

RESULTS

NOTICE OF MEETING OF THE CITY OF CHANDLER MERIT SYSTEM BOARD

Pursuant to Resolution No. 4464 of the City of Chandler and to A.R.S. § 38-431.02, NOTICE IS HEREBY GIVEN that the members of the **MERIT SYSTEM BOARD** of the City of Chandler will hold a meeting on **Friday, November 18, 2016 at 9:00 a.m.**, at the Chandler City Hall, 175 S. Arizona Ave., Second Floor, Training Room B, Chandler, Arizona.

Dated: November 10, 2016

Agenda:

Call to Order.

Action on Report and Recommendation of Hearing Officer in appeal of disciplinary suspension by Police Officer Lisa Weinhold.

THE MERIT SYSTEM BOARD MOVED TO DIRECT THE CHAIRPERSON TO FORWARD A RECOMMENDATION TO THE CHANDLER CITY MANAGER CONTAINING THE MERIT SYSTEM BOARD'S RECOMMENDATION TO UPHOLD THE CHANDLER POLICE DEPARTMENT DISCIPLINARY ACTION.

Adjournment.

NOTICE OF EXECUTIVE SESSION

Pursuant to Resolution No. 4464 of the City of Chandler and to A.R.S. §§ 38-431.03 (A)(1) and (A)(3), NOTICE IS HEREBY GIVEN to the general public that the members of the **MERIT SYSTEM BOARD** of the City of Chandler may vote to go into **Executive Session** during the meeting on **Friday, November 18, 2016**, for discussions regarding the employee discipline and to consult with the Board's attorney for legal advice. The Executive Session will be held in the same location at the Chandler City Hall.

RESULTS

CHANDLER MERIT SYSTEM BOARD
175 South Arizona Avenue
City Hall - Training Room B
Tuesday, October 4, 2016 – 9:00 a.m.

Pursuant to Resolution No. 4464 of the City of Chandler and to A.R.S. 38-431.02, NOTICE IS HEREBY GIVEN to the members of **CHANDLER MERIT SYSTEM BOARD** and to the general public that the **CHANDLER MERIT SYSTEM BOARD** will hold a meeting open to the public on **Tuesday, October 4, 2016, at 9:00 a.m.**, at 175 South Arizona Avenue, Training Room B, Chandler, AZ.

(Agendas are available in the Office of the City Clerk, 175 S. Arizona Avenue.)

Persons with a disability may request a reasonable accommodation such as a sign language interpreter by contacting the City Clerk's office at (480) 782-2180. Requests should be made as early as possible to allow time to arrange accommodation.

Dated: *10/6/2016 8:46 AM*

A G E N D A

1. CALL TO ORDER / ROLL CALL

- a. Merit System Board Chairperson calls the meeting to order.
- b. Introduction of Merit System Board Members

2. BRIEFING ITEMS

- a. The Merit System Board shall hear the Appeal of Officer Christopher Reinke of a disciplinary suspension dated March 9, 2016 (Case No. 2016-003).

3. ACTION AGENDA

- a. Action on recommendation of the Appeal of Officer Christopher Reinke.

THE MERIT SYSTEM BOARD MOVED TO DIRECT THE CHAIRPERSON TO FORWARD A RECOMMENDATION TO THE CHANDLER CITY MANAGER CONTAINING THE MERIT SYSTEM BOARD'S RECOMMENDATION TO UPHOLD THE CHANDLER POLICE DEPARTMENT DISCIPLINARY ACTION.

4. ADJOURNMENT

NOTICE OF EXECUTIVE SESSION

Pursuant to Resolution No. 4464 of the City of Chandler and to A.R.S. §§ 38-431.03 (A)(1) and (A)(3), NOTICE IS HEREBY GIVEN to the general public that the members of the **MERIT SYSTEM BOARD** of the City of Chandler may vote to go into **Executive Session** during the meeting on **Tuesday, October 4, 2016**, for discussions regarding the employee discipline and to consult with the Board's attorney for legal advice. The Executive Session will be held in the same location at the Chandler City Hall.

RESULTS

**CHANDLER MERIT SYSTEM BOARD
175 South Arizona Avenue
City Hall - Training Room B
Monday, October 3, 2016 – 9:00 a.m.**

Pursuant to Resolution No. 4464 of the City of Chandler and to A.R.S. 38-431.02, NOTICE IS HEREBY GIVEN to the members of **CHANDLER MERIT SYSTEM BOARD** and to the general public that the **CHANDLER MERIT SYSTEM BOARD** will hold a meeting open to the public on **Monday, October 3, 2016, at 9:00 a.m.**, at 175 South Arizona Avenue, Training Room B, Chandler, AZ.

(Agendas are available in the Office of the City Clerk, 175 S. Arizona Avenue.)

Persons with a disability may request a reasonable accommodation such as a sign language interpreter by contacting the City Clerk's office at (480) 782-2180. Requests should be made as early as possible to allow time to arrange accommodation.

Dated: *10/6/2016 8:34 AM*

A G E N D A

1. CALL TO ORDER / ROLL CALL

- a. Merit System Board Chairperson calls the meeting to order.
- b. Introduction of Merit System Board Members

2. BRIEFING ITEMS

- a. The Merit System Board shall hear the Appeal of Officer Christopher Reinke of a disciplinary suspension dated January 8, 2016 (Case No. 2016-002).

3. ACTION AGENDA

- a. Action on recommendation of the Appeal of Officer Christopher Reinke.

THE MERIT SYSTEM BOARD MOVED TO DIRECT THE CHAIRPERSON TO FORWARD A RECOMMENDATION TO THE CHANDLER CITY MANAGER CONTAINING THE MERIT SYSTEM BOARD'S RECOMMENDATION TO UPHOLD THE CHANDLER POLICE DEPARTMENT DISCIPLINARY ACTION.

4. ADJOURNMENT

NOTICE OF EXECUTIVE SESSION

Pursuant to Resolution No. 4464 of the City of Chandler and to A.R.S. §§ 38-431.03 (A)(1) and (A)(3), NOTICE IS HEREBY GIVEN to the general public that the members of the **MERIT SYSTEM BOARD** of the City of Chandler may vote to go into **Executive Session** during the meeting on **Monday, October 3, 2016**, for discussions regarding the employee discipline and to consult with the Board's attorney for legal advice. The Executive Session will be held in the same location at the Chandler City Hall.

RESULTS

CHANDLER MERIT SYSTEM BOARD
175 South Arizona Avenue
City Hall - Training Room B
Monday, May 23, 2016 – 9:00 a.m.

Pursuant to Resolution No. 4464 of the City of Chandler and to A.R.S. 38-431.02, NOTICE IS HEREBY GIVEN to the members of **CHANDLER MERIT SYSTEM BOARD** and to the general public that the **CHANDLER MERIT SYSTEM BOARD** will hold a meeting open to the public on **Monday, May 23, 2016, at 9:00 a.m.**, at 175 South Arizona Avenue, Training Room B, Chandler, AZ.

(Agendas are available in the Office of the City Clerk, 175 S. Arizona Avenue.)

Persons with a disability may request a reasonable accommodation such as a sign language interpreter by contacting the City Clerk's office at (480) 782-2180. Requests should be made as early as possible to allow time to arrange accommodation.

Dated: *6/14/2016 11:27 AM*

A G E N D A

1. CALL TO ORDER / ROLL CALL

- a. Merit Board Chairperson calls the meeting to order.
- b. Introduction of Merit Board Members

2. BRIEFING ITEMS

- a. The Merit Board shall hear the appeal of Officer Christopher Farrar who received a demotion on December 31, 2015.

3. ACTION AGENDA

- a. Action on recommendation of the appeal of Officer Christopher Farrar.

THE MERIT BOARD MOVED TO DIRECT THE CHAIRMAN TO FORWARD A RECOMMENDATION TO THE CHANDLER CITY MANAGER CONTAINING THE MERIT BOARD'S RECOMMENDATION TO UPHOLD THE CHANDLER POLICE DEPARTMENT DISCIPLINARY ACTION.

4. ADJOURNMENT

NOTICE OF EXECUTIVE SESSION

Pursuant to Resolution No. 4464 of the City of Chandler and to A.R.S. §§ 38-431.03 (A)(1) and (A)(3), NOTICE IS HEREBY GIVEN to the general public that the members of the **MERIT SYSTEM BOARD** of the City of Chandler may vote to go into **Executive Session** during the meeting on **Monday, May 23, 2016**, for discussions regarding the employee discipline and to consult with the Board's attorney for legal advice. The Executive Session will be held in the same location at the Chandler City Hall.

RESULTS
CHANDLER MERIT SYSTEM BOARD
175 South Arizona Avenue, Training Room B
November 17, 2014 – 1:00 p.m.

Pursuant to Resolution No. 4464 of the City of Chandler and to A.R.S. 38-431.02, NOTICE IS HEREBY GIVEN to the members of **CHANDLER MERIT SYSTEM BOARD** and to the general public that the **CHANDLER MERIT SYSTEM BOARD** will hold a meeting open to the public on **Monday, November 17, 2014 at 1:00 p.m.**, at 175 South Arizona Avenue, Training Room B, Chandler, AZ.

(Agendas are available in the Office of the City Clerk, 175 S. Arizona Avenue.)

Persons with a disability may request a reasonable accommodation such as a sign language interpreter by contacting the City Clerk's office at (480) 782-2180. Requests should be made as early as possible to allow time to arrange accommodation.

Dated: *11/17/2014 3:56 PM*

A G E N D A

1. CALL TO ORDER / ROLL CALL

2. SCHEDULED / UNSCHEDULED PUBLIC APPEARANCES / CALL TO PUBLIC

3. BRIEFING ITEMS

- a. Educational Presentation of City of Chandler Personnel Rules and Rules of Procedure of the Merit Board – City Attorney and Director of Human Resources

4. ACTION AGENDA

- a. Election of Officers (Chairperson and Vice Chairperson)

Chairperson: Dr. William Crawford
Vice Chairperson: Ms. Chris Love

5. COMMENTS / ANNOUNCEMENTS

6. ADJOURNMENT

RESULTS - *REVISED*

REVISED
CHANDLER MERIT SYSTEM BOARD
175 South Arizona Avenue, Training Room B
April 30, 2014 – 8:30 a.m.

Pursuant to Resolution No. 4464 of the City of Chandler and to A.R.S. 38-431.02, NOTICE IS HEREBY GIVEN to the members of **CHANDLER MERIT SYSTEM BOARD** and to the general public that the **CHANDLER MERIT SYSTEM BOARD** will hold a meeting open to the public on **Wednesday, April 30, 2014 at 8:30 a.m.**, at 175 South Arizona Avenue, Training Room B, Chandler, AZ.

(Agendas are available in the Office of the City Clerk, 175 S. Arizona Avenue.)

Persons with a disability may request a reasonable accommodation such as a sign language interpreter by contacting the City Clerk's office at (480) 782-2180. Requests should be made as early as possible to allow time to arrange accommodation.

Dated: 5/8/2014 10:27 AM

A G E N D A

1. CALL TO ORDER / ROLL CALL

2. ACTION AGENDA

- a. Action on Report and Recommendation of Hearing Officer in employee appeal of disciplinary suspension. (Sandra Correll, Dispatcher)

THE MERIT BOARD ACCEPTED THE REPORT AND RECOMMENDATION OF THE HEARING OFFICER TO DENY THE APPEAL.

3. ADJOURNMENT

NOTICE OF EXECUTIVE SESSION

Pursuant to Resolution No. 4464 of the City of Chandler and to A.R.S. §§ 38-431.03 (A)(1) and (A)(3), NOTICE IS HEREBY GIVEN to the general public that the members of the **MERIT SYSTEM BOARD** of the City of Chandler may vote to go into **Executive Session** during the meeting on **Wednesday, April 30, 2014**, for discussions regarding the employee discipline and to consult with the Board's attorney for legal advice. The Executive Session will be held in the same location at the Chandler City Hall.

CHANDLER MERIT SYSTEM BOARD
Regular Session Meeting Minutes
James O'Neil Hearing

**MINUTES OF THE HEARING OF THE
CHANDLER MERIT SYSTEM BOARD
HELD MAY 1, 2012**

The Chandler Merit System Board hearing regarding the appeal by James O'Neil continued on May 1, 2012 at 9:00 a.m. Present were:

Dan Pote, Merit Board Chairperson
Darrell Guynes, Merit Board Member
Janet Langley, Merit Board Member
Clessene Heil, Merit Board Member
Bill Crawford, Merit Board Member

- A. The Hearing was called to order by the Chairperson of the Board. After determining that a quorum was present, one witness (Officer Smith) was recalled at the request of the Board.
- B. Ms. Stanton, counsel for the Department, made her closing statement.
- C. Ms. Baillie, counsel for James O'Neil, made her closing statement.
- D. Ms. Stanton, counsel for the Department, gave a rebuttal statement.
- E. Counsel briefly discussed the memorandum outlining the burden of proof, standard of review, and required finding/recommendation the Board was to consider. The memorandum was ordered by the chair to be made a part of the record.
- F. The hearing was adjourned for lunch.

The Chandler Merit System Board reconvened on May 1, 2012 at 1:00 p.m. to deliberate regarding James O'Neil's appeal of his dismissal by the Chandler Police Chief for use of excessive force and giving false and/or misleading information.

- A. A motion was made and seconded to go into executive session [pursuant to A.R.S. §38-431.03.A.1 (Personnel Matters) and A.3 (Legal Advice)]. The motion passed unanimously and Board went into executive session at approximately 1:05 p.m.
- B. The Board reconvened into open session at 2:35 p.m.
- C. Mr. Guynes moved (and Mr. Pote seconded) that the Board recommend to the City Manager that the Department Head's action *not be* upheld as to the charge that Officer O'Neil struck a person who was arrested and in custody in the face, two times, with a closed fist and at the time these strikes were delivered, the person was in handcuffs. The motion passed: 3-2.

D. Mr. Guynes moved (and Mr. Pote seconded) that the Board recommend to the City Manager that the Department Head's action *not be* upheld as to the charge that when first advised that two experienced officers, who were present at the scene, had alleged that Officer O'Neil had struck a person who was arrested and in custody in the face, Officer O'Neil provided incomplete and misleading statements. The motion passed: 3-2.

E. Mr. Guynes moved (and Mr. Pote seconded) that the Board recommend to the City Manager that the Department Head's action of dismissal *not be* upheld. The motion passed: 3-2.

F. Ms. Langley moved (and Mr. Pote seconded) that the Board recommend to the City Manager that: (i) in future Internal Investigations the IA interviewer not use leading questions, and (ii) the Department's Internal Investigations procedures/protocols have a procedure for "scene of the incident" investigation that includes return to the scene by the officer under investigation as well as others involved in the incident. The motion passed: 5-0.

G. The Board President stated he would report the Board's recommendations to the City Manager.

H. A motion to adjourn was made and passed unanimously. The hearing adjourned at approximately 2:45 p.m.

CHANDLER MERIT SYSTEM BOARD
Regular Session Meeting Minutes
James O'Neil Hearing

**MINUTES OF HEARING OF THE
CHANDLER MERIT SYSTEM BOARD
HELD APRIL 11-12, 2012**

The Chandler Merit System Board convened on April 11, 2012 at 8:00 a.m. regarding James O'Neil's appeal of his dismissal by the Chandler Police Chief for use of excessive force and giving false and/or misleading information. The Board members present were:

Dan Pote, Merit Board Chairperson
Darrell Guynes, Merit Board Member
Janet Langley, Merit Board Member
Clessene Heil, Merit Board Member
Bill Crawford, Merit Board Member

- A.** The Hearing was called to order by the Chairperson of the Board. After determining that a quorum was present, the Chairperson described the purpose of the hearing and welcomed Mr. O'Neil and his counsel and counsel for the Police department and the departmental representative. The Chairperson reviewed the events precipitating the appeal and the order of proceedings.

A motion was made and seconded to go into executive session [pursuant to A.R.S. §38-431.03.A.1 (Personnel Matters) and A.3 (Legal Advice)]. The motion passes unanimously and the Board went into executive session at 8:11 a.m.

- B.** [Executive Session]
- C.** The Board reconvened into open session at 8:20 am.
- D.** Opening Statements were made by counsel for the Department and Officer O'Neil.
- E.** Seven witnesses testified (McGrath, Smith, Kieffer, Durham, Yarborough, Gaines and Lind).
- F.** The hearing adjourned for the day at 6:48 p.m.

The Chandler Merit System Board reconvened on April 12, 2012 at 8:00 a.m. regarding James O'Neil's appeal of being fired by the Chandler Police Chief. The Board members present were:

Dan Pote, Merit Board Chairperson
Darrell Guynes, Merit Board Member
Janet Langley, Merit Board Member
Clessene Heil, Merit Board Member
Bill Crawford, Merit Board Member

- A. The Hearing was called to order by the Chairperson of the Board. After determining that a quorum was present, six witnesses testified (Parker, Kiyler, Lindberg, Lutt, Jacquin and O'Neil).
- B. The hearing adjourned for the day at approximately 4:47 p.m.