

**City of Bethel  
Regular Public Safety Commission Meeting  
March 10, 1997**

**I. CALL TO ORDER**

The meeting was called to order at 6:00 p.m. by Chairman Tom Hildreth. The location of the meeting is the Bethel Fire Station.

**II. ROLL CALL**

**Present:** Thomas Hildreth, Bruce Day, Sharon Neth, John Hastie, Richard Russell  
**Absent:** Mayor Richardson

**III. APPROVAL OF MINUTES**

**February 24, 1997 meeting canceled.**

Sharon Neth asked to have the minutes of February 3, 1997 corrected as follows:

Page 3, Old Business, Item A. Alcohol Beverage Delivery Site, under Kotzebue, should read "had explored a concept of this type".

Page 3, Old Business, Item A. Alcohol Beverage Delivery Site, delete the comparison of liters vs ounces.

**motion** Sharon Neth moved to approve the minutes of February 03, 1997 as amended; seconded by Bruce Day.

**vote** Voice vote passed unanimously.

**IV. APPROVAL OF AGENDA**

Correct the Agenda of February 03, 1997 as follows:

Fire Chief Young requested to have his report moved up because he will have to leave early.

Bruce Day requested to add the School Zone Patrol to New Business. Tom Hildreth requested to reverse Old Business Items A. and B. respectfully.

**motion** Bruce Day moved to accept the Agenda as amended, seconded by John Hastie.

**vote** Voice vote passed unanimously.

**V. CHIEFS' REPORTS**

**A. Fire Chief George Young**

Fire Chief Young had no additional comments. Sharon Neth commended the Fire and Police Departments on their efforts and for a job well done.

**B. Police Chief Gary Eilers**

Police Chief Eilers will submit Statistic and Goals and Objectives, next month, if approved by the City Manager. Chair Hildreth welcomed Terry Stonecipher and Verdi Brogdon to the meeting and encouraged the Chief to have other employees attend the Public Safety Commission Meetings.

**VI. COMMISSION MEMBER COMMENTS**

Sharon Neth, Richard Russell Chairman Hildreth and Bruce Day congratulated Investigator Jerry Evan on the fine job he is doing. Also extended to Chad Rathbun.

It was noted that certificates for fire prevention would be mailed.

**VII. PEOPLE TO BE HEARD**

No people to be heard.

**VIII. OLD BUSINESS**

**Item A. Budget Discussion - Fire and Police Departments**

Chair Hildreth encouraged the departments to submit for discussion, any capitol project items that they would like in their new budgets. The main item was getting the ambulance replaced for the Fire Department. Update police dispatch equipment Enhancement. Discussion on budgets and preplanning meeting with the Fire and Police Departments. Chief Eilers stated that the Police Department should be able to have the information in the next packet. Next meeting will be first Monday in April (7th). No further discussion on budget items. Chairman Hildreth stated that if the Police and Fire Departments do not have anything by next meeting then do not put the budget discussion on the agenda.

**Item B. Alcohol Beverage Delivery Site**

Sharon Neth stated that Ken Weaver and four representatives...(Very poor recording unable to hear all names and businesses difficult to get jest of conversation.) Overview: busiest days Thursday, Friday and Holiday; all in favor of in town site; entities do not want to get involved with collecting taxes for the city and do not want the headache of the deliveries to the collection site; pre-paid freight was discussed; entities were concerned about staffing- four employees will be needed; Gold Streak, the city lawyer needs to look into. Discussion followed.

**motion Sharon Neth moved to have the Public Safety Commission request the City Council to direct the City Attorney to contact the Alaska Airlines legal department to address the issue of Gold Streaking of alcoholic beverages into Bethel should the City adopt an Alcohol Beverage Delivery Site? No Discussion. Seconded by Richard Russell.**

**vote Voice vote passed unanimously.**

The airlines shall secure the facility until it is picked up. A minimum of one trip to the airport per day. Contact Beaver to supplement shipment, airport to site. One paper transfer to the delivery site. If a different entity handles the pickup at the airport and delivering to the site and another entity handling again, the weaker it gets. Need to keep down the number of transfers. The entity that picks up needs to also be responsible for delivery.

Security Regulations: Windows need to be barred; No public access phone; Location-Bus Barn and the concern of the proximity to a church.

**motion**        **Sharon Neth moved to have the Public Safety Commission request the City Council to direct the city attorney to address the legal aspects/limitations of an Alcohol Beverage Delivery Site in proximity of a church or school or any other facility; seconded by Bruce Day.**

**vote**            **Voice vote passed unanimously.**

Discussion followed regarding a computerized system. Fishing charters would not be exempt because they are going to be importing into Bethel and that they'd have to plan ahead. Discussion followed regarding obstacles in finding a building, alarm system, etc. Sharon Neth stated that she and the city manager discussed the feasibility of the Police Station and the Alcohol Beverage Delivery Site being in the same building at least temporarily.

Sharon Neth would like to submit the two motions to the city council tomorrow, March 11, 1997. Minutes are to be available by early Tuesday afternoon.

Old Business will continue next month.

## **IX. NEW BUSINESS**

### **Item A. School Zone Patrolling**

Bruce Day stated that for quite some time over the last couple of months he has been going through to different school zones to see what patrolling is happening. Stating that he hasn't seen any himself so asked the teachers at ME school how often they are seeing the police actually doing the patrols. He said that they had not seen anything in the way of police patrol. This is strictly afternoons and mornings. Bruce Day asked them to keep a calendar at ME school. Log in how many times they did see the police there. What they included in the calendar was, they had seen Mike Burley. They said that basically what they were seeing that on 20% of the school days they'll see some sort of police presence and primarily over on the ASHA Housing area.

And I think, that people at the Kilbuck school have seen no police patrol, at all. What I'd like to do tonight is make a resolution, and before I do this would like to say that I think this is a real

good opportunity for the police to have a public relations standing. I would like to see a police car, for like 15 minutes in the morning and 15-20 minutes in the afternoon at alternating school zones. Just park there with in the morning, perhaps, with the lights on so that traffic coming and going can see them. In the morning, one of the things I have seen, is a lot of cabs, in particular, ah, a lot of cars, but a lot of cabs are certainly there, with one headlight on. But if they would be a little bit more visible it's good for the kids to see the policeman there, only talk to them 15 minutes, 20 minutes in the morning and the same in the afternoon. So what I'd like to do tonight is make a resolution to the city council to the city manager, I'm not quite sure how we do this but, that the Police Department dedicate 15 to 20 minutes in the morning and 15-20 minutes in the afternoon at alternating schools Monday through Friday, from now until the school year ends.

Chairman Hildreth as if we need to vote on the resolution? I don't recall doing that.

Bruce Day stated that it's by consent.

Chairman Hildreth: By consent? Okey, we will just leave it like that. We have a resolution in the official package.

**X. ADJOURNMENT**

The next meeting scheduled for April 7, 1997, 6:00 p.m. at the Log Cabin.

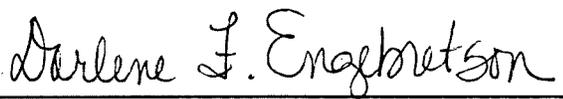
**motion** Tom Hildreth moved to adjourn the meeting at 7:19 p.m.; seconded by Bruce Day.

**vote** Voice vote passed unanimously.

**PASSED AND APPROVED THIS** 5 **DAY OF** May, 1997.

  
Chairman Thomas A. Hildreth

Attest:

  
Darlene F. Engebretson, Recording Secretary



# CITY OF BETHEL

P.O. Box 388 Bethel, Alaska 99559

907-543-2297

FAX # 543-4171

Presented By: Acting City Manager Young

Date: April 8, 1997

Action: Adopted

Vote: Unanimous

## RESOLUTION #97-22

### A RESOLUTION OF THE CITY COUNCIL OF BETHEL, ALASKA, AUTHORIZING AN APPLICATION FOR THE FY98 ANTI-DRUG ABUSE GRANT--MULTI-JURISDICTIONAL TASK FORCE

WHEREAS, the City of Bethel desires to participate in the Department of Safety, Division of State Troopers' Statewide Drug Enforcement Unit's Multi-jurisdictional Task Force through the Drug Control and System Improvement Grant; and

WHEREAS, the Multi-jurisdictional Task Force will consist of an Investigator from the City of Bethel Police Department and the Alaska State Troopers Statewide Drug Enforcement Unit to address the drug and alcohol issues in the Bethel area; and

WHEREAS, the Alaska Department of Public Safety has a grant program to make funds available to the City of Bethel to cover 75% of the expenses necessary to undertake the tasks set forth in the FY98 project proposal; and

WHEREAS, the City of Bethel expects that the total participation cost will be in the amount of \$71,855; and

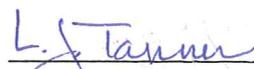
WHEREAS, the City of Bethel agrees to pay the participation cost of \$17,964, an amount equal to 25% of the total participation cost; and

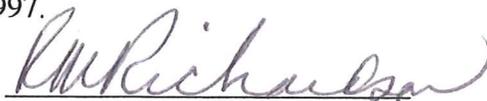
WHEREAS, it is the intention of the City of Bethel to receive and use the funds allocated for the approved tasks.

NOW, THEREFORE, BE IT RESOLVED BY THE BETHEL CITY COUNCIL that it hereby authorizes submission of the application for the Anti-Drug Abuse Grant and authorizes the City Manager to sign and execute grant documents.

PASSED AND APPROVED THIS 8TH DAY OF APRIL, 1997.

ATTEST:

  
L.J. Tanner, City Clerk

  
Ruth M. Richardson, Mayor

City of Bethel  
Resolution #97-22  
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*Barlene***Chapter 5.20 Vehicles for Hire Ordinance—General Provisions****5.20.010 Definitions.****5.20.020 Rates.****5.20.030 Transportation Inspector.****5.20.040 Vehicle Inspections.****5.20.050 Hearings—Appeals.****5.20.060 Revocation of License or Permit.****5.20.070 Penalties and Remedies.****5.20.080 Renewal of Permit or License.****5.20.090 Duty to Maintain Current Application.****5.20.100 Submission, Review and Certification of Applications.****5.20.110 Fees.****5.20.010 Definitions.**

As used in this chapter:

A. "Bus" means any vehicle used to transport passengers for hire and having a capacity of more than nine (9) passengers. Except any vehicle engaged exclusively in the transport by motor vehicle of students to and from school is not a "bus" for purposes of Chapters 5.20, 5.30 and 5.40.

B. "Chauffeur" means a person licensed by the Transportation Inspector to operate a vehicle for hire.

C. "Commission" means the Bethel Transportation commission.

D. "Dispatch service" means a person authorized to engage in the dispatch of taxicabs to persons desiring to hire them.

E. "Operate" means to drive, pick up, transport or discharge passengers for hire.

F. "Permit" means a taxicab permit, river taxi permit, bus permit or dispatch service permit.

G. "Permittee" means a person authorized to provide taxicab, river taxi, bus or dispatch service.

H. "Person" means an individual, partnership, joint venture, corporation, association, or governmental entity. It includes a trustee, receiver, assignee, or similar representative of any of them.

I. "Rate" means every rate, toll, fare, rental charge or other form of compensation demanded, observed, charged or collected by a taxicab, river taxi or bus permittee.

J. "River Taxi" means any motor vehicle used to transport passengers for hire between another village and Bethel and which operates within the city limits of the City of Bethel.

K. "Taxicab" means a motor vehicle used to transport passengers for hire having a factory recommended seating capacity of nine (9) passengers or less, including the driver.

L. "Transportation Inspector" means the Bethel Chief of Police or his designee.

M. "Transportation Vehicle" means a bus, river taxi or taxicab. (Ord. 191, 1990)

**5.20.020 Rates.**

A. The Commission shall by regulation establish just and reasonable maximum rates to be charged for permitted transportation.

B. The Commission shall establish rates in a non-discriminatory manner.

C. A statement of current transportation rates shall be conspicuously posted in every permitted vehicle.

D. No person may require payment of transportation rates greater than those established by the Commission.

→ E. Maximum rates for permitted transportation are as follows:

|   |        |
|---|--------|
| CAB FARES WITHIN THE CITY (including Bethel Heights)  | \$3.00 |
| FARE TO THE HOSPITAL  | 3.00   |
| FARE TO THE TRAILER COURT, HANGAR LAKE, POWER PLANT   | 3.00   |
| FARE TO AND FROM THE AIRPORT TO ALL LOCATIONS   | 5.00   |
| FARE TO B.I.A.  | 6.00   |
| HALF-HOUR FARE CHARTER  | 25.00  |
| FARE AIRPORT TO AIRPORT   | 3.00   |
| IN ROUTE STOPS: \$1.50 FOR 3 MINUTES; \$0.50 PER MINUTE THEREAFTER<br>(Ord. 191, 1990, Amd. No. 1 to Ord. 191, 1990; Ord. 93-19, 6/22/93) |        |

5.20.030 Transportation Inspector.

The Bethel Chief of Police or his designee shall act as Transportation Inspector. In addition to the other duties and powers granted by his title, the Transportation Inspector shall:

- A. Keep records relating to permittees, and chauffeur's licensed under Chapter 5.30, 5.40 and 5.50.
- B. Inspect and examine transportation vehicles, investigate the background of persons involved in the operations of a permittee and investigate the driving of those holding chauffeur's licenses.
- C. Receive and process all applications for permits and chauffeur's licenses in the form and manner prescribed by the commission.
- D. Require a transportation vehicle to be taken out of service for an inspection when the Transportation Inspector has probable cause to believe that the transportation vehicle poses a threat to the safety or health of persons or property. The Transportation Inspector may keep a vehicle out of service for a reasonable time in order to perform the inspection.
- E. Perform those administrative duties of the Commission which are delegated to the Transportation Inspector by the Commission. (Ord. 191, 1990)

5.20.040 Vehicle Inspections.

A. All transportation vehicles shall be inspected by a designated inspection station and the approved inspection form presented to the Transportation Inspector before a permit will be issued. At least twice a year thereafter, all transportation vehicles shall be inspected. No transportation vehicle may be operated until it has been inspected and found to be in compliance with all applicable laws and ordinances and City inspection requirements (Ord 191, 1990).

B. Mechanical Equipment Standards.

- 1. The steering mechanism shall be in good working order and wheel play does not exceed two (2) inches.
- 2. All door hinges and latches shall be in good mechanical working order so that doors open easily and close securely. All door locks shall function as designed.
- 3. All windows shall be fully operable and composed of approved safety glass. The windshield shall have no chips or stars larger than a 25 cent piece and shall not be cracked above four (4) inches from the bottom or below four (4) inches from the top of the windshield. No cracks in a vertical position are permitted on either side of the windshield. At no time shall a driver's vision be obstructed by damage to the windshield, side windows or rear window. Interior and exterior mirrors shall be firmly attached to the vehicle.
- 4. All brakes shall be in good mechanical working order. When pressed, the brake pedal shall not be less than 1-3/4 inches from the floorboard. Brake linings shall not be less than 1/32 of an inch at any point. Brake drums shall not exceed 40/1000 of an inch in excess of factory specifications.
- 5. The exhaust system, gaskets, tailpipes and mufflers shall be in good condition. Exhaust fumes shall not permeate into the interior of the vehicle.

6. The vehicle shall be equipped with four (4) tires, each of which shall have tread depth measurements at approximately every 120 degrees of its circumference of not less than 2/32 of an inch. There shall be no sidewall damage to the tires.

7. The speedometer shall be properly installed and maintained in good working order and exposed to view.

8. The interior of the vehicle shall be maintained in a clean and sanitary condition, and be free from torn upholstery and from damaged or broken seats.

9. All exterior and interior lights and turn signals shall be in good mechanical order. Headlights shall be properly aligned for both high and low beam use.

10. The horn and two windshield wipers shall be in good mechanical working order.

11. All wire connections shall be permanent and located out of the way of driver and passengers.

12. The vehicle shall be structurally sound and not have cracked, broken or badly dented fenders and shall be painted so as to provide reasonable protection against structural deterioration. Body and sheet metal should have all the manufactured parts securely mounted with no dangerous protuberances.

13. Defrosting and heating systems shall be operational.

14. There shall be no measurable leakage of fluids or oil from any part of the vehicle.

15. The vehicle shall be equipped with a readily accessible fire extinguisher.

16. The vehicle shall be equipped with accessible and operable seat belts for all seats, including 1 child's car seat.

17. The vehicle shall be equipped with one (1) child's car seat with the permit number permanently affixed to it. (Ord. #93-32, 1993)

C. All taxicabs, limousines and vehicles for hire shall be subject at all times to an inspection by the Transportation Inspector, his designee or a police officer who has reason to believe that the vehicle does not comply with all federal, state and local equipment laws or regulations. (Ord. #93-32, 1993)

#### 5.20.050 Hearings--Appeals.

A. If the Transportation Inspector determines that an applicant for a permit or chauffeur's license does not meet the requirements of Chapter 5.30, 5.40 or 5.50. The Transportation Inspector shall issue a written decision within fifteen (15) days to the applicant which shall state the specific reasons for that denial.

B. Any person aggrieved by any decision of the Transportation Inspector, denying a permit or license, revoking a license or permit or denying the renewal of a license or permit may, within fifteen (15) days of the decision complained of, and upon payment of the filing fee required by Section 5.20.120, appeal that decision to the Commission. The Commission may authorize the conditional or unconditional issuance or reinstatement of a denied or revoked license or permit within thirty (30) days upon an affirmative showing at a hearing by the appellant that he has been rehabilitated and has the ability to assume the responsibilities of a permittee or chauffeur or that the Transportation Inspector erred in the decision.

C. An appeal from a decision of the Commission shall be made to the City Council, Bethel, Alaska, no later than thirty (30) days following that decision. Review by the City Council shall be limited to determining that the decision of the Commission is supported by substantial evidence.

D. A decision of the Transportation Inspector, the Commission or the City Council is effective only for the year the license or permit would have been valid and has no binding effect upon the Transportation Inspector, the Commission or the City Council when reviewing a license or permit application from the same individual in a future year.

E. An appeal from a decision of the City Council under this title shall be made to the Superior Court, Fourth Judicial District, Bethel, Alaska, no later than thirty (30) days following that decision. Review by the Court shall be limited to determining that the decision of the Commission is supported by substantial evidence. (Ord. 191, 1990)

5.20.060 Revocation of License or Permit.

A. If a person is convicted by a court of competent jurisdiction of an offense set forth in 5.40.030 D or E, the Bethel Chief of Police shall revoke the license or permit.

B. After a hearing, the Commission shall revoke a transportation permit upon a finding that:

1. A permittee has not operated pursuant to its permit for forty-five (45) consecutive days or ninety (90) days in any twelve month period, provided that such failure to operate is not caused by strike, public catastrophe or other act beyond the control of the permittee but not including insolvency; or

2. The permittee has sold or otherwise lost the use of the vehicle which was being operated pursuant to the permit and has failed to replace it within sixty (60) days after the date of such sale or loss.

3. The permittee has failed to submit payments as prescribed in Section 5.20.110.

C. After a hearing, the Commission shall revoke a dispatch service permit upon a finding that:

1. such dispatch service has not commenced operation within ninety (90) days after the issuance of the permit;

2. such dispatch service has failed to provide dispatch services for a period of ninety (90) consecutive days, provided that such failure to operate is not caused by strike, public catastrophe or other act beyond the control of the dispatch service permittee not including insolvency; or

3. such dispatch service does not have a valid radio station license issued by the Federal Communications Commission.

D. Violation of a revocation imposed by this section is a separate violation of this chapter.

E. Upon the suspension, revocation, or cancellation of an Alaska driver's license issued to a person who is also licensed as a chauffeur by the City of Bethel, the person's chauffeur's license shall simultaneously and automatically be revoked for the same period of time. Such person shall surrender the chauffeur's license to the Transportation Inspector immediately upon suspension or revocation of his Alaska's driver's license. Such a chauffeur shall not thereafter operate a vehicle for which a chauffeur's license is required unless he is again authorized by law to do so and a chauffeur's license has been reissued or restored to him under Chapter 5.40.

F. The Transportation Inspector shall revoke the chauffeur's license when the licensee is formally charged with felony offenses. The revocation shall continue pending disposition from the Court. (Ord. 191, 1990, Amd. 1 to Ord. 191, 1990)

G. After a hearing, the Transportation Inspector shall revoke a bus permit, dispatch service permit, river taxi permit, taxicab permit, or chauffeur's license, for five years upon a fourth violation of Chapter 5.20, 5.30, 5.40, or 5.50, or municipal regulation promulgated under such Chapters if said fourth violation occurred within four of the date of the first violation. (Ord. 96-6, 1996)

5.20.070 Penalties and Remedies.

A. A person who violates a provision of Chapter 5.20, 5.30, 5.40 or 5.50 or municipal regulation promulgated under such Chapters shall be subject to a civil penalty of:

1. \$150.00 for the first offense;
2. \$200.00 for the second offense;
3. \$225.00 for the third offense;
4. \$250.00 for the fourth offense;
5. \$250.00 for each subsequent offense;

or injunctive relief to restrain the person from continuing the violation or threat of violation, or both such civil penalty and injunctive relief. Upon application by the municipality for injunctive relief and a finding that a person is violating or threatening to violate a provision of Chapter 5.20, 5.30, 5.40 or 5.50 or a municipal regulation promulgated under such Chapters the Superior Court shall grant injunctive relief to restrain the violation. (Ord. 96-6, 1996.)

B. Each day during which a violation described in this section occurs shall constitute a separate offense. (Ord. 191, 1990)

C. If the licensee or permittee fails to pay the civil penalty within ten (10) days after judicial adjudication, the Transportation Inspector shall take temporary custody of, and suspend the license, or permit, until the fine is paid.

#### 5.20.080 Renewal of Permit or License.

A. A bus permit, dispatch service permit, river taxi permit, taxicab permit, or chauffeur's license shall be valid for one (1) calendar year and shall expire automatically on the 31st day of December.

B. An application to renew a permit or license shall be made to the Transportation Inspector in the same manner as an original application and shall be treated in the same manner as an original application except that a chauffeur need not comply with Section 5.40.020(b) (2) and (3). A decision to grant a license or permit in one year does not preclude the City from denying a license or permit upon application for renewal.

C. If a permittee or chauffeur is not qualified to hold its permit or license at the time of renewal, the Transportation Inspector shall not renew the permit or license and it shall lapse and become invalid.

D. Any person whose application for an original license or permit or for a renewal of a license or permit has been denied and any person whose license or permit has been revoked pursuant to Section .060 of this Chapter may not apply for a new license or permit for one (1) year from the initial date of the denial or revocation. (Ord. 191, 1990)

#### 5.20.090 Duty to Maintain Current Application.

A. A permittee or chauffeur is under a continuing obligation to keep the information on its application current. Failure to do so shall be a violation. A permittee or licensee shall give written notice to the Transportation Inspector of any change to be made on his application within ten (10) days from the date the permittee or licensee knew or should have known that the information on his application was no longer accurate. The Transportation Inspector shall amend the application accordingly.

B. A knowing violation of paragraph A of this section shall be grounds for denial or revocation. (Ord. 191, 1990)

#### 5.20.100 Submission, Review and Certification of Applications.

A. An application for a permit (or chauffeur's license) shall be submitted to the Transportation Inspector.

B. The Transportation Inspector shall review the application to assure it complies with the requirements of Chapters 5.30, 5.40 or 5.50.

C. The Transportation Inspector shall transmit applications meeting the requirements stated in paragraph B of this section to the City Clerk for review by the appropriate Department Heads to determine:

1. Whether the applicant owes any municipal taxes, if applicable, assessments, judgments or bills for collection in connection with the business or activity for which a license or permit is sought. The Department Head shall certify to the City Clerk the existence or nonexistence of any outstanding obligations owed to the City.

2. Whether the applicant has a current Bethel City business license if applicable.

D. If the applicant has no outstanding obligations owed to the City and has the necessary business license, the City Clerk shall so certify.

E. Departments or officials requested to certify the application under this Chapter shall complete their review within 10 days following the request by the Bethel City Clerk. (Ord. 191, 1990, Amd. 1 to Ord. 191, 1990)

5.20.110 Fees.

The following fees shall be payable to the City of Bethel at the office of the Bethel City Clerk:

A. \$100.00 monthly shall be paid for the issuance or renewal of bus, dispatch service or taxicab permit no later than the 10th of each month.

B. \$50.00 shall be paid for the issuance of an initial application for chauffeur's license and renewal. The renewal is non-refundable.

C. \$100.00 annual fee shall be paid for the issuance or renewal of river taxi permit no later than the 10th of January.

D. \$50.00 shall be paid for each appeal from the decision of the Bethel Chief of Police to deny or revoke an application for a chauffeur's license. Such fee shall be refunded if the decision of the Bethel Chief of Police is subsequently reversed or if the Transportation commission does not meet within 15 days of the filing of the appeal. The City Clerk must notify all Transportation Commission members when an appeal is filed. The fee shall be forfeited if the party making the appeal fails to show for the appeal hearing. The fee for filing an appeal may be waived by the City's Finance Director upon receipt of proof that the petitioner cannot afford to pay such a fee. (Ord. 191, 1990, Amd. 1 to Ord. 191, 1990)