

CITY OF HENDERSONVILLE
BOARD OF MAYOR AND ALDERMEN
MINUTES OF REGULAR MEETING
MARCH 13, 2012

PRESENT

SCOTT FOSTER, MAYOR
GARRY FORSYTHE, VICE-MAYOR
STEVE BROWN, ALDERMAN
ARLENE CUNNINGHAM, ALDERMAN
TOMMY ELSTEN, ALDERMAN
HAMILTON FROST, ALDERMAN
CHRIS GALLAHER, ALDERMAN
JIM HOBACK, ALDERMAN
JACK LONG, ALDERMAN
FRED QUALLS, ALDERMAN
SCOTT SPROUSE, ALDERMAN
MATT STAMPER, ALDERMAN
LISA WEST, ALDE3RMAN
JOHN BRADLEY, CITY ATTORNEY
KAY FRANKLIN, INTERIM CITY RECORDER

AGENDA

Stamper moved; seconded by Sprouse for acceptance of the agenda as presented. There was a unanimous vote for approval.

MINUTES

Cunningham moved; seconded by Forsythe for approval of the February 28, 2012 minutes. There was a unanimous vote for approval.

CITIZENS COMMENTS

Deb Crowder, 306 Roberta Drive, addressed the Board stating a taxicab franchise should not be granted to Johnny White due to the inability to maintain liability insurance on contract drivers. She stated each driver should be required to obtain their own franchise.

Johnny White, 709 Calhoun Avenue, addressed the Board stating he is available to answer any questions on his franchise request. He stated he has had to reject calls from citizens requiring a taxicab late night and disabled citizens due his lack of a franchise. He stated the liability insurance on his company meets the code which is the same as Metro Nashville's.

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Mike Crowder, 306 Roberta Drive, addressed the Board as the owner of Hendersonville City Taxi, questioning how White can have insurance on vehicles if he does not own them.

Sherry Cox, Director of Emergency Services at Hendersonville Medical Center, addressed the Board citing the disruption in services caused when clients cannot obtain a taxicab. She cited examples of delays in picking up clients and the affect this has on patient care.

K.C. Donahey, Finance Officer at Hendersonville Medical Center, addressed the Board stating another option for taxicab service is needed and competition will hold companies accountable.

As there was no one else desiring to speak, Foster declared Citizens Comments closed.

REPORTS

Finance Committee – no report.

General Committee – recommended a resolution granting a taxicab franchise to Johnny White.

Public Safety Committee – recommended a resolution granting a taxicab franchise to Johnny White and discussed posting “No Parking” signs on narrow streets to allow for emergency vehicles.

Public Works Committee – received an update on the Mansker Farms Subdivision reporting some work has been done at the back entrance and reviewed the City’s debt service schedule and recommended the Walton Ferry and Old Shackle Island Roads realignment project move forward.

Capital Projects Committee – no report.

Planning Commission – no report.

Foster requested Public Works Director Jerry Horton to give a project status report.

Horton reported school zone signs have been ordered for Knox Doss at Drakes Creek; expects the Saundersville Road at Winston Hills turn lane project to begin in the next couple of weeks and reported the median work along Indian Lake Boulevard at Union University is being done the developer and will include a traffic signal at Maple Drive North.

Frost questioned if the traffic signal at Gallatin Road and Winston Hills could be synchronized to prevent traffic congestion.

Horton stated he hopes synchronization could be done in the future.

Elsten questioned if the City crew was paving.

Horton explained City crew did pave the intersection improvement at Rockland Road and Imperial Boulevard except for the final asphalt coat. He explained crews are able to do some patching at this time but are being trained on the equipment in order to achieve quality results.

Gallaher requested an update on the Indian Lake Boulevard and New Shackle Island Road projects.

Horton reported construction should start this month on the Indian Lake Boulevard widening. He stated the right-of-way phase for the New Shackle Island Road project will begin soon and expects a late summer construction bid date. He stated he expects this project to take 12 months to complete.

Mayor – reported the Commando Classic Softball Tournament is on-going in the parks with 45 out-of-town teams competing in 175 games.

ORDINANCES AND RESOLUTIONS

The caption of Ordinance 2012-5 was read on second and final reading, an Ordinance accepting federal funding proceeds in the amount of \$4,619,024.00 and appropriating \$1,154,776.00 for the Walton Ferry Road and Old Shackle Island Road realignment right-of-way purchase. West moved; seconded by Stamper.

There was a unanimous vote for approval of Ordinance 2012-5 on second and final reading.

The caption of Resolution 2012-4 was read, a Resolution granting a taxicab franchise to Johnny White.

Forsythe questioned if there would be a problem with liability insurance coverage if White sub-contracted taxicabs and drivers.

Bradley explained White's insurance coverage has been verified and he is the franchisee. He further explained each inspected taxicab will have a sticker showing it to be licensed in the City. He stated Hendersonville City Taxi could also operate in this manner.

Long stated his concern that White's Affidavit of Good Character forms were not local as one was from Mt. Juliet and the other resided on Tyree Springs Road.

Elsten questioned if the liability insurance should be in the vehicle owner's name.

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Bradley explained liability insurance is held by the franchisee and that the City's taxicab ordinance contains the same language as Metro Nashville's.

Sprouse stated this situation is like pizza delivery drivers using their own vehicles to make deliveries for a company. He stated White's insurance complies with State law.

Cunningham stated this is an opportunity for the City to have a service to carry disabled persons.

Hoback questioned who would regulate the taxicabs.

Bradley explained this franchise would be regulated the same as the other franchise by the Police Department.

Hoback moved; seconded by Gallaher to suspend the rules to allow White to answer questions. There was a unanimous vote for approval.

White explained the taxicab drivers pay his company to drive under his franchise. He stated the vehicles and drivers are regulated according to City mandates as well as receiving taxi-pro training and passing background checks. White explained his corporation is Madison/Rivergate Cab Company, Inc. and includes other companies he has bought. He stated the vehicles are monitored with a GPS and will be dispatched from the Rivergate area.

Gallaher moved; seconded by Elsten to allow Crowder to answer questions. There was a unanimous vote for approval.

Crowder stated when he goes to the hospital to pick up customers they do not always want his services because they do not want to pay. He stated so as to not waste his time there is a \$10 minimum charge and that he wants to be a good cab company.

Cunningham questioned Crowder about the hours of operation for his company.

Crowder stated he usually stays open until 1:00 or 2:00 a.m. and on Friday and Saturday nights until 3:00 a.m. He stated he tries to stay open seven days a week and sometimes will close early on Sunday. He stated he will accept a reservation if an early taxicab is needed. He cited the services of Cumberland Transit if a handicapped service is needed.

Brown questioned if insurance and drivers' license will be checked on an annual basis before renewals are issued.

White assured him this will be done.

Elsten stated he feels the rules are inconsistent and should be the same for everyone.

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Sprouse stated the question is not whether or not the City needs an additional taxicab service but does the person applying for the franchise meet the City's qualifications and does the application have merit.

Foster called for the question.

The following voted on Resolution 2012-4:

Aye: Brown, Cunningham, Frost, Qualls, Sprouse, Stamper, West and Foster.

Nay: Forsythe, Gallaher and Hoback.

Abstain: Elsten and Long.

Foster declared the motion carried.

Upon motion and second and followed by a unanimous vote for approval, the meeting adjourned at 8:15 p.m.

Approved: Scott Foster, Mayor

Attest: Kay Franklin, Interim City Recorder