

A meeting of the City Ethics Commission (Commission) was held on Monday, August 11, 2025, in the Hub City Boardroom, 1st Floor, City Hall, Hagerstown, Maryland.

The following people were in attendance:

Joseph Jefferson, Chairperson
Lewis C. Metzner
Stacy L. Michael
Richard Willson
Arthur LaRue
Jason Morton, City Attorney
Donna Spickler, City Clerk

Mr. Jefferson called the meeting to order at 5:36 p.m.

On a motion duly made by Ms. Michael and seconded by Mr. LaRue, the minutes from June 2, 2025 were approved.

Old Business

There was no Old Business.

New Business

Discuss Revised Rules of Procedure for Ethics Commission and Approval of Same

The Commission members had received copies of proposed amendments to the Rules of Procedure prior to this meeting for their review. The revised Rules of Procedure address the possibility of holding virtual meetings and the procedure for doing so.

Mr. Morton noted there are two references to Council in the document that should be Commission. This will be corrected.

On a motion duly made by Mr. Willson and seconded by Mr. LaRue, the Commission unanimously agreed by voice vote to approve the revised Rules of Procedure with the stated correction.

Revised Complaint and Advisory Opinion Forms

The forms for Complaints and Advisory Opinions were amended to include the requirement to maintain confidentiality of the document and filing.

Mr. Morton stated the three most recent complaints filed were not on any form and were emailed to the Commission. In the past, an email complaint or request was adequate. In the future, the Commission needs to decide if a complaint is required to be on the form. The form includes the confidentiality statement and the subject of the complaint.

Mr. Jefferson noted requiring all complaints to be submitted on the appropriate form may filter out some of the frivolous claims.

Mr. Willson does not want to exclude someone from filing a complaint because the form is required if they don't have the means to complete the form.

Mr. Jefferson reminded the group that the revised forms include confidentiality language and requests specific examples. He asked if the form is fillable. Ms. Spickler stated she is working on making it fillable.

Mr. Morton pointed out that the State Ethics Commission law says a complaint can be submitted on a napkin.

Mr. Metzner agrees a complaint should be accepted in any format; however, he would encourage people to use the form. If someone is not able to access the form on the City's website, he is sure staff would gladly send them a form.

The general consensus is that a request will not be denied based on not following procedure (completing the form), but the form should be completed if at all possible. One main component on the form is the filers signature.

On a motion duly made by Ms. Michael and seconded by Mr. Metzner, the Commission unanimously agreed by voice vote to approve the revised forms.

Process Following Receipt of a Complaint or Request for Advisory Opinion

Mr. Morton recommended that part of the process when a complaint or advisory opinion is submitted be to send a notice to everyone who submits a complaint. They should be informed that a meeting has been scheduled to review the complaint and determine if it warrants further review. The Rules of Procedure and current Ethics Ordinance should be sent to them. This process is not noted in any document. Mr. Morton thinks the emails that are sent following a complaint that includes the required language about confidentiality are adequate.

Ms. Michael asked who the emails go to. Mr. Morton stated the complainant and respondent receive an email. If it appears there is an obvious violation, the Commission has the discretion to require a form or not.

Mr. Morton pointed out there has not been a contested hearing under the new Rules of Procedure. Ms. Michael asked if most of the email complaints are about behavior/professionalism of the Mayor and City Council members. She stated it seems people want the Commission to slap someone's hand but that is not the purpose of the Ethics Commission.

Mr. Jefferson noted some of the allegations do not rise to the level of the Commission moving forward with a hearing.

Mr. Morton stated it is his and the staff liaison's responsibility to notify the complainant and respondent regarding the status of the complaint.

Mr. Willson suggested that the City Clerk acknowledge receipt of the complaint and indicate it will be reviewed by the Commission to determine if a hearing should be

Mr. Willson noted the outside counsel was made available when Mr. Morton recuses himself from the deliberations. Mr. Morton stated establishing Rules of Procedure was completed due to the need for a process if the City Attorney is conflicted out of participating.

Ms. Michael asked if the State of Maryland had approved the Rules of Procedure. Mr. Jefferson had presented the Rules of Procedure to the Mayor and City Council and then to the State Ethics Commission. Mr. Morton recalled the communication was not clear from the State Commission.

It was the general consensus of the Commission that outside counsel is not needed to discuss these three complaints. Mr. Morton excused himself from the meeting at 6:08 p.m.

[REDACTED]

Request for Advisory Opinion – [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Mr. Willson suggested Mr. Morton and Ms. Spickler write down their in-office process for complaints.

Mr. Jefferson stated he took an oath to uphold City ordinances, etc. He asked for thoughts on what he should do if he observes blatant violations of a City ordinance or a department being derelict in their duties. He asked how he moves toward getting compliance for the violations. He asked if this is an obligation of the Ethics Commission to address this.

Mr. LaRue asked if there is a violation of the Ethics ordinance only if there is a financial gain from not enforcing an ordinance.

Mr. Willson stated the members take an oath to uphold the constitution. He is sure that somewhere someone is violating the constitution. He does not feel it is his duty as a member of the Ethics Commission to make the City work right.

Mr. Jefferson asked what a member's obligation if someone comes to them with an issue. Mr. Willson indicated the member could discuss it with someone with more authority.

Mr. Jefferson asked how it should be handled if a Commission member has an issue like high grass that is an ordinance violation.

Ms. Michael stated the Code indicates, as members, they are granted the right to submit a complaint. She was aware of a discussion about a property/building that the City was considering purchasing [REDACTED]
[REDACTED]

On a motion duly made by Ms. Michael and seconded by Mr. Metzner, the meeting was adjourned at 6:30 p.m.

Respectfully submitted,

Original signed by D. K. Spickler

Donna K. Spickler
City Clerk

Approved: February 9, 2026