## METROPOLITAN NASHVILLE-DAVIDSON COUNTY TRANSPORTATION LICENSING COMMISSION

# Minutes January 23, 2019

The Metropolitan Nashville-Davidson County Transportation Licensing Commission (TLC) met in regular session on this date in the Jury Assembly Room of the Historic Courthouse. Present were Chair Sal Hernandez, Vice Chair Pat McNally and Commissioners Mona Lisa Warren, Sarah Lingo and Sue Palmer (5). Present were Metro Legal Advisers Theresa Costonis and Tara Ladd along with TLC staff members Lisa Steelman and Billy Fields.

The Chair called the meeting to order at 1:37 p.m. then led the Pledge of Allegiance followed by a reading of the Notice of Appeal Statement which outlined the right of appeal of TLC decisions.

The Chair recognized Sue Palmer as the newest member of the TLC.

Commissioner Lingo with a second from Commissioner Warren moved approval of the previous meeting minutes from December meeting.

ACTION: Approved 4-0

**Public Hearings** 

The Chair opened a public hearing to consider changes to the Metropolitan Code of Law in section 6.81 related to booting. Chip Schmeelk, representing Nashville Booting, spoke. The chair closed the public hearing.

After some discussion and suggested alterations to the proposal presented by TLC staff, Vice Chair McNally with a second from Commissioner Warren moved to recommend to the Metropolitan Council suggested ordinance changes to MCL 6.80 with suggested modifications and deletions.

ACTION: Approved 4-0

The Chair opened a public hearing to consider changes to the Metropolitan Code of Law in section 12.54 related to horse drawn carriages.

The following persons spoke during the public hearing:

John Smith Melody Robinson Tricia Lebkuecher Paul Morrison Gary Blackburn Eddie Garcia

The Chair closed the public hearing.

After some discussion including suggestions on sections to be removed or modified, Vice Chair McNally with a second from Commissioner Lingo moved to recommend to the Metropolitan Council the suggested ordinance changes to MCL 12.54 with modifications and deletions

ACTION: Approved 4-0

#### **Shared Urban Mobility Devices (SUMDs)**

Director Fields asked the TLC to review the expansion of Bird and Lime. Director Fields explained that the ordinance provided that during the pilot period the companies could expand from an initial 5400 allotment by 250 after the first month and an additional 150 SUMDs at the end of the second month. However, during the first months of operations, the process was not clear. He explained that the process has since been reviewed and is now effective for future expansion requests. He stated that after review, both companies met the standards established by the pilot program ordinance to allow the expansion. After some discussion, Vice Chair McNally with a second from Commissioner Warren moved to accept the expansion of the companies.

ACTION: Approved 4-0

#### Taxicabs

Yellow Cab Metro, Inc., represented by Henry Brand, appeared to request the TLC consider allowing taxicab vehicles to remain in service up to 12 years rather than 10 as currently allowed. After some discussion, the TLC asked its staff to review other cities and study the request then report back to the TLC.

### **Wrecker and Towing Services**

Eduardo L. Avendano applied to be a wrecker driver, but was referred to the TLC for review. Vice Chair McNally with a second from Commissioner Lingo moved to approve the application with conditions to have bi-weekly alcohol testing and reports sent to TLC director. If no problems there will be no need for reappearance. If there are violations then the permit shall be revoked.

	ACTION:	Approved	4-0		
Roy D. Porter applied to be a wrecker driver, but was not present. Vice Chair McNally with a second from Commissioner Lingo moved to defer action.					
	ACTION:	Approved	4-0 Othe	er Passenger Vehicles For Hire	
Paul A. Gaujot applied to be an OPVH driver, but failed to fully disclose. After some discussion, Commissioner Lingo with a second from Vice Chair McNally moved to approve the application.					
	ACTION:	Approved	4-0		
Tamara C. Larkin applied to be an OPVH driver, but failed to fully disclose. After some discussion, Commissioner Lingo with a second from Commissioner Warren moved to approve the application.					
	ACTION:	Approved	4-0		
GoLivery requested a name change to Ovision LLC dba Go Livery. Vice Chair McNally with a second from Commissioner Lingo moved to approve the request.					
	ACTION:	Approved	4-0		
The following companies applied to operate an OPVH company:					
Nahom's Ride		Noel Limousine			
Vice Chair McNally with a second from Commissioner Lingo moved to approve.					
	ACTION:	Approved	4-0		
The Chair stated that the meeting was running out of time and all of the complaints would not be heard at this meeting. Director Fields suggested that the non-horse drawn carriage complaint be taken out of order and all horse-drawn carriage complaints be moved to the February meeting. The chair agreed.					
Complaints/Disciplinary Issues					
TLC Inspector Howard Morris was present to report recent encounter with taxicab Driver Hasim Wachamo who was represented by attorney John Ballard. Mr. Morris and Mr. Wachamo were sworn in and addressed the complaint and response. After some discussion, Vice Chair McNally moved with a second from Commission Warren that Mr. Wachamo violated TLC 6.72.170 along with other conduct requirements including one through seven as reported by Inspector Morris.					
	ACTION:	Approved	4-0		
Vice McNally moved with a second from Commissioner Lingo moved to suspend Mr. Wachamo for four months (with being given credit for two months already suspended by the taxicab company) then placed on probation for one year.					
	ACTION:	Approved	4-0		
The meeting was adjourned at 5:28 p.m.					
ATTEST	:			APPROVED:	
Billy Fie	elds Executive Secretary			Sal Hernandez Chair	Date