

**City of Fayetteville Staff Review Form**

**2018-0774**

**Legistar File ID**

**2/5/2019**

City Council Meeting Date - Agenda Item Only  
N/A for Non-Agenda Item

Greg Tabor, Chief of Police

12/31/2018

POLICE (200)

**Submitted By**

**Submitted Date**

**Division / Department**

**Action Recommendation:**

Request for public hearing to determine if a Certificate of Public Convenience and Necessity should be issued to Payless Taxi.

**Budget Impact:**

Account Number		Fund	
Project Number		Project Title	
<b>Budgeted Item?</b>	<u>NA</u>	Current Budget	\$ -
		Funds Obligated	\$ -
		Current Balance	\$ -
<b>Does item have a cost?</b>	<u>No</u>	Item Cost	
<b>Budget Adjustment Attached?</b>	<u>NA</u>	Budget Adjustment	
		Remaining Budget	\$ -

V20180321

**Purchase Order Number:** \_\_\_\_\_

**Previous Ordinance or Resolution #** \_\_\_\_\_

**Change Order Number:** \_\_\_\_\_

**Approval Date:** \_\_\_\_\_

**Original Contract Number:** \_\_\_\_\_

**Comments:**



**MEETING OF FEBRUARY 5, 2019**

**TO:** Lioneld Jordan, Mayor  
City Council

**FROM:** Greg Tabor, Chief of Police

A handwritten signature in black ink, appearing to read 'G. Tabor', written over the name 'Greg Tabor'.

**DATE:** December 26, 2018

**SUBJECT:** Request for Public Hearing on a Certificate of Public Convenience and Necessity for Payless Taxi.

---

**RECOMMENDATION:**

The council should schedule a public hearing to determine if a Certificate of Public Convenience and Necessity should be issued to Payless Taxi.

**BACKGROUND:**

City Ordinance 117.32 governs taxicabs and requires a public hearing to determine if there exists the further need for taxicab service and the applicant is fit, willing, and able to perform public transportation.

**DISCUSSION:**

The City of Fayetteville currently has two (2) authorized taxi service companies, which operate 7 taxis.

The owner/operator of Payless Taxi, Kyle Empsall, was previously an Uber driver with over two years of experience. Empsall is authorized to operate Payless Taxi in Washington County. Currently, he can drop off riders in Fayetteville, but he is not authorized to pick up riders in Fayetteville without a Certificate of Convenience and Necessity. He also is a Lyft driver, which allows him to pick up in Fayetteville under the Transportation Network Company Service Act. On December 6, 2018, Empsall was operating as Payless Taxi in Fayetteville, and he received citations for Operating without Public Convenience and Necessity Certificate 117.32, Operating without a Taxi Inspection Decal 117.34, and Operating without a Taxi Driver Permit 117.37.

Empsall is applying for certificate, so he can operate legally in the City of Fayetteville under his company Payless Taxi Service.

**BUDGET/STAFF IMPACT:**

These policies will not have any impact on budget or staff at this time.

**Attachments:**

Certificate of Public Convenience & Necessity Application with image of decal design  
Certificate of Liability Insurance  
Financial Statement

## Certificate of Public Convenience & Necessity Application/Renewal

As required to comply with Chapter 117 of the Fayetteville Code of Ordinances

Kyle Empsall 12258 South East 479:236:2392  
Applicant Name Address Phone Number  
PAYLESS TAXI  
Name of Business Phone Number  
12258 Southeast Campbell Road West Fork  
Business Location  
Arkansas Zip 72774  
Mailing Address  
TAXI CAB Service  
Type of Business (Sole Proprietor, Corporation, LLC)

Name and address of all owners, officers and stockholders:

Kyle Lee Empsall 12258 Southeast Campbell  
Road, West Fork, Arkansas, Zip 72774.

Name of person to whom complaints should be directed:

Kyle Empsall

Type of Permit Requested: Taxicab  Limousine

Financial status of applicant (Attach financial statement or profit and loss statement)

List any unpaid judgments against any of the owners, officers and stockholders and the nature or acts giving rise to said judgments:

N/A

Describe the experience of all owners, officers and stockholders in the transportation of passengers:

Over 2 and a half year's experience, Drove 11,707 trips For uber, as well as private taxi.

Give any facts you believe tend to prove the necessity of granting a certificate:

HAVE had experience in Fayetteville driving uber Lyft, taxi, 30 year Resident of Washington County.

List the number of vehicles that will be under your operation or control:

2

Minimum and Maximum number of vehicles to be permitted:

2  
Minimum

2  
Maximum

List the location of proposed depots and terminals:

Fayetteville, Springdale, all of Washington County.

Describe the color scheme or insignia to be used to designate your vehicle:

Taxi light decals, Advertise phone number NAME OF bussiness.

List your days and hours of operation:

24/ hour's Seven day's a Week TAXI Service's.

List any days you do not propose to provide taxicab service to the general public:

N/A

List your proposed passenger rate schedule:

Reservation, whom ever call's 1.93 a mile.

Kyle Empersall  
Signature of Applicant

3-14-18  
Date

State of Arkansas  
County of Washington

On this the 14th day of March, 2018, before me,  
Tonya Tannehill, personally appeared Kyle Empersall  
known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument  
and affirms that the statements in this document are true and complete.

In witness whereof I hereunto set my hand and official seal.

My Commission expires: 3.8.2026

Tonya Tannehill  
Notary Public



Sgt. [Signature]  
Police Department Representative

12/10/18  
Date

**PAYLESS TAXI**

**479-236-2392**

**24/7 TAXI CAB**

**NORTHWEST ARKANSAS**

# Financial Statement

Payless Taxi, 12258 South East Campbell Road, West Fork, Arkansas  
Jan. 2018 - October 24, 2018

## Assets

### Current Assets:

Cash	Jan. 2018-Dec. 2018
Gross Sales	12,185.54
Returns	(1.00)
Net Sales	12,184.54
Tax	\$0.00
Tips	\$147.73
<b>Total Collected</b>	<b>12,332.27</b>

Fixed Assets – Transport Cars **29,000**

Office **60,000**

### Investment Assets

Insurance            Bond            25/50/25

Liabilities & Loans    Car            **16,282**

Equity                Loan            **16,282**

**Total: L&E    89,000**

