City of Goodyear

Meeting Minutes

See meeting location below

Police Public Safety Personnel Retirement Board

Thursday, April 6, 2017 | **8:30 AM** | **Goodyear City Hall, Room 204, 190 N. Litchfield Rd., Goodyear, AZ 85338**

1. CALL TO ORDER

Chairman Stipp called the meeting to order at 8:27 a.m.

2. ROLL CALL

Present: 4 - Member Stipp, Boardmember Stewart, Boardmember Mathias and Boardmember Hughes

Excused: 1 - Boardmember DeHaan

MOTION by Boardmember Hughes, SECONDED by Boardmember Stewart, to EXCUSE Boardmember DeHaan from the meeting. The motion carried by the following vote:

Ayes: 4 - Member Stipp, Boardmember Stewart, Boardmember Mathias and Boardmember Hughes

Excused: 1 - Boardmember DeHaan

Staff Present: City Clerk Maureen Scott and Total Compensation Administrator Jeanni Ruddy

Legal Counsel Present: Cindy Kelley with Ryan Rapp and Underwood

Others Present: Joshua Swain

3. APPROVE MINUTES

MINUTES 28-2017 — Approve draft minutes of the Police Public Safety Retirement Board Meeting held on January 25, 2017.

MOTION by Boardmember Hughes, SECONDED by Boardmember Mathias, to APPROVE the minutes. The motion carried by the following vote:

Ayes: 4 - Member Stipp, Boardmember Stewart, Boardmember Mathias and Boardmember Hughes

Excused: 1 - Boardmember DeHaan

4. CITIZENS COMMENTS/ APPEARANCES FROM THE FLOOR

None.

5. BUSINESS

BOARD, UPON ROLL CALL VOTE, MAY CONVENE AN EXECUTIVE SESSION AS POSTED FOR THE FOLLOWING:
Pursuant to A.R.S.§38-431.03(2,)(3) and (4) the Police Pension Board may vote to convene in executive session to discuss or consider personnel matters, confidential records exempt by law from public inspection, and/or to consult with the Board's Attorney for legal advice and to consider the Board's position and to instruct the Board's attorney regarding its position in contemplated litigation regarding item 5.4. The Board will take action on these items in open session.

MOTION by Boardmember Mathias, SECONDED by Boardmember Hughes, to CONVENE into Executive Session. The motion carried by the following vote:

Ayes: 4 - Member Stipp, Boardmember Stewart, Boardmember Mathias and Boardmember Hughes

Excused: 1 - Boardmember DeHaan

5.1 Adjournment of Executive Session

Chairman Stipp adjourned the Executive Session at 8:45 a.m.

5.2 Reconvening of Police Board Meeting

Chairman Stipp reconvened the Police Public Safety Retirement Board Meeting at 8:45 a.m.

5.3 Police Board will consider William Will's normal retirement application.

Ruddy said that Will's last day will be April 21, 2017.

MOTION By Boardmember Hughes, SECONDED by Boardmember Stewart, to ACKNOWLEDGE William Will's normal retirement application. The motion carried by the following vote:

Ayes: 4 - Member Stipp, Boardmember Stewart, Boardmember Mathias and Boardmember Hughes

Excused: 1 - Boardmember DeHaan

5.4 Police Board will review Independent Medical Examination for Joshua Swain in consideration of his Accidental Disability Application.

Chairman Stipp said it is their intent to keep Swain's medical records private.

Swain said the question submitted to the IME doctor states that he was not compliant with weight lifting restrictions. During December 2015-December 2016, there were only two months that he had a weight restriction. He was instructed to increase his weight lifting.

Swain said that the requirements for a police officer should be reevaluated. It is crazy that a police officer should only lift fifty pounds. There is also a no running requirement as part of the physical test. Chairman Stipp said that the board doesn't decide city policies.

Swain said he wants to be a cop. He was told he had to make a decision and that he didn't have an option but to apply for disability. Swain asked what is the next step? Chairman Stipp said Swain would need to contact the Human Resources Department.

Chairman Stipp reviewed the eight questions on the Accidental Disability Questionnaire:
1. Did the employee file the application after the disability incident, or within one year of ceasing to be an employee? Yes
2. Did (or will) the employee terminate by a reason of a disability? No
3. Did employment terminate based on a disciplinary issue? No
4. If the member's period of DROP has ended, if applicable, did (or will) the employee terminate by a reason of disability? N/A
5. Is the employee still working a position within their job classification that the Local Board considers a reasonble range of duties position? Yes
6. Has the employee refused a position within their job classification that the Local Board considered a reasonable range of duties? No
7. Did the injury or condition occur prior to the current PSPRS membership date? No
8. Was the injury or condition the result of an event incurred during the performance of the employee's duty? Yes

MOTION by Boardmember Hughes, SECONDED by Boardmember Mathias, to DENY an Accidental Disability Application for Joshua Swain. The motion carried by the following vote:

Ayes: 4 - Member Stipp, Boardmember Stewart, Boardmember Mathias and Boardmember Hughes

Excused: 1 - Boardmember DeHaan

Chairman Stipp said since this application has been denied Swain will need to contact Human Resources about the next steps. Chairman Stipp told Swain that he has the ability to appeal the decision and he would need to contact the Board secretary for the appeal process.

6. INFORMATION ITEMS

Chairman Stipp said that in the future the chairman will be present for all accidental disability applications.

7. ADJOURNMENT

There being no further business to discuss, Chairman Stipp adjourned the meeting at 9:05 a.m.

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Maureen Scott, Secretary Bill Stipp, Chairman

CERTIFICATION OF MINUTES

I hereby certify that the minutes are a true and correct copy of the minutes of the Special Meeting of the Police Public Safety Personnel Retirement Board of the City of Goodyear, Arizona, held on 04/06/2017. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this _____ day of _____ 2017.

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Maureen Scott, Secretary
Public Safety Personnel Police Retirement Board