

Windsor Licensing Commission – Meeting held March 28, 2018

A meeting of the **Windsor Licensing Commission** is held this day commencing at 9:30 o'clock a.m. in the Council Chambers, 3rd floor, City Hall, there being present the following members:

Councillor Ed Sleiman, Chair
Councillor Paul Borrelli
Councillor John Elliott
Gino Conte
Jack Fathers

Also present are the following resource personnel:

Craig Robertson, Supervisor of Licensing
Bill Tetler, Supervisor of By-law Enforcement
Liz Culmone, By-law Enforcement Officer
Janna Tetler, Senior Licensing Issuer
Karen Kadour, Committee Coordinator

1. Call to Order

The Chair calls the meeting to order at 9:30 o'clock a.m. and the Committee considers the Agenda being Schedule "A" ***attached*** hereto, matters which are dealt with as follows:

2. Minutes

Moved by J. Fathers, seconded by Councillor Elliott,
That the minutes of the Windsor Licensing Commission of its meeting held February 28, 2018 **BE ADOPTED** as presented.
Carried.

3. Disclosure of Interest

None disclosed.

4. Requests for Deferrals, Referrals or Withdrawals

None

5. Communications

None

6. Licence Transfers

(a) Transfer of Plate #130

Mr. Kamel Kakish, Transferor and Mr. Elvin Luci, Transferee are present and available to answer questions.

Moved by Councillor Elliott, seconded by G. Conte,
WLC4/2018 That the transfer of Taxicab Plate #130 from the partnership of Mr. Kamel Kakish and Mr. Rajaei Kakish to Mr. Elvin Luci **BE APPROVED** with the following conditions:

- Mr. Elvin Luci be given thirty (30) days from the date of this decision to submit a vehicle for inspection that complies with Schedule 5 to By-law 137-2007.
- Mr. Elvin Luci must submit a Plate Holder application and pay the applicable fee.
- Mr. Elvin Luci shall provide verification that full compensation has been made to the partnership of Mr. Kamel Kakish and Mr. Rajaei Kakish in consideration of the transfer of taxicab plate #130.
- Mr. Elvin Luci shall not lease the plate for a one year period as stated in Schedule 5, Section 21.3 of Licensing By-law 137-2007.

Carried.

7. Applications/Hearings

(a) Mr. Misbahul Mishu Kabir – Taxicab Driver Licence

Mr. Misbahul Mishu Kabir, applicant and Ms. Nadia Yahfouli, Paralegal are present and available to answer questions.

C. Robertson reports multiple complaints have been received relating to Mr. Kabir's conduct, behavior, refusal of service to patrons and the lack of cooperation with By-law Enforcement.

Mr. Kabir presents his version of the events and he agrees to comply with Administration's recommendations.

Moved by Councillor Borrelli, seconded by G. Conte,
WLC5/2018 That Mr. Misbahul Mishu Kabir of 609 St. Joseph Street, Windsor N9C 3H3, to whom City of Windsor Taxicab Driver licence 17 145110 has been issued, **BE**

REQUIRED to retake the customer service portion of the Taxicab Driver Education Program by April 16, 2018; and, that the Licensing Department **BE ADVISED** in writing by Checker Cab once the training has been completed; and, that Mr. Misbahul Mishu Kabir make an appointment and meet with the Supervisor of Licensing and the Manager of By-law Enforcement by April 30, 2018;

AND FURTHER, that **SHOULD** another complaint be submitted to and substantiated by the City of Windsor By-law Enforcement Office , **THAT** the Taxicab Driver licence 17 145110, issued to Misbahul Mishu Kabir **BE** immediately suspended until the next regularly scheduled meeting of the Windsor Licensing Commission.

Carried.

8. Reports & Administrative Matters

(a) Expired Application(s) for Business Licence

Moved by Councillor Borrelli, seconded by Councillor Elliott,
That the report of the Supervisor of Licensing dated March 9, 2018 entitled "Expired Application(s) for Business Licence" **BE RECEIVED.**

Carried.

(b) Release of Taxicab Wheelchair Accessible Plates

C. Robertson provides the following as it relates to the release of Taxicab Wheelchair Accessible plates:

- The City of Windsor's current taxicab fleet consists of six wheelchair accessible taxicabs which are operated under two taxicab brokers being , Canadian Checker Cab and Windsor Cab.
- If approved, the Licence Commissioner will release 15 Taxicab Wheelchair Accessible plates, which will first be offered to the individuals on the current Drivers' List. There are currently 57 individuals on the Driver's List.
- In the event the Driver's List becomes exhausted or no interest is shown, the release of the remaining accessible plates will be extended to any individual or party within the municipality's current taxi industry.
- Administration is seeking approval to have the requirements of Section 7.1 of Schedule 5 to Public Vehicle Licensing By-law #137-2007 waived for those in the taxi industry as part of this accessible plate release until December 31, 2018.
- Administration will ensure that accessible plates are issued and distributed through a fair process such as a lottery. It should be noted that preference will be given to those interested parties who are not currently licensed as plate holders.

- Schedule 5 to Public Vehicle Licensing By-law #137-2007 prohibits the transfer of any new Taxicab and/or Taxicab Wheelchair Accessible plate and that they remain the property of the City of Windsor.

Walter Bezzina, General Manager, Vets Cab Company applauds the release of the Taxicab Wheelchair Accessible plates. He adds that if a plate(s) is released to an independent cab company, that the Licensing Department ensure that the colours of the taxicab are not similar to the colours identified with Vets Cab.

Moved by Councillor Borrelli, seconded by Councillor Elliott,
WLC6/2018

- I. That the report of the Supervisor of Licensing & Deputy Licence Commissioner dated March 9, 2018 entitled "Release of Taxicab Wheelchair Accessible Plates" relating to the release of fifteen (15) Taxicab Wheelchair Accessible plates **BE APPROVED.**
- II. That Section 7.1 of Schedule 5 to Public Vehicle Licensing Bylaw # 137-2007 as it relates to Driver's List requirements **BE WAIVED** until December 31, 2018 for the sole purpose of releasing the fifteen (15) Taxicab Wheelchair Accessible plates.

Carried.

9. In Camera Agenda

No In Camera session is held.

10. Date of Next Meeting

The next meeting will be held on April 25, 2018 at 9:30 o'clock a.m. in the Council Chambers, 3rd floor, City Hall.

11. Adjournment

There being no further business, the meeting is adjourned at 10:12 o'clock a.m.

CHAIR

SECRETARY