

TAXI COMMISSION MEETING
Amended Minutes of the February 17, 2009 meeting

I. CALL TO ORDER

Chair Frank Daggett called the meeting to order at 9:04 a.m.

II. ATTENDANCE

Present: Members: Chair Frank Daggett; Councilor Eric Spear, Commissioners, James Feehley, and Kent Kirkpatrick, Lieutenant Michael Schwartz, City Attorney Robert Sullivan, City Clerk Kelli L. Barnaby and Deputy City Clerk Dianne M. Kirby

Absent: Commissioners Peter Bresciano and Joel Look

III. ACCEPTANCE OF MINUTES FROM JANUARY 20, 2009

Commissioner Feehley moved approve and accept the minutes of the January 20, 2009, Taxi Commission meeting. Seconded by Councilor Spear and voted.

IV. NEW BUSINESS

1. John Lorenz – Suspension Appeal

Chair Daggett stated Mr. Lorenz contacted him and requested how he could get his taxi license back. Chair Daggett explained to Mr. Lorenz he would need to write a letter and request an appeal hearing. He said that he had received a telephone call soon after from Deputy City Clerk Kirby to say that Mr. Lorenz had submitted a letter requesting an appeal hearing to the Commission. Sergeant Schwartz asked what date Mr. Lorenz contacted Chair Daggett. Deputy City Clerk stated Mr. Lorenz dropped off the letter to the City Clerk's Office on February 5th, so he would have contacted Chair Daggett on February 4th.

2. Winter Vehicle Inspection

Chair Daggett stated that he knows taxi medallions and licenses are renewed on July 1, 2009. He stated he is still not comfortable with not having two vehicle inspections a year. He said he does not want our taxi fleet to slip back into what it was in the past. He requested if it would be possible to have the winter vehicle inspection in the next two – three weeks. Lieutenant Schwartz stated that he would have to check with Lieutenant McQuate when he returns to see what his schedule is. He explained Lieutenant McQuate is the only certified inspector available. Chair Daggett stated that he thought last year there were other staff working with Lieutenant McQuate to become certified to assist him. Lieutenant Schwartz stated he would have to check with Lieutenant McQuate. Paul Ford, Blue Star Taxi said if Lieutenant McQuate would like, he can use the lift at Blue Star Taxi's North Hampton location. He stated Lieutenant McQuate has used it before and they have no problem with him using it again if needed.

V. OLD BUSINESS

1. Market Street Downtown Improvement – Report Back

Deputy City Clerk Kirby handed out an e-mail she received late yesterday evening from Jon Frederick, Parking Manager requesting the presence of a Taxi Commission representative at their next meeting on March 12th to explain our request to move the taxi stand on Market Street. Chair Daggett stated he is very concerned with people exiting the cabs into oncoming traffic. Chair Daggett proposed that the letter from Blue Star Taxi that has been submitted by Taxi Supervisor James Feehley be forwarded to Parking Manager Frederick as it explains the issues we have with the present parking stand very well. He further stated he will attend the meeting to answer any further questions the committee may have.

2. Review of Taxi Ordinance

City Clerk Barnaby stated she met with the Fee Committee to discuss the issue regarding proposed prorating of annual taxi licenses. She said a memorandum will be submitted requesting an ordinance amendment would be put before the City Council at the March 16, 2009 City Council meeting. She said the amendment would pro-rate the fees for driver licenses and medallions on a 12 month cycle. Chair Daggett requested if this would be acceptable to the taxi owners. Paul Ford, Blue Star Taxi stated this was acceptable to him.

3. Handicap Taxi

Chair Daggett requested this item be carried over to next months agenda as Commissioner Look was absent. He requested what everyone was feeling about this issue. Paul Ford, Blue Star Taxi stated he thought grants usually had an expiration date to them and therefore, if you received a grant to set up a handicap taxi, what do you do when the grant runs out. He said his company has looked into it and found insurance to be very high and he does not know if he would be willing to deal with all the issues. He further stated that there are already two companies that are available to the handicapped. Chair Daggett stated they do not operate at night.

VI. MISCELLANEOUS/UNFINISHED BUSINESS

Lieutenant Schwartz requested to know since Mr. Lorenz did not show to present his case, does that mean his license is still suspended. City Attorney Sullivan asked if Mr. Lorenz was aware he was to be in attendance at this meeting. Chair Daggett stated he informed him he would need to meet with the Commission. Deputy City Clerk stated she informed him of the date and time of the meeting when he dropped off his letter to the Commission. City Attorney Sullivan stated that he was informed of the meeting and failed to show and therefore, his license could be permanently revoked. Lieutenant Schwartz moved to permanently revoke the taxi license of John Lorenz. Seconded by Councilor Spear.

Commissioner Kirkpatrick asked if Mr. Lorenz' license would still be permanently revoked if he was acquitted in court. City Attorney Sullivan stated that it would be. Paul Ford, Blue Star Taxi asked what charges were pending against Mr. Lorenz. Lieutenant Schwartz explained the charges. City Attorney Sullivan stated the Commission has a responsibility to ensure the safety of any person/persons utilizing taxi cabs registered and licensed within the City of Portsmouth. Chair Daggett requested Deputy City Clerk Kirby send a letter to Mr. Lorenz with the findings of the Commission.

Motion passed.

VII. ADJOURNMENT

At 9:20 a.m., Chair Daggett moved to adjourn. Seconded by Commissioner Feehley and voted.

Respectfully submitted by:

Dianne M. Kirby, Deputy City Clerk