

Village of San Jose  
Special Board Meeting Closed Session  
October 27, 2014

Meeting was taken into closed session at 7:02 pm.

Mayor Worlow explained to all the board members the reason for closed session was due to the following issues with Bob Spickard:

1. Three and a half hour of time spent on the internet conducting personal business while on duty which was recorded as one and a half hour of time spent in the office for lunch break on the daily log sheet;
2. Previous disciplinary action;
3. Broken policies that can be found in the San Jose Police Department handbook;
4. Scheduling conflict and subsequent untruths that were possibly conveyed to Chief Cupi
5. Prior citizen complaints lodged both founded and unfounded

The board reviewed all documentation that was presented as the basis for the above mentioned issues. Blackstock asked for the audio recording of the discussion held between Chief Cupi, Bob Spickard, Chairman Coon and President Worlow on October 23, 2014 to be played. Clerk Coon played said audio recording for all board members to hear.

There were several statements made during the audio recording that were discussed by the board upon the completion of the recording screening. Smith expressed his concerns of the attitude that was present during the audio recording. Blackstock explained her concerns over the variations in the complaints that Spickard had expressed to during the recording. R. Coon pointed out the tardiness was still an ongoing issue as well.

There was a general discussion pertaining to the outside employment obligations of Spickard and his unwillingness to work the assigned shifts that were posted prior to any obligations being scheduled at his other employer. The manner in which Spickard conveyed his unavailability for the scheduled shifts in this matter was also a concern that was discussed. Nolan explained that Spickard receives a higher wage at his other employment. Karker questioned the past scheduling practices as it pertained to Spickard working weekend shifts. There were concerns rose, and a discussion held, over the falsification of the daily log sheet that was filled out by Spickard. Blackstock pointed out the lack of proper communication with Chief Cupi about working weekends prior to a situation arising.

Nolan questioned why the letters announcing the calling of the special meeting were date stamped for October 23, 2014 which was the same day that the above mentioned meeting was held. Clerk Coon explained that Worlow had been alerted to issues #1 and #4 above on October 22, 2014 and had asked for a special meeting to be called due to the sensitivity of the matter and the possible need of board action for any potential discipline that may occur. Worlow chose not to have any discussion with Spickard until all information could be gathered and reviewed. Worlow then asked for a meeting with Spickard to be held on October 23, 2014 to discuss the information that had been obtained.

Blackstock questioned why the keys were taken from Spickard at the October 23 meeting. Worlow explained that due to the untruthfulness and arguing Spickard was placed on administrative leave and was asked to turn in his keys until a decision on any possible discipline could be made by the board.

Nolan passionately voiced her concerns about being left out of police committee proceedings and expressed her thoughts and wishes about the police committee and her position as a committee member. Worlow, Blackstock and Clerk Coon reminded Nolan of the parameters of the Open Meeting Act and what constitutes a quorum of a committee.

Smith made a recommendation to terminate Spickard for falsifying documents; blatant disrespect to superior officers; lying; past performance issues; tardiness and attitude.

Tibbs made a recommendation to place Spickard on a two week, unpaid, leave with any further infractions resulting in termination. Cupi pointed out that the reprimand that was executed and signed by Spickard dated August 29, 2014 had this recommendation as the reprimand that was enforced at that time.

Nolan explained her opinion of the meeting being a formality due to the situation being a witch hunt with decisions made on October 23, 2014. Cupi and Worlow assured Nolan that no decisions were made on said date hence why a special board meeting was called. Nolan questioned if the board would consider allowing her to obtain a resignation from Spickard to be placed in his file.

There was further discussion about the scheduling issue, the manner in which Cupi was told about the scheduling problem, the length of time on the internet versus the length of time recorded on the log sheet and the all-around productivity of Spickard.

It was agreed upon and Smith asked that his recommendation be amended to include a resignation from Spickard being received and accepted upon receipt with all equipment being turned in upon delivery of potential resignation.

Karker voiced her concerns over the apparent conflict between R. Coon and Spickard with Tibbs agreeing that this was unacceptable. Tibbs suggested drafting a list of expectations that Spickard would be held to and if there were any occurrences beyond these expectations then termination would follow. Smith expressed his disagreement with such action to be taken. The justification of immediate termination, versus, the justification of strict reprimand was discussed.

There was a brief break taken.

Upon return from the break Nolan explained that she had called Spickard during the break and a letter of resignation would be coming from Spickard on Wednesday morning October 29, 2014 and all equipment would be turned in at that same time.

Returned to open session at 8:40 pm