

Committee of the Whole  
November 28, 2017

Present: Mayor Vulich, Council Members Gassman, Seeley, McGraw, Allesee, Odor, Connell and O'Neill, City Administrator, City Attorney, City Clerk, Press and interested citizens.

1. Referral from Traffic Study Commission – City Engineer Jason Craft
  - a. Request Concerning On-Street Parking in the 100 Block of 2nd Avenue South

City Engineer Jason Craft stated a request was received from Gateway Towing, 103-105 2<sup>nd</sup> Avenue South to eliminate the “No Parking” that is currently in place on the north side of the 100 block of 2<sup>nd</sup> Avenue South. Engineer Craft stated the Traffic Study Commission approved implementing a “30 minute parking zone”.

M/S, Seeley-Gassman moved to forward a resolution to the December 12, 2017 City Council agenda approving parking modifications on the north side of the 100 block of 2<sup>nd</sup> Avenue South. On roll call, carried unanimously.

2. Referral from Traffic Study Commission – City Engineer Jason Craft
  - a. Request Concerning On-Street Parking at 1944 15th Avenue South

City Engineer Jason Craft stated a request was received from B & E Machine, 1944 15<sup>th</sup> Avenue South, to restrict on-street parking in the area of 1944 15<sup>th</sup> Avenue South as semi drivers were having problems backing into businesses for receiving and shipping. Engineer Craft stated the Traffic Study Commission approved implementing no on-street parking between the hours of 7:00 a.m. to 5:00 p.m. on Monday through Friday in the above-referenced area. Engineer Craft stated neighbors were notified of the proposal and were supportive.

M/S, Seeley-Gassman moved to forward a resolution to the December 12, 2017 City Council agenda approving parking modifications in the area of 1944 15<sup>th</sup> Avenue South. On roll call, carried unanimously.

3. Ordinance Updates – Taxi/Limo – City Clerk Lisa Frederick

City Clerk Lisa Frederick stated information was requested at the last Committee of the Whole meeting about what other cities required for taxicab companies. Clerk Frederick stated the Cedar Rapids Clerk’s office was contacted and Cedar Rapids currently requires an annual business license for taxicab businesses. Clerk Frederick stated the Clerk’s office requires the taxicab owners to conduct all background checks, driving record checks and sex offender registry checks on drivers. Clerk Frederick stated taxicab companies in Cedar Rapids are required to maintain the State required insurance amount of \$1,000,000.00 for taxicab vehicles and taxicab companies are required to maintain all paperwork on drivers and vehicles (including vehicle inspections). Clerk Frederick stated Cedar Rapids randomly audits taxicab companies during the year to check for compliance.

Clerk Frederick stated the Iowa City Clerk’s office was contacted and Iowa City has as stringent or more stringent requirements for taxicab companies than the City of Clinton currently has. Clerk Frederick noted that Iowa City is requiring taxicab companies to provide proof of the State required insurance amount of \$1,000,000.00 and requires business licenses, driver licenses, and vehicle inspections.

Clerk Frederick stated the Davenport Clerk's office was contacted and the City of Davenport chose to eliminate any permitting requirements for taxicab companies and drivers. Clerk Frederick stated the City of Des Moines was contacted but a response had not yet been received.

Monica Herrera, 100 North 3<sup>rd</sup> Street, manager of On the Go Too Taxi, inquired if the requirement for taxicab meters could be eliminated as other jurisdictions no longer require meters. Administrator Matt Brooke inquired how fare prices are calculated without a meter and if passengers are informed of fare prices prior to beginning a trip. Ms. Herrera answered in the affirmative and stated fares can be calculated using mileage or through phone apps. Councilmember Gassman stated some cities have rate zones. Councilmember O'Neill stated the intent of meters was to protect passengers and stated if there was not a meter present that a rate card should be visibly posted in the vehicle.

Ms. Herrera stated as an example fare amount - transporting a passenger from the 2100 block of Pershing Boulevard to Wal-Mart would cost \$10.00. Ms. Herrera stated if the taxicab waits for a fare to return there is an increased cost.

Doug Witt, 720 North 3<sup>rd</sup> Street, driver for On the Go Too Taxi, stated the rates for On the Go Too Taxi were \$2.00/mile with a minimum \$7.00 fee. Mr. Witt stated the majority of customers pay the \$7.00 fee. Councilmember O'Neill suggested requiring minimum and maximum fees. Councilmember Connell stated the Council should make sure rates are posted but not be involved in controlling rates.

Linda Coppess, 2101 8<sup>th</sup> Street N.W., driver for On the Go Too Taxi, stated other cities allow taxicabs to post rate cards if a meter is not used. Mrs. Coppess inquired if the City would be regulating Uber or Lyft drivers. Clerk Frederick stated the State law does not allow cities to regulate Uber, Lyft or similar rideshare services. Mrs. Coppess requested that the requirement for taxicab meters be eliminated and that a rate card be used instead. Mrs. Coppess requested that the City not be required to be listed as an additional insured on the vehicle insurance policy, as this requirement leads to an additional charge for the insured. Mrs. Coppess expressed concerns about whether or not the ordinance required taxicab companies to operate twenty-four hours a day.

Mayor Vulich inquired with City Attorney Patrick O'Connell if it was necessary to have the City listed as an additional insured on the insurance policy. Attorney O'Connell stated it was not required and the provision could be eliminated. Councilmember Connell confirmed with Mrs. Coppess that the requests were removal of a taxicab meter requirement, removal of the requirement to list the City as an additional insured on the vehicle insurance policy, and removal of any requirement that the taxicab company operate twenty-four hours a day. Mrs. Coppess answered in the affirmative.

Councilmember Seeley inquired if vehicle sticker permits were issued previously. Clerk Frederick stated they were not. Councilmember O'Neill stated stickers would be beneficial for the public and local law enforcement to quickly determine if a vehicle was permitted.

Travis Winter, 1711 North 6<sup>th</sup> Street, owner of River City Taxi, stated listing the City as an additional insured increases the cost of the insurance policy by \$65.00. Mr. Winter stated his vehicle is equipped with a meter and he finds using the meter to be easy and consistent. Mr. Winter stated he was supportive of vehicle sticker permits.

Councilmember Connell inquired if taxicab meters had to be calibrated and if there was a cost incurred for calibrating the meters. Mr. Winter stated he had his meter for two years and has not yet had to calibrate the meter. Mr. Winter stated the meter can be calibrated by the owner or done locally. Ms. Herrera stated they had a meter for four years and it cost \$200.00 to have it calibrated.

Councilmember O'Neill stated the ordinance could provide language that a taximeter would be optional. Councilmember Seeley stated if a meter was not present a rate card must be posted. Councilmember Allesee stated the provision of requiring the City as an additional insured could be removed. Mayor Vulich suggested forwarding a draft ordinance to the next Committee of the Whole meeting with the proposed changes.

M/S, Seeley-O'Neill moved to forward a draft ordinance to the next Committee of the Whole meeting agenda on December 5, 2017 with a provision that a taxicab meter is optional, that the provision requiring the City to be listed as an additional insured be removed, and that any provisions (if present) to require a taxicab company to operate twenty-four hours a day be removed. On roll call, carried unanimously.

In discussion before roll call, Mr. Witt stated Dana's Cab from Davenport has been picking up fares in the City of Clinton. Councilmember Connell stated vehicle permit stickers would help identify what vehicles are permitted. Councilmember Seeley stated law enforcement would be responsible for issuing citations to non-permitted vehicles. Councilmember O'Neill stated if a taxicab company transports fares to Clinton from another City, this would not be a violation; however, if a taxicab company picks up fares in Clinton and does not have a City taxicab permit, this would be a violation. Councilmember Seeley requested reviewing the vehicle taxicab stickers prior to the Committee of the Whole meeting on December 5, 2017. Councilmember O'Neill requested that the revised draft taxicab ordinance be mailed to all taxicab owners prior to the December 5, 2017 Committee of the Whole meeting.

#### 4. Council Email & Basecamp Training – Josh Hansen

Mayor Vulich stated training would take place at a future date and would occur one-on-one.

#### 5. Mayor and Council Updates

Councilmember Odor stated Congressman David Loebsack's visit on November 18, 2017 went very well. Councilmember Odor stated Senator Rita Hart and Representative Mary Wolfe were also present for the tour and all were very excited about the City's TIGER Grant application for the Mill Creek Parkway project. Administrator Brooke stated Riverview Drive was also toured and the next steps for that project would be working with the community and business owners to obtain their input.

Mayor Vulich stated both Governor Reynolds and the Director of the Iowa Department of Transportation have endorsed the City's TIGER Grant application for the Mill Creek Parkway project and there is a lot of excitement about the project.

M/S, Connell-Gassman moved to adjourn. All in favor.

Respectfully Submitted,

Lisa M. Frederick  
City Clerk