

Metropolitan Taxicab Commission

**September 20, 2012 @ 9:00 am
Commission Headquarters, 2628 Delmar, Hearings Room**

Members present: Commissioners: Hamilton, McNutt, Reeves, Bennett, Rudawsky, Satz, Tucci, and Asfaw
Members absent: Commissioners: Gidey
Legal Department: Tom McCarthy

MINUTES

The Meeting was called to order by Chairman Hamilton and the roll was called by Beth Dunham; Chairman Hamilton-here, Commissioner McNutt-here, Reeves-here, Bennett-here, Gidey-absent, Rudawsky-here, Satz-here, Tucci-here, and Asfaw-here. A quorum being found the meeting was called to order. The first order of business was approving the minutes from the September 20, 2012 meeting. A motion to approve the minutes was made by Chairman Hamilton, moved by Commissioner Reeves and seconded by Commissioner Bennett, with no further discussion roll was called; Chairman Hamilton-yes, Commissioner McNutt-yes, Reeves-yes, Commissioner Bennett-yes, Rudawsky-yes, Satz-yes, Tucci-yes, and Asfaw-yes, the minutes were approved.

NEW BUSINESS

The first order of new business was setting a date for the September meeting, which will be October 23, 2012 at 9:00a.m.

The second order of business on the agenda was the CCN Hearing for Bass Transportation Services, LLC. The Director explained that the CCN Application was in order and it was the staff's recommendation the CCN be approved. Commissioner McNutt asked the representatives from Bass Transportation if they had a St. Louis City Business License to operate in the city of St. Louis. Bass Transportation representatives told Commissioner McNutt they didn't have a St. Louis City Business License, and that it was their understanding they didn't require one to operate in the city. With no further discussion and the staff's recommendation Chairman Hamilton made a motion to approve the CCN Application for Bass Transportation Service, LLC, seconded by Commissioner Reeves. Roll was called Chairman Hamilton-yes, Commissioner McNutt-abstain, Reeves-yes, Commissioner Bennett-yes, Rudawsky-yes, Satz-yes, Tucci-yes, and Asfaw-yes, with the majority of the vote, the CCN was approved.

The third order of business on the agenda was the CCN Hearing for Ride Now Med Trans, LLC. Ride Now Med Trans had no one present to represent them so the CCN Hearing was tabled until the October meeting

The last order of new business was Code Revisions in Sections 609.A Courtesy Vehicle Special Requirements and Section 1001.B.2 Threats, Abuse, Assaults. The legal counsel addressed the Commissioners on the new proposals in the packets.

So ordered this 20th day of September 2012.

609 Special Requirements for Courtesy Vehicles.

A. Courtesy vehicles shall be a no-charge service operating solely on scheduled trips

between fixed termini and shall be no older than allowed by the rules promulgated by the Director for this class of vehicle.

Is hereby amended to read:

609 Special Requirements for Courtesy Vehicles.

- A. Courtesy vehicle service shall be a no-charge or otherwise complimentary service and the vehicles employed in the service shall be no older than allowed by the rules promulgated by the Director for this class of vehicle.

Chapter 10

Section 1001.B.2

Any assault, verbal abuse, threats, threatening conduct or any attempt at such, or any act or any conduct that a reasonable person could deem threatening or abusive directed at an employee or commissioner of the MTC by a driver or CCN holder whether in person or by telephone, text, or any other means shall be grounds for immediate revocation of all MTC privileges, licenses, or permits. Such revocation shall not be suspended pending appeal as it is regarded as inherently dangerous conduct and if upheld such revocation will be permanent.

With the staff and legal counsel's recommendation, a motion was made by Chairman Hamilton for approval of the language change in Section 609.A of the code, seconded by Commissioner McNutt. Roll was called; Chairman Hamilton-yes, Commissioner McNutt-yes, Reeves-yes, Commissioner Bennett-yes, Rudawsky-yes, Satz-yes, Tucci-yes, and Asfaw-yes, and the revision was approved.

A motion was made by Chairman Hamilton on approval of code revision Chapter 10 Section 1001.B.2, seconded by Commissioner McNutt. Roll was called; Chairman Hamilton-yes, Commissioner McNutt-yes, Reeves-yes, Commissioner Bennett-yes, Rudawsky-yes, Satz-yes, Tucci-yes, and Asfaw-yes, and the revision was approved.

DIRECTOR'S REPORT

There were no items on the Director's report to discuss.

TREASURER'S REPORT

Commissioner Reeves discussed the financial report in the packets. He started with the month of August showing a loss of \$39,365.50. He explained this was nothing out of the ordinary, and the budget was tracking along as planned. The first eight months of the year showed a positive \$84,954.00 and the Commission was still over budget by \$25,170.00.

OLD BUSINESS

On the agenda for old business was the authorization of resolution plan and agreement for the social security referendum. The Director discussed the resolution relating to federal old-age, survivors, and disability insurance. He also explained that a vote was given by a Social Security Administrator to the Metropolitan Taxicab Commission employees who are members of the City of St. Louis Employees' Retirement System on the resolution. Chairman Hamilton made a motion to approve the resolution relating to Federal Old-Age, Survivors, and Disability Insurance Act as contained in the board packets, also validating the employee election in formally joining the ACT, and upon passage of the resolution

permanently be appended to the minutes of this meeting. Chairman Hamilton also included in his motion that the Director be authorized to sign the resolution on behalf of the Commission certifying this and the secretary being here to attest to the vote of the Commission. Commissioner Reeves seconded the motion and roll was called; seconded by Commissioner Reeves. Roll was called; Chairman Hamilton-yes, Commissioner McNutt-yes, Reeves-yes, Commissioner Bennett-yes, Rudawsky-yes, Satz-yes, Tucci-yes, and Asfaw-yes, the motion passed.

PUBLIC COMMENTS

There were no public comments made at the meeting on September 20, 2012.

EXECUTIVE SESSION

Chairman Hamilton made a motion to enter into Executive Session under section 610.021(1) RSMo to discuss litigation, confidential and privileged matters, including legal and personnel matters. The motion was moved Commissioner Reeves, seconded by Commissioner McNutt with that roll was called; Chairman Hamilton-yes, Commissioner McNutt-yes, Reeves-yes, Commissioner Bennett-yes, Rudawsky-yes, Satz-yes, Tucci-yes, and Asfaw-yes, the motion passed and the Commissioners entered into Executive Session.

Pursuant to Missouri Statute 620.021, an Executive Session may be 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 §X610.021(17).

ADJOURNMENT

Chairman Hamilton reconvened the September 20, 2012 meeting at 10:30. A motion was made by Chairman Hamilton to adjourn Executive Session, moved by Commissioner Reeves, seconded by Commissioner Satz, with that roll was called; Chairman Hamilton-yes, Commissioner McNutt-yes, Reeves-yes, Commissioner Bennett-yes, Rudawsky-yes, Satz-yes, Tucci-yes, and Asfaw-yes, the motion passed and Executive Session was adjourned. Chairman Hamilton then made a motion to adjourn the September 20, 2012 meeting at 10:34 a.m., moved by Commissioner Reeves, seconded by Commissioner Bennett. Roll was called; Chairman Hamilton-yes, Commissioner McNutt-yes, Reeves-yes, Commissioner Bennett-yes, Rudawsky-yes, Satz-yes, Tucci-yes, and Asfaw-yes, the meeting was adjourned.

Minutes were interpreted from an audio recording of the meeting by Beth Dunham.

2. Commencing on the first day of the pay period following the date of the approval of the plan and agreement of this board by the state agency, there shall be deducted from the wages of all employees and officials of this board, to whom the benefits of said system of federal Old Age, Survivors, and Disability Insurance are extended, by virtue of the plan and agreement hereinbefore provided for, the amount of each of said employees' and officials' contributions, as determined by the applicable state and federal laws and by said plan and agreement, the aggregate amount of said deductions to be paid to the Internal Revenue Service, provided, however, that from the first payment of wages made to each of said employees and officials, after the benefits of said system have been extended to such employees and officials, there shall be deducted a sum equal to the amount of which would have been due and payable from each of said employees and officials had said extension of benefits been provided and effective on January 1, 2000;
3. Commencing on the first day of the pay period following the date of the approval of the plan and agreement of this board by the state agency, there is hereby authorized to be appropriated from designated fund(s) of this board, and there is, and shall be, appropriated, the sum or sums of money necessary to pay the contributions of this board which shall be due and payable by virtue of the extension of the benefits of the federal Old Age, Survivors, and Disability Insurance system to the eligible employees and officials of this board, said sum or sums of money to be paid to the Internal Revenue Service, provided, however, that in making the first payment to the Internal Revenue Service, after the benefits of said system have been extended to such employees and officials, said first payment shall include a sum equal to the amount which would have been due and payable had said extension of benefits been provided and effective on January 1, 2000. The fund(s) from which said appropriation is made will, at all times, be sufficient to pay the contributions of this board by this resolution directed to be paid to the Internal Revenue Service;
4. This board, and all employees and officials thereof, shall fully comply with, and shall keep such records, make such reports and provide such methods of administration of said plan and agreement as may be required by all applicable state and federal laws, rules and regulations now and hereafter in effect with respect to the extension of the benefits of the federal Old Age, Survivors, and Disability Insurance system to the eligible employees and officials of this board. For the purpose of administering said plan and agreement the Director appointed by this board shall be the official who shall make all required reports, keep all records, and be responsible for the administration of said plan and agreement on behalf of this board, and any and all notices and communications for the state agency to this board with respect to said plan and agreement shall be addressed to 2628 Delmar, St Louis, Missouri 63103; and
5. A true and correct copy of this Order, verified by the Secretary of this Board, and bearing the seal of this board, shall be furnished to the state agency.

CERTIFICATE

I, the undersigned, Vincent Bennett, being Secretary of the Metropolitan Taxicab Commission, and, as such, having the official records of said Metropolitan Taxicab Commission in my possession and custody, do hereby certify that the above and foregoing is a true and correct copy of the certain Resolution which was adopted and recorded on _____, 2012.

In witness hereof, I have hereunto set my hand and affixed the official seal on this date.

(seal)



(Secretary of Board)

9/20/12

(Date)

7. The Political Entity may not terminate this plan and agreement, either in its entirety or with respect to any member of a joint coverage unit.

IN WITNESS WHEREOF, the Political Entity has caused two copies of this plan and agreement to be executed on its behalf by its officers duly authorized so to act, and has caused its corporate seal to be hereto affixed and attested, all on this 20th day of September, 2012.

BY: ✓ Ronald R. Klein
(Signed)

Ronald Klein, Executive Director
Metropolitan Taxicab Commission

WITNESS:

✓ WJH
(Signed)

✓ Vincent Bennett Secretary
(Name and Title)

To Be Completed by the Missouri State Social Security Administrator

The foregoing Plan and Agreement is approved and accepted.

Date Oct 15 2012

BY: Stacy Neal
Stacy Neal, Director
Division of Accounting
Missouri Office of Administration
State Social Security Administrator

WITNESS:

Vandee DeVore
Vandee DeVore, Assistant Social Security Administrator
Missouri Office of Administration/Division of Accounting