

A meeting of the City Ethics Commission (Commission) was held on Monday, March 4, 2024, in the Council Chamber, 2nd Floor, City Hall, Hagerstown, Maryland.

The following people were in attendance:

Joseph Jefferson, Chairperson
Lewis C. Metzner
Stacy L. Michael
Jessica Scott
Richard Willson
Jason Morton, City Attorney
Donna Spickler, City Clerk
Stephen Schutte, Candidate for Mayor

Mr. Jefferson called the meeting to order at 5:47 p.m.

On a motion duly made by Mr. Metzner and seconded by Ms. Michael, the minutes from August 9, 2023 were approved.

Adoption of Rules of Procedure

On a motion duly made by Mr. Metzner and seconded by Ms. Michael, the Rules of Procedure for the City Ethics Commission were unanimously approved.

Ms. Michael asked if a member of the Commission can file a complaint if they are aware of a potential ethics violation and no one else has filed a complaint. Mr. Metzner stated anyone can file a complaint.

Mr. Jefferson asked if an ethics issue has to take place while a person is in office or is an employee. Mr. Metzner stated if the person is neither a Mayor and Council member or an employee, they are not under the City of Hagerstown Ethics Commission's jurisdiction.

Mr. Jefferson stated he is asking because [REDACTED], who is not an employee or Mayor and Council member of the City has filed an Advisory Opinion Request. He is running for [REDACTED] but the election has not taken place yet. Mr. Metzner stated he believes the request was filed to address a potential conflict prior to the election.

Ms. Michael stated she understands there is a current council member who was interested in a property the Hagerstown Fire Department was considering purchasing. The council member was asked to rescind the offer for the property, but they did not. She wonders if this is an ethical situation the Commission should review. Maybe the council member was not aware of other offers for the property.

Mr. Jefferson asked what relief is being sought from those submitting requests for advisory opinions. Mr. Metzner stated one outcome could be the Commission issues a reprimand, saying their actions were wrong.

Request for Advisory Opinion

[REDACTED]

Stephen Schutte was invited to participate in the meeting at this time.

Mr. Jefferson relayed that the Commission finds there are no conflicts while Mr. Schutte is a candidate for Mayor. However, if he is successful in his campaign and he wishes to remain employed with Point Broadband, who has a contract with the City, the Commission would meet with him again and set parameters he would have to follow. There would be a written document stating what he needs to do to maintain those same relationships moving forward.

Mr. Schutte asked what the requirements might be. Mr. Metzner stated he could not participate in any discussions with Point Broadband or any competitor.

Mr. Morton stated the opinion will be public and any information that identifies Mr. Schutte will be redacted, unless he waives the confidentiality clause. Mr. Schutte stated he is fine with having his name in full view on the document. Those that noted a concern will know what the commission's decision was regarding that concern.

Mr. Jefferson will draft the opinion.

On a motion duly made by Mr. Metzner and seconded by Ms. Scott, the meeting was adjourned at 6:10 p.m.

Respectfully submitted,

Original signed by D. K. Spickler

Donna K. Spickler
City Clerk

Approved: December 16, 2024