

WEST VALLEY CITY CIVIL SERVICE COMMISSION
3600 CONSTITUTION BLVD.
WEST VALLEY CITY, UTAH 84119-3720

Dianne Niebuhr, CHAIRMAN

MINUTES FOR THE APRIL 23, 2014, CIVIL SERVICE MEETING

PRESENT:

Dianne Niebuhr, Chairman
Dave Attridge, Commissioner
Bill Leach, Commissioner
Stan Preston, Preston & Scott
Eric Bunderson, Legal
Martha Stonebrook, Legal
Larry Marx, Police
Lindsay Jarvis, Allan & Easton, LLC
Keith Stoney, Allan & Easton, LLC
Racheal Whitaker, Allan & Easton, LLC
Shaun Cowley
Shelly Wadsworth, Court Reporter
Meggin Ford, Police
(Audience members not included in this roster)

EXCUSED:

Michelle Baugh, Police

ITEM #1 - WELCOME

Commissioner Niebuhr called the hearing to order at 8:10 on April 23, 2014. Ms. Niebuhr made an announcement about any press that was in attendance to remember to be courteous and respect the proceedings.

ITEM #2 – COWLEY HEARING

The Commission began the meeting by addressing several motions that had been previously submitted.

The Commissioners addressed the city's Motion to Quash Subpoenas issued to Anita Schwemmer and Phil Quinlan. Ms. Stonebrook presented the city's side of the issue. Mr. Stoney argued for the Appellant's side.

Commissioners addressed the Motion to Quash Subpoena issued to John Coyle. Ms. Jarvis argued for the Appellant's side. John Coyle's attorney who submitted the motion was not in attendance to present his side of the case.

Commissioners addressed the city's Motion for Default or Summary Determination. Ms. Stonebrook presented the city's side of the issue. Ms. Jarvis argued for the Appellant's side of the case.

The Commissioners addressed the request to close the hearing during one witnesses testimony to protect their identity from the public. Both sides agreed that this was in the best interest of the witness. Two members of the audience addressed the commissioners and stated in the interest of the hearing being public, the Commissioners should not close any part of the hearing.

Commissioner Leach made a motion to move to a closed session for issues of character and competency at 9:10 AM. Commissioner Attridge made the second. The hearing reconvened at 10:00 AM.

Commissioner Attridge addressed the Motion for Default and asked the city if tomorrow morning would be enough time for the city to go through all the documents that the appellant's side had given them the prior day. Ms. Stonebrook stated that would not be sufficient enough time to go through all the documents and asked for a continuance on the hearing if the Commissioners were going to deny the Motion for Default. Commissioner Attridge asked how long the city would need to review these documents. Ms. Stonebrook stated possibly they could go through everything by the end of the month. Ms. Jarvis argued for the appellant's side stating that most of the documents were city documents so there weren't a lot of new documents to go through.

Commission Leach made another motion to move to a closed session for issues of character and competency at 10:27 AM. The hearing reconvened at 11:10 AM.

Commissioner Attridge addressed all parties stating the commission feels a lack of respect for their decisions and their time, along with the members of the audience's time. The Commission stated they came close to approving the Motion of Default, however agreed that Mr. Cowley deserved to have a hearing on these issues, therefore the Commission is denying the City's Motion for Default and continuing the hearing at a later date. The Commission has given the City until May 8, 2014 to review all documents sent by the Appellant and issue a list of objections. The Appellant's side then has until May 18, 2014 to respond to those objections and the City then has until May 22, 2014 to give all information to the Commission.

Commissioner Leach made a motion to deny the Motion to Squash Subpoena issued to John Coyle. Commissioner Attridge made the second and the vote was unanimous.

ITEM #3 – ADJOURN

The Commission has asked that both sides submit their calendars from June through September to Michelle Baugh so a time can be coordinated to reconvene the hearing.

Meeting was adjourned at 11:30