



OFFICE OF CITY CLERK

**CITY OF MESA, ARIZONA
ARIZONA PUBLIC SAFETY PERSONNEL RETIREMENT SYSTEM
LOCAL PENSION BOARD MEETING – FIRE/POLICE
APRIL 17, 2008**

A meeting of the Public Safety Local Fire and Police Pension Boards of Mesa, Arizona, was held in Conference Room 870, 20 East Main, 8th Floor, on April 17, 2008 at 11:00 a.m.

MEMBERS PRESENT

Marty Whalen, Chairman
Chris Brady, City Manager
Charlie Cluff (Fire)
Ty Perkins (Fire)
Floyd Smith (Police)

MEMBERS ABSENT

Kathy Pace (Citizen Member)
Joe Shelley (Police)

STAFF PRESENT

Dee Ann Mickelsen, Sr. Program Asst
Christine Stutz, Assistant City Attorney

OTHERS PRESENT

Terry Mumaugh, Applicant (Police)
Christina Mumaugh
LeeRoy Tryon, Applicant (Fire)

Chairman Whalen excused Boardmembers Pace and Shelley from the meeting.

1. Approval of the minutes of the Public Safety Local Fire and Police Pension Boards meeting of March 26, 2008.

It was moved by Boardmember Brady, seconded by Boardmember Cluff, that the minutes of the Public Safety Local Fire and Police Pension Boards meeting of March 26, 2008 be approved.

Chairman Whalen declared the motion carried unanimously by those present.

(The Board recessed at 11:01 a.m. in order to convene an Executive Session and reconvened the Public Safety Local Fire and Police Pension Boards meeting at 11:04 a.m.)

2. Discuss and consider earned income reporting for ordinary disability pensions.

Assistant City Attorney Christine Stutz outlined the statutory requirements relative to earned income reporting for ordinary disability retirees who have not reached their normal retirement date. She indicated that the Local Board Secretary would request the information from the retiree and report that information back to the Board.

Chairman Whalen requested that the Board Secretary submit sample letters to the Board relative to requesting earned income from ordinary disability retirees.

3. Discuss and consider the relevance of reviewing disciplinary matters in connection with disability applications.

Discussion ensued relative to Local Board review of employee disciplinary information in connection with disability applications. The Board determined that decisions relative to disability applications would be based solely on medical evidence, as has been the practice of the Board.

FIRE PENSION BOARD

4. Discuss and consider the DROP application of Fire Captain Holly Button.

It was moved by Boardmember Perkins, seconded by Boardmember Cluff, that the DROP application of Fire Captain Holly Button be approved.

Chairman Whalen declared the motion carried unanimously by those present.

5. Discuss and consider the DROP application of Fire Engineer Gary Pillar.

It was moved by Boardmember Perkins, seconded by Boardmember Cluff, that the DROP application of Fire Engineer Gary Pillar be approved.

Chairman Whalen declared the motion carried unanimously by those present.

6. Discuss and consider the Accidental Disability Retirement application of Firefighter LeeRoy Tryon.

Chairman Whalen welcomed Firefighter LeeRoy Tryon to the meeting. Chairman Whalen advised Mr. Tryon that the Local Board has reviewed the independent medical evaluation of Dr. Irwin Shapiro and noted that Dr. Shapiro is in agreement with the findings of Mr. Tryon's attending physician.

Chairman Whalen stated the opinion that Dr. Shapiro's report supports Mr. Tryon'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 Cluff, seconded by Boardmember Perkins, that the accidental disability retirement application of Firefighter LeeRoy Tryon be approved, based on the fact that Mr. Tryon has a physical condition which totally and permanently prevents him from performing a reasonable range of duties within his job classification of Firefighter and which was incurred during the performance of his duties.

Chairman Whalen declared the motion carried unanimously by those present.

Chairman Whalen thanked Mr. Tryon for his service to the City.

Without objection, the meeting of the Local Fire Pension Board adjourned at 11:32 a.m.

POLICE PENSION BOARD

7. Discuss and consider the election of Assistant Police Chief Gilbert Otañez to terminate his participation in the DROP program and apply for Normal Retirement.

It was moved by Boardmember Smith, seconded by Boardmember Brady, that the election of Assistant Police Chief Gilbert Otañez to terminate his participation in the DROP Program and apply for Normal Retirement be approved.

Chairman Whalen declared the motion carried unanimously by those present.

8. Discuss and consider the election of Assistant Police Chief David Zielonka to terminate his participation in the DROP program and apply for Normal Retirement.

It was moved by Boardmember Smith, seconded by Boardmember Brady, that the election of Assistant Police Chief David Zielonka to terminate his participation in the DROP Program and apply for Normal Retirement be approved.

Chairman Whalen declared the motion carried unanimously by those present.

9. Discuss and consider the Accidental Disability Retirement application of Police Sergeant Terry Mumaugh.

Chairman Whalen welcomed Police Sergeant Terry Mumaugh and his wife Christina Mumaugh to the meeting. Chairman Whalen advised Sergeant Mumaugh that the Local Board has reviewed the independent medical evaluation of Dr. Michael Seivert and noted that Dr. Seivert is in agreement with the findings of Sergeant Mumaugh's attending physician.

Chairman Whalen expressed concern regarding the legal detail contained in Dr. Seivert's report and requested that in the future Dr. Seivert be directed to limit his report to medical detail.

Chairman Whalen stated the opinion that Dr. Seivert's report supports Sergeant Mumaugh'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 Smith, seconded by Boardmember Brady, that the accidental disability retirement application of Police Sergeant Terry Mumaugh be approved, based on the fact that Sergeant Mumaugh has a physical condition which totally and permanently prevents him from performing a reasonable range of duties within his job classification of Police Sergeant and which was incurred during the performance of his duties.

Chairman Whalen declared the motion carried unanimously by those present.

Chairman Whalen thanked Sergeant Mumaugh for his service to the City.

10. Adjournment.

Without objection, the meeting of the Local Police Pension Board adjourned at 11:38 a.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 17th day of April 2008. I further certify that the meeting was duly called and held and that a quorum was present.

LINDA CROCKER, CITY CLERK

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