

AGENDA

CITY OF STURGEON BAY COMMUNITY PROTECTION & SERVICES COMMITTEE

Thursday, October 1, 2020

12:30 p.m.

Council Chambers, City Hall – 421 Michigan Street

1. Roll Call
2. Adoption of Agenda
3. Approval of Minutes from September 2, 2020
4. Public Comment on Agenda Items
5. Consideration of: Request from Michael Wright to operate a taxicab in the City of Sturgeon Bay DBA Tru-Way Transport.
6. Consideration of: Request from Michael Wright to operate a shuttle service in the City of Sturgeon Bay DBA Tru-Way Transport.
7. Consideration of: Chapter 2 – 2.01 The Common Council
8. Adjourn

NOTE: DEVIATION FROM THE AGENDA ORDER SHOWN MAY OCCUR

Notice is hereby given that a majority of the Common Council may be present at this meeting to gather information about a subject over which they have decision-making responsibility. If a quorum of the Common Council does attend, this may constitute a meeting of the Common Council and is noticed as such, although the Common Council will not take any formal action at this meeting.

Posted:

Date: 9/28/20

Time: 2:30 p.m.

By: SSO

Committee: Community Protection & Services

Dan Williams, Chr.

Kirsten Reeths

Seth Wiederanders

COMMUNITY PROTECTION & SERVICES COMMITTEE
September 2, 2020

A meeting of the Community Protection & Services Committee was called to order at 5:13 p.m. by Chairperson Williams in the Council Chambers, City Hall. **Roll Call:** Members Ald. Williams, Ald. Reeths and Ald. Wiederanders were present. Also present from City Departments were Mr. VanLieshout, Capt. Brinkman, Ald. Gustafson and Jason Mann.

Moved by Ald. Reeths, seconded by Ald. Wiederanders to adopt the following agenda:

1. Roll Call
2. Adoption of Agenda
3. Approval of Minutes from August 6, 2020
4. Public Comment on Agenda Items
5. Consideration of: 2021 Cable TV Budget
6. Consideration of: Taxicab and Shuttle Service Ordinance
7. Consideration of: Changes to the following ordinances: Chapter 7 – Traffic Code, Chapter 8 – Streets and Sidewalks, Chapter 9 – Licenses and Permits, Chapter 10 – Orderly Conduct and Chapter 11 – Public Nuisances
8. Adjourn

All Ayes. Carried.

Approval of Meeting Minutes

Moved by Ald. Reeths, seconded by Ald. Wiederanders to approve the August 6, 2020 minutes. All Ayes. Carried.

Public Comment

None.

2021 Cable TV Budget

Jason Mann reviewed the budget as presented. A small increase for computer software was noted, but that was about all for changes. At this time there is no plan to purchase any new equipment. Broadcast production remains as is; additional funding in the future may be accessed if Zoom meetings continue.

Moved by Ald. Wiederanders, seconded by Ald. Reeths, to recommend the Common Council approve the 2021 Cable TV budget as presented. All ayes. Carried.

Taxicab and Shuttle Service Ordinance Updates

Updates have been made on the current taxicab and shuttle ordinance. The Police Department will continue with extensive background checks into individuals applying for licenses.

No action. Moving forward as is.

Ordinance Changes

Ordinance updates were made and presented. It was recommended to have Attorney Kalney place the changes into ordinance form to be read in at Council.

Moved by Ald. Reeths, seconded by Ald. Wiederanders, to recommend the Common Council approve the proposed changes to ordinances: Chapter 7 – Traffic Code, Chapter 8 – Streets and Sidewalks, Chapter 9 – Licenses and Permits, Chapter 10 – Orderly Conduct and Chapter 11 – Public Nuisances. All ayes. Carried.

Moved by Ald. Reeths, seconded by Ald. Wiederanders, to adjourn the meeting of the Community Protection Services Committee. All ayes. Carried. The meeting was adjourned at 5:35 p.m.

Respectfully submitted,

Sarah Spude-Olson
Police Department Office Manager

DRAFT

EXECUTIVE SUMMARY

TITLE: Request from Michael Wright to operate a shuttle service in the City of Sturgeon Bay, DBA Tru-Way Transport.

BACKGROUND: Michael Wright has submitted his application for a Shuttle license to the City Clerk. The application is in order. Typically, this application is handled at the Community Protection & Services Committee where a public hearing is held to deem public necessity.

Section 9.065 of the Municipal Code (Shuttle Services) states that a public hearing will be held to deem public convenience and necessity of granting such a license. Section 9.065 is attached. After the public hearing, a recommendation to the Common Council is necessary.

FISCAL IMPACT: The fiscal impact includes a revenue source of \$17.00 for the first vehicle and \$11.00 for each additional vehicle for licensing fees.

OPTIONS: Schedule a date for a public hearing, for the Community Protection & Services Committee, to deem public convenience and necessity of granting such a license.

PREPARED BY: Stephanie L. Reinhardt
Stephanie L. Reinhardt, City Clerk/Human Resources Director

REVIEWED BY: Arleigh R. Porter 09-25-2020
Arleigh Porter, Police Chief

DATE: 9/24/2020

Michael Wright

629 Tru-Way Road
Brussels, WI 54204
(920) 228-1121
truwaytransportwi@gmail.com

September 24, 2020

Stephanie Reinhardt

City Clerk, Sturgeon Bay Wisconsin
421 Michigan Street
Sturgeon Bay, WI 54235

Dear Ms. Reinhardt,

My name is Michael Wright and my wife and I are the owners of Tru-Way Transport, a non emergency medical transport company located at 629 Tru-way Road, Brussels, Wisconsin.

I am writing to begin the process of applying to the city of Sturgeon Bay for a taxi and shuttle license. We are fully insured for vehicle and general liability insurance through Jilot Insurance in Sturgeon Bay, WI.

The vehicle we would be using is a 2019 Dodge Grand Caravan with a VIN of 2C7WDGBG3KR803222. It contains a BraunAbility wheelchair transport conversion to allow for up to 2 wheelchairs and two seats for a total of 4 total passengers at maximum capacity. The license plate number is AKG-6230.

I will be glad to provide any additional paperwork and documentation that will be needed to complete this process. I am also available to meet in person and answer any questions you may have. We look forward to providing this service to the residents of Sturgeon Bay.

Sincerely,

Michael Wright, Owner

Tru-Way Transport

629 Truway Road

Brussels, WI 54204

9.065 - Shuttle services.

- (1) *License required.* No person shall for remuneration transport passengers in a vehicle from a point in the city to destination points outside the city without first having obtained a license for such purpose from the city. This section covers taxicabs, limousines, shuttle buses or other vehicles transporting persons for remuneration, except charter buses.
- (2) *Application for license.*
 - (a) Application to operate a shuttle service between a point in the city and a destination point outside of the city shall be made in writing to the city clerk-treasurer giving the name and address of the applicant, the name and location of the shuttle business, the place from which passengers will be picked up in the city, and the place in which passengers from outside the city shall disembark in the city. In addition, the application must also state, for each vehicle to be operated in such shuttle business, the make, model and year of manufacture, the engine number, serial number, capacity for passengers, Wisconsin state certificate of title number and license number.
 - (b) The applicant shall further furnish to the city clerk-treasurer evidence that the applicant and all other drivers of vehicles to be used in such business possess such vehicle operator licenses as are required by the State of Wisconsin to operate the vehicles used in such a shuttle service.
 - (c) The application shall be submitted by the clerk-treasurer to the common council, which will set a date for a public hearing before the council to examine the public convenience and necessity of granting such license. The clerk-treasurer shall notify the applicant in writing of the time and place set for hearing.
 - (d) No license shall be granted until the city council, by resolution, has determined that the public convenience and necessity will be served by the service proposed in the application for license. The council may hold such further hearings and procure such additional information as it may deem necessary or advisable in making such determination.
- (3) *License fee.* The license fee shall be in an annual amount set by the common council, or any fractional part thereof, for the first vehicle operated and in an annual amount set by the common council, or any fractional part thereof, for each additional vehicle operated by the licensee. The license year shall commence July 1 and end June 30. If less than six months remain on the license year, the license fee for the first vehicle shall be reduced by one-half.
- (4) *Insurance.* No license shall be issued for any vehicle used in such shuttle service until the applicant has complied with the insurance requirements set forth in section 9.06(5) of the City Code.
- (5) *Transfer of licenses.* A license for a vehicle used in such shuttle serve shall be transferrable only with the written consent of the city council. Formal application to the city council shall be made, stating the names of the persons involved in the transfer and containing all information required by section (2) above. The city council shall approve or disapprove such transfer, except that no license shall be issued until the applicant for transfer has complied with all of the provisions of section (4) above in all respects and shall have, in addition, paid over to the clerk a transfer fee in an amount set by the common council.
- (6) *Renewal; revocation.* Renewal of licenses for vehicles used in such shuttle service and revocation of such licenses shall be as provided in sections 9.06(9) and (10) of the City Code.
- (7) *Condition of vehicles.* The licensee shall keep each vehicle used in such shuttle service in a clean and sanitary condition, well painted and equipped and maintained as required by ch. 347, Wis. Stats.
- (8) *Rates of fare.* Every person licensed to operate one or more vehicles in a shuttle service under this section shall comply with the requirements of rates of fare set forth in section 9.06(15) of the City Code.

EXECUTIVE SUMMARY

TITLE: Request from Michael Wright to operate a taxicab in the City of Sturgeon Bay, DBA Tru-Way Transport.

BACKGROUND: Michael Wright has submitted his application for a taxicab license to the City Clerk. The application is in order. Typically, this application is handled at the Community Protection & Services Committee where a public hearing is held to deem public necessity.

Section 9.06(3) of the Municipal Code (Taxicabs) states that a public hearing will be held to deem public convenience and necessity of granting such a license. Section 9.06 is attached. After the public hearing, a recommendation to the Common Council is necessary.

FISCAL IMPACT: The fiscal impact includes a revenue source of \$17.00 for the first vehicle and \$11.00 for each additional vehicle for licensing fees.

OPTIONS: Schedule a date for a public hearing, for the Community Protection & Services Committee, to deem public convenience and necessity of granting such a license.

PREPARED BY: Stephanie L. Reinhardt
Stephanie L. Reinhardt, City Clerk/Human Resources Director

REVIEWED BY: Arleigh R. Porter 09.25.2020
Arleigh Porter, Police Chief

DATE: 9/24/2020

Michael Wright

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City Clerk, Sturgeon Bay Wisconsin
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I am writing to begin the process of applying to the city of Sturgeon Bay for a taxi and shuttle license. We are fully insured for vehicle and general liability insurance through Jilot Insurance in Sturgeon Bay, WI.

The vehicle we would be using is a 2019 Dodge Grand Caravan with a VIN of 2C7WDGBG3KR803222. It contains a BraunAbility wheelchair transport conversion to allow for up to 2 wheelchairs and two seats for a total of 4 total passengers at maximum capacity. The license plate number is AKG-6230.

I will be glad to provide any additional paperwork and documentation that will be needed to complete this process. I am also available to meet in person and answer any questions you may have. We look forward to providing this service to the residents of Sturgeon Bay.

Sincerely,

Michael Wright, Owner

Tru-Way Transport

629 Truway Road

Brussels, WI 54204

9.06 - Taxicabs.

- (1) *Definition of taxicab.* The term "taxicab" shall include all vehicles transporting passengers for remuneration for which patronage is solicited publicly. This section shall not apply to:
 - (a) Vehicles operating on established routes which are regulated by the Public Service Commission of Wisconsin;
 - (b) Vehicles rented to be driven by the renter or his/her agent, commonly known as rent-a-cars;
 - (c) Vehicles operated solely as funeral cars or ambulances; and
 - (d) Vehicles operated solely for a shuttle service between the city and destination points outside of the city.
- (2) *Taxicab license.* No person shall for remuneration transport passengers in a taxicab within the city without first having obtained a taxicab license.
- (3) *Application for taxicab license.*
 - (a) Application for a taxicab license to operate one or more taxicabs or an application to operate additional taxicabs under an existing license shall be made in writing to the clerk-treasurer giving the address from which the business is conducted and signed by the owner of the business or his/her duly authorized agent. The application must also state for each vehicle to be operated the make, model and year of manufacture, the engine number, serial number, and capacity for passengers, and the Wisconsin state certificate of title number and license number.
 - (b) The application shall be submitted by the clerk-treasurer to the common council, which shall set a date for a public hearing before the council to examine the public convenience and necessity of granting such license. The clerk-treasurer shall notify the applicant of the time and place set for the hearing.
 - (c) No license shall be granted until the city council, by resolution, has determined that the public convenience and necessity will be served by the service proposed in the application for license. The council may hold such further hearings and procure such additional information as it may deem necessary or advisable in making such determination. The council may attach such conditions to the license as it deems appropriate for public convenience and necessity.
 - (d) Vehicles operated solely as limousines serving a particular business establishment or establishments which are not generally available to members of the public at large, and for which patronage is not publicly solicited for purposes not related to the business establishment or establishments served by the limousine service, are exempt from this section.
- (4) *License fee.* The taxicab license fee shall be in an annual amount set by the common council or any fractional part thereof, for the first vehicle operated and in an annual amount set by the common council, or any fractional part thereof, for each additional vehicle operated by the licensee. The license year shall commence July 1 and end June 30. If less than six months remain of the license year, the license fee for the first taxicab shall be reduced one-half.
- (5) *Insurance.*
 - (a) No taxicab license shall be issued until the applicant deposits with the clerk-treasurer a policy of liability insurance covering all vehicles to be included under the license. Such policy shall describe each vehicle by make, model and serial number, number of passengers capable of being accommodated therein at one time, and the number of the state motor vehicle license. Such insurance policy shall be issued by a company licensed to do business in the state and shall insure the licensee against loss from liability to the amount of \$50,000.00 for the injury or death of one person in any one accident, and in the amount of \$100,000.00 for the injury or death of more than one person in any one accident, and in the amount of \$25,000.00 for damage to property of others for any one accident due to the negligent operation of such vehicle.
 - (b) The policy of insurance shall be approved by the city attorney as to legal form before it is filed, and shall contain a provision that the same may not be cancelled before the expiration of its terms except upon ten days' written notice.

- (c) The cancellation or other termination of any insurance policy issued in compliance with this section shall automatically terminate all licenses issued for the vehicles covered by such insurance policy, unless another policy shall have been approved pursuant to this section, and shall be in effect at the time of such cancellation or termination.
- (6) *Issuing of taxicab license and license plates.*
- (a) After passage of the resolution of convenience and necessity as provided in subsection (3)(c) and upon filing with the clerk-treasurer a receipt showing payment of the required license fees and the policy of insurance as herein provided, the clerk-treasurer shall issue to the applicant a taxicab license. Each license granted shall be numbered and shall show the owner's name and place of business and the number of vehicles which may be operated thereunder.
- (7) *Taxicabs to be marked.* Every taxicab shall be conspicuously marked on the right and left side with the name of the licensee and the serial number designated in the taxicab license, such letters and numbers not to be less than 1½ inches in height and of a light color on a dark background or dark color on a light background. A card containing the name of the licensee, taxicab license number and rates of fares printed thereon shall be kept in a conspicuous place inside of such vehicle at all times.
- (8) *Transfer of taxicab licenses.* A taxicab license shall be transferable with consent of the city council. Formal application to the city council shall be made, such application to state the names of the persons involved in the transfer and generally to contain all information required by subsection (3) hereof. The city council shall approve or disapprove such transfer, except that no license shall be issued until applicant for transfer shall have complied with all of the provisions of subsection (5) in all respects and shall have in addition thereto paid over to the clerk a transfer fee in an amount set by the common council.
- (9) *Renewal.* Taxicab licenses may be renewed by the clerk-treasurer upon the payment of the fees and filing of policies of insurance as required for the original license.
- (10) *Revocation.* A taxicab license may be revoked at any time by the city council for violation of any provision of this section, or for violation of any provision of chs. 340—348, Wis. Stats., or of any such statutory provision incorporated in a municipal ordinance. Such revocation may be for all vehicles or any vehicle included under a license. When any taxicab license is revoked, it shall be the duty of the clerk-treasurer to immediately notify the licensee to cease immediately to operate the taxicab for which the license has been revoked.
- (11) *Condition of vehicles.* The licensee shall keep each taxicab in a clean and sanitary condition, well painted and equipped and maintained as required by ch. 347, Wis. Stats.
- (12) *Taxi driver's license required; issuance.*
- (a) No person shall operate a taxicab unless he/she shall possess a taxi driver's license. The fee for such license shall be in an amount set by the common council. This provision shall not apply to the operator of a non-motorized vehicle.
- (b) Each applicant shall submit in writing to the chief of police on forms furnished by the police department a statement of the applicant's full name; present residence; residence for three years past; age; color; height; weight; color of eyes and hair; citizenship; place of last previous employment; marital status; Wisconsin motor vehicle operator's license number; whether he/she has ever been convicted of a felony or a misdemeanor; whether he/she has ever been previously licensed as a driver or chauffeur and, if so, when and by what authority; whether his/her license has ever been revoked or suspended and, if so, for what cause; and the name of the prospective employer. Applications shall be retained as police department records.
- (c) No license shall be granted to any person:
1. Who is under 18 years of age.
 2. Who does not possess a valid Wisconsin state motor vehicle operator's license.
 3. Who has been convicted of any felony, misdemeanor or any other nontraffic offense the circumstances of which substantially relate to the circumstances of the vocation of a taxi driver.

4. Who has been convicted of a traffic offense or traffic offenses which substantially relate to the circumstances taxi driver and which indicate, for the preservation of public safety, that the applicant is unfit to drive a taxica
- (d) A taxi driver's license shall expire one year following its issuance. It may be renewed upon application to the chief of police on a form furnished by him/her entitled, "Application for Renewal of Taxi Driver's License," which shall show the full name and address of the applicant and date upon which his/her original license was granted and the number thereof.
- (e) Upon receiving payment of the license fee, the chief of police shall provide to each licensed taxi driver a license of such form and style as the chief of police may prescribe, with the license number thereof, which must, under penalty of revocation of the license, be constantly and conspicuously displayed in the taxicab when he/she is engaged in his/her employment. Each licensee shall affix to the face of the license, in the space provided, a photograph of himself/herself not less than 1½ inches square which shall provide an accurate likeness of his/her face.
- (f) The chief of police shall maintain a complete record of each license issued to a driver and of all renewals, suspensions, and revocations thereof, which shall be filed with the original application.
- (13) *Revocation of taxi driver's license.*
- (a) The chief of police shall revoke or refuse to renew the taxicab driver's license of any licensee:
1. Whose Wisconsin driver's license has been suspended or revoked.
 2. Who has been convicted of any felony, misdemeanor or any other nontraffic offense the circumstances of which substantially relate to the circumstances of the vocation of a taxi driver.
 3. Who has been convicted of a traffic offense or traffic offenses which substantially relate to the circumstances of the vocation of a taxi driver and which indicate, for the preservation of public safety, that the applicant is unfit to drive a taxicab.
- (b) Written notice of such revocation or refusal to renew shall be given the licensee. Any person whose license has been revoked or renewal refused by the chief of police may, within ten days thereof, appeal to the city council for a hearing; and the council may, after the hearing, affirm or reverse the action of the chief of police. If no appeal is taken within ten days, the action of the chief of police shall be final.
- (c) The chief of police shall repossess each license which is revoked.
- (14) *Transfer of drivers.* A taxi driver may not transfer from one taxicab licensee to another licensee until such transfer has been recorded in writing with the chief of police.
- (15) *Rates of fare.*
- (a) Every person licensed to operate one or more taxicabs under subsections (2) through (6) shall file with the city clerk a schedule of proposed fees. Within 20 days from such filing, the council shall either approve or disapprove of such rates. If the proposed rates shall be disapproved, the council shall hold a hearing within ten days from the date of such disapproval. Notice of the time, place and purpose of such hearing shall be given by publication of such notice in any newspaper having a paid circulation published in the city. The city council on such hearing shall hear all interested parties and thereafter fix rates which shall be consistent with public necessity and welfare.
- (b) If the city council neither approves nor disapproves the proposed rates within the time limited, the licensee shall operate under the rates proposed and the council shall not for a period of six months from such filing date change or alter the rates as filed.
- (c) The city council may, except as above provided, inquire into rates and fix and adjust such rates at any time, providing the council shall first hold a hearing and advertise and give notice of the time, place and purpose of such hearing by publication of a notice at least twice.
- (d) The owner or driver of any taxicab shall not charge any passenger a higher or lower rate of fare than that authorized by the council.

(Code 1992, § 9.06; Ord. No. 976-996, § 2, 9-3-96; Ord. No. 978-996, § 1, 9-3-96; Ord. No. 1009-998, §§ 1—3, 9-1-98; Ord. No. 1016-699, § 1, 6-1-99; Ord. No. 1061-0301, § 1, 3-20-01; Ord. No. 1155-1105, § 1, 11-15-05; Ord. No. 1270-0112, § 4, 1-3-12; Ord. No. 1270-0112, § 5, 1-3-12; Ord. No. 1270-0112, § 6, 1-3-12)

State Law reference— Authority, § 349.24, Wis. Stats.