

METROPOLITAN NASHVILLE-DAVIDSON COUNTY
TRANSPORTATION LICENSING COMMISSION

Minutes

February 28, 2013

The Metropolitan Nashville-Davidson County Transportation Commission (TLC) met in regular session on this date at the Metropolitan Courthouse. Present were Commissioners Rhonda Marko, Tom Turner, Sam Patel, Pat McNally and Curt Wallen (5). Also present were Metro Legal Advisers Theresa Costonis and Rachelle Gallimore-Scruggs along with TLC staff members Lisa Steelman, Debbie Saddler, Milton Bowling, Howard "Butch" Morris, Walter Lawhorn and Interim Director Billy Fields.

In the absence of the chair and vice chair, the TLC selected Commissioner Turner to serve as acting chair for the meeting.

The chair called the meeting to order 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 Patel, with a second from Commissioner Marko, moved to approve the minutes from the previous meeting.

Action: Approved 4-0.

Wreckers

Renewing Wrecker Company License Requests

The following companies applied for renewal of existing general wrecker licensing permits:

- | | |
|---------------------------------------|------------------------------|
| 1. A to Z Towing | 7. J & J Towing |
| 2. Buy & Tow Wrecker | 8. J.E.M. Towing |
| 3. Cub Country | 9. Lawson's Service Station |
| 4. Golden Eagle Wrecker Service | 10. Marshall Wrecker Service |
| 5. Harpeth Towing & Recovery | 11. Polly's Towing Service |
| 6. Independent Towing & Recovery, LLC | |

Commissioner Patel, with a second from Commissioner Wallen, moved to approve the renewing wrecker company requests.

Action: Approved 4-0.

The following individuals applied for renewal of their existing wrecker driver permits:

- | | |
|-------------------------|-------------------------|
| 1. Archer, Matthew J | 7. Mayberry, Stephen |
| 2. Bates, David L. | 8. Patterson, Robert A. |
| 3. Bennings, Kenneth M. | 9. Smith, Kevin W. |
| 4. Bruce, William | 10. Sweeney, John T. |
| 5. Cammon, Lawrence C. | 11. Wilson, Matthew |
| 6. Golden, Ronald | |

Commissioner Marko, with a second from Commissioner Patel moved to approve the requests for renewing wrecker drivers.

Action: Approved 4-0.

Anthony Morton request for renewal of his wrecker driver permit. Interim Director Fields explained there were some issues with his background check which required TLC review. Mr. Morton was not present so was deferred until later in the meeting.

When Mr. Morton was present, Interim Director Fields explained that Mr. Morton had worked on a permit on probation without any wrecker-specific problems, but had a weapons charge against him in July, 2012. Because Mr. Morton was charged with possession of a weapon while on criminal probation, Interim Director Fields said the TLC should review the application.

Commissioner Wallen, with a second from Commissioner Marko, moved to extend Mr. Morton's driver's permit for a period of 60 days pending disposition of the case.

Action: Approved 4-0.

The following drivers made application for new wrecker driver permits:

- | | |
|-------------------------|----------------------------|
| 1. Brittain, Anthony M. | 12. Newby, Zeke C. |
| 2. Brooker, Michael C. | 13. Noah, Brintton, J. |
| 3. Brown, Austin R. | 14. Pafford, William C. |
| 4. Buchanan, James III | 15. Reed, James L. |
| 5. Chatman, Victor O. | 16. Robinson, James A. |
| 6. Gibson, William D. | 17. Rosenhauer, Jeffrey D. |
| 7. Hargrove, Charles S. | 18. Spicer, Vernon |
| 8. Honaker, Zachary N. | 19. Thomas, Paul G. |
| 9. Key, Paul W. | 20. Waller, Benjamin L. |
| 10. McGee, Sean C. | 21. Willis, Edward C. |
| 11. Moore, Lathan G. | |

Commissioner Wallen, with a second from Commissioner Marko moved to approve the applications.

Action: Approved 4-0

Taxicabs

Kwik Cab, represented by Devang Bhatt and Rajbir Singh, appeared to request approval of color scheme for the company because the previous scheme conflicted with an existing company. The colors will be primarily red with black lettering.

Commissioner Patel, with a second from Commissioner Wallen, moved to approve.

Action: Approved 4-0.

Horse-Drawn Carriages

Interim Director Fields explained that there were existing complaints and cross complaints between drivers at Hat Creek Carriages and Sugar Creek Carriages and explained that no TLC staff or Metropolitan Police staff witnessed these alleged violations which means the complaints would be presented directly to the TLC with no staff input. Interim director Fields said he had met with said companies in December, but no resolution was reached. He stated that he has asked for additional carriage stands in the downtown area to allow for more separation of the carriages/carriage companies and said a plan to keep them on different stands at all times would be made if the new stands are approved by the Traffic and Parking Commission.

Tyler Chance Yarbrow and Jason Gichner represented Hat Creek and Gary Blackburn was present to represent Sugar Creek.

Russell Bassett, Elizabeth Lucky, and Sam Roberts testified regarding alleged activities by Johnny Smith which Ms. Yarbrow argued amounted to violations of Metropolitan Code of Laws 12.54.200. Each was cross-examined by Mr. Blackburn. Mr. Smith testified on his own behalf.

After some discussion, Commissioner Marko, with a second from Commissioner Patel moved to take no action based on lack of evidence and to have the complaints dismissed.

Action: Approved 4-0.

Other Business

Interim Director Fields advised the TLC that he would be asking for a Public Hearing for the purposes of considering rule changes regarding taxicab insurance requirements as well as insurance ratings at the March, 2013 meeting.

Mr. Fields then asked Transportation Licensing Inspector Walter "Buddy" Lawhorn to come forward. Inspector Lawhorn's retirement comes after 37 years of service to the TLC and the Taxicab and Wrecker Licensing Board before the TLC. Mr. Fields read a letter of commendation from Mayor Karl Dean as well as additional tribute letters.

The TLC commended Inspector Lawhorn for his years of service.

With no further business, the meeting was adjourned.

ATTEST:

APPROVED:

Billy Fields
Interim Director

Tom Turner
Acting Chair