

**City of Bethel
Regular Transportation Commission Meeting
January 2, 1997**

I. CALL TO ORDER

The meeting was called to order at 7:05 p.m. by Chairman Himshoot.

II. ROLL CALL

Present: Robert Himschoot Jr., Thor Williams, Allen Glore, Doreen O'Brien & Richard Robb

Absent: None

III. APPROVAL OF MINUTES

motion Thor Williams moved to approve the minutes of the December 5, 1996 meeting; seconded by Allen Glore.

vote Voice vote passed unanimously.

IV. APPROVAL OF AGENDA

motion Thor Williams moved to amend the agenda to include under new business Item B. Appeal of Permits; seconded by Doreen O'Brien.

vote Voice vote passed unanimously.

V. TRANSPORTATION INSPECTORS REPORT

Chief Eilers reported on the status of the paid permit holders. Discussion followed. Thor Williams requested that a list be compiled of the delinquent permit holders. Mr. Williams also requested that this list be given to the officers on duty so they can contact the cab drivers informing them they are out of compliance with the taxicab ordinance. Discussion followed regarding number of cab permits for river and Bethel cabs. Yukon Cab was inadvertently missing from list. It was reiterated that NO NEW permits be issued. Chief Eilers stated that we will update the Transportation Inspectors Report and distribute to commission members.

Discussion followed regarding vehicles out of compliance. Chief Eilers stated that he was not aware that there were any complaints.

VI. COMMISSION MEMBER COMMENTS

Allen Glore brought up for discussion the flier regarding "blue flashing lights". Commission members were not aware that this was an issue.

Thor Williams again reiterated that there are not to be any new permits issued.

VII. PEOPLE TO BE HEARD

Fay Short presented handouts to the commission regarding a petition, signed by 70-80 community members, in support of the decision regarding the cap that was put on the taxi industry. It was requested that Thor Williams take this list before the City Council, at their next meeting.

Terryl Miller discussed deregulation. Collection of signatures is good. Ordinance does not allow for any new dispatches, correct? Correct from several commission members.

Teresa Williams discussed City Cab and Quyana Cab displaying two separate telephone numbers on their cabs. Allen Glore brought up for discussion the use of the same dispatch service being used in two different cab company dispatch vehicles. Mr. Glore stated that he believed that it was illegal to pickup other dispatcher frequencies. Discussion followed. It was brought to the attention of the Chief that it is an enforcement issue. It was offered, from the audience that Alaska Cab and Checker Cab may also be in violation of the ordinance.

Ordinance 5.50.040 Mandatory Dispatch Service. Each taxicab permit holder must subscribe to a dispatch service. Only one dispatch service may be subscribed to for each taxicab permit.

This ordinance was read aloud to the owner's of City Cab, Quyana Cab, Alaska Cab and Checker cab, who were all in attendance at this meeting. Discussion followed. Chief Eilers was directed by the commission Chair to look into this possible violation and to use his own discretions and deal with it as he sees fit.

Frank Mazzaro asked if heneeded a separate cab permit to run a cab in Bethel and to run a cab on the river? Discussion followed. Doreen O'Brien stated yes you do.

Ordinance 5.20.010 Definitions. As used in this chapter: 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.

Ordinance 5.20.110 Fees. The following fees shall be payable to the City of Bethel at the office of the Bethel City Clerk: C. \$100.00 annual fee shall be paid for the issuance or renewal of a river taxi permit no later than the 10th of January.

Ordinance 5.30.020 River Taxi Permit Required. No person may provide river taxi service within the City of Bethel without a river taxi permit. Discussion followed. If you live on the river and go from village to village you don't need a permit, right. It was the concensus of the commission that you do need a permit if you bring to and pickup from Bethel. If it can be proved that unmarked taxicabs are operating without a permit it is in violation of the ordinance and subject to penalty. Thor Williams offered that the Bethel city limits are within a 5 mile circumference of First National Bank. You will have two separate permits; one for the river and one for Bethel, the permits will have the same number. The river permit must be paid before the

VII. PEOPLE TO BE HEARD (continued)

10th of January. The river permits are not regulated, only the Bethel city permits. Discussion followed. Inform the inspector of the violation. Frank was told that if he wanted to run his service he had to have a river permit.

Dawn Lee, City Cab owner, stated she was here to sell City Cab and she was told that she had to come here before the commission. Doreen O'Brien confirmed that she had talked with Ms. Lee earlier and suggested that she come to the Transportation Commission meeting. Chairman Himschoot stated that he didn't think that they could sell because we have a freeze. You would be transferring permits from one person to another. Under the freeze you cannot transfer permits.

There are just no new permits issued. The commission requested the City Clerk look up Ordinance 96-46-E regarding this issue. LJ Tanner cited Ordinance 96-46-E which suspends city codes 5.30.040A 1&3 and 5.50.020. No transfer of ownership of permit.

Ms. Lee also asked would they have to wait 25 days before they can sell the business? Chairman Himschoot stated that yes they would have to wait because the new ordinance is not back from the City Council. Once it is repealed it is gone and no new dispatches, it can be amended. It is attrition. If the ordinance passes City Council than it is passed and no new dispatch services applications will be accepted. So if someone wanted to move away they would just loose the business and the permit. Chairman Himschoot stated that that is the attrition we are looking for.

Bobby Rondean stated he was here about his inspection business. Chairman Himschoot reminded Mr. Rondean he was on the agenda last month and no one else was here with available resources so you will need to appeal again. Discussion followed.

Mr. Rondean was told that he would have to reapply; be put back on the agenda. Apply through the Transportation Inspector, you will need your state business license and the inspector will either approve you or deny you as an inspection station, then you will need to appeal to us if you are denied. Discussion followed. Renewal license was denied because the original business license was sold with the business. Chief stated that he could make a phone call and check on the status of the license and other criteria that is needed.

VIII. OLD BUSINESS

Item A: Re-regulation of the Cab Industry - Update.

Thor Williams stated that an ordinance was introduced to the City Council on December 10, 1996; and has been placed on the City Council agenda and public testimony will be taken January 14, 1997.

Thor Williams mentioned the idea of a work session for better lines of communication. LJ Tanner shared the ideas of the city attorney, Lee Sharp, in that he would like to receive a narrative from the commission members stating the goals that they would like to accomplish in the ordinances'; Mr. Sharp in turn would put this information into legal language.

VIII. OLD BUSINESS (continued)

Item A: Re-regulation of the Cab Industry - Update. (Continued)

Chairman Himschoot asked LJ Tanner, City Clerk to request a workshop with the commission and Mr. Sharp. Discussion followed. Doreen O'Brien asked Thor Williams to take the idea of the commission having a working group session, with the attorney, to the city council. Discussion followed.

Item B: River Taxi Permits.

Thor Williams stated it was submitted to City Council on December 10, 1996. It did not have the needed public testimony to get on the agenda. Discussion followed.

IX. NEW BUSINESS

Item A: Recording of Dispatches by Taxi Dispatch Service.

Thor Williams quoted the ordinance.

Ordinance 5.50.060 Records Required. Each dispatch service shall maintain a system of records of all dispatches. Such records shall be retained for a period of not less than two years and be made available to the Transportation Inspector and City Manager upon request. (Ord. 191, 1990) Discussion followed.

Thor Williams stated these records requirements are in the ordinance and would ensure that we get accurate data from the cab industry and what they are getting in gross revenue. Discussion followed. Doreen O'Brien handed out sample "trip sheets" that she created as an example of what the commission has in mind. Discussion followed.

motion Thor Williams moved to begin collection of records from taxicab dispatch "trip sheets" on January 25, 1997. Seconded by Allen Glore. Discussion followed.

motion Thor Williams amended the motion to state that those will be handed out to every dispatch service tomorrow January 3, 1997. That three drivers from each of the cab companies use the "trip reports" and that they come back and tell us how it works. Using this report until January 25, 1997. Discussion followed.

Thor Williams withdrew his two previous motions.

motion Thor Williams moved to request that three drives from each cab company keep "trip sheets" for one month starting January 3, 1997; the chief and his staff are to call in the nine (9) cab owners explain the ordinance, the "trip sheet" and the time structure; seconded by Allen Glore. Discussion followed.

IX. NEW BUSINESS

Item B: Appeal of permits - Transfer of Permits

Chairman Himschoot asked for a motioned to table this item until we hear from the city attorney, Mr. Lee Sharp. Discussion followed.

motion **Allen Gore moved to wait to hear the Appeal of Permits until we hear from Mr. Sharp.** Discussion followed.

The appellants attending the meeting were asked if they agreed with the decision to table the meeting until attorneys from both sides can meet. All appellants in attendance agreed. Discussion followed.

motion **Allen Gore moved to amended the motion to read tabled until next meeting; seconded by Doreen O'Brien.**

vote **Voice vote passed unanimously.**

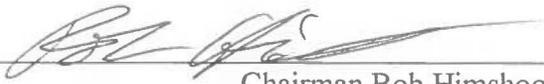
motion **Allen Gore moved to add to the agenda "Update - Appeal of Permits" for the February 6th meeting. Seconded by Chairman Himschoot.**

vote **Voice vote passed unanimously.**

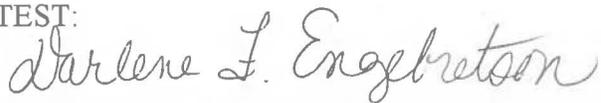
X. ADJOURNMENT

motion **Doreen O'Brien moved to adjourn the meeting. Seconded by Thor Williams.**
Meeting was adjourned at 8:45 pm.

PASSED AND APPROVED THIS 5 DAY OF JUNE, 1997.


Chairman Bob Himschoot Jr.

ATTEST:


Darlene F. Engebretson, Administrative Assistant

**City of Bethel
Regular Transportation Commission Meeting
March 20, 1997**

I. CALL TO ORDER

The meeting was called to order at 7:11 p.m. by Chairperson Himshoot.

II. ROLL CALL

Present: Chairperson Robert Himschoot Jr., Thor Williams, Allen Glore, Doreen O'Brien, Richard Robb, Tania Oh, Phillip White

Absent: None

III. APPROVAL OF MINUTES

motion Chairperson Himschoot moved to approve the minutes of the February 6, 1997 meeting with the addition that an astrict be included after New Business stating that the tape recorder went faulty and that was the reason for the shortness of the minutes; seconded by Phil white.

vote Voice vote passed.

IV. APPROVAL OF AGENDA

New Business

Item B. Sharon Gregory's appeal;

Item C. Process for Revocation for non-payment;

Item D. Lee Sharp's recommendations.

Old Business

Item B. Amendments to Ordinance-Chauffeur Application (ADA);

Item C. Amendments to Testing Requirements;

Item D. Review limits on Driving Hours;

Item E. Resolution 97-01 Shared Road Use;

Item F. Betty Evans - Update.

motion Thor Williams moved to accept the Agenda as amended; seconded by Allen Glore.

vote Voice vote passed unanimously.

V. TRANSPORTATION INSPECTORS REPORT

Chief Eilers stated that he has no further comments other than what was submitted in the packet; unless the commission has questions.

VI. PEOPLE TO BE HEARD

motion Thor Williams moved to temporarily suspend the commission members comments; seconded by Allen Glore.

Dick Russell handed out a DRAFT format citing the Alaska Statutes Chapter 64 Sec. 18.35.300 PLACES WHERE SMOKING IS REGULATED "non-smoking cabs in Bethel" See attachment. Submitted for consideration. The proposal is to make all cabs non-smoking. Commission consented to have this item added to the agenda at the next meeting.

VII. COMMISSION MEMBER COMMENTS

Phil White

City Cab #53 Lic PI #ZZJ764 early 80's American Eagle station wagon abandoned at Church Slough; contact owners and have removed immediately. If not removed within 7 days will be towed at City Cab expense.

Chief Eilers stated that the Police Department will look into the matter and have it taken care of. Discussion followed.

Rick Robb

No comment

Tania Oh

No comment

Thor Williams

Random cab inspections; are we continuing with these? He stated that the price list must be visible; really clear violation of the ordinance. Also, top lights shall be illuminated only when in service.

Chief Eilers stated that he will request the officers to continue random cab inspections.

Also requested that the business that is conducted by the Transportation Commission is to be brought to the City Council in an expedient manner and that the minutes be submitted to the City Clerk so they can be in the packet for City Council meetings.

How many cabs are on the road? Requested that this information be submitted each month.

Thor Williams stated that Madam Mayor Richardson requested to bring ordinances that people want to change in front of City Council and express the reasons why you want to change them; and getting the direction from City Council to give it to Lee Sharp as our attorney, to change the ordinance; then the ordinance would come back to City Council first as Old Business to be voted on.

Chairperson Himschoot clarified that this means that the commission does not have to worry about the wording to fit it into the code as is. What we do is try to express our ideas on how we want it changed to the city council. The city council will then decide if they want to take it to the lawyer to turn it into a format. We are to provide the city council with ideas, not finished product. Discussion followed.

Allen Glore submitted several pages of paper with cab company names, cab numbers and license plate numbers that he has collected over a months time. These cabs are all in violation of the ordinance. See attached.

Requested a hearing meeting for revoking permits, would like to schedule that for next meeting. Alaska Cab 96 and 121. Letter sent to the owners requesting their attendance, regarding the revocation of their permits.

Would like to continue the records keeping, it is in the ordinance and must be continued.

Doreen O'Brien read letter regarding mishaps that have occurred to passengers of cabs. See attached.

Thor Williams regarding the flow of traffic at the hospital. Doreen stated that the hospital has put out notices that when the snow and ice is gone they will paint the parking lot. Hospital security guard can help them to remind the cabs not to bunch up in that area.

Chief Eilers stated that he had to physically get out of his vehicle and tell the cabs not to bunch up in the front area of the hospital, only then did they actually move to the taxi zone.

Allen Glore asked if we had heard anything about the Dead Beat Parent law where the state has revoke drivers licenses if the parent is behind in child support payments.

Doreen O'Brien stated that she thought it would go into effect in July. All professional licenses will be at risk for delinquent child support payments. Drs., dentists, licenses, etc. If you are in arrears that license can be taken away from you.

Chairperson Himschoot thanked Allen for putting in the time to document taxi ordinance violators. It was suggested that he be hired as a taxi cab bounty hunter. Also that the cab owners should be given a fine, not just a "fix-it" ticket. Give a dozen cabs a fine.

Chief Eilers stated that 2-3 weeks ago he authorized Sgt. Walker some overtime and he wrote 8 tickets. All cabbies paid the fines some went to court but most just paid the

fine. Discussion followed. He will assign officers to spend their whole shift doing nothing but cabs.

Chairperson Himschoot suggested two hours, three times a week. Illegible numbers on cabs can be "fix-it" tickets and have the vehicles inspected in 24 hours. Cabs need to be fined for non-compliance of ordinance.

Taxi cab 146, has been on the out of order list for too long.

Thor Williams requested that under New Business add designated dispatch area. Waiting in a specified, designated area or at their central location area.

Chairperson Himschoot requested a working group to discuss the following two Items:

1. All cabs will be required to keep records.
2. It will be part of the working group that they submit ideas of their own that we will look at.

Write to all cab companies requesting their attendance. Bring forth ideas besides what the Transportation Commission has provided.

Add to agenda review of the working group. We can approve or disapprove of their ideas since it will already be on the agenda. Discussion followed.

Post working group tomorrow or Monday. It was suggested that the meeting be held at 6:00 pm before the regularly scheduled meeting at 7:00 pm; April 3, 1997.

VIII. OLD BUSINESS

Item A. Appeals (Kusko and Alaska)

LJ. Tanner spoke to Lee Sharp, city attorney and he has a seemingly easy way to handle this and that is to have the owner of the car be the person to pay for the permit; therefore, there is no discrepancy in "ownership" of the permit, or proprietary rights to the permit. This information can be submitted to the city council by Thor and hopefully adopted into the code.

If we say the owner of the car is the person who comes in and pays for the permit, then they don't have a financial claim to it. Discussion followed.

*Ground rules not set up. (T. Williams)

*Let Lee make the decision. (R. Himschoot)

*Appeal should be presented (T. Williams)

- motion** Doreen O'Brien moved to request, from the city council, a status report from Lee Sharp regarding the appeals, are they still negotiating what the ground rules. Clarify what the Transportation Commissions' responsibilities are; seconded by Phil White.
- vote** Voice vote passed.

Jim Randall issue is mute because he did not file an appeal nor was he present at this meeting.

Item B. Amendments to Ordinance-Chauffeur Application (ADA)

Thor Williams wants clarification on whether or not this is an ADA requirement or if we are infringing on peoples rights, because of that being in the ordinance. LJ. Tanner, City Clerk has contacted Lee Sharp, he has not returned her call. Discussion followed. Rick Robb requested a written response. Discussion followed.

- motion** Rick Robb moved to send to the city council, to give to Lee Sharp city attorney, the motion to delete Section 5.40.030 Chauffeur's License, letter D., #5 "Being committed voluntarily or involuntarily to a medical facility or a psychiatric institution by reason of mental illness or substance abuse be deleted; and section 5.30.040 Permit Applications, letter C., #2 "Being committed voluntary or involuntary to a medical facility or psychiatric institution by reason of mental illness or substance abuse be deleted"; and

State that we believe that this may be in violation of ADA and therefore take a look at it and strike it if they find it necessary; seconded by Doreen O'Brien.

It is the belief of the Transportation Commission that it may be in violation of the ADA.

- vote** Voice vote passed.

Item C. Review for Test Requirements

- motion** Rick Robb moved to propose an amendment to ordinance 5.40.040 Chauffeur Licenses to add a section G. The applicant passes with a minimum score of 70% a written test of basic knowledge of the ordinances pertaining to the duties and responsibilities of a chauffeur. A series of comparable tests will be written by the Transportation Commission; seconded by Doreen O'Brien.

Discussion followed covering pro's and con's of testing permit applicants including language, braille, reading comprehension.

- vote** Roll call vote: PW-y; RR-y; TO-n; TW-n; AG-n; DO-y; RH-n
Motion fails.

Chairperson Himschoot stated that the commission may be biting off more work than we want to and also might be biting off more liability than we want to by opposing a test. Discussion followed.

motion Thor Williams moved to ask the Transportation Inspector have every Chauffeurs' licensee permit holder cab owner sign, once a year when they renew their permits, that they have received a copy of the ordinance and are responsible for understanding it's contents; seconded by Phil White.

vote voice vote passed.

Item D. Resolution 97-01 Shared Road Use; and
Amendment to Ordinance add 5.40.100 Time of Service

Discussion followed regarding previous passage of these two items at the February 6, 1997 Transportation Commission meeting; however, due to tape recorder malfunction the exact wording was lost. See attachments.

Item E. Betty Evans - Update

Betty addressed the commission stating that her chauffeurs permit was revoked by the Transportation Inspector due to a background investigation. Betty stated that her probation was completed in January.

IX. NEW BUSINESS

Item A. Rates and Fees

Allen Glore stated that the amendment would raise some maximum rate that can be changed during certain times of the year (Oct.1 - April 30). We will be having a new subdivision out behind the subdivision. Discussion followed. See attached.

motion Doreen O'Brien moved to take the proposed amendments 5.20.020 Rates and 5.20.110 Fees to the city council for their discussion; seconded by Allen Glore.

vote Roll call vote PW-N; RR-N; YO-N; RH-N; TW-Y; AG-Y; DO-Y; RH-N.
Motion fails.

Discussion followed.

Allen Glore brought up a conflict of interest issue stating that the commission has two people associated with the industry voting "no" on this. Chairperson Himschoot stated that the two people were added with council's approval, with full voting privileges. Thor Williams stated that when you have a conflict of interest the people have to identify what that conflict of interest is and if its financially liable for that person, then it is up to the committee to decide. Chairperson Himschoot asked if any one here have anything to declare as a conflict? Rick Robb stated that this would effect him, under fees and he

offered to change his vote to "ABSTAIN"; Rick Robb stated that for the record he is not driving and does not own a chauffeur's license, as you all know my wife operates a cab. Chairperson Himschoot commented that money would be coming out of your household, personally. Rick Robb stated that yes it would, and he would abstain.

Phil White stated that his only problem was with the 5.20.020 has nothing to do with the rates. Discussion followed.

Thor Williams called for reconsideration of this motion; seconded by Allen Glore.

Discussion followed regarding fees and the reasons for increasing the fees.

Chairman Himschoot stated that Chief Eilers asked if him to have a break in the discussion at 10:00 pm because he would have to leave here very shortly, stating that Chief Eilers would like to be present for the Sharon Gregory Appeal. Chairperson asked the commission if could grant this break in the discussion.

motion **Thor Williams moved to suspend the rules to allow that the appeal for Sharon Gregory could go on at this time; seconded by Allen Glore.**

vote **Voice vote passed.**

Item F. Sharon Gregory - Appeal

Sharon Gregory provided to the City Clerk that was then forwarded to the Transportation Commission stating the reasons for her appeal. Phil White asked Ms. Gregory is she was convicted of assault in the 4th, in 1993? Ms. Gregory stated "yes". He then asked if she had been driving cab last year. Ms. Gregory stated that she had been driving in 1995/96 and not this year. Phil White asked why Ms. Gregory had not been denied those years, and why was it picked up this year? Chairperson Himschoot stated that neither Chief Eilers nor Darlene Engebretson were here in those years. Chairperson Himschoot asked if Ms. Gregory had followed the instructions of the court, that were given to you? Ms. Gregory stated "oh, ya". Chairperson Himschoot asked if she was on probation? Ms. Gregory stated "no". Phil White asked Ms. Gregory if there were any other convictions since that time? Ms. Gregory stated "no". Chairperson Himschoot suggested that we allow Ms. Gregory to continue with her permit with maybe one check in with us in six months. It was asked if Ms. Gregory had stated the assault charges on her application? Chief Eilers stated "yes". Chief Eilers stated that he had no problem with the recommendation of the Chairperson.

- motion** Thor Williams moved to allow Sharon Gregory have a conditional Chauffeur's License for the next six (6) months and return back to us in our September, 1997 meeting. Ms. Gregory is to "stay clean". Ms. Gregory is to obey all laws and to read and understand the ordinance; seconded by Doreen O'Brien.
- vote** Voice vote passed.

Chairperson Himschoot suggested that the commission review section 5.20.050 Hearings - Appeals and amend it to include "at the Transportation Inspectors discretion".

Chairperson Himschoot requested that the committee continue with discussion previous agenda Item A. Rates and Fees

Chairperson agreed with Doreen O'Brien that these items be proposed to the city council as two separate items; 1. The Rate Increase; and 2. The Fee Increase and let the council however they fell necessary. Discussion Followed.

- motion** Doreen O'Brien moved to send amended ordinance 5.20.020 Rates, to city council with changes/additions made to include:
FARE TO AND FROM THE AIRPORT EXCEPT AS NOTED;
FARE TO BIA EXCEPT TO AND FROM AIRPORT;
and add the following fares to include YKHC subdivision
FARE TO AND FROM YKHC SUBDIVISION EXCEPT AIRPORT - \$7.00;
FARE TO AND FROM AIRPORT TO YKHC SUBDIVISION - \$4.00;
seconded by Allen Glore.
- vote** Voice vote passed unanimously.

- motion** Doreen O'Brien moved to send amended ordinance 5.20.110 Fees, to city council with changes/additions made to include:
- A. \$100.00 MONTHLY SHALL BE PAID FOR THE RENEWAL OF BUS, DISPATCH SERVICE OR TAXICAB PERMIT NO LATER THAN THE 10TH OF EACH MONTH IN LIEU OF SALES TAX;**
- B. \$100.00 SHALL BE PAID FOR THE ISSUANCE OF AN INITIAL APPLICATION FOR A CHAUFFEUR'S LICENSE AND \$50.00 FOR A RENEWAL THEREAFTER. THE RENEWAL FEE IS NON-REFUNDABLE.**
- C. \$100.00 MONTHLY SHALL BE PAID FOR THE ISSUANCE OR RENEWAL OF A RIVER TAXI PERMIT NO LATER THAN THE 10TH OF EACH MONTH OF OPERATION.**

D. \$50.00 SHALL BE PAID FOR EACH APPEAL FROM THE DECISION OF THE TRANSPORTATION INSPECTOR OR HIS DESIGNEE TO DENY OR REVOKE AN APPLICATION FOR A CHAUFFEUR'S LICENSE/CAB PERMIT/DISPATCH SERVICE PERMIT. SUCH FEE SHALL BE REFUNDED IF THE DECISION OF THE TRANSPORTATION INSPECTOR OR HIS DESIGNEE 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.

E. \$100.00 SHALL BE PAID FOR EACH APPLICATION FOR THE TRANSFER OF A TAXICAB PERMIT FROM ONE DISPATCH SERVICE TO ANOTHER.

ADD:

F. \$1,000.00 ANNUALLY SHALL BE PAID FOR THE USE OF A CITY OF BETHEL TAXICAB PERMIT IN ADDITION TO THOSE FEES PRESCRIBED IN SECTION (A) ABOVE. THIS FEE SHALL BE PAID NO LATER THAN THE 10TH OF JANUARY OR \$100.00 PER MONTH BY THE 10TH OF EACH MONTH TO EQUAL \$1,200.00 ANNUALLY.

G. \$3,000.00 ANNUALLY SHALL BE PAID FOR THE USE OF A CITY OF BETHEL DISPATCH SERVICE PERMIT IN ADDITION TO THOSE FEES PRESCRIBED IN SECTION (A) ABOVE. THIS FEE SHALL BE PAID NO LATER THAN THE 10TH OF JANUARY OR \$300.00 PER MONTH BY THE 10TH OF EACH MONTH TO EQUAL \$3,600.00 ANNUALLY; seconded by Thor Williams.

Chairperson Himschoot asked for discussion. Rick Robb stated that the commission needs to think about if more, that you have to do a cost analysis, I think that it should be kicked around with the people that are going to be paying the fees, and see what they think. I think it should be kicked around by the consumers of the industry. Does everyone here want to go on record as charging an additional sales tax on the already over taxed people of this community? Discussion followed. Chairperson Himschoot asked for a roll call vote. He also stated that this was just going to the city council, this is not becoming a working item until after several things have happened, their

introduction, Lee's mangling of it and the city council's passage of it. Chairman Himschoot again asked for a roll call vote on sending it through to the city council as amended.

vote **Roll call vote PW-y; RR-ob; Tania-n; TW-y; AG-y; DO-y; RH-y.**

The meeting was again interrupted allowing "People to be Heard". Consumer stated that his River Cab permit has been denied because I was too late, it was January 21st. I went to the Police Station my application was denied because it was late. I didn't see any regulation with deadline dates on it. Chairperson Himschoot stated that you may or may not have a point but right now that is mute. What you needed to do was appeal denial within 15 days of the denial. We can't do a thing without an appeal. Chief Eilers is not here to tell us why it is denied, so my suggestion to you is to look through the ordinance to see what you can do for an appeal, for River Cab. Whenever you get something denied and you feel that you have a right to an appeal. When you appeal your money comes back to anyway. Re-apply tomorrow can be heard at next meeting.

motion **Thor Williams moved to suspend a permit if by the 10th of the month the \$100.00 in lieu of sales tax has not been paid, and waiting for the appeal hearing to be held at the next meeting; seconded by Phil white.**

Allen Glore suggested that the motion be amended to strike "in lieu of sales tax" because that is not what's in the ordinance. A \$100.00 a month permit fee is what we now have in the ordinance.

Chairperson Himschoot suggested it be amended to say that "all required fees are to be paid by the 10th of the month. It is whatever fees is required of the person by the ordinance.

motion **Thor Williams moved to accept amended motion to read a permit is to be suspended if not all required fees are paid by the 10th of the month; seconded by Phil White.**

vote **Voice vote passed.**

Chairperson Himschoot requested to have Old Business Item D. Lee Sharp Recommendations, tabled until next meeting. Chairperson Himschoot stated that he would ask LJ Tanner to attend the next meeting since she is the one having the one on one conversations with Mr. Sharp.

X. ADJOURNMENT

motion Thor Williams moved to adjourn the meeting; seconded by Phil
White.
vote voice vote passed.

Meeting was adjourned at 10:33 pm.

PASSED AND APPROVED THIS 4th DAY OF APR., 1997.



Chairman Bob Himshoot Jr.

ATTEST:



Darlene F. Engebretson, Recording Secretary

**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 is 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. Terryl 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 may 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 1ST DAY OF MAY, 1997.


Chairman Robert Himshoot Jr.

ATTEST:


Verdi L. Brogdon, Recording Secretary

City of Bethel
Regular Transportation Commission Meeting
May 1, 1997

I. CALL TO ORDER

The meeting was called to order at 7:05 p.m. by Chairperson Himschoot.

II. ROLL CALL

Present: Chairperson Robert Himschoot Jr., Phillip White, Thor Williams, David O'Malley, Allen Glore. Excused: Richard Robb, unexcused: Doreen O'Brien. Chief of Police Gary K. Eilers and Verdi Brogdon recorded the Minutes.

III. APPROVAL OF MINUTES

Thor Williams/Phillip White move to accept the April 3, 1997 minutes of the Transportation Commission. Voice vote, Motion carried.

IV. APPROVAL OF AGENDA

Thor Williams/Phillip White move to approve the agenda as presented. Voice vote, Motion carried.

V. TRANSPORTATION INSPECTORS' REPORT

Transportation Inspector gave his report that there are 95 active cabs, discussion on Alaska Cab 96 which was already resolved. No other discussion.

VI. COMMISSION MEMBER COMMENTS

Phillip White welcomed David O'Malley to the Transportation Commission, and thanked the Chief for staying.

Thor Williams talked about what was asked for at the last meeting, a list of cabs that do not pay their monthly fee on time that their permits are being revoked or canceled, also thanked the Chief to be on for an extended stay.

Transportation Inspector discussed that if cabs that are a day late does he have the discretion to go ahead and take the money, would it be okay with the commission. The commission agrees as long as they call in and be in the next day to pay.

David O'Malley gave the commission a letter of interest that he put in with his application talked about the cabs that are being threatened, thing that are being put on the agenda that have no back-up and no justification would like to see the proof first before it is brought to the commission. Discussed about the appeal process on how it works, the appeal should be brought up by the higher court.

Robert Himschoot Jr., would like to say thanks to David O'Malley for joining the

Himschoot cont.

Transportation Commission.

VII. PEOPLE TO BE HEARD

None present.

VIII. OLD BUSINESS

A. APPEALS

1. Alaska Cab #96

Brought in by Allen Glore, and Mr. Glore is not present at this time. It was voted at the last meeting not to revoke Alaska Cab #96 and there is no reason that it should be brought up again at this meeting. Discussion that the cab is on the road and running.

2. Yellow Cab#149

No discussion for Yellow Cab#149 it was not voted on.

B. Update Lee Sharp Proposals

Chairperson Himschoot talked with Mr. Sharp on the ADA, the commission is not liable under the ADA because we are not a hiring or firing agency. There is a different set of liabilities and to completely strike that section, a suggestion is to write up section which allows anyone that was not granted a permit because of alcohol or drug abuse treatment program or voluntary or involuntary treatment staying at a mental hospital, to appeal a denial. Discussion on the Fare from Airport to the BIA or Kasayuli. The other section is on Limitations on Driving. Would like to add fare to and from the Airport to YKHC Subdivision and BIA \$4.00. The Commission recommends that Thor Williams present this Ordinance to the Council, and for Verdi to get a copy of the fax from Mr. Sharp to LJ Tanner.

Let the record show that Allen Glore is present at 7:40 p.m.

Under section 5.20.110 Fees, discussion on where the fees should be paid to by the City Clerk or would it be easier for the Police Dept to handle the receiving of monies for the Cab industry.

C. Proposals on Ways to Add New Cab Permits

Mr. Glore found a section in the Ordinance section 5.20.080 section B. Discussion on wording this section so it could be understood.

Thor Williams/Phillip White move to table Item C. Proposals on Ways to Add New Cab Permits until the next regular meeting on June 6, 1997. Voice vote passed with one nay-David O'Malley. Motion Carried.

D. Dispatch Form

Discussion on receiving any log sheets for April. None was received. At the last meeting they wanted all cabs to do the trip sheets. They wanted the cabs to either start

Dispatch Form cont.

recording verbally on tape or on dispatch log sheets, if the cab companies would like to record in some other way the Commission is willing to listen to find a easier way to record Cab Dispatch.

E. Physicals

David O'Malley no discussion at this time, he will hold off for a later date.

XI. NEW BUSINESS

A. Commercial User Road Fee

Allen Gore discussed a letter he received from Hicks, Boyd, Chander Falconer. Discussed a fee from Pizza delivery etc. for using the roads, and the City has a right to charge a fee for use of the roads. T. Williams will report back to the Commission at the next meeting.

Allen Gore/Phillip White move that Thor Williams take the letter from Hicks, Boyd, Chander Falconer to the Council to see how the Council would like the Transportation Commission to proceed on this. Voice vote passed. David O'Malley-nay Motion carried.

B. Vehicle Age Limit

Thor Williams/Allen Gore move to table the Vehicle Age Limit until the next meeting and have the Commission members come back with their comments. Voice vote passed. David O'Malley-nay Motion Carried.

C. Vehicle Paint Scheme

Phillip White/Allen Gore move to table this item until a further notice. Voice vote passed. Motion carried.

D. Dispatch Service Rates

Phillip White/Allen Gore move to table this item. Voice vote passed. Motion carried.

X. ADJOURNMENT

Thor Williams/Phillip White move to adjourn at 8:35 p.m. Motion Carried

PASSED AND APPROVED THIS 6 DAY OF JUNE, 1997.


Chairman Robert Himschoot Jr.

ATTEST:

 6-9-97
Verdi L. Brogdon, Recording Secretary

Rick: The last City Council meeting was a concern and the Commission worked to hard and long to be put in the position it was. The attorney once again changed the true feeling of the commission and lumped 4 amendments to ordinance into 1, which failed and is back on our plate.

Discussion: Thor stated the process as directed by the council as he understood it.

Rick: Why were they lumped into 1 change instead of the 4 that left this table?

Bob: Disappointed that a Commissioner and Ex-cab driver took their issues on KYUK prior to bringing them to the Commission.

Doreen: Chris Butler contacted me and wanted to do a program live call in and I wanted to make sure he called Bob and he stated that he had called Thor. I feel that it was not appropriate for the Commission to partake in that kind of forum. I refused his offer.

(David O'Mally showed up at 7:33 PM)

People to be Heard

Mike O'Brien and Robert Himshoot Sr.

Mike brought up issues involving the amendments to ordinance 97-05 and that he feels they should be separated and sent back to council because some points were valid and needed to be considered on their own merit. There was discussion on the City attorney and Mike said that the Commission needs to bring the original and copies that were returned by the attorney to show the council the discrepancies. Mike also brought up the sales tax ordinance that the Finance committee is working on and the importance of record keeping and encouraged all businesses to be as honest and complete as possible so everyone pays their fair share, no more no less.

Robert commented on the direction of both the Commission and the Cab industry. He is concerned over the number of cabs and the shape of the cars and drivers. Suggests that the cab industry start an association and that both sides meet to find a common ground to work from. Agreed that there has to be standards set but to do so with Public Safety in mind not race or ethnic group.

Discussion followed, by pointing out the lack of interest on behalf of the industry with no one present other than Mike and Robert.

Old Business

Item A:

Doreen read an existing ordinance from the Anchorage Municipal Code that gave on solution to the problem. (See attached)

After lengthy discussing it was decided to use the Anchorage ordinance as a working paper and that Doreen would distribute copies to the Commission for review and ideas for the next meeting.

M/M by Rick Robb to use the Anchorage Ordinance as a working paper

2nd by Doreen O'Brien
vote: Yea 5 Nay 1
and to be placed on the July agenda

Item B

Road use fee

This issue was put on the calendar as a work session item that would include the Finance Committee and the Public Works Committee for June 19th at 7:00 PM at the log cabin.

Item C

97-5

M/M Thor Williams to divide Amendment to Ordinance 97-05 into the original 4 separate issues that left this table and send them back to City Council.

2nd Rick Robb

Discussion followed about the lawyer's translation and the fact that the 4 separate issues were lumped together.

Vote: Yea 4 Nay 1 Abstain: Rick Robb

M/M Rick Robb to NOT to submit the ADA portion of the amendments to ordinance

(?) 2nd

Vote Yea 1 Nay 5

New Business

Item A

Regulations to be included in the work session

Item B

Chair resignation

Bob wants to resign as chair but maintain his seat on the Commission. He feels that his weakness in organization is a hindrance to the chair.

Nominated Doreen O'Brien for the position 2nd Phil White

Nomination of Rick Robb by Thor Williams 2nd no second

Nomination of Allen Glore by David O'Malley 2nd no second

Rick Robb declined the nomination will be leaving the commission in July.

M/M Bob Himshoot to elect Doreen O'Brien as Chair

2nd Phil White

Vote Yea 5 Nay 1

Date for next meeting, due to the date of the 1st Thursday is July 3rd and the beginning of a long week end. The meeting will be held on July 2nd at 7:00 PM at the City Conference room.

Meeting was adjourned at 9:30 pm by unanimous consent

SPECIAL MEETING

Transportation, Finance, and Public Works Committees

Discussion: Road Use Fees

June 19, 1997, 7:00 p.m.

Attendees: Transportation Commission - Doreen O'Brien, Thor Williams
Finance Committee - Agnes Phillips, Clint Schink
Public Works Committee - Mike O'Brien, Gary Vanasse
Others present: Clair Grifka, Terryl Miller, Wayne Smith, LJ Warren

Doreen O'Brien chaired the meeting, and started by stating the reason for the meeting. The topic of road use fees has been referred by the City Council to each of the Committees present. A joint meeting of the three committees makes more sense than having each committee meet separately.

Currently, there are a number of out-of-town construction companies in Bethel, running heavy equipment on the roads. Ms. O'Brien posed the question of whether the City should have some type of road use fee, and asked for input from all present.

Vanasse: Questioned if a road use fee would generate enough funds to pay for collection of the funds. Noted that the City's own water, sewer, and refuse trucks are the worst offenders. Should the City pay any road use fees that are enacted?

M. O'Brien: Stated that regulation wouldn't be very difficult. A simple sticker could be issued when people paid the fee, the same process used for issuance of small boat harbor permits. The sticker would be good for a year. The public relations issue would be a little tougher to handle.

Williams: Questioned how the fee should be structured. Perhaps based on gross axle weight - this would compensate for the difference between delivery vehicles, and heavy equipment.

Vanasse: Pointed out that heavy trucks do much more damage than pizza delivery vehicles. The substandard roads pose a problem.

Discussion followed on various regulations, such as hours of operation, no hauling during breakup, and requiring contractors to return roads to pre-construction condition. Ms. O'Brien noted that Nome, Dillingham, and Kotzebue simply use the State's regulations, but they're not built on sandpads. Perhaps Bethel needs a different set of regulations.

Discussion turned to dust control. Acting Public Works Director Clair Grifka stated that effective dust control will be expensive. Calcium chloride washes out after a few days of rain. Watering lasts less than an hour. The City is acquiring a hydroseeder, which can be used to seed the sides of roads, which should help.

SPECIAL MEETING
Transportation, Finance, and Public Works Committees
Discussion: Road Use Fees
June 19, 1997, 7:00 p.m.

M. O'Brien: If the Streets and Roads Division were established as an enterprise fund, all road use fees collected could be applied to the fund, and used for dust control, repairs, and paving. Even a small amount of paving each year would help.

Williams: Agreed with the idea of an enterprise fund.

Vanasse: Disagreed with the idea of an enterprise fund. The fund would never break even. However, the City does need to raise revenue to use on the roads. The questions are How? and How much?

M. O'Brien: Keep the process simple. Information can be obtained from the Department of Motor Vehicle on registered vehicles - and the un-registered heavy equipment would be easy to count locally.

Terryl Miller: Described road watering practices in his village in Thailand. Taxis shouldn't bear the total cost of road improvements and dust control.

Schink: Pointed out that road use fees would probably only add \$25K-30K to the City's revenue, which isn't very much compared to the work that needs to be done. It wouldn't even pay for a person to monitor and enforce the fees.

Smith: Noted that Chuck Willert, Streets & Roads Foreman, has only 3 men working for him, and old equipment. His workload continues to increase. Regardless of the amount collected, any funds raised should be put into the Streets & Roads Div.

Warren: Recalled that two years ago the legislature considered a bill which would allow municipalities to increase the amount collected by the State when owners register their vehicles. A portion of this money is already kicked back to the City. Will investigate to find out how much we could increase.

Schink: Suggested a 3-4 year frontage foot tax, with all funds going into the Streets & Roads Division. Mr. O'Brien noted that a frontage foot tax would essentially be a property tax, and would require voter approval.

The meeting came to a close, with the following action items:

- Doreen O'Brien will look at what the State is currently charging per GVW on the highways.
- LJ Warren will find out about the 1996 legislation allowing cities to increase registration fees.
- LJ Warren will talk to the City Attorney about an eventual ordinance to enact road use fees.

City of Bethel
Regular Transportation Commission Meeting
July 2, 1997

I. CALL TO ORDER

The meeting was called to order at 7:15 p.m. by Chairperson O'Brien.

II. ROLL CALL

Present: Chairperson Doreen O'Brien, Phillip White, Richard Rob, Thor Williams, David O'Malley and Allen Glore. Unexcused: Robert Himshoot.

III. APPROVAL OF MINUTES

Thor Williams/Rick Rob move to approve the minutes of June 5, 1997 as amended with the changes of Item #C under Old Business, change 3 years and 3 nays. Motion failed. June 5, 1997 minutes approved, Motion carried.

IV. APPROVAL OF AGENDA

Phil White/Thor Williams move to approve the agenda with an addition under Item B, New Business Committee Commissions working with Council. Motion carried.

V. TRANSPORTATION INSPECTORS' REPORT

Chief Gary Eilers is busy with personal stuff and is not at the meeting to present anything, just the letter from Verdi to the Chief, taxi cab report. The commission would like an update on where the cabs insurance expired the inspections and amount paid.

VI. COMMISSION MEMBER COMMENTS

Phillip White: No comment.

Thor Williams: Fees have been introduced and will be on the next city council meeting, the fee increase was declined, the involuntary and voluntary placed in mental institution or substance abuse has been introduced and the limitation of hours was not introduced. Also would like to work with the industry, the Commission is just responsible and given the authority to regulate part of the law for the City.

David O'Malley: Discussed about disagreeing with Mr. Williams comments, also would like to adjourn for the Summer.

Rick Rob: Discussion on the Commission that this past year has been very positive, and his commission expires the end of this month and the Commission is going in a good direction since he started three years. A comment that the Commission does not just work for the City Government that the Commission should work with the public and should be supportive with the industry.

Doreen O'Brien: Would like to see Mr. Robb sign up with the Commission, discussion on meeting every few months is not true because if someone is denied or the permit is revoked because they only have so many days to file their appeal. Also discussion on the industry if the industry dislikes the Commission, then her phone

Doreen O'Brien cont.

would be ringing and she would have more owner operators and drivers in her office. Would like to thank the Commission for the time that they take and the people who show up for the meetings. Discussion on regulations, everyone has regulations and the Commission could follow that with a positive manner.

VII. PEOPLE TO BE HEARD

James Libby: Discussion on the news letter about the cab industry, two regulations that still needs to be voted on at the Council meeting, the rates are little premature on the YKC, the lower fare from there to the airport is not in line with the rest of the rate structure and the .50 waiting time is out of line with the charter rate. Discussion on the other cabs over charging. The Commission would like to see that the cabs once again post the rates in all of the cabs.

Hugh Short: Cab#97 the insurance is under Bob Testa and should be up to date.

VIII. OLD BUSINESS

A. Adaptation of Anchorage Ordinance to reissue permits.

Discussion on adding Dispatch permits, and would have to change chapter 3.60 and 5.40. Right now the way the ordinance reads they can not sell or lease his permit or trade it. Rick does not like to auction idea. He would like to see a lottery or a drawing. Could have a lottery of qualified bidders, qualified bidders would be someone that is qualified under 5.40. Under B add #5. Public Safety for the town. Under C add by One or more additional limited number of taxi or dispatch permit needs to be added. Under D add dispatch permit and take out auction and put in lottery and everything under that needs to be deleted. 1. Every applicant could submit one application. 2. Lottery will be held within 90 days. 3. Qualified winners will be issued a permit and responsible for paying monthly permit fees within 10 days. 4. Qualified permittee as per section 5.30.040C.

Rick Robb/Phillip White move to accept the amended changes as stated above and to be given to the Council. Motion carried with one nay-D.O'Malley. Voice vote passed.

B. Road Use Fees and Regulations

Thor Williams discussed the joint meeting on the 19th of June. Stickers will be used like the harbor uses. The Commission would like to see the changes on the following: line item#4 \$100.00, 5,001 to 12,000 lbs amount changed to \$200.00, 12,001 to 18,001 amount \$300.00, 18,001 & over \$400.00, Item #5 amount \$200.00, Item#6, 7, 8 & 9 all -0- amount, sent to the council for a recommendation, a clarification on where the fees, the city gets a fee from the Div. of Motor Vehicles for registration of vehicles thru the City of Bethel, the amount of taxes collected by the State the House Bill 272 AS28.10.431, the amounts could be raised tax thru the license fee, when you go out to buy your license tags a part of that comes back to the city. This House Bill you have to apply for before January 1998 and would not come into effect until January 1999. The City's Road Use Fee will be issued a Tax Sticker showing that they have paid for there

Road Use Fee cont.

fees for the year. The Commission recommends to the City Council as an ordinance. For the record Allen Glore is present.

Thor Williams/Phillip White move to have the following as a Commission recommendation to the City Council the following changes to be put in an ordinance form: line item#4 \$100.00, 5,001 to 12,000 lbs amount changed to \$200.00, 12,001 to 18,001 amount \$300.00, 18,001 & over \$400.00, Item #5 amount \$200.00, Item#6, 7, 8 & 9 all -0- amount. Motion carried, one nay - David O'Malley. Voice vote passed.

C. Monthly Fees

This item was discussed under Transportation Inspectors' Report.

XI. NEW BUSINESS

A. Reviewing Forms is Use for Permits (O'Brien)

There were no forms brought to the meeting this line item dropped.

B. Committee Commissions with Council.

Thor Williams discussed that anything that needs to go in front of the council is controversial and the Commission is to support what is brought to commission. Would like to see more of the Commission at the council meetings to support anything that is brought to them. The Commission would like to Thank Rick Robb for all of the work that he has done for the Transportation Commission.

X. ADJOURNMENT

Thor Williams/David O'Malley move to adjourn at 9:25p.m. Next meeting is for August 7, 1997 at 7:00p.m. at the City Council Chambers. Motion carried. Voice vote passed.

PASSED AND APPROVED THIS 4th DAY OF September, 1997.



Chairperson, Doreen O'Brien

ATTEST:



Verdi L. Brogdon, Recording Secretary

**City of Bethel
Regular Transportation Commission Meeting
September 4, 1997**

I. CALL TO ORDER

The meeting was called to order at 7:10 p.m. by Chairperson O'Brien.

II. ROLL CALL

Present: Chairperson Doreen O'Brien, Allen Gore, Bob Himschoot, Thor Williams, and David O'Mally. Excused: Phillip White. One vacant seat.

III. APPROVAL OF MINUTES

Allen Gore/David O'Mally move to approve the minutes of July 2, 1997. Motion carried.

IV. APPROVAL OF AGENDA

Allen Gore/Bob Himshoot move to approve the agenda with the change of Agenda Item People to be Heard being changed to item number 3 to standardize with the other City meetings. Motion carried.

V. TRANSPORTATION INSPECTORS' REPORT

Chief Gary Eilers states that on report that was sent out the correct number should be 78 not 75 and that Verdi would be back on the 15th of September to get everything straighten out. She had to have surgery. Read stats A-5 committing of a misdemeanor, in regards to Kevin Penix getting his permit back. Discussion.

Kevin Penix: I have had a problem with 3 Police Officers and the case against him was dropped. Discussion.

Allen Gore move to grant Kevin Penix his temp permit until other charges are decided. Also that Kevin Penix stay out of trouble for 6 months.

Bob Himshoot amends motion that Kevin Penix also come in front of the Commission stating he has read and understands the Ordinance.

Thor Williams seconds the motion. Motion carries.

VI. COMMISSION MEMBER COMMENTS

David O'Mally: No comment

Allen Gore: Inspection that he had observed that need to be done, Alaska #91,92,93,95, 97, and 98. Cab #98 is do to windshield being broken the other are for numbers.

Thor Williams: Inspection station and spot inspections of vehicle.

Bob Himshoot: Very little support from the City Council. Wide range of opinion and cooperation.

Doreen O'Brien: Thanks the Chief, and Ginger. Get well quick Verdi. She will not stand for comments to other commission members, if this can not be abided by they can be taken off.

Chief Eilers: Just did a study for City Manager about Police calls, Bethel has twice as many per capita.

VII. PEOPLE TO BE HEARD

Kevin Penix: Discussion on spot check.

Teryl Miller: Commission has caused a lot of problems. Priority needs to be looked at. Question on trip sheets what was the out come of the trip sheets. Wants to know about leasing permit to someone else.

Chief Eilers: Under Ordinance, permit, insurance and car has to be in the same name. Discussion.

Add to next months agenda item A. Lease of a permit.

Tania Oh: Here on behalf of her husband regarding revoked permits. discussion. Tania will get with Chief and Verdi to take care of this. Also inspection of Quayana #11 needs to be done driving with a switch for the brakes.

Chief Eilers: He wants to state he has nothing against Mr. Penix.

Thor Williams: We can put down our own stipulations on returning of permits.

Bob Himshoot: Don't think we can do this.

Thor Williams: We are looking at the safety of the community.

Bob Himshoot: The lady he assaulted was not a passenger.

Doreen O'Brien: Closing statement from Mr. Penix.

Mr Penix: I don't think a personal issue should reflect on my business.

Bob Himshoot/David O'Mally move to unconditional grant his permit back to him baring his second assault.

Kevin Penix: Appeal is for booth chauffeurs and Permit.

ROLL CALL VOTE 3 YEAS, 2 NO'S Motion fails.

VIII. OLD BUSINESS

A. Adaptation of Anchorage Ordinance to reissue permits

Thor Williams: table this until December meeting. Discussion.

Seconded by David O'Mally.

Bob Himshoot: Make it part of the packet to pass to City Council.

Motion failed.

Bob Himshoot: Move to make a draft to submit to the Council. 3 yea's 2 no's. Motion fails.

Agenda Item for next meeting.

B. Road Use Fees and Regulations

Discussion. Need to have a copy of letter of clarification on this issue for City Council.

Agenda Item for next meeting.

X. ADJOURNED

Meeting adjourned at 9:45 p.m. next meeting will be October 2, 1997 at 7:00 p.m.

PASSED AND APPROVED THIS 6 DAY OF November, 1997.

Doreen O'Brien
Chairperson, Doreen O'Brien

ATTEST:

Verdi L. Brogdon
Verdi L. Brogdon, Recording Secretary

City of Bethel
Regular Transportation Commission Meeting
November 6, 1997

I. CALL TO ORDER

The meeting was called to order at 7:03p.m. at the City Council Chambers, by Chairperson Doreen O'Brien. Verdi Brogdon recorded the minutes.

II. ROLL CALL

Present: Chairperson Doreen O'Brien, Robert Himschoot, Tania Oh, David O'Malley, Phillip White and Thor Williams (TW present at 7:20p.m). Absent: Allen Glore (unexcused).

III. PEOPLE TO BE HEARD

Ginger Hayden: In the last week that the cabs don't give you any time to turn, they are right on your tail, they need consideration for other drivers that are on the road. Need to get cab number and report it to the police department.

IV. APPROVAL OF MINUTES

Robert Himschoot/Phillip White move to approve the minutes of September 4, 1997, passed unanimously. Motion carried.

V. APPROVAL OF AGENDA

Phillip White/Robert Himschoot move to add under New Business Item B. Physicals, passed unanimously. Motion carried.

VI. TRANSPORTATION INSPECTOR'S REPORT

Chairperson O'Brien checking to see if the police reports is there any action taken on them, and Lt. Ely stated that they have been. Also would like to see if JCR Shop is still open.

VII. COMMISSION MEMBER COMMENTS

Phillip White: Concern about the fare wars with the cabs driving around with the cab fares posted in front of the windshield and could be dangerous.

David O'Malley: No comment, Robert Himschoot: No comment, Tania Oh: No comment.

Doreen O'Brien: Doreen has filed her letter of resignation to the City Council and will be effective January 1, 1998. Letter was given to Verdi for the Chief of Police.

VIII. OLD BUSINESS

A. Adaptation of Anchorage Ordinance to reissue permits

Discussion on taking this old business, item a off of the agenda. The commission would like to see where there is a commission on the ordinance delete and put the council. Delete a portion in Part A, and under section D delete qualified permittee and add Bethel Municipal Code.

Robert Himschoot/Thor Williams move to accept the ordinance as amended. Motion carried by 5 yeas and 1 nay.

Thor Williams/Phillip White move to add Policy and Procedure Manual for the Transportation Commission under item C under New Business. Motion carried unanimously. 5 yeas, 1 nay.

B. Road Use Fee issue

This item already is in motion with the council.

C. Tania Oh - Quyana 11 and 28

Tania Oh would not like to talk about this item tonight, she will discuss this with Verdi.

D. Reissue of Permits

This item is the same as item A under Old Business. Was already discussed.

IX. NEW BUSINESS

A. Dispatch Monitoring

This item was put on because there was a permit holder complaining that other cabs are carrying a hand held. This is taken care of under Bethel Municipal Ordinance 5.40.090, would like to have the Police Dept do there regular checks inspections and give out the fines required.

B. Physicals

Robert Himschoot brought this up for discussion, the physical paper for the chauffeurs to get is not really accurate, because there is no real pass or fail on the physical sheet that are issued. The CDL physical form is more accurate and would like to update our physical form, would like to see it change before next year 1998/1999. David O'Malley stated that Gay Petro is all upset because she has little competition with the physicals and they are not going to be going through the Family Clinic this year and she obsessed with striking back. Chairperson O'Brien would like to see these remarks in the minutes. Any person could go to any nurse or physician to give a physical.

Thor Williams/Phillip White move to add a pass fail to the examination and written comments on the bottom of the examination to become effective January 1998. Motion failed.

Thor Williams/Phillip White would like to table this item to go over it so it could be presented to the council. Motion carried 5 yeas 1 nay.

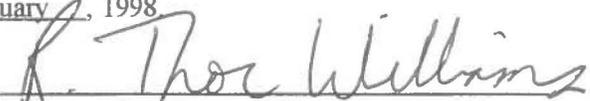
C. Policy and Procedure Manual for Transportation Inspector

Thor Williams would like to see a procedure manual so that there is not to many questions all of the time. So that when questions that come up they have a manual to follow.

X. ADJOURNMENT

Phillip White/Thor Williams move to adjourn at 8:40p.m. Motion carried unanimously.

PASSES AND APPROVED THIS 6th DAY OF January, 1998.


Commission Member, Thor Williams

ATTEST:


Verdi L. Brogdon, Recording Secretary