

ETHICS COMMISSION MEETING MINUTES

The Ethics Commission of the City of Kyle, Texas met on August 12, 2020 and due to COVID-19, members attended virtually at Spectrum10 OR <https://www.cityofkyle.com/kyletv/kyle-10-live> with the following persons present:

Commissioner Scott Bowman
Commissioner Michelle Cohen
Commissioner Nancy Fahy
Vice Chairman Brad Growt
Commissioner Blair McMurray
Chairman Mike Rubsam
Commissioner Margaret Somma
Monte Akers, Ethics Compliance Officer
Jennifer Holm, City Secretary
Glen Hurlston

I. Call Meeting to Order

City Secretary, Jennifer Holm called the meeting to order at 6:00 p.m.

Present were Commissioners Bowman, Cohen, Growt, and Rubsam. A quorum was present. Commissioners Fahy, McMurray, and Somma were absent. Commissioners Fahy and Somma arrived at 6:05 p.m. Commissioner McMurray arrived at 6:13 p.m.

3. Election of Chair and Vice-Chair.

Mr. Akers brought forward Item No. 3 for discussion out of order, before Citizen Comments.

Brad Growt moved to nominate Mike Rubsam for Chair. Michelle Cohen seconded the motion.

Commissioner Fahy moved for nominations of Chair to cease. Commissioner Bowman seconded the motion. All votes aye; motion carried 6-0.

Chair Rubsam brought forward Item No. 3 nomination of a Vice Chair for discussion.

Chair Rubsam moved to nominate Brad Growt as Vice Chair. Commissioner Fahy seconded the motion.

Chair Rubsam moved for nominations of Vice Chair to cease. Commissioner Cohen seconded the motion. All votes aye; motion carried 6-0.

II. Citizen Comment Period with the Ethics Commission

1. Members of the public that wish to provide citizen comment must submit the online registration form found at: <https://www.cityofkyle.com/council/citizen-comment-sign> to attend virtually. Registration must be received by 12 p.m. on the day of the meeting.

Chairman Rubsam opened citizen comments at 6:11 p.m.

Glen Hurlston addressed the Commission regarding a complaint he made against Chief Barnett in January 2012. He spoke about the investigation that was conducted by James Earp, Assistant City Manager. He provided a summary of the proceedings.

Chairman Rubsam stated that the comment was not relevant to the current Ethics Complaint.

With no one else wishing to speak, Chairman Rubsam closed citizen comments at 6:17 p.m.

III. Organizational Meeting

2. Overview of Ethics Ordinance and role of the Ethics Commission. ~ *Monte Akers, Ethics Compliance Officer*

Ethics Compliance Officer, Monte Akers brought forward Item No. 2 for discussion.

Ethics Compliance Officer, Monte Akers, provided an overview of the City's Ethics Ordinance and the authority of the Ethics Commission. Mr. Akers also provided information regarding open meetings and executive session.

Commissioner Blair disconnected from the meeting at 6:21 p.m.

IV. Consider and Possible Action

4. Discussion and possible action regarding pending ethics complaints and procedure for addressing and resolving the same (no discussion of the merits of any complaint will occur).

Chair Rubsam brought forward Item No. 4 for discussion.

Mike Rubsam moved to freeze proceedings of this ethics complaint until the criminal complaint is resolved. Scott Bowman seconded the motion.

There was discussion on the motion. Commissioner Fahy stated that it would be more clear to dismiss without prejudice. Chairman Rubsam stated the Commission may have to do the first part of this all over again if it were dismissed. Commissioner Bowman agreed with Chairman Rubsam. He would prefer to table/freeze until such time the Commission has information for the criminal matter as well. Commissioner Cohen agreed with Chairman Rubsam.

Chairman Rubsam requested a roll call vote. Commissioner Bowman voted aye; Commissioner Cohen voted aye; Commissioner Fahy voted aye; Commissioner Growt voted aye; Chairman Rubsam voted aye; and Commissioner Somma voted aye.

All votes aye; motion carried 6-0.

5. Future meetings and agenda items.

Chairman Rubsam brought forward Item No. 5 for discussion. No action was taken.


V. Executive Session

There was no Executive Session.

VI. Adjourn

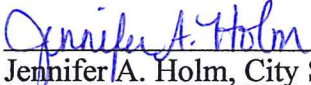
Commissioner Fahy moved to adjourn. Commissioner Cohen seconded the motion. All votes aye; motion carried 6-0.

With no further business to discuss, the Ethics Commission adjourned at 6:37 p.m.



Mike Rubsam, Chair

Attest:



Jennifer A. Holm, City Secretary