



BURLINGTON VEHICLE FOR HIRE LICENSING BOARD
SHARON BUSHOR CONFERENCE ROOM, 1ST FLOOR, CITY HALL, 149 CHURCH ST.
BURLINGTON, VT OR JOIN VIA ZOOM.

MINUTES OF MEETING

August 10, 2023

Member Present:

Paul Hines
Youness Jamil
Stephen Hamlin

Other Present:

Mark Barlow
Gene Bergman
Hannah King
Sarah Montgomery
Tenzin Chokden
Kyle Clauss

Councilor Mark Barlow called the meeting to order at 5:33PM.

1. Agenda

Subject

1.1. Motion to amend/adopt agenda

Motion to amend agenda to post item 5.1 to postpone the Airport Winooski Cab hearing until next meeting.

Motion by: Gene Bergman
Seconded: Hannah King
Amended agenda approved unanimously.

2. Introductions

Subject

2.1. Board Member Introductions

Stephen Hamlin introduced himself as the newest member of the board and he is in Ward 7. The rest of the board of the introduced themselves.

3. Previous Minutes

Subject

3.1. Previous Minutes Approval

Motion to approve previous minutes.

Motion by: Gene Bergman.
Seconded: Hannah King
Approved unanimously.

4. Public Forum

Subject	4.1. PUBLIC FORUM - Verbal Comments
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No members of the public present for the public forum.

5. Hearings

Subject	5.1. Airport Winooski Cab
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Postponed until the next meeting.

6. Appeals

Subject	6.1. Atlas Cab
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Ali Mohamed Farah, the owner of Atlas Cab was sworn in by Kyle Clauss.

Mark Barlow asked Ali Farah for his approval to introduce the documents presented in the agenda packet as part of the public discussion.
Ali Farah had no objections.

Motion made by Gene Bergman. Approved unanimously.

Ali Farah stated that he came to Clerk's office to apply for taxi business license renewal and was told that the application will be denied because his vehicle is older than 10 years. He was asked to fill out a business license application and fill out the appeal request form for the denial. He has struggled to find a new car due to inflation and can't afford to buy a newer car. He currently has a 2012 Toyota Siena, which is in good condition. The preowned vehicles are expensive and there is a 6 month wait period at dealers. The revenue that generates from the airport queue doesn't make up for the cost of operating a taxi business because Burlington International Airport is not a big airport. He would make \$40 per day working at the airport all day. He requested the board to approve his application, so he can operate his business.

Mark Barlow asked if a taxi administrator would like to speak on that.

Tenzin Chokden stated under the ordinance section 30-15 inspections, subsection (b), one of the requirements is a vehicle can't be older than 10 years and that was the only reason for Ali Farah's denial.

Youness Jamil stated he knows other taxi business owners who are facing the same problem as Ali Farah and they are in same situation. These taxi business owners can't afford to buy a newer car and the board should consider changing the age rule.

Gene Bergman added there is no point for the board to deliberate because he couldn't find anywhere in the ordinance that would allow the board the discretion to bypass the rules set forth in the ordinance. He believes there needs to be quick change in ordinance that would focus on the safety of the vehicle rather than the age of the vehicle. Only then, the driver could return and make an appeal.

Youness Jamil asked if the proof of vehicle inspection would be enough to safely operate on the road.

Gene Bergman replied that would be option to incorporate with ordinance change.

Stephen Hamlin asked if we go through with an ordinance change, what would be the age of the vehicle to operate under vehicle for hire. Is it going to 12 years or 14 years? What would be consider safe to operate in terms of mileage?

Gene Bergman stated the State of Vermont requires rigorous inspection when it comes to authorized shops inspecting vehicles. If a vehicle passes the inspection, it would mean that the vehicle is safe to operate and the age of the vehicle shouldn't matter.

Tenzin Chokden added that the taxi administration office requires anyone applying for a vehicle for hire license to submit a proof of inspection, per the city ordinance.

Gene Bergman stated that this may be this only need a deletion of the age requirement from the ordinance. He is not sure why they set the limit on age of a vehicle and would like to find out why.

Stephen Hamlin asked if Uber is allowing their drivers to operate upon submitting yearly proof of inspection. Why not is it not the same for taxi?

Paul Hines stated vehicles need to be clean and presentable because they are servicing the customers. An old car may not be presentable and that could be the reason for setting the limitation on age of the vehicle.

Youness Jamil stated that they used to have an airport ambassador who would regularly check the taxis at the airport queue, inspecting for cleanliness and sent away taxis who didn't meet the requirement.

Mark Barlow asked attorney Kyle Clauss for interpretations on Councilor Bergman's remark on the board having no flexibility to grant this appeal.

Kyle Clauss agreed with Councilor Bergman's interpretation and that it would be simple to just delete 30-15.

Mark Barlow and Kyle Clauss questioned whether the ambassador had authority under ordinance to inspect taxis or if they adapted this practice to keep taxis clean at the airport.

Hannah King added the people should leave review online if they had a really bad experience with taxi service and others will know about it. In this way, the system regulates itself.

Paul Hines said not necessarily because he knows people, who had very bad experience but didn't leave a review.

Kyle Clauss shared that the cleanliness of the vehicle is listed under ordinance section 30-21 "Passenger bill of rights".

Mark Barlow added that since there isn't any flexibility to this matter with the current ordinance, would the board like to move forward with an ordinance change.

Kyle Clauss said he could draft something as quickly as possible.

Paul Hines made the motion to draft an ordinance change to strike out

subsection (b) from section 30-15.

Youness Jamil believes there should still be an age limit or mileage limit when it comes to operating a vehicle for hire besides passing the State inspection.

Paul Hines withdrew his last motion since there was some disagreement among some board.

Paul Hines changed the motion to request the city attorney to draft an ordinance change to strike out subsection (b) from section 30-15 and add vehicle age limit of 15 years instead.

Stephen Hamlin asked when this would take effect if they go through with this ordinance change.

Councilor Bergman replied that it would depend on the when the next City Council meeting was. The earliest the process could be completed would be October.

The board approved the motion to propose an ordinance change unanimously.

Gene Bergman mentioned that small businesses and minorities can get resources about financial assistance from the Racial Equity Inclusion Belongs department and CEDO. He made the motion to have Vehicle for Hire staff reach out to these city departments for information that can be shared with these vehicle for hire businesses.

Gene Bergman made the motion to the board decision on denying the appeal.
Seconded by: Stephen Hamlin

Approved unanimously.

7. Deliberative Session

Subject	7.1. Deliberative Session
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No deliberation.

8. New Business

Subject	8.1. New Business
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Councilor Mark Barlow started the introduction by explaining how TEUC became part of the Joint committee for the Vehicle for Hire Licensing Board. Now that the Vehicle for Hire board officially has three members, TEUC should step away from the board. He presented some recommended steps and procedures for how to properly hand this off. He asked if the board members need training.

Youness Jamil agreed the board needs training and also should involve airport staff because most of the complaints are coming from the airport. He requested to have someone from the airport staff to attend the meeting.

Mark Barlow said there is nothing in ordinance that mentions direct involvement from the airport, but that they can certainly be invited to attend the meetings.

Kyle Clauss stated that the TEUC committee members can no longer take part of voting on Vehicle for Hire matters. Since the Vehicle for Hire board has now met its quorum independent of TEUC, the ordinance does not allow for the Joint Committee to exist and take action any longer.

Councilor Bergman suggested that the items that the joint committee previously took action on during this meeting should now be ratified by the quorum of Vehicle for Hire committee members.

Paul Hines moved to ratify the action taken for the three motions accepted previously in the meeting. Seconded by Stephen Hamlin.

Motion approved unanimously.

Youness Jamil nominated Paul Hines as temporary chair for the meeting moving forward. Seconded by Stephen Hamlin. Passed unanimously.

The board decided to carefully read the draft procedures of formal hearing (which was in the agenda packet), drafted by Mark Barlow and Gene Bergman and edited by Kyle Clauss, and discuss them at the next meeting.

Paul Hines asked what trainings would the board like.

Youness Jamil suggested watching the videos from past meetings and having meetings with the drivers because they know a lot and it would be good to hear from them.

Stephen Hamlin asked if everything he needs to know about the Vehicle for Hire Licensing board can be learned by reading section 30 in the code of ordinance.

Kyle Clauss confirmed and replied yes.

Mark Barlow believes the board should receive training on hearing proceedings because this board acts as judicial. He benefited a lot from having Gene Bergman on the board.

Kyle Clauss said he could give the training to the board.

Pau Hines shared his thoughts and experiences he had from past taxi rides with the board and suggested coming up with solutions to improve taxi service and help the customers. The taxi services are not very welcoming because the drivers are not using meters, there are no taxis available late at night and fares are not disclosed or customers are being overcharged.

Mark Barlow suggested the City Council could review the current system and identify the short comings and make recommendation on improvement.

Youness Jamil stated the taxi meter rates need to be updated.

The board discussed about modernizing the current taxi operations, and whether the City Council can look into that. The board can do research on taxi modernization and share their ideas.

Stephen Hamlin shared his experience as an Uber driver. He said he would never wait at the airport to pick up customer because he can pick up more fares from downtown.

Paul Hines agreed with Youness Jamil that the taxi rate is too low, especially for taxi service for late nights. He asked if we could invite someone from the airport to the next meeting to have discussion.

The board agreed to research modernizing and bring any thoughts to the next meeting and to have further discussion.

The board discussed collaboration with the airport, to learn more about the queue permit system because there are some cab companies who hold permits, who are either not operating or selling their permit to another cab company for

profit. There are drivers who are willing to work at the airport but they can't get a queue permit.

Youness Jamil made a motion to request that the city attorney ask for the record of the queue permits from the airport for a better understanding of taxi operation. Seconded by Stephen Hamlin.

Approved unanimously.

The board determined that the next meeting will be held on September 6, 2023, at 5:30pm.

9. Adjournment

Subject

9.1. Motion to adjourn

The meeting was adjourned at 7:15PM.