

**Taxicab Board Meeting Minutes
March 24, 2011**

Members Present: Sarah Singleton Douglas Chapman
Stephen Kunselman Timothy Hull
Tom Crawford Barbara Krick

Members Absent: Tom Oldakowski

Guests:

John Etter, Blue Cab
Vincent Hooper, Yellow Cab
James A Foutch, All American Cab
Oul DiBiassio, Yellow Cab
Thomas Myers, Yellow Cab
William Root, Yellow Cab
Bill Sloderbeck, Yellow Cab
Tim Tobias, Michigan Green Cabs
Kristin Persu, Select Ride
Bob Lewis, Yellow Cab
Meryln Wade, Ann Arbor Transport Taxi
C. Lewis
Robert C. Gardella, PLLC, Attorney at Law

CALLED TO ORDER

The meeting was called to order at 8:10 a.m. by Douglas Chapman.

Sarah Singleton requested that Select Ride be added to the agenda under New Business to discuss adding a new vehicle to their fleet.

PUBLIC COMMENTARY

Attorney Robert Gardella, legal counsel for the Great Lake Limousine Association said that he has concerns with the city's proposal from February 24, 2011 Summary of Memorandum regarding new definitions and new ordinance provision. He said he has a major concern regarding some of the regulations that are being imposed, especially in terms of defining taxicabs. He said the city would be defining or trying to regulate limousine as well as taxicabs. He said he would be happy to work with or assist whoever drafted the document to make sure the limousine operators that are licensed by the state of Michigan stay an exclusive jurisdiction.

Ms. Krick ask Mr. Gardella to tell the Board what was explained to him about why the Board is considering the changes. Mr. Gardella said he has attorney/client privilege and could not provide the Board with what was explained to him. Ms. Krick said that some of the limousine companies may be fudging a little. Mr. Gardella said that he does not know the history of the limousine companies in Ann Arbor but he has been informed by the city attorney's office regarding some of the problems. Mr. Gardella said his focus is on limousine companies in general. The limousine association represents limousine operators and bus companies, not taxi or cab operations. Some members do operator both limousine and taxicabs. Limousine companies are licensed by the state of Michigan. They do not get their authority from any local government unit. Local government cannot license limousine.

Ms. Krick said that the problem we are having in Ann Arbor is limousine acting as taxicabs. Mr. Gardella said that the Michigan Department of Transportation does allow taxicabs to have a limousine license.

Tim Tobias from Michigan Green Cabs said that his company is operating as a limousine company. He has heard a lot of concerns and complaints about some limousine companies charging a higher fare than the metered taxicab companies. He asked if the complaints were coming from the general public or other taxicab companies.

Tom Crawford said that we have gotten a lot of complaints but he thinks that there is confusion when someone gets into a vehicle and has an expectation that they are in a taxicab with metered rates and find out later they are not. Mr. Tobias said they also have a concern with taxicabs acting as limos. Because if a taxicab picks up a fare in Ann Arbor and takes them to Detroit Airport, they should charge them what the meter says. He said it is against the Michigan State statute for a taxicab to charge a flat rate.

John Ettter from Blue Cab said a vehicle acting as a cab, especially if the vehicle said taxi or cab on it and it has a top light on it, anyone would assume it is a taxi. He believes this causes confusion.

Mr. Kunselman asked if it is possible to draft our Ordinance such as to not have both limousines and taxicabs or to ban meters in limousine. Mr. Gardella said that the state says any vehicle that meets the annual inspection can be a limousine. Local jurisdiction can determine what is a taxicab and what is not. The Great Lakes Limousine Association's preference is that the vehicle do not have dual operation. They believe it is not good for the general public. Also, the insurance for a limousine is most lower than a taxicab. So it would not be advantageous for vehicles to operate as both a limousine and taxicab and the Association would not encourage it.

OLD BUSINESS

Approval of Taxicab Board meeting minutes, February 24, 2011

Ms. Krick asked that corrections be made to the February 24, 2011 Board meeting minutes starting with page 3. The third paragraph should say " Officer Clock said that he used to get a lot of calls...", "He has been instructing companies and drivers to report the incident to him by phone" and page 4, second paragraph should read "This will help the police easily identify a licensed taxicab" .

Mr. Kunselman moved to approve the Board minutes from February 24, 2011 with corrections, Mr. Chapman seconded. The motion passed.

NEW BUSINESS

1. Taxicab Rate Increase

Staff received a request from taxicab companies to consider a rate increase due to the increase in gas prices. A taxicab rate comparison with other cities was done to see if other communities were considering a rate increase. Sarah Singleton contacted several cities and found that no one was raising meter rates except Grand Rapids. Grand Rapids increase their rates yearly based on the Consumer Price Index. Ann Arbor taxicab rates are considered average within Michigan. The last rate increase was approved by council May 2008 when gas prices were near \$4.00 per gallon. Mr. Hull

said that he was concerned about just increasing rates due to the volatility of gas prices, but consider the surcharge as an option. Tom Crawford encouraged the Board to wait a little longer before making a decision to increase rates. He stated that in the past as gas prices went up and we increased rates; our meter rate stayed the same when gas prices went down.

Mr. Kunselman said that he would like to mull over increasing the meter rates and would like to bring the issue back to the next Board meeting.

Mr. Kunselman moved to postpone a decision on increasing the taxicab meter rate and/or adding a surcharge until the next Board meeting. Mr. Chapman seconded. The motion passed.

2. Select Ride New Vehicle to Fleet

Kristin Persu from Select Ride presented the Board with a handout of a new vehicle they would like to add to their fleet. The vehicle "Pink Ride" to fight breast cancer would be used to benefit cancer research. A dollar from each fare would be donated to the Washtenaw County American Cancer Society. Select Ride would continue with the program until it is discontinued by the American Cancer Society. The vehicle would then be painted yellow. The Pink vehicle would display the Select Ride yellow cab logo.

Mr. Kunselman moved to approve the new color scheme for Select Ride taxicab companies application at our next meeting. Mrs. Krick seconded.

Sarah Singleton said that at a previous meeting the Board stated that a totally different color vehicle had to be grandfathered in at the time of the ordinance change.

Mrs. Krick called for a vote on Mr. Kunselman's motion. The motion was voted down. Mr. Kunselman stated that other companies may want to participate in the program. It may not be a good idea to have pink cars for different cab companies. It may be better to have some sort of signage.

Mr. Hull mentioned that the Ordinance states each company must have a distinctive color and color scheme. Mrs. Krick asked that Tom Crawford discuss adding this vehicle with Select Ride.

TAXICAB ADMINISTRATOR'S COMMENTS

Tom Crawford gave an update to the Board on several ongoing Ordinance change issues from our February 2011 meeting.

Mr. Crawford reviewed a proposed change to Ordinance 7:155(3)(c) – Suspension or revocation of a taxicab driver's license will now read: The administrator reasonably believes that the driver acts in an unprofessional, harassing or threatening manner to himself, passengers, or others.

Ordinance 7:173(4) - Business identification – will now read: A person operating a taxicab or allowing the operation of a taxicab shall have a taxicab meter installed which is certified by the city each year for accuracy, (5) no commercial vehicle operating in the city as a taxicab shall advertise itself in print media, electronic media, or with logos or words on the side of their

vehicle, that they are a “taxi”, “taxicab”, or “cab”, nor utilize “for hire” lights on the top of their vehicles, without obtaining appropriate licenses under Chapter 85 of the city’s code.

Mr. Kunselman asked if it has been the intent of the Board in the past to try to accommodate limousine to be taxicab drivers. Mr. Crawford said it has been the explicit intent to not have a taxicab operate as a limousine. Ordinance 7:172 (1) states that “no person shall operate or permit the operation of a taxicab that is held out to the public as a limousine”.

PUBLIC COMMENTARY

James Foutch from All American Cab suggested commercial loading zones ending at 6:00 p.m. be changed to commercial stands for both limousine and cabs. It would eliminate illegal parking of both limos and cab.

Mr. Crawford said that the taxicab stand issue was given to DDA to plan and design the best location for taxicab stands. They will be getting back to us as they develop the best transportation options for the city.

Merlyn Wade from Ann Arbor Transport Taxi said his company as well as some others are operating legitimately as they are licensed through the state of Michigan. The problem with limousine would be alleviated for taxicab if there was enforcement on the street. It is very easy to tell who is a legitimate company and who is not.

Mr. Crawford said the new Ordinance changes will address problems with limousines acting as taxicabs with the implementation of new stickers and medallions.

ADJOURNMENT

Stephen Kunselman moved to adjourn the meeting, Douglas Chapman seconded. The motion carried and the meeting was adjourned at 9:15 a.m.