

**City of Bethel  
Regular Transportation Commission Meeting  
April 3, 1997**

**I. CALL TO ORDER**

The meeting was called to order at 7:03 p.m. by Chairperson Himshoot.

**II. ROLL CALL**

Present: Chairperson Robert Himshoot Jr., Phillip White, Doreen O'Brien, Richard Robb, Thor Williams, Allen Glore. Tania Oh was excused. RJ Ely for Chief of Police and Verdi Brogdon recorded the minutes.

**III. APPROVAL OF MINUTES**

Discussion on Lee Sharp's suggestions on the Vehicle For Hire Ordinance, a list was faxed prior to calling Mr. Sharp. An amendment to page 2 of the minutes, take out Church slough for the abandoned American Eagle Station wagon, put in boat harbor. Discussion on the list that was given to Administrative Assistant with the cabs do not have child seats and they were not using them, also on Yellow Cab #149 Allen Glore wanted them to show up for the meeting and they were not present, the vehicle was not to be used for private use only.

Thor Williams/Doreen O'Brien move to approve the minutes with the changes as stated including the changes on the list of violations. Voice passed, Motion carried.

**IV. APPROVAL OF AGENDA**

Discussion on adding Mr. O'Mally to the agenda for the next regular meeting, he is to bring in a written statement on the physicals for cab drivers. Lee Sharp was to present his concerns on changes to the Vehicle For Hire, this will be discussed under New Business.

Thor Williams/Phillip White move to amend New Business Item B to be moved so that it will be the next item up for discussion. Voice passed, Motion carried.

**NEW BUSINESS, Item B. Lee Sharp Discussion**

Phone contact with Mr. Sharp, discussion on a fax that was sent to the Transportation Commission on the recommended language and the changes to the taxi code. A draft into ordinance from the changes that were sent to Mr. Sharp.

Mr. Lee Sharp: "There were problems with the existing language in the code where things are not quite as clear as they could be, and that there were some unintended effects of the language that were suggested for change, and I wanted to point those out and make sure that some of these things were intended consequences and the language that I had drafted into this draft ordinance, included all of the recommendations expect the one on issuing new taxi cab permits, that one I really need to talk to either the whole commission or to somebody that the commission designate, because there  
Lee Sharp cont.

needs to be more detail in there to make sure that if the city is going to go into a process of determining whether new permits are to be issued and how they are to be issued, there really needs to be more detail to keep the city out of trouble when they go through this process and I just need to explore a few different avenues you the commission or somebody of the commission to flush that out". Doreen O'Brien suggested that they go through the questions and give the answers to the Chairperson and have the chairman get a hold of Mr. Sharp and give the clarifications that way. Mr. Sharp has the ordinance in draft form and two and half pages of a memo that goes over each of the changes that either has some questions about rewording things to accomplish what he received.

Mr. Sharp: "I have outlined the questions that I have except for the one about the new cab permits procedure. The ordinance I drafted goes over the fee structure, the recommendation regarding substance abuse and recommendation on the driving time limitation, it also includes the rate structure changes but I didn't have any questions at all on those. The questions were on the fee structure and I just wanted to make sure we were all headed down the road with what the commission wants". Mr. Sharp will fax the suggestions to the commission to look over and have the Chairperson get back to Mr. Sharp with the changes. Mr. Himshoot asked about the appeal bases. Mr. Sharp suggested that he needed to contact Mrs. LeCara to get a little more information on the appeals.

Thor Williams would like to leave the Lee Sharp Discussion item on the agenda as is to look at what he faxes to the commission.

Doreen O'Brien/Thor Williams move to amend the agenda to add Tania Oh's position under New Business F. Voice vote passed unanimously. Motion carried.

#### **V. TRANSPORTATION INSPECTORS' REPORT**

RJ Ely's report for Chief Gary K. Eiler: No report. Discussion from the commission asking about the citations that was given to them from police department.

Phillip White: Did not have a chance to check on the station wagon that was down at the boat harbor License #ZZJ764. Need to check with the last registered owner on the registration.

#### **VI. COMMISSION MEMBER COMMENTS**

Doreen O'Brien: No comments except that she was out of town.

Richard Rob: Next month he will not be in town for the next meeting.

Thor Williams: No comments.

Allen Glore: Wanted Yellow Cab#149 to be put on the list for Hearings, would like to

add Yellow Cab#149 added to next months agenda, under Hearings.

Robert Himshoot: No comments.

Doreen O'Brien: Stated that she spoke with Mr. Lee Sharp in Juneau and he suggested that the commission appoint someone to meet with him over the phone to go over his suggestions and that the Chairperson should be appointed to go over the Requested Taxi Code Amendments.

#### **VI. PEOPLE TO BE HEARD**

David O'Malley: Discussion on a physical, he would like to see it struck out of the applications that are give each year. The commission suggested that he put it in writing and bring it to the police department for the next regular meeting.

Jesse Kim: A Cab driver from Yellow Cab discussed the Yellow Cab#149, the owner is on vacation right now, the cab is not on the road and in the ordinance it has that if the vehicle if off the road for no more then 45 days. It will be put on the agenda for a hearing.

#### **VIII. OLD BUSINESS**

Item A. Appeals 1. Terry Miller (Transportation Inspector)

The only thing the Transportation Inspector is requesting Mr. Miller pay the \$100.00 fee for the initial permit and agree to make his payments on his permit before the due date every month. That the Transportation Inspector would reinstate his permit. Discussion on updating Mr. Miller's permit and getting it back to current status. Allen Glore talked about two stops that were made by the police department one was when they called the vehicle in to revoked his permit and one four days later. Discussion on why the vehicle was on the road after it was revoked, the vehicle was seen by the college and the ordinance states that the vehicle is not to be used for any other business than for hire. Section 5.30.080 No vehicle for which a taxi cab permit has been issued my be used for purposes other than as a taxi cab unless all the markings required by this section have been removed or covered. Mr. Miller should have been driving with his markings covered up.

Mr. Miller stated that the appeal that he is appealing is to get his permit back, he implied that he did come down to the station in December to file for his permit and that he did not have \$100.00 to give for his permit.

There is a process to the appeal and Mr. Miller did not follow that process, discussion on the process is in the ordinance and it was talked about and the cab industry needs to know the ordinance. The commission does support the Transportation Inspectors request. A temporary permit was issued to Mr. Miller which expired on the 6th of March and there was no meeting, then another permit was issued dated 3/97 expiration, with footnotes stating that the permit will expire at the next commission meeting. On one of the traffic stops there were two plates for Mr. Miller's cab which is a violation of 13AAC,

but it was brought to Mr. Miller's attention and no citation was issued for the cab but there is violation against state law.

For the record Robert Himshoot would like to abstain for personal reasons. The commission agreed to that decision.

Rick Robb/Phillip White move to support the Transportation Inspector to reinstate Mr. Miller's permit number 84 if he agrees to pay the initial permit fee of \$100.00 and to pay before the due date every month. Roll call vote: Phillip White-nay, Doreen O'Brien-nay, Rick Robb-Yes, Thor Williams-nay and Allen Glore-nay. Motion Failed.

The next step for Mr. Miller is to go to the council.

## **IX NEW BUSINESS**

### **A. Working Group Review**

There was a no show for the working group to go over the Dispatch paperwork that was turned in by the cab drivers. Mr. Glore turned in a revised Dispatch Sheet for the cab drivers as a suggestion. This is to be put on next months agenda for discussion or requirements. Taxicab Dispatch Log tabled.

### **B. Lee Sharp Discussion**

After the review of Mr. Sharp's fax a discussion followed: Rick Robb has a problem on the amendments on the Mental illness and substance abuse, and the second page of the fax the bottom paragraph, he said it appeared that there is a quest for changes addressed in substance abuse for the purposes of adding commitment for substance abuse problem as a reason of denying a taxicab permit and a chauffeurs license. And it says send to council to amend ordinance and it doesn't say we want this delated because of Americans for Disability Act. So Mr. Sharp wants to add this and not delate it, chairperson will let Mr. Sharp know that it was not an addition but a delation to the ordinance. Allen Glore brought up the limitation on driving time, the driving time 12 hour shift for all cabs also to check and on the break time, it should have been marked off, needs to be clarified, will suggest 12 continuous hours. Chauffeurs License, the medical needed to be delated. Issuance of new cab permits needs to be added to the next meeting agenda item.

Mr. Himshoot will contact Mr. Lee Sharp with all of the suggestions.

### **C. Non-smoking Cabs in Bethel**

The commission suggest that the state statutes be posted in the cabs so the people know what their rights are. This is a state law and they should see that it is posted in all the cabs so the people know that they can have a smoke free cab, a suggestion of having each cab company designate one cab for a non-smoking cab.

Doreen O'Brien moved to have the Alaska Statutes as stated in section 18.35.300 as

stated on the draft Places Where Smoking is Regulated be posted in the cabs. Roll call vote: Phillip White-yes, Doreen O'Brien-yes, Rick Robb-nay, Thor Williams-nay, Allen Glore-yes and Robert Himshoot-yes. Voice vote passed.

A form letter to all cabs asking them to post the Smoking law from the Alaska State Statutes 18.35.300.

**D. HEARING FOR ALASKA CABS #96 & 121**

Alaska Cab #96, Mr. Short dropped off a work order from the Auto Repair Co., the work order states that it is being repaired, and Yukon #121 is parked for over 45 consecutive days. The commission would like to see the paper work for Alaska Cab #96.

Discussion on why the vehicle was sitting, Mr. Short stated that the vehicle is waiting for new vehicle parts and it would cost around 3500 to 4000 dollars, there is a no show for Yukon Cab #121, that car belongs to Jim Randall, the commission will drop the permit for Yukon Cab#121.

Under discussion the Yukon Cab #121 has this cab been notified, Allen stated that he had asked Darlene to send a letter to the owners. Under the city code 5.20.060 Section B lines 1 and 2 #121 is in violation of the city ordinance.

Thor Williams/Doreen O'Brien move to revoke Yukon Cab Permit #121 on the bases of violation of 5.30.060 section b, paragraphs 1, 2 and 3. Voice vote, motion carried. Allen Glore move to revoke Alaska Cab #96 permit. No second, motion failed.

**E. Designated Dispatch Area**

Thor Williams discussed that a concerned citizen would like to see a designated dispatch area and that the dispatch service should provide a designated area for the cabs to park when they are not out picking up passengers. Discussion only.

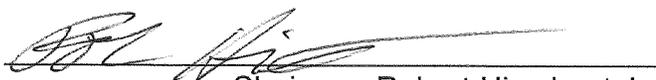
**F. Tonia Oh-Commission Seat Expires**

Verdi is to contact LJ Tanner and let her know to contact Tonia Oh about her term.

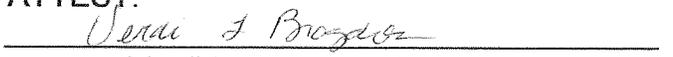
**X. ADJOURNMENT**

Phillip White/Doreen O'Brien move to adjourn. Voice vote passed. Motion carried.

**PASSED AND APPROVED THIS 1<sup>ST</sup> DAY OF MAY, 1997.**

  
Chairman Robert Himshoot Jr.

ATTEST:

  
Verdi L. Brogdon, Recording Secretary