



**ETHICS ADVISORY COMMISSION  
PRELIMINARY PANEL  
MINUTES  
September 19, 2005 – Room 4CN #3**

**05-0319**

Members Present: Calvin Bluiett, Vice-Chair  
Margaret Donnelly  
Gloria Tarpley

Staff Present: Shirley Acy, City Secretary  
Gwen Satterthwaite, City Attorney's Office  
Lisa Christopherson, City Attorney's Office  
Michelle M. Calloway, City Secretary's Office  
Monesia Davis, City Secretary's Office

Others present: Marvin Crenshaw, Complainant  
Mayor Laura Miller, Respondent  
Steven Wolens, Attorney for Respondent  
Court reporter hired by Respondent  
Various print and broadcast media persons  
Others

Meeting called to order at 12:21 PM.

The panel took a few minutes to review a response submitted to them that morning by Steven Wolens, Attorney for Mayor Laura Miller, Respondent. The City Secretary gave a copy of the response to Marvin Crenshaw, Complainant, who was present in the room for the panel meeting. Copies of the response were also given to Executive City Attorneys Gwendolyn Satterthwaite and Lisa Christopherson.

The Ethics Advisory Commission preliminary panel reviewed the complaint brought by Marvin Crenshaw against Mayor Laura Miller; the responses submitted by Steven Wolens, Attorney for Mayor Miller and materials filed in the City Secretary's Office.

Vice-Chair Bluiett called a recess of the meeting in order that the Ethics Advisory Commission preliminary panel could meet in executive session under Section 551.071 of the Texas Government Code (Open Meetings Act) to confer with the city attorney. Motion for the same made by Commissioner Tarpley, seconded by Commissioner Donnelly and passed unanimously. Steven Wolens, Attorney for Mayor Laura Miller,

objected to the executive session recess, stating that to do so was against the law and would be a criminal act. The city attorney referenced the Texas Government Code (Open Meetings Act) and informed the panel that they were permitted by law to go into executive session. Further statements from Steven Wolens and responses by the City Attorney ensued.

Vice-Chair Bluiett called a recess of the meeting at 12:34 PM in order that the Ethics Advisory Commission preliminary panel could meet in executive session under Section 551.071 of the Texas Government Code (Open Meetings Act) to confer with the city attorney.

Following the executive session, the Ethics Advisory Commission preliminary panel reconvened in open session at 1:04 PM.

Panel members reviewed and discussed all materials presented. Commissioner Tarpley expressed concerns about the acceptance of the amended complaint and asked the City Secretary if her office generated the form given to Marvin Crenshaw. The City Secretary informed the panel that her office does not have a formal amended form, and that due to time constraints a staff person typed the paper utilized by Marvin Crenshaw. After discussion, the City Secretary informed the panel that the City Secretary and City Attorney's office would prepare an amendment form for use by citizens.

Commissioner Donnelly moved to dismiss the amended complaint; motion seconded by Vice-Chair Bluiett. The motion carried on a 2 to 1 vote, with Vice-Chair Bluiett and Commissioner Donnelly voting in favor of the motion and Commissioner Tarpley voting against the motion. The amended complaint was dismissed. It was stated that if any *new* evidence were presented, Marvin Crenshaw or another person would be free to submit a complaint.

Discussion of the original complaint ensued; it was determined that the allegations stated in the complaint were not based upon personal knowledge and that no economic interest was gained by the Mayor. Each section of the code cited in the complaint was reviewed and no violations were found. Commissioner Tarpley moved to dismiss the complaint for lack of just cause and lack of evidence to support the allegations made in the complaint; the motion was seconded by Commissioner Donnelly and passed unanimously.

Commissioner Tarpley moved to adjourn the meeting; the motion was seconded by Commissioner Donnelly and passed unanimously.

The meeting was adjourned at 1:31 PM.

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Vice –Chair