

TRANSPORTATION COMMISSION MINUTES

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January 18, 1995

**City of Bethel
Transportation Commission**

Regular Meeting of January 18, 1995

I. CALL TO ORDER

The meeting was convened at 7:45 PM, at the City Offices, Bethel, Alaska, by Chairman Watts.

II. ROLL CALL

Present: Robb, Trantham, Turner, Watts

Absent: Constantine, Richardson, Twitchell

III. APPROVAL OF MINUTES

The minutes of the last regular meeting were not available.

IV. APPROVAL OF AGENDA

motion M/M by Trantham, 2nd by Turner to amend the agenda by tabling Old Business Item A: Draft Alcohol Ordinance until the next regular meeting, and by adding Victor Kolbasin to New Business Item A: Appeal of Chauffeur Permit Denial, and to approve the agenda as amended. Voice vote. Motion carried unanimously.

V. COMMISSION MEMBER COMMENTS

Commissioner Trantham spoke of a report he had received of two children that were overcharged by a cab driver, and related that the matter had been resolved due to the information the children were able to provide to the Police. Mr. Trantham stated that the public needs to be aware that the Police Department and the Transportation Commission can help resolve issues that may arise.

VI. PEOPLE TO BE HEARD

There were no people to be heard.

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VII. OLD BUSINESS

ITEM A: Draft--Alcohol Ordinance

This item was tabled until the next regular meeting.

VIII. NEW BUSINESS

ITEM A: Appeal of Chauffeur Permit Denial--Kevin Penix and Victor Kolbasin

Kevin Penix addressed the Commission, explaining the basis of his appeal, that he was not convicted and the charges had been dropped. Lt. Short read the information provided by the Juneau District Court that indicated Mr. Penix had been convicted on February 2, 1990, and stated that Mr. Penix would be eligible to obtain a permit on February 3, 1995. Discussion followed regarding the charges and Mr. Penix's future employment.

motion M/M by Trantham, 2nd by Turner to approve the appeal of a Chauffeur Permit denial to Kevin Penix effective January 19, 1995. Poll vote. Motion carried, 4-yes, 0-no.

Robert Himschoot, representing Victor Kolbasin, then addressed the Commission outlining the history of the charges against Mr. Kolbasin and reviewing the Alaska Statutes and Bethel Municipal Code. Discussion followed regarding the incident and interpretation of the Statutes as they pertain to the Bethel Municipal Code.

motion M/M by Trantham, 2nd by Robb to approve the appeal of a Chauffeur Permit denial to Victor Kolbasin and to issue a conditional permit with the following conditions:

1. Mr. Kolbasin must carry his chauffeur's permit at all times while operating a vehicle for hire;
2. Mr. Kolbasin will review with his attorney Bethel Municipal Code Chapter 5.20--Vehicles for Hire;
3. Mr. Kolbasin will review with his attorney Alaska Statutes Section 28.35.080.

Poll vote. Motion carried, 4-yes, 0-no.

Mr. Trantham added that the attorney is to provide notice to the Police Department after conditions #2 and 3 are completed. Mr. Himschoot agreed.

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ITEM B: Rules of Procedure--Connie Tucker

Connie Tucker, City Clerk, reviewed with the Commission the proposed Rules of Procedure for Council committees and commissions. Ms. Tucker reviewed areas other committees and commissions had commented on and asked for the Transportation Commission's comments.

Discussion followed on suggested revisions.

ITEM C: Presentation: Inspection Stations--Tony Avalos

Tony Avalos, Four Seasons, spoke to the Commission regarding requiring taxicabs to be reinspected after accidents, not just twice a year. Mr. Avalos also inquired about the process for being designated a cab inspection station. Commissioners referred him to the Police Chief and City Manager for their approval.

IX. ADJOURNMENT

motion M/M by Robb, 2nd by Trantham to adjourn the meeting at 10:45 p.m. Voice vote. Motion carried unanimously.

PASSED AND APPROVED THIS ____ DAY OF _____, 1995.

John T. Watts, III, Chairman

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April 19, 1995

**City of Bethel
Transportation Commission**

Regular Meeting of April 19, 1995

I. CALL TO ORDER

The meeting was convened at 7:30 PM, at the Finance Conference Room, City Offices, Bethel, Alaska, by Chairman Watts.

II. ROLL CALL

Present: Rhodes, Robb, Turner, Watts, Williams

III. APPROVAL OF MINUTES

No minutes were approved.

IV. APPROVAL OF AGENDA

motion M/M by Williams, 2nd by Rhodes to approve the agenda as presented. Voice vote. Motion carried unanimously.

V. COMMISSION MEMBER COMMENTS

Chairman Watts welcomed the new members.

Commissioner Robb asked that a discussion item regarding a proposed ordinance change to the renewal date of a Chauffeur's License be placed on the next meeting agenda.

VI. PEOPLE TO BE HEARD

Margaret Gregory, Bethel, questioned the inspection portion of the ordinance, asking for some method for appeal of an inspection report. The consensus of the Commission was that the Transportation Inspector could arbitrate any disputes regarding the inspections, and the owner, if dissatisfied by the Transportation Inspector's decision, could appeal to the Commission. A decision of the Commission could then be appealed to the City Council.

VII. OLD BUSINESS

ITEM A: Draft Alcohol Ordinance

Chairman Watts introduced proposed changes to the Vehicle for Hire ordinance with respect to alcohol. Commission discussion followed. The final draft will be produced for public comment at the next Commission meeting.

VIII. NEW BUSINESS

ITEM A: Appeal of Chauffeur's License Denial

The appeal of Young K. Kim was heard.

motion M/M by Rhodes, 2nd by Williams that Mr. Kim's permit be issued.

Following discussion, motion and second withdrawn.

motion M/M by Robb, 2nd by Rhodes that Mr. Kim be required to attend anger management classes and provide proof of attendance to the commission.

Following further discussion, motion and second withdrawn.

motion M/M by Robb, 2nd by Rhodes that Mr. Kim be issued a conditional permit upon proof of enrollment in an anger management course, with Mr. Kim providing a monthly status report on the course to the commission in person or in writing, and proof of completion of the anger management course supplied to the commission within four months. Poll vote. Motion carried unanimously.

IX. ADJOURNMENT

motion M/M by Rhodes, 2nd by Williams to adjourn the meeting. Voice vote. Motion carried unanimously.

PASSED AND APPROVED THIS ____ DAY OF _____, 1995.

John T. Watts, III, Chairman

**CITY OF BETHEL
TRANSPORTATION COMMISSION**

Regular Meeting of May 17, 1995

I. CALL TO ORDER

The meeting was convened at 7:30 PM, at the Finance Office Conference Room, Bethel, Alaska, by Acting Chairman Turner.

II. ROLL CALL

Present: Rhodes (late), Robb, Swanson, Turner, Williams

Absent: Watts

III. APPROVAL OF MINUTES

There were no minutes presented for approval.

IV. APPROVAL OF AGENDA

motion M/M by Williams, 2nd by Robb to amend the agenda by postponing Old Business Item A to the next regular meeting and adding New Business Item B: Appeal of Chauffeur's License Denial--Joseph Jelic . Voice vote. Motion carried unanimously.

V. COMMISSION MEMBER COMMENTS

None.

VI. PEOPLE TO BE HEARD

None.

VII. OLD BUSINESS

ITEM A: Public Hearing--Draft Alcohol Ordinance

This item was postponed to the next regular meeting agenda.

VIII. NEW BUSINESS

ITEM A: Amendment to Ordinance--Renewal Date of Chauffeur's Licenses

Commission member Robb addressed this item, stating that the current process, which establishes an expiration date of December 31 for all licenses, strains the Police Department and health resources, since all permittees must

pass a physical examination for a Chauffeur's License. Chief Liu added that bottlenecks occur at the clinic and Police Department, trying to accommodate all of the applicants. Commission member Robb suggested the ordinance be changed to establish an expiration date one year after the license is issued. The Commission agreed with this idea and requested the suggested wording for the change be brought back for further review.

ITEM B: Chauffeur's License Denial Appeal--Joe Jelic

Mr. Jelic presented his appeal to the Commission, asking for reinstatement of his Chauffeur's License.

motion M/M by Williams, 2nd by Rhodes to issue a Chauffeur's License with the following conditions:
1. Mr. Jelic obey all laws; and 2. Mr. Jelic receive counseling at Mental Health. Poll vote.
Motion failed, 3-yes, 2-No (Robb, Turner).

motion M/M by Robb, 2nd by Williams to issue a Chauffeur's License with the following conditions:
1. Mr. Jelic obey all laws; 2. Mr. Jelic study taxi/chauffeur laws; 3. Mr. Jelic return to the
Transportation Commission at its next regular meeting; 4. Mr. Jelic demonstrate to the
Commission that he understands the Vehicle for Hire Ordinance; 5. Mr. Jelic seek anger
management counseling with Mental Health; 6. Mr. Jelic enroll in an anger management course
and complete it in a timely manner; 7. Mr. Jelic agree to stay in his vehicle when for hire and not
accost by-standers; and 8. Mr. Jelic understand what constitutes assault per Alaska Statutes
11.41.230(A)(1).

motion M/M by Williams, 2nd by Rhodes to amend sections 1, 2, and 8 of the motion to read: 1. Mr.
Jelic obey all city and state laws; 2. Mr. Jelic study Chapter 5.20 of the Bethel Municipal Code;
and 8. Mr. Jelic read what constitutes assault and demonstrate an understanding to the
Commission. Poll vote. Motion carried, 5-Yes, 0-No.

vote Poll vote on the motion as amended. Motion carried, 5-Yes, 0-No.

IX. ADJOURNMENT

motion M/M by Williams, 2nd by Rhodes to adjourn the meeting at 9:30 p.m. Voice vote. Motion
carried unanimously.

PASSED AND APPROVED THIS _____ DAY OF _____, 1995.

John T. Watts, III, Chairman

**CITY OF BETHEL
TRANSPORTATION COMMISSION**

Regular Meeting of June 21, 1995

I. CALL TO ORDER

The meeting was convened at 7:40 PM, at the City Offices Conference Room, Bethel, Alaska, by Acting Chairman Turner.

II. ROLL CALL

Present: Rhodes, Swanson, Watts, Williams

Absent: Robb, Turner

III. APPROVAL OF MINUTES

There were no minutes presented for approval.

IV. APPROVAL OF AGENDA

motion M/M by Williams, 2nd by Rhodes to table Old Business Item A: Draft Alcohol Ordinance and Item B: Chauffeurs License Renewal Date, and to add New Business Item B: Presentation by Joe Jelic. Voice vote. Motion carried unanimously.

V. COMMISSION MEMBER COMMENTS

None.

VI. PEOPLE TO BE HEARD

Bobby Rondeau addressed the Commission and stated his desire to serve as a taxicab inspection station. The Commission referred Mr. Rondeau to Chief Liu for the necessary application information.

VII. OLD BUSINESS

ITEM A: Public Hearing--Draft Alcohol Ordinance

This item was tabled.

ITEM B: Chauffeur's License Renewal Date

This item was tabled.

VIII. NEW BUSINESS

ITEM A: Chauffeur's License Denial Appeal--Chun Soo Kim

motion M/M by Swanson, 2nd by Rhodes to approve the appeal of Chun Soo Kim. Poll vote. Motion failed, 0-Yes, 4-No.

ITEM B: Presentation by Joe Jelic

Mr. Jelic addressed the Commission as required regarding the Alaska Statutes and what constitutes assault by law.

motion M/M by Williams, 2nd by Rhodes to grant a conditional Chauffeur's permit to Mr. Jelic. Voice vote. Motion carried unanimously.

IX. ADJOURNMENT

motion M/M by Williams, 2nd by Rhodes to adjourn the meeting at 8:40 p.m. Voice vote. Motion carried unanimously.

PASSED AND APPROVED THIS _____ DAY OF _____, 1995.

John T. Watts, III, Chairman

**City of Bethel
Transportation Commission**

Regular Meeting of August 16, 1995

I. CALL TO ORDER

The meeting was convened at 7:38 PM by Acting Chair Robb.

II. ROLL CALL

Present: O'Brien, Rhodes (late), Robb, Swanson, Turner, Watts (late), Williams

III. APPROVAL OF MINUTES

motion Motion was made and seconded to approve the minutes of the June 21, 1995, regular Commission meeting as presented.

IV. APPROVAL OF AGENDA

motion Motion was made and seconded to approve the agenda as presented. Voice vote. Motion carried unanimously.

V. COMMISSION MEMBER COMMENTS

Discussion regarding complaints of incomplete cab inspections followed.

VII. PEOPLE TO BE HEARD

There were no people to be heard.

IX. OLD BUSINESS

The Commission decided by consensus to switch the order of Old Business Items A and B.

ITEM B: Chauffeur's License Renewal Dates

Discussion followed regarding changing the renewal date for Chauffeur's Licenses from December 31 of each year to a full calendar year after issuance.

motion Motion was made and seconded to change the renewal date of Chauffeur's Licenses to one full calendar year after issuance. Poll vote on the motion. Motion failed, 1-Yes (Robb), 6-No.

Council representative Swanson left the meeting at 8:30 p.m.

ITEM A: Draft Alcohol Ordinance

Discussion regarding the proposed ordinance establishing a "zero tolerance" ordinance for those operating vehicles for hire.

motion Motion was made and seconded to approve the ordinance prohibiting vehicle for hire operators to have alcohol in their possession or on their breath. Poll vote. Motion failed, 3-Yes, 3-No (O'Brien, Robb, Williams).

motion Motion was made and seconded to approve the penalties for an operator of a vehicle for hire that is stopped for Driving Under the Influence. Poll vote. Motion failed, 3-Yes, 3-No (O'Brien, Robb, Turner).

X. NEW BUSINESS**ITEM A: Taxi Inspection Station—James Randall**

The Commission requested further clarification regarding the requirements for an inspection station and postponed further discussion to the next regular meeting.

ITEM B: Preparation for Council Presentation

The Commission postponed this item to the next regular meeting.

ITEM C: Follow-Up on Appeal of Chauffeur's License Denial—Young Kim

Mr. Kim presented evidence to the Commission that he had completed the conditions the Commission had imposed prior to receiving a Chauffeur's License.

motion Motion was made and seconded to issue Mr. Kim a Chauffeur's License. Poll vote. Motion carried, 5-Yes, 1-Abstention (O'Brien).

motion Motion was made and seconded that if a chauffeur meets all conditions set by the Commission, the Transportation Inspector may, at his discretion, grant the conditional license. Poll vote. Motion carried, 6-Yes, 0-No.

XI. ADJOURNMENT

motion Motion was made and seconded to adjourn the meeting at 9:52 p.m. Voice vote. Motion carried unanimously.

PASSED AND APPROVED THIS _____ DAY OF _____, 1995.

John Watts, Chairman

**City of Bethel
Transportation Commission**

Rescheduled Regular Meeting of October 25, 1995

I. CALL TO ORDER

The meeting was convened at 7:45 PM by Chairman Williams.

II. ROLL CALL

Present: O'Brien, Richardson, Robb, Turner, Williams

Absent: Rhodes (excused)

III. APPROVAL OF MINUTES

motion M/M by O'Brien, 2nd by Turner to approve the minutes of the August 16, 1995, regular Commission meeting as presented. Voice vote. Motion carried unanimously.

IV. APPROVAL OF AGENDA

motion M/M by Richardson, 2nd by O'Brien to approve the agenda as presented. Voice vote. Motion carried unanimously.

V. TRANSPORTATION INSPECTOR REPORT

Chief Liu reported that the number of cabs in Bethel are increasing, as well as the number of chauffeur's licenses issued. Chief Liu also reported that Ed's Automotive is now an inspection station for taxicabs.

Commissioner O'Brien presented a formal complaint to the Police Chief, which is attached as part of these official minutes. Chief Liu responded that the best solution is to have provisions in the statutes to address the issue, and to have penalties in place for chauffeurs who violate the provisions of Section 5.20 of the Bethel Municipal Code.

Chief Liu also discussed tracking complaints of cab drivers and companies. Commissioner Turner stated that she was looking at developing a tracking system.

Chief Liu concluded his report by informing the Commission that the Mayor, the City Manager and himself were in attendance for the first meeting of the Bethel Drivers Association.

VI. COMMISSION MEMBER COMMENTS

Commissioner O'Brien related her concern regarding a person that was overcharged cab fare from Pacifica Guest House to the Prematernal Home. Chairman Williams suggested the cab fares be posted around the community for all to see.

Commissioner O'Brien asked Chief Liu if Royal Cab Company was operating. Chief Liu stated that no new cab companies had been licensed.

Council Representative Richardson brought up a concern regarding zero tolerance for cab drivers, and asked that this ordinance be discussed at the next meeting. Commission members discussed other ideas for changes to the Vehicles for Hire ordinance, such as how to address complaints and penalties for violations. The Commissioner set a Work Session for Wednesday, November 15, 1995, at 6:30 p.m., prior to the regular meeting.

VII. PEOPLE TO BE HEARD

There were no people to be heard.

VIII. OLD BUSINESS**ITEM A: Definition on Qualified Personnel**

Commissioner Robb presented qualifications and criteria for cab inspection station personnel as follows:

1. Demonstration of aptitude, i.e. a test or exam
2. Experience/Credentials
 - a) State certified mechanic; or
 - b) Five years professional experience in auto mechanics; or
 - c) Schooling (e.g. trade school) plus experience equal to five years
3. Physical infrastructure and equipment
 - a) Physical place of inspection up to par, i.e. shop or garage capable of handling cars, proper lighting and warmth; and
 - b) Own, rent or have access to tools and equipment needed for the job, e.g. lifts, jacks, power and hand tools
4. No conflict of interest
 - a) Cannot work for, own or be associated or identified with cabs or cab companies.

motion M/M by Richardson, 2nd by O'Brien to accept the criteria as presented. Voice vote. Motion carried unanimously.

motion M/M by Turner, 2nd by O'Brien that the Transportation Inspector use the criteria when assigning cab inspection station certificates. Voice vote. Motion carried unanimously.

ITEM B: Preparation for Council Presentation

motion M/M by O'Brien to table this item. There was no second.

Discussion followed on the Council presentation and the fact that the new Council had not given an indication whether they were interested in continuing with the committee/commission presentations.

motion M/M by O'Brien, 2nd by Richardson to table this item. Voice vote. Motion carried unanimously.

IX. NEW BUSINESS

ITEM A: Chauffeur Physical Examination Form--Bilingual

motion M/M by Turner, 2nd by Richardson that the physical examination form be bilingual and subject to verification that the translation is correct on the form. Voice vote. Motion failed, 3-Yes, 2- No (Robb, Williams).

X. ADJOURNMENT

motion M/M by Williams, 2nd by Richardson to adjourn the meeting at 9:28 p.m. Voice vote. Motion carried unanimously.

PASSED AND APPROVED THIS _____ DAY OF _____, 1995.

Thor Williams, Chairman

**City of Bethel
Transportation Commission**

Special Meeting of November 2, 1995

I. CALL TO ORDER

The meeting was convened at 7:32 PM by Chairman Williams.

II. ROLL CALL

Present: O'Brien, Rhodes, Richardson, Robb, Turner, Williams

III. TRANSFER OF PERMITS/CITY CAB COMPANY

Police Chief Chris Liu presented background information regarding the transfer of City Cab permits.

motion M/M by Richardson, 2nd by Turner to approve the transfer of City Cab permits from Yon Kang to Chong Koo. Voice vote. Motion carried unanimously.

motion M/M by Richardson, 2nd by Rhodes to authorize the transfer of Cab permit #200-209 from City Cab to Qu yana Cab. Voice vote. Motion carried unanimously.

IV. ADJOURNMENT

motion M/M by Richardson, 2nd by Rhodes to adjourn the meeting at 8:10 p.m. Voice vote. Motion carried unanimously.

PASSED AND APPROVED THIS _____ DAY OF _____, 1995.

Thor Williams, Chairman