, FLOYD |
| 7. FATONY, DAVID S. | 17. REYNOLDS, MICKEY E. |
| 8. GRISHAM, HAROLD JR. | 18. RICHARDSON, GEORGE L. |
| 9. HUMPHRIES, ALBERT B. | 19. TURNER, TRAVIS T. |
| 10. JOHNSON, ROBERT E. | 20. WATERS, WILLIAM D |

Interim Director Fields asked the TLC to consider the applications of two of the drivers, Andrew M. Elliott and Floyd Plummer separately and his request was approved.

Vice Chair Hernandez moved, with a second by Commissioner Wallen, to approve the applications for new wrecker driver permits.

ACTION: Approved 5-0

Interim Director Fields said that Mr. Elliott has a pending felony theft charge. Mr. Elliott explained that he had traded for a boat motor that he did not know was stolen.

Vice Chair Hernandez moved with a second from Commissioner Wallen to deny this application.

ACTION: Approved 5-0.

Interim Director Fields reported that Mr. Plummer failed to list some drug charges on his application and the inspector requested a review by the TLC.

Commissioner Marko moved, with a second from Commissioner McNally, to approve this application.

ACTION: Approved 5-0.

Consideration of Application for Non-Consent Towing License

Interim Director Fields explained that Music City Towing applied in November and was denied. He explained that there is no time limit on when a new application can be heard so this item was placed on the agenda.

After some discussion, Vice Chair Hernandez, moved with a second from Commissioner Marko, to approve this application.

ACTION: Approved 4-0-1.

Taxicabs

Interim Director Fields introduced Beleke Kromah as an applicant to be a taxicab driver. Mr. Kromah explained that he had been convicted of domestic violence and sexual battery, but the case was on appeals to the Tennessee State Court of Criminal Appeals. Vice Chair Hernandez moved, with a second from Commissioner Turner, to deny the application.

ACTION: Approved 5-0.

Horse and Carriages

Interim Director Fields reported that the complaints and issues related to Sugar Creek Carriage and Hat Creek Carriage had not been resolved and said the companies would be invited to the February TLC meeting to express their complaints and concerns. Interim Director Fields said he thought the meeting with attorneys were productive, but no settlement had been reached. He explained that the staff will not be involved in the process since staff did not file the complaints or witness any of the events.

With no further business, the meeting was adjourned.

ATTEST:

APPROVED:

Billy Fields
Interim Director

Brian Winfrey
Chairman