



**CITY OF MESA, ARIZONA  
ARIZONA PUBLIC SAFETY PERSONNEL RETIREMENT SYSTEM  
LOCAL PENSION BOARD MEETING – FIRE/POLICE  
MAY 21, 2009**

A meeting of the Public Safety Local Police Pension Board of Mesa, Arizona, was held in Conference Room 170 West, 20 E. Main, 1<sup>ST</sup> Floor, on May 21, 2009 at 11:00 a.m.

**MEMBERS PRESENT**

Marty Whalen, Chairman  
Chris Brady, City Manager  
Charlie Cluff (Fire)  
Kevin Kazmaier (Police)  
Kathy Pace (Citizen Member)  
Ty Perkins (Fire)  
Floyd Smith (Police)

**MEMBERS ABSENT**

None

**STAFF PRESENT**

Dee Ann Mickelsen, Sr Program Asst

**OTHERS PRESENT**

David Niederdeppe, Local Board Atty  
Michael Anthony, Applicant Atty  
John Duhigg, Applicant (Police)  
Tom Gaupel, Applicant (Police)  
Audrey Glemba, Applicant (Police)  
Angela Glemba  
Neil Landeen, Applicant Atty

1. Approval of the minutes of the Public Safety Local Fire and Police Pension Boards meeting of March 23, 2009.

It was moved by Boardmember Perkins, seconded by Boardmember Kazmaier, that the minutes of the Public Safety Local Fire and Police Pension Boards meeting of March 23, 2009 be approved.

Carried unanimously.

**FIRE PENSION BOARD**

2. Discuss and consider the DROP applications of: Battalion Chief Bill Hayes and Assistant Fire Chief Dan Stubbs.

It was moved by Boardmember Cluff, seconded by Boardmember Perkins, that the DROP application of Battalion Chief Bill Hayes and Assistant Fire Chief Dan Stubbs be approved.

Carried unanimously.

3. Approve the following applicants' elections to terminate participation in the DROP program and apply for Normal Retirement: Battalion Chief Ward Fleger, Fire Captains John McDowell and Robert Wheaton, Fire Engineers Grant Perry and Steven Younker.

It was moved by Boardmember Perkins, seconded by Boardmember Cluff, that the elections of Battalion Chief Ward Fleger, Fire Captains John McDowell and Robert Wheaton, and Fire Engineers Grant Perry and Steven Younker to terminate participation in the DROP Program and apply for

Normal Retirement be approved.

Carried unanimously.

Without objection, the meeting of the Local Fire Pension Board adjourned at 11:02 a.m.

### **POLICE PENSION BOARD**

4. Approval of the minutes of the Public Safety Local Police Pension Board meeting of April 16, 2009.

It was moved by Boardmember Pace, seconded by Boardmember Smith, that the minutes of the Public Safety Local Police Pension Board meeting of April 16, 2009 be approved.

Carried unanimously.

5. Acknowledge the reinstatement of Police Officer Jamie Bernau.

It was moved by Boardmember Kazmaier, seconded by Boardmember Smith, that the reinstatement of Police Officer Jamie Bernau be acknowledged.

Carried unanimously.

6. Discuss and consider the Normal Retirement application of Police Sergeant Mike Doherty.  
(See agenda item # 9.)

Discussion ensued relative to Police Sergeant Mike Doherty's request to withdraw his Accidental Disability Retirement application.

It was moved by Boardmember Smith, seconded by Boardmember Kazmaier that the request to withdraw the Accidental Disability application of Police Sergeant Mike Doherty be accepted and that the Normal Retirement application of Sergeant Doherty be approved.

Carried unanimously.

7. Discuss and consider the DROP applications of: Police Sergeants Roy Conrad, Brent Olson, Anthony Sherwood, and Carl Tipton and Police Officers Janice Lopez-Roska and Catherine Melis.

It was moved by Boardmember Smith, seconded by Boardmember Kazmaier, that the DROP applications of Police Sergeants Roy Conrad, Brent Olson, Anthony Sherwood, and Carl Tipton and Police Officers Janice Lopez-Roska and Catherine Melis be approved.

Carried unanimously.

8. Approve the following applicants' elections to terminate participation in the DROP program and apply for Normal Retirement: Police Lieutenant Stephen Farago, Police Sergeant Michael Goulet, and Police Officers Jerry Gissel and Jesus Haro.

It was moved by Boardmember Kazmaier, seconded by Boardmember Smith, that the elections of Police Lieutenant Stephen Farago, Police Sergeant Michael Goulet, and Police Officers Jerry Gissel

and Jesus Haro to terminate participation in the DROP Program and apply for Normal Retirement be approved.

Carried unanimously.

9. Discuss and consider the Accidental Disability Retirement application of Police Sergeant Mike Doherty. (See agenda item #6 – This item was withdrawn.)

10. Discuss and consider the Accidental Disability Retirement application of Police Officer John Duhigg.

Chairman Whalen welcomed Police Officer John Duhigg to the meeting. Chairman Whalen advised Officer Duhigg that the members of the Local Board have reviewed his application and medical records. Chairman Whalen outlined the process that would be followed by the Board and encouraged the members to pose any questions they may have regarding Officer Duhigg's pending Accidental Disability application.

Chairman Whalen stated that in view of the absence of questions from the Board, he would entertain a motion relative to this case.

It was moved by Boardmember Brady, seconded by Boardmember Smith, that pending disability applicant Police Officer John Duhigg be referred to a Local Board physician for an independent medical evaluation.

Carried unanimously.

11. Discuss and consider the Accidental Disability Retirement application of Police Officer Thomas Gaupel.

Chairman Whalen welcomed Police Officer Thomas Gaupel to the meeting. Chairman Whalen advised Officer Gaupel that the members of the Local Board have reviewed his application and medical records. Chairman Whalen outlined the process that would be followed by the Board and encouraged the members to pose any questions they may have regarding Officer Gaupel's pending Accidental Disability application.

Chairman Whalen stated the opinion that Dr. Seivert's report supports Officer Gaupel's application for an Accidental Disability Retirement and that, in view of the absence of questions from the Board, he would entertain a motion relative to this case.

It was moved by Boardmember Pace, seconded by Boardmember Kazmaier, that the Accidental Disability Retirement application of Police Officer Thomas Gaupel be approved, based on the fact that Officer Gaupel has a physical condition which totally and permanently prevents him from performing a reasonable range of duties within his job classification of Police Officer and which was incurred during the performance of his duties.

Carried unanimously.

Chairman Whalen thanked Officer Gaupel for his service to the City.

(The Board recessed at 11:17 a.m. in order to convene an Executive Session and reconvened the Public Safety Local Police Pension Board meeting at 11:36 a.m.)

12. Conduct a rehearing as requested by the Public Safety Personnel Retirement System for the Accidental Disability Retirement application approved on January 29, 2009 for Police Sergeant Audrey Glemba.

Boardmember Brady declared a potential conflict of interest in this case and said he would refrain from any discussion or participation on this item.

Chairman Whalen excused Boardmember Brady from the remainder of the meeting.

Chairman Whalen welcomed Police Sergeant Audrey Glemba, her mother Angela Glemba, and her Attorneys Neil Landeen and Michael Anthony and provided an opportunity for questions.

Discussion ensued relative to the independent medical evaluations submitted by Dr. Joseph Gimbel and the questions posed by the Fund Manager in the April 9, 2009 Rehearing Request.

Mr. Anthony requested that the Local Board affirm their previous decision granting Sergeant Glemba an Accidental Disability pension.

Boardmembers requested that Local Board Physician Dr. Joseph Gimbel provide additional written clarification regarding what effect, if any, Sergeant Glemba's athletic training and sports-related participation may have had on her disabling condition (Disability Retirement Questionnaire dated January 20, 2009, Question #4).

It was moved by Boardmember Kazmaier, seconded by Boardmember Smith, that the Local Board request that Dr. Joseph Gimbel clarify, in writing his responses to the January 20, 2009 Disability Retirement Questionnaire, specifically Question #4.

Chairman Whalen declared the motion carried unanimously by those present.

It was moved by Boardmember Kazmaier, seconded by Boardmember Pace that the rehearing be continued to a future meeting, pending receipt of additional information from Dr. Joseph Gimbel. Boardmembers requested that Dr. Gimbel be available, via phone, to answer any follow-up questions boardmembers may have. Chairman Whalen indicated that if needed, a special meeting be scheduled to accommodate Dr. Gimbel's schedule.

Chairman Whalen declared the motion carried unanimously by those present.

13. Adjournment.

Without objection, the meeting of the Local Police Pension Board adjourned at 12:03 p.m.

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Public Safety Local Fire and Police Pension Boards meeting of Mesa, Arizona, held on the 21<sup>st</sup> day of May 2009. I further certify that the meeting was duly called and held and that a quorum was present.

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LINDA CROCKER, CITY CLERK