

**BI-STATE DEVELOPMENT
SAFETY & SECURITY COMMITTEE
SPECIAL MEETING
(VIRTUAL MEETING VIA ZOOM)
OPEN SESSION MINUTES (As amended at the April 8, 2021 meeting)
February 8, 2021 @ 9:00 AM**

Committee Members Participating via Zoom

Rose Windmiller
Vernal Brown
Fred Pestello

Herbert Simmons, Chair
Derrick Cox
Irma Golliday – Absent

Other Commissioners Participating via Zoom

Sam Gladney
Nate Johnson

Terry Beach
Justin Zimmerman

Staff Participating via Zoom

Taulby Roach, President and Chief Executive Officer
Barbara Enneking, General Counsel and Deputy Secretary
Myra Bennett, Manager of Board Administration
Brenda Deertz, Administrator / Executive Assistant to the President & CEO
Stephen Berry, General Manager - Public Safety
Kevin Scott, Director - Public Safety
Vernon Summers, Manager - Contract Security
Jessica Mefford-Miller, Executive Director Metro Transit

Others Participating via Zoom

Lurae Stewart, WSP
Rebecca Pursley, ASL Interpreter

1. **Open Session Call to Order**
9:00 a.m. Chair Simmons called the Open Session of the Bi-State Development Agency, Security Sub-Committee Meeting to order at 9:00 a.m.
2. **Roll Call**
9:00 a.m. Roll call was taken, as noted above.
3. **Public Comment**
9:01 a.m. Chair Simmons asked Ms. Bennett if any speaker cards were submitted for today's meeting. Ms. Bennett noted the following comments were submitted:

From: Catina Wilson (February 5, 2021)
Subject: Public Comment Form Submission
Representing: the members of ATU Local 788
Topic: Safety
Comments: Community public health concerns and safety or the lack of safety for our members, and Public Safety Officers.

From: Tom Sullivan (February 7, 2021)
Subject: Public Comment Form Submission
Representing: Self
Topic: Safety & Security Committee Meeting 2/8/21
Comments: Please keep the entire meeting open.

4. Comments

9:02 a.m. Kevin Scott, Director of Public Safety, gave a summary of an incident which occurred on January 31, 2021, which resulted in the death of a contracted Metro security officer, Mr. James Cook, who was employed through the Agency's contract with G4S. He stated that our hearts go out to Mr. Cook's wife and children, and the team is deeply saddened by this brutal ambush. He stated that the Security team continues to work with the Police Department in the investigation. Mr. Scott stated that the team grieves for Mr. Cook's wife, and stated that the Agency will do everything it can in the prosecution of this incident.

5. Motion to move to Executive Session

9:06 a.m. Chair Simmons requested a motion to allow the Committee to move into closed session, as permitted under Bi-State Development Board Policy, Chapter 10, Section 10.080, (D) (1) – Legal, and (D) (11) – Security.

A motion to move into Executive Session was made by Commissioner Beach and seconded by Commissioner Brown. Discussion was held regarding the agenda. [Commissioner Cox stated that he believes that moving into Executive, Closed Session, just because the conversation is difficult is not right.](#) Chair Simmons called for the vote, and a roll call vote was taken as follows:

Rose Windmiller – Yea
Vernal Brown – Yea
Fred Pestello – Yea
Nate Johnson – Yea
Sam Gladney – Yea

Herbert Simmons – Yea
Derrick Cox – Nay
Terry Beach – Yea
Justin Zimmerman – Nay

The motion passed, and the Committee moved into Executive Session at 9:08 a.m.

6. Reconvene to Regular Meeting

10:24 a.m. The Committee reconvened to the regular meeting at approximately 10:24 a.m. Commissioner Cox stated that he feels that there are two questions, 1) Should officers be able to protect themselves, and 2) is this legal under the Compact agreement? Commissioner Cox then said that he would like to present a question of does the Bi-State Board of Commissioners believe

that MetroLink Security officers should be armed after completing a high degree of weapons training?

After discussion of the appropriate wording of the motion at the committee level, Commissioner Cox made a motion that the Safety & Security Committee recommend to the Board of Commissioners that MetroLink Security Officers be armed, after receiving a high degree of weapons training. The motion was seconded by Commissioner Zimmerman. Discussion was held.

Commissioner Zimmerman stated that we all want a safe environment for our riders and employees. He stated that it makes sense to have some armed security on the system; however, he understands that the Agency has limitations. Commissioner Gladney stated that he does not feel that everything is fine, but also does not support the idea to give everyone a gun. He stated that the Agency does have armed Police on the system, and feels that it is premature to discuss arming of G4S staff. He stated that Agency must also consider input from our partners regarding this issue. Commissioner Beach stated that he agrees with Commissioner Gladney's comments, and he thanked Kevin Scott for his previous work in acquiring additional secondary police officers for the system. Commissioner Johnson indicated that he agrees with Commissioner Gladney and Commissioner Beach. Commissioner Pestello stated that he agrees. He noted that this is a complex situation. Commissioner Brown agreed. She asked if other security measures could be considered, specifically the use of metal detectors. President/CEO Roach stated that this is a complex situation, and must be looked at from the perspective of the integrated Plan. He noted that the WSP Plan took nearly two years to complete, and any proposed changes must be evaluated. He stated that he cannot support any proposal that could not be legally implemented.

Commissioner Cox stated that it is not fair to the security guards to have "no protection". Commissioner Zimmerman stated that the question is regarding contract security versus Metro employees, and the decision to disarm internal employees. He asked if there is an option with regard to this issue. Kevin Scott noted that the Compact agreement governs this issue. He noted that there are a lot of moving pieces regarding this issue, not only the Compact itself, but also with the laws of the State of Missouri and the State of Illinois. Commissioner Simmons stated that Mr. Scott and his team have done a wonderful job, but needs the input and support of the Board.

President/CEO Roach noted that there are different weapons available to staff, in different tiers, throughout the security system. He stated that it is impossible to focus on only one aspect of the system, without also having a discussion regarding training. He stated that, with regard to firearms, there must be a badge behind them.

Commissioner Windmiller asked if the Board could get a legal interpretation of the Compact agreement regarding this motion. Barbara Enneking, General Counsel, stated that this discussion should occur in Executive Session due to legal considerations. Commissioner Windmiller stated that she cannot vote in favor of the current motion, without knowing the legality of what is being proposed. Commissioner Cox asked if the motion was made legally. Ms. Enneking clarified that the motion was legally made, however the content of the motion, as proposed, would have potential legal and liability ramifications. Commissioner Cox stated that laws can be changed. Chair Simmons called for the vote on the motion, as presented.

With regard to the motion made by Commissioner Cox that the Safety & Security Committee recommend to the Board of Commissioners that MetroLink Security Officers be armed, after receiving a high degree of weapons training, and seconded by Commissioner Zimmerman, a roll call vote was taken, as follows:

Rose Windmiller – Nay
Vernal Brown – Nay
Fred Pestello – Nay
Nate Johnson – Nay
Sam Gladney – Nay

Herbert Simmons – Nay
Derrick Cox – Yea
Terry Beach – Nay
Justin Zimmerman – Yea

The motion failed.

7. Adjournment

11:04 a.m. Chair Simmons asked if there was any further business; being none, Commissioner Zimmerman made a motion to adjourn the meeting. The motion was seconded by Commissioner Brown. Unanimous vote in favor taken. The motion passed, and the meeting was adjourned at approximately 11:04 a.m.



Deputy Secretary to the Board of Commissioners
Bi-State Development