

Metropolitan Taxicab Commission

**September 25, 2008 @ 9:00 am**  
**100 North Tucker Boulevard, Auditorium**

Members present: Commissioners Bennett\*, Banahan (arrived at 9:30am), Haile, Hamilton, McNutt, Reeves, Rudawsky, and Satz. \*(Bennett attended via telephone for the first part of the meeting)

Members absent: *(One seat on the Commission remains vacant.)*

MTC staff: Barker, Boutte, Deering, Hammond, Scherer and Tully.

Legal Department: Counselor McCarthy

*Chairman Hamilton called the meeting to order at 9:17 AM.*

**MINUTES**

Chairman Hamilton requested approval for the meeting minutes of the August 12, 2008 Meeting. A motion to approve the minutes was made by Mr. Reeves and seconded by Mr. Rudawsky. The motion passed unanimously.

Chairman Hamilton requested a motion to approve the lawful actions of the Commission that were done by teleconference on September 3, 2008 regarding the Director's appeal of the Hearing Officer's decision on the Wilson Taxicab case. Mr. Reeves motioned to confirm the decision and Mr. McNutt seconded. The motion passed unanimously.

Chairman Hamilton entertained a motion to adopt the minutes from the September 3, 2008 teleconference. Mr. McNutt motioned and Mr. Reeves seconded. Mr. Rudawsky requested the minutes are amended to indicate that he and Mr. McNutt abstained from any votes. The motion was passed unanimously as amended.

**EXECUTIVE SESSION**

Mr. Rudawsky motioned for the Commission to enter into Executive session (non-public) and was seconded by Mr. Satz. The motion passed unanimously and the public session was suspended at 9:23 AM.

**Executive Session Minutes**

Pursuant to Missouri Statute 620.021, and having been authorized by a majority of the Metropolitan Saint Louis Taxicab Commission constituting a quorum, by roll-call vote at its regular meeting of September 25, 2008, an Executive Session was held to discuss legal, confidential or privileged matters under §610.021(1), RSMo 1988 Supp.; leasing, purchase or sale of real estate under §610.021(2); personnel actions under §610.021(3); discussions regarding negotiations with employee groups under §610.021(9); personnel records or applications under §610.021(13); or records under §610.021(14) which are otherwise protected from disclosure by law; or confidential or privileged communications with the District's auditor, including auditor work products under §610.021(17).

The Executive Session was called to order at 9:23 AM by Chairman Louis Hamilton. Present at the Executive Session were Commissioners Banahan Haile, Hamilton, McNutt, Reeves, Rudawsky, and Satz.

### **LEGAL ISSUES**

Chairman Hamilton provided a brief overview of current legal and litigation issues in which the MTC is involved, or expects to be involved, and a discussion among the commissioners ensued.

Upon a motion by Commissioner and Vice Chairman David McNutt, seconded by Commissioner Richard Banahan, the Commission authorized and directed Commissioner and Vice Chairman Thomas Reeves to engage special legal counsel at his discretion, and upon terms and conditions as he in his best judgment as Vice Chairman of Finance for the Commission, to be in the best interests of the Metropolitan Saint Louis Taxi Commission; and to execute such agreement on behalf of the Commission with full authority;

THE MOTION WAS PASSED BY UNANIMOUS CONSENT OF THOSE PRESENT AND VOTING.

Additionally, a motion was made by Commissioner and Vice Chairman David McNutt, seconded by Commissioner Richard Banahan, to authorize and direct the Chairman and Executive Committee, acting on behalf of the Commission, to issue a Request for Qualifications to licensed attorney's or law firms in the State of Missouri to provide legal services on an annual basis to the Commission. The Chairman is further directed to appoint a special committee of the Commission to review qualifications of firms or individuals submitting their qualifications, and to select and recommend to the full commission, a professional services agreement with one or more of the respondents upon such terms and conditions as they may determine.

THE MOTION WAS PASSED BY UNANIMOUS CONSENT OF THOSE PRESENT AND VOTING.

### **PRESENTATION BY SGS AUTOMOTIVE SERVICES**

At the invitation of the Commission, a presentation was made to by representatives of SGS Automotive pursuant to the Commissions interest in entering into an agreement with SGS Automotive Services of North America to provide taxicab inspection services for the Commission, as well as other proprietary technology services to aid the Commission and its staff in fulfilling its public mission.

Upon a motion made by Commissioner and Chairman Louis Hamilton, and seconded by Commissioner Richard Banahan, the Commission authorized and directed the Executive Committee, on behalf of the Commission, and at its sole discretion, to negotiate and execute on behalf of the Commission, an agreement for services between SGS and the Metropolitan Saint Louis Taxicab Commission for such services and rates as may be determined by the Executive Committee with the full authority of the Commission.

THE MOTION WAS PASSED BY UNANIMOUS CONSENT OF THOSE PRESENT AND VOTING.

The closed session ended at approximately 10:55 AM and the Commissioners returned to reconvene the public meeting.

The public meeting resumed at 11:00 AM.

### **NEW BUSINESS**

Mr. McNutt motioned to grant the authority of the commission to Mr. Reeves to negotiate and execute an extension of the property lease and an extension on the contract with the accountant/bookkeeper. The motion was seconded by Mr. Hamilton. It passed unanimously.

Mr. Banahan motioned to enter into an agreement for consulting work with James Welch not to exceed \$2000.00 a month for a period of four months and up to \$500.00 for expenses. Mr. Banahan explained that Mr. Welch was brought on to assist the enforcement portion of the Commission in managerial and enforcement areas. The motion was seconded by Mr. McNutt. The motion passed unanimously.

The Commissioners scheduled the next Commission meeting for October 23, 2008 at 9:00 AM at 100 North Tucker Boulevard in the Auditorium, pending the availability of the facility. *(Due to unavailability of the Auditorium, the meeting was rescheduled for October 24, 2008 at 9 AM.)*

Dr. Ray Mundy, Director of the Center for Transportation Studies, presented his report of the study conducted for St. Louis. His presentation began at 11:04 AM. His presentation included a question and answer period with audience participation. Dr. Mundy completed his presentation at 12:00 PM. Commissioners Banahan and Hamilton left the meeting during the presentation. The meeting was resumed and chaired by Mr. Reeves. Since there no longer was a quorum, no official votes could be held.

### **DIRECTOR'S REPORT**

Chairman Hamilton decided to table the Director's report to the next meeting.

### **TREASURER'S REPORT**

Chairman Hamilton decided to table the Treasurer's report until the next meeting.

### **PUBLIC COMMENTS**

David Senne, addressed the Commission. He stated to the Commission that he disagreed with the current age limits of cabs and suggested that appearance and safety should be the criteria instead. He also suggested that the Commission review the option of wearing shorts during summer months.

Alan Statler, addressed the Commission. He expressed intentions to purchase Premier Sedan Company. He was then joined by Clint Evans, owner of Primo Select. Mr. Evans would like to sell his company to Mr. Statler. Discussion ensued.

Ayalew Dawit, on behalf of America Transportation Co, addressed the Commission. He began to pose a question to the Commission when he was interrupted by Counselor McCarthy. Mr. McCarthy interjected

that the matter was currently pending at the Director/Hearing officer level and any comments would be wholly inappropriate.

Zerebrook Gebru, of the Metropolitan Taxicab Corporation, addressed the Commission. He requested that the agendas contain more specific topics so the public can be better prepared for meetings. He further requested to be a part of the process for correcting inaccuracies in the Mundy report.

### **ADJOURNMENT**

With no additional business, Vice Chairman Reeves entertained a motion to adjourn. The motion was made by Mr. Rudawsky and seconded by Mr. Satz. The motion passed unanimously. The meeting adjourned at 12:22 PM.

*The meeting recording was transcribed by A. Hammond.  
Minutes were interpreted from the transcript by D. Barker.*