

REGULAR TRANSPORTATION COMMISSION MEETING
Wednesday, November 10, 1999

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Chairperson, Mary Gregory, called the meeting to order at 7:09 p.m.

CALL TO ORDER

Members present were Mary Gregory; Joerene Hout; Carl Berger; Allen Glore, Police Chief Bob Petitt . Andrew Steele was the meeting's note taker.

ROLL CALL

Guy Mercurief was absent for unknown reasons.

ABSENTEES

A motion to approve the amended minutes from the meeting of 10/14/99 to include the phrase "acting Chairman" in place of "Chairman elect", was made by Joerene Hout seconded by Carl Berger and unanimously carried.

**APPROVAL OF
AMENDED MINUTES OF
10/14/99**

The agenda was moved for approval by Mr. Berger, seconded by Ms. Hout and unanimously carried.

AGENDA APPROVAL

Chief Petitt opened his transportation inspector's report by making the point that his report dealt in the main with the three items marked under New Business. For the past several weeks, he and Mr. Steele, the taxi technician, had been going through the historical data found in the taxi files in the Police Department. In addition, the data that Allen Glore had kindly made available, was invaluable to getting a historical perspective. It is evident that record keeping in the past has left something to be desired, and this, in conjunction with a lack of understanding of the definition and intent of the regulating ordinances and several errors in procedure, is largely responsible for the present situation.

**TRANSPORTATION
INSPECTORS REPORT**

A review of the ordinances has revealed them to be written in an unsophisticated manner. There are many areas that are being researched by the City attorney with a view to changes in the definitions therein, to make the ordinances a better tool with which to work. The Chief did not believe it would be equitable treatment to the taxi business in Bethel to make changes to errors made in the past in the issuing or revocation of permits. Rather, moving forward, with a clear understanding of what and how the ordinance impact the industry would be the better way. The audit of the records is continuing but so far, several instances of what appears to be a "Shell Game," in which vehicles have been changed or switched on several occasions with a view to confusion and possibly the obtaining of permits illegally, have come to light. As an example the Chief cited the vehicle Taxi 89 which has had seven transfers of ownership and nine transfers of companies in the past five years. This mass movement, in conjunction with poor record keeping in the Police Department, has led to errors and probably the issuance of bogus permits in the past. With the addition of Mr. Steele, and once the present audit is completed, these records will be kept in an appropriate fashion to understanding the historical data, permit issuance, monies paid and relevant details of each cab, owner and driver.

ORDINANCES

Power of Attorney has become a major issue in the present confusion. The Chief believes that the definition of power of attorney is that it be used in emergency situations only, and that, as such, it is intended purely as a temporary solution to whatever emergency circumstances prevail at the time of its use. This has not

POWER OF ATTORNEY

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been the case however, as power of attorney is now in general use in the changing of ownership of vehicles and the permit attached thereto. The Transportation Inspector pointed out that this issue might have to go before a Magistrate to be litigated as case law to prevent its future use in circumventing the law. A reasonable solution that benefits all parties is what is needed. The intent is not to threaten anybody's livelihood. It is necessary however, to have control over the number of vehicles that are on the road for hire within the city, because it impacts the community in many ways. Highway maintenance and the safety of children on the streets are just two of these.

Chief Petitt has some ideas on how the Permit Cap could be administered. Historically, ten years ago permits were issued to each cab company. At some later point, the City then took away fifty percent of these from each company and issued them to individuals. That began the evolving process of the search for loopholes in the ordinance, with people taking their vehicle and permit from company to company, contributing to the situation that exists today. The Chief has a presentation scheduled on these matters before the City council on the 16th of this month.

**TRANSPORTATION
INSPECTORS
REPORT(continued)**

PERMIT CAP

Joerene Hout suggested that once the number of cab permits was settled upon, her example was 70, through a series of qualification questions each driver be reviewed for his or her merits. These qualifications could include longevity of driving a cab and the amount of business generated. Once the qualification criteria was set, each driver would be judged on a point system with the top 70 getting permits. Then it could be handled just like any other business with any driver who leaves either the business or the city having the availability to sell his permit. Carl Berger added that he would like to see the record of the driver and how honestly he has conducted his business considered when adjudicating the qualifying questionnaire. Allen Glor suggested setting a number of permits and making them available to the highest bidder. The City would recoup money from this sale and 5% sales tax thereafter each time the permit/s is resold. In addition there is the monthly permit fee of \$100.00 and the cab line monthly dispatch fee of \$100.00. The Chief pointed out that while these ideas are good and could be explored, he is not sure of the legal ramifications of arbitrarily setting a cap on permits, issuing that number and then removing both the permits and thus the livelihood of the remainder. The City will not be deciding anything on this issue in their next two sessions. The Chief's presentation is more of an overview to help explain the circumstances that have led up to the present situation, and that we do need to take a fresh look at its direction for the future. Redefinition of criminal acts to revoke or not issue a permit is one of the issues that need to be addressed. Definition of the permit itself is another. The permit belongs to the City and can be revoked at any time for probable cause. The causes for revocation need to be addressed also. There then followed an unresolved discussion between the Chief and Mr. Glor as to whether a vehicle needs to be in a permit applicants name for that person to be able to get a permit. Mr. Glor understood that this is not the case while the Chief held the opposite view. The issue was tabled for further discussion perhaps at a work session, with the understanding that a legal reading will also be necessary.

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Ms. Hout and Mr. Berger both commented on the continuing lack of a full board on the commission. A proposal was made that board members actively recruit to fill the two seats that have been open for over a year.

MEMBER COMMENTS

Mary Gregory asked that a work session to further discuss these topics be arranged for a date following the City council meeting on the 16th. This has been scheduled to be held at the Lion's Club on Monday the 22nd of November at 7:00 p.m.

**WORK SESSION
SCHEDULED**

The three items under *New Business* were addressed by Chief Petitt's report and will continue into the forthcoming work session.

NEW BUSINESS

The chair recognized cab driver T.H. Chong who wished to point out the vandalism that is presently directed in the evening by children and young adults at taxi cabs. Snowballs, earth and stones are continually being thrown at the vehicles causing damage and much concern. Particular areas of concern include LKSD, the trailer court and hospital housing. The Chief promised to advise his officers of the situation in the hope of a speedy resolution.

TAXI VANDALISM

Seog G. Shon, owner of Yellow Cab wanted to know why his appeal both to the commission and the City council to reopen Yukon Cab had been refused. Chief Petitt responded that there seemed to be a communication problem in this case. Mr. Shon could reopen the line anytime using drivers with their own permits. Ms. Hout stated that his application for a further two permits before the council, however, had been denied

YUKON CAB

Mr. Berger made a motion to adjourn the meeting which was seconded by Ms. Hout, unanimously carried and the meeting adjourned at 7:51 p.m.

ADJOURNMENT