

**METROPOLITAN NASHVILLE-DAVIDSON COUNTY
TRANSPORTATION LICENSING COMMISSION**

**Minutes
November 21, 2019**

The Metropolitan Nashville-Davidson County Transportation Licensing Commission (TLC) met for a regular meeting on this date in the Jury Assembly Room of the Historic Courthouse. Present were Chair Sal Hernandez, Vice Chair Pat McNally and Commissioners Carey Rogers, Jessica Powell 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 1:35 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.

Commissioner Rogers with a second from Commissioner Palmer moved approval of the minutes from the special meeting on August 7, 2019 and August 22, 2019.

ACTION: Approved 3-0

Public Hearings

Director Fields explained that the TLC holds an annual meeting to consider any requests from existing horse drawn carriage companies as well as any new applicants. The purpose is to consider any additions for existing or applications from new companies. This year Sugar Creek Carriages requested seven new operating permits for additional carriages. There were no new company requests.

The Chair opened the public hearing. Tricia Lebkuecher and Melody Robinson spoke. There were no other speakers and public hearing as closed. Johnny Smith, owner of Sugar Creek Carriages explained why his request should be approved. After some discussion, Commissioner Rogers with a second from Commissioner Palmer moved to deny the application. The vote was two for and two against the motion. The Chair voted no and the motion was approved.

ACTION: Application denied 3-2

Dave Pomeroy, president of the Nashville Musicians Association AFM Local 257 and Union member John Root made a presentation to the TLC regarding issues on Lower Broadway which are causing problems for musician loading in and out of the venues. Mr. Pomeroy explained and shared evidence that taxicab drivers were continually causing problems along with others by blocking the loading zones. Director Fields explained the difficulties of enforcement including TLC lack for authority for enforcement of many of these issues. Director Fields suggested he set up a meeting for the Union to speak directly to the taxicab operators to discuss the issue.

Horse Drawn Carriages

Southern Comfort Carriages requested permission to operate additional carriages under a private contract at Opryland during the holiday season. Director Fields explained that it was within his authority to grant the approval, however, there was some confusion last year. He advised Southern Comfort Carriages to be sure to have appropriate contracts in place as well as documentation filed for the special event.

Wreckers-Towing Services

Randy E. Butler applied to be a wrecker driver. Vice Chair McNally with a second from Commissioner Powell moved to approve.

ACTION: Approved 4-0

Venson Carlos Jones applied to be a wrecker driver. After some discussion, Vice Chair McNally suggested he would like to do additional research. Commissioner Rogers with a second from Vice Chair McNally moved to do additional research and defer decision until December meeting.

ACTION: Approved 4-0

Matthew Angelo Lessary applied to be a wrecker driver, but was not present. Vice Chair McNally moved with a second from Commissioner Rogers moved to defer until the December meeting.

ACTION: Approved 4-0

Jacob Daniels McMasters applied to be a wrecker driver, but was not present. After some discussion, Vice Chair McNally moved with a second from Commissioner Rogers to deny the application.

ACTION: Denied 4-0

Anthony Alexander Sims applied to be a wrecker driver. After some discussion, Vice Chair McNally with a second from Commissioner Rogers moved to approve but applicant must return to the February TLC meeting with proof of successful drug test results, have random drug tests every two weeks at his expense and placed back on the agenda if any drug test failures occur.

ACTION: Approved 4-0

Taxicabs

Idiris Adan applied to be a taxicab driver. After some discussion, Commissioner Powell with a second from Vice Chair McNally moved to approve.

ACTION: Approved 4-0

Other Passenger Vehicles for Hire (OPVH)

The following requests were made to the TLC:

- Review name change for Fisseha Limousine Co. to Jember Mulugeta dba Jember Limousine Co.
- Review Address Change for Luxury Ride Nashville from 2632 Grand View Avenue to 2633 B. Grandview Avenue, Nashville 37211
- Review Company Application for BNA Drive
- Review Ownership Modification for Street Tread Limo LLC by adding partner Jessica Denise Perry
- Review request to add Mesfin Tessema as partner at Reliable Black Car Service

After some discussion, Commissioner Rogers with a second from Vice Chair McNally moved to approve/accept all of these items.

ACTION: Approved 3-0

Review Complaints/Disciplinary Issues

Dr. Taura Long field a complaint alleging Nashville Booting violated MCL 6.81.180 related to signage. After hearing from Dr. Long and Nashville Booting representative Tim McCreedy, Vice Chair McNally with a second from Commissioner Rogers moved to dismiss the complaint.

ACTION: Approved 3-0

Nashville Animal Advocacy filed a complaint against Southern Comfort Carriages as did Thomas Ruggio alleging violation of MCL 12.54.200 on the evening of June 3, 2019. Director Fields asked the complaints to be combined and heard together. Vice Chair McNally with a second from Commissioner Rogers moved to combine the complaints.

ACTION: Approved 3-0

After discussion, Vice Chair McNally with a second from Commissioner Rogers moved to find Southern Comfort Carriage violated 12.54.200 A-12.

ACTION: Approved 3-0

Vice Chair McNally with a second from Commissioner Rogers moved to issue a warning to Southern Comfort Carriages.

ACTION: Approved 3-0

Melody Robinson/American Melody Carriages filed a complaint against Sugar Creek Carriages alleging a violation of 12.54.070 A-8. Ms. Robinson offered her proof. Sugar Creek Carriages represented by Gary Blackburn responded. After some discussion, Vice Chair McNally moved with a second by Commissioner Rogers to dismiss the complaint.

ACTION: Approved 3-0

Vice Chair McNally with a second from Commissioner Rogers moved to defer consideration of additional complaints filed by Melody Robinson/American Melody Carriages against Sugar Creek Carriages until December.

ACTION: Approved 3-0

Director Fields advised the TLC that there were approximately 16 new complaints filed regarding horse drawn carriages. The Chair responded that he had asked these complaints be parceled out to future meetings until all are reviewed.

Other Business

Director Fields reported two taxicab companies, Green Cab and Kwik Cab, did not renew their Certificate of Public Convenience and Necessity which automatically results in a forfeiture of the certificate. In addition, Pink Cab reduced their fleet from 35 to 15; Magic Taxi reduced their fleet from 54 to 40; TaxiUSA reduced their fleet from 150 to 100; Volunteer reduced their fleet from 80 to 50 and Yellow reduced their fleet from 90 to 80. There are now 735 cabs available for operations.

Director Fields shared the following "draft" schedule for the 2020 TLC meeting schedule:

January 23	Annual Taxicab Hearing	Filing deadline is Friday, Dec. 6, 2019 at Noon
February 27		
March 26		
April 23		
May 28		
June 25	Annual Emergency Wrecker Zone Hearing	Filing deadline is Friday, May 1, 2020 at Noon
July 23		
August 27	Annual LSV & Pedal Vehicle Hearing	Filing deadlines is Thursday, July 2, 2020 at Noon
September 24		
October 22		
November 19	Annual Horse Drawn-Carriage Hearing	Filing deadline is Friday, Sept. 25, 2020 at Noon
December 10		

After some discussion, Vice Chair McNally with a second from Commissioner Rogers moved to accept the proposed 2020 TLC meeting schedule.

ACTION: Approved 3-0

With no further business, the meeting was adjourned at 5:07 p.m.

ATTEST:

APPROVED:

Billy Fields
Director/Executive Secretary

Sal Hernandez
Chair

Date