

City of Fayetteville Staff Review Form

2021-0078

Legistar File ID

3/2/2021

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

Mike Reynolds

2/2/2021

POLICE (200)

Submitted By

Submitted Date

Division / Department

Action Recommendation:

Staff requests hearing for Certificate of Public Convenience and Necessity regarding pedal carriage application filed by Pedal Pub Fayetteville. This request is pursuant to City Ordinance 117.121 regarding "Public Hearing for Certificate".

Budget Impact:

Not Applicable	Not Applicable
Account Number	Fund
Not Applicable	Not Applicable
Project Number	Project Title
Budgeted Item? <u>No</u>	Current Budget \$ -
	Funds Obligated \$ -
	Current Balance \$ -
Does item have a cost? <u>No</u>	Item Cost
Budget Adjustment Attached? <u>No</u>	Budget Adjustment
	Remaining Budget \$ -

V20180321

Purchase Order Number: _____

Previous Ordinance or Resolution # _____

Change Order Number: _____

Approval Date: _____

Original Contract Number: _____

Comments:



CITY COUNCIL AGENDA MEMO

MEETING OF MARCH 2, 2021

TO: Mayor and City Council

A handwritten signature in black ink that reads "Mike Reynolds".

FROM: Mike Reynolds, Chief of Police

DATE: February 1, 2021

SUBJECT: Request for Public Hearing on a Certificate of Public Convenience and Necessity for Pedal Pub Fayetteville

RECOMMENDATION:

The council should schedule a public hearing to determine if a Certificate of Public Convenience and Necessity should be issued to Pedal Pub Fayetteville.

BACKGROUND:

City Ordinance 117 Article X governs pedal carriages and requires a public hearing to determine if there exists the need for pedal carriage service. Amber Sinclair is the owner of Pedal Pub Fayetteville. Amber has received training through the Pedal Pub Global team and holds certifications as a "pilot" through the Pedal Pub Global Driver's Program.

DISCUSSION:

Attached is the application for Pedal Pub Fayetteville. The application contains all information needed as listed in City Ordinance 117.121. The City of Fayetteville does not have any current pedal carriage companies.

BUDGET/STAFF IMPACT:

None.

Attachments:

- Certificate of Public Convenience and Necessity Application from Pedal Pub Fayetteville.
- Statement of Financial Status.
- Documentary Evidence from an Insurance Company Indicating a Willingness to Provide Liability Insurance.
- Fleet Information.
- Map and Information Regarding Storage for the Pedal Pubs.

The Financial status of applicant, including the financial status of the officers and stockholders of the company, if incorporated, including the amount of all unpaid judgments against the applicant (officers and stockholders of the company, if incorporated), and the nature of the transaction or acts giving rise to said judgments. (Attach financial statement or profit and loss statement).

Provide documentary evidence from an insurance or insurance company willing to provide liability insurance as required by Chapter 117 (Attach evidence of insurance).

Describe the experience of the applicant including all owners, officers and stockholders of the company, if not incorporated in the transportation of passengers, especially as related to pedal carriages:

I, Amber Sinclair, have been to the Pedal Pub headquarters to train personally with their staff and plans to go through more training before the open date of the business in Fayetteville. I have received 'pilot' certifications through the Pedal Pub Global Driver's Program two years in a row since. There will be a time gap once the business concept is approved before a grand opening allowing for hiring and training time.

Give any facts you believe tend to prove that Public Convenience and Necessity require the necessity of granting of a certificate:

I believe the Public Convenience and Necessity should be granted to Pedal Pub Fayetteville specifically for several reasons. The Pedal Pub Global team provides a network of 50+ cities around North America. This means I will have an overabundance of resources to help aid me through this process, along with a secure insurance policy specifically for Fayetteville. I have also helped aid Devin Howland and Blake Pennington through the process of shaping the 6300 Ordinance that prompted the creation of the Pedal Pub Carriages into Chapter 117.

List the number of pedal carriages that will be under your operation or control: 2

Minimum and Maximum number of vehicles to be permitted: 2 10
Minimum Maximum

List the location of proposed storage areas for the pedal carriages when they are not in active service:

609 W Dickson St. Fayetteville, AR 72701

AKA The Deck on Dickson

Describe each model or type of pedal carriage to include length, width, brakes, any motor assist, year, make, model, rated capacity, lighting and safety features:

Please see attachment labeled 'Pedal Pub Bike Specs'

List your days and hours of operations to provide pedal carriage:

Thursday - Sunday 10:00am - 10:00pm and then eventually Tuesday - Sunday 10:00am - 10:00pm. Each tour will last approximately two hours.

List any days or dates you do not propose to provide pedal carriage service to the general public:

No unproposed dates at this time.

List your proposed passenger rate schedule that you propose to charge passengers or receive gratuities:

\$40 per person up to 15 people, or \$480 per private tour of up to 15 people with the ability to tip

List your proposed preapproved route with schedule and fixed pick-up and destination points and proposed fare for such pedal carriage service:

The Pedal Pub Carriages will stay within the already pre-approved area between the times of 10am-10pm. At this time, the starting point for both bikes will be at Nomads Southtown. One route will end back in the same location and the other at Fossil Cove. This is subject to change once the bikes are brought to the city and we map out the best route based on time limits.

List any additional information you desire to include to aid in the determination of whether the requested operating authority should be granted:

I am more than willing to work with the Police Department and the City of Fayetteville council members to ensure the safest and best routes for the Pedal Pub Fayetteville carriages. Pedal Pub is a new concept to the area, and I am sure there will be changes made as we work together to find what works best for the city. I know this will be a great addition to the area once there aren't as many covid restrictions and cases to get people back out on the town and help other local businesses ramp back up their traffic.

Amber Sinclair
Signature of Applicant

01/29/21
Date

State of Arkansas
County of Washington



On this the 29th day of January, 2021, before me,

Allison Macias, personally appeared Amber Sinclair

Know 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.

Allison Macias
Notary Public

My Commission expires: April 22, 2030

Mike Reynolds
Police Department Representative

2/1/2021
Date

CSU Producer Resources, Inc.
 A subsidiary of Cincinnati Financial Corporation
 P.O. Box 145496, Cincinnati, OH 45250-5496
 513-870-2000

Date: 09/10/2018
To: Zinc
 3505 E Royalton Rd Ste 110
 Broadview Heights OH 44147-2998
 34-530
From: Bethany Kelley

RE: Pedal Pub Leasing, LLC

Quote number: 327964311

QUOTATION

We are pleased to present a quote for this risk. This quote is based on the information you submitted, however the terms and conditions may differ from what was requested. Please review carefully.

Coverage to be provided by The Cincinnati Specialty Underwriters Insurance Company, an approved non-admitted company.

Proposed Policy Period: From: 09/01/2018 To: 09/01/2019

Quote Expiration: 10/01/2018

Description of Operations: Pedal Bar

Coverage:

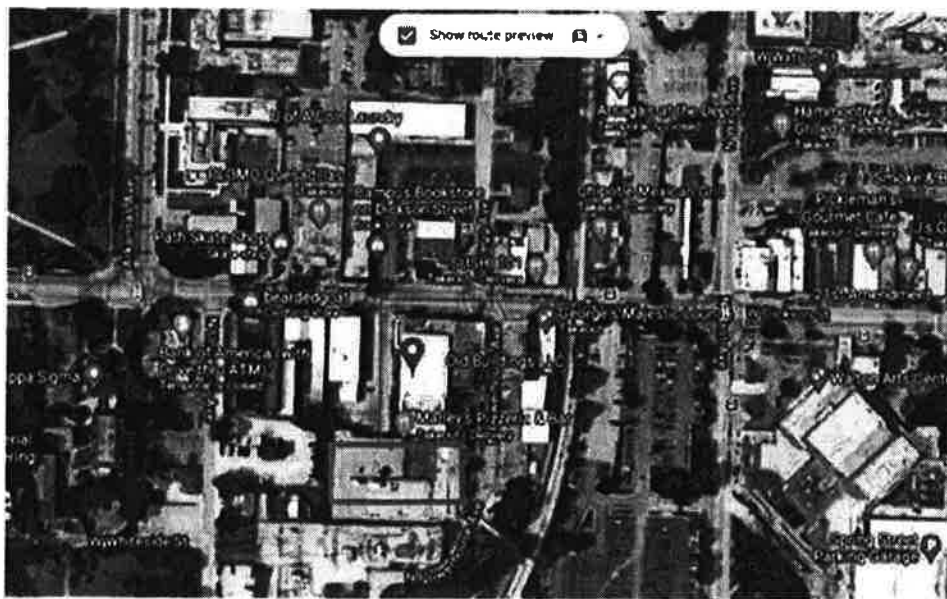
General Liability - OCCURRENCE

Retroactive Date: NONE

Limits of Insurance	
Each Occurrence	\$ 1,000,000
Damage to Premises Rented to You	\$ 100,000
Medical Expense	Excluded
Each Offense – Personal & Advertising Injury	\$ 1,000,000
General Aggregate other than Completed Operations	\$ 5,000,000
Products/Completed Operations Aggregate	\$ 5,000,000

Deductible	Per Claim	Per Occurrence
Bodily Injury	Not Applicable	Not Applicable
Property Damage	Not Applicable	Not Applicable
Combined BI and PD	\$ 1,000	Not Applicable

Payment Options: CSU offers both Agency Bill and Direct Bill payment methods. Listed below are the payment methods available to the insured.



**Pedal Carriage Certificate of Public Convenience and Necessity
Typed Statement of Financial Statements and Judgments Against**

December 31st 2020

Dear Sergeant Stacy Dicus,

My name is Amber Sinclair and as you know by now, I am applying for the Pedal Carriage Certificate of Public Convenience and Necessity. As a part of the application process, I have been asked to provide financial statements and any other information to show that I am in good standing financially without any judgements against me. I am attaching two documents to this file. One is a snapshot of my savings account with First Security Bank. I have approximately \$25,000 in that account and still plan to save another \$10,000 before fully launching Pedal Pub Fayetteville, should I be approved. I am also attaching a snap shot of the current cash backed loan I have with Arvest. This loan was created over a year ago before Covid-19 hit in anticipation of submitting this application right after the city's approval of the 6300 Ordinance – Pedal Pub Carriages Chapter 117. As you can see, I still have an available credit of almost \$56,000 left in order to help assist with the launch and first year of business. The current balance that has been used went to securing the Franchise Territory and deposit costs with Pedal Pub Global. I currently have almost no credit card debt and am up to date on the student loans I currently have. I attest that I do not have any judgements against me and this covers my financial landscape. If you have any other questions or concerns, please don't hesitate to ask! Thank you so much for your time and consideration for this application. I look forward to working with you in the future!

Respectfully,

Amber Sinclair

Amber Sinclair
479-531-9511
Eclectic Bee LLC
Pedal Pub Fayetteville

FIRST SECURITY BANK
P.O. BOX 1009
314 NORTH SPRING
SEARCY, AR 72143

*****EXCLUDE-Email
15967 0.4320 EX 0.000 54 1 2263
AMBER RAE SINCLAIR

12/31/20

*** SAVINGS *** PERSONAL SAVINGS

REG E SNAPSHOT

ACCOUNT NUMBER [REDACTED]
PREVIOUS STATEMENT BALANCE AS OF 12/31/19 13,001.34
PLUS 2 DEPOSITS AND OTHER CREDITS 11,998.66
LESS 1 WITHDRAWALS AND OTHER DEBITS 500.00
CURRENT STATEMENT BALANCE AS OF 12/31/20 24,500.00
NUMBER OF DAYS IN THIS STATEMENT PERIOD 366

Liabilities

Pedal Pub Fayetteville
Commercial/Agriculture

\$40,482.10
Balance

Account Name	Pedal Pub Fayetteville	Account Number	[REDACTED]	Rename
Status	OPEN	Last Updated	12/30/2020 11:46 PM	
Product	Commercial/Agriculture			

- VIEW LESS

Loan Number	[REDACTED]	Interest Rate	3.75%
Minimum Payment Due	[REDACTED]	Payment Due Date	01/02/2021
Origination Date	10/09/2019	Last Payment Date	12/02/2020
Original Amount	\$96,408.10	This Year's Interest	[REDACTED]
Maturity Date	07/02/2021	Last Year's Interest	[REDACTED]
Credit Line Available	\$55,976.00	Last Payment Amount	[REDACTED]
Payoff Amount	\$40,532.70	Account Type	Loan

Exclude Account Hide Account

Liabilities

Pedal Pub Fayetteville
 Commercial/Agriculture
 \$40,482.10
 Balance

Account Name	Pedal Pub Fayetteville	Account Number	Rename
Status	OPEN	Last Updated	12/30/2020 11:46 PM
Product	Commercial/Agriculture		
- VIEW LESS			
Loan Number		Interest Rate	3.75%
Minimum Payment Due		Payment Due Date	01/02/2021
Origination Date	10/09/2019	Last Payment Date	12/02/2020
Original Amount	\$96,408.10	This Year's Interest	
Maturity Date	07/02/2021	Last Year's Interest	
Credit Line Available	\$55,926.00	Last Payment Amount	
Payoff Amount	\$40,532.70	Account Type	Loan

Exclude Account Hide Account

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72143

*****EXCLUDE-Email

67 0.4320 EX 0.000 54 1 2263

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REG E

S *** PERSONAL SAVINGS

MBER

TATEMENT BALANCE AS OF 12/31/19

2 DEPOSITS AND OTHER CREDITS

1 WITHDRAWALS AND OTHER DEBITS

ATEMENT BALANCE AS OF 12/31/20

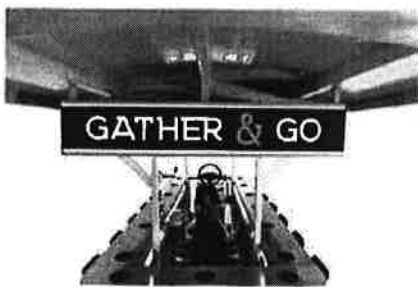
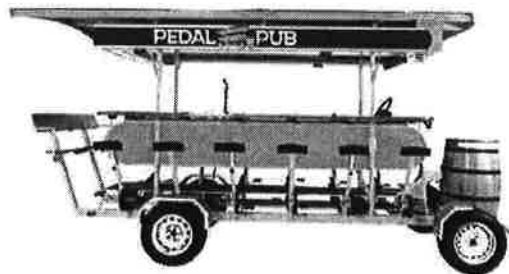
DAYS IN THIS STATEMENT PERIOD 366



PEDAL PUB™



BIKE SPECS



VEHICLE

VEHICLE TYPE	PARTY BIKE
SERIAL NUMBER	TBD
PROPULSION	PEDAL; ELECTRIC ASSIST
PASSENGER CAPACITY	17 PERSONS (INCLUDING DRIVER)
MINIMUM PASSENGERS	4 WITH PEDAL ASSIST 8 WITHOUT PEDAL ASSIST
DIMENSIONS (LxWxH)	17'8" x 7'6" x 8'10"



CHASSIS

STOCK WEIGHT	2,441 lbs WITH ELECTRIC ASSISTANCE & OPTIONS
FRAME	STEEL AND ALUMINUM
TIRES	195/70
SUSPENSION	FRONT & REAR SOLID AXEL
BRAKES	4 WHEEL HYDRAULIC FOOT BRAKE, AND SECONDARY MECHANICAL HANDBRAKE



FEATURES

STANDARD EQUIPMENT

- 75 ah EXTREME BATTERY
- NOCO ON-BOARD CHARGER
- PANORAMIC REAR VIEW MIRROR
- 16 CUPHOLDER INSERTS
- SPARE PARTS & MAINTENCE KIT
- STARTER TOOL KIT
- MARINE GRADE RADIO
- HEADLIGHTS
- TAILLIGHTS
- BRAKE LIGHTS
- BLINKERS
- BAR LIGHTS
- CHROME BAR TAP
- RACK & PINION STEERING
- 360 DEGREE SIGNAGE

OPTIONAL:

- E-ASSIST
- VINYL SEAT COVERS
- CUSHIONED CAPTAINS CHAIR
- ROOFTOP ADVERTISING
- AUDIO UPGRADE PACKAGE
- & MORE!

PEDAL PUB™

Pedal Pub Locations

CA

Social Cycle – Santa Barbara
Social Cycle – San Diego
Social Cycle – Palm Springs

CO

Pedal Hopper – Denver
MyHandleBar – Boulder
MyHandleBar – Fort Collins

FL

PedalPub – St.Pete
Pedal Pub Fort Meyers
Pedal Pub Cape Coral
Florida Fun Bikes –
Gainesville
Pedal Pub Naples
Pedal Pub Miami
Pedal Pub – Jacksonville

GA

Pedal Pub - Atlanta
Pedal Pub Savannah

HI

Paradise Pedals – Honolulu

IA

Big Yellow Bike – Des
Moines

IL

Pedal Pub – Quad Cities

IN

Pedal Pub Bloomington
The Handlebar – Indy

KY

The Thirsty Pedaler –
Louisville

MI

Pedal Trolley –
Frankenmuth
Sunrise Pedal Trolley
High Five Pedal Tours – Ann
Arbor
Joy Ride Pedal Tours –
Lansing
Great Lakes Pub Cruiser –
Grand Rapids
The Handlebar – Detroit

MN

Pedal Pub – Twin Cities
(Headquarters)

MO

Pedal Hopper – Kansas City
Pedal Pub Columbia
Barcyle St. Louis

NC

Pedal Pub Charlotte

OH

Pedal Wagon – Dayton
Pedal Wagon – Columbus
Pedal Wagon – Cincinnati
The Handlebar
Pedal Wagon – Covington

PA

Pittsburgh Party Pedaler –
Pittsburgh

SC

Pedal Parlor – Columbia

SD

Sip N Cycle – Sioux Falls

TN

Nashville Pedal Tavern
Sprock N Roll – Memphis
Pedal Pub – Chattanooga

TX

Pedal Party – Houston
Pub Crawler – Austin
Cowtown Cycle Party – Fort
Worth

WA

Spokane Party Trolley –
Spokane
Cycle Saloon – Seattle

WI

Pedal Tavern – Milwaukee

CANADA

AB

Pedal Pub Calgary

BC

Pedal Pub Okanagan

ON

Pedal Pub Niagara on the
Lake
Pedal Pub - London