

Mayor and Council

Executive Session, Special Session (30th Voting Session) and

Work Session

February 3, 2026

Agenda

"The City of Hagerstown will inspire an inclusive, business-friendly, and sustainable community with clean, safe, and vibrant neighborhoods."

"The City of Hagerstown shall be a community focused municipality"

EXECUTIVE SESSION

- 3:00 PM** 1. The Mayor and Council will meet in Open Session only for the purpose of voting to close its meeting to discuss matters that the Open Meetings Act permits it to discuss in Executive/Closed Session.
- 3:00 PM** 2. EXECUTIVE SESSION – Council Chamber, 2nd floor, City Hall

4:00 PM SPECIAL SESSION

- 4:00 PM** 1. Approval of an Ordinance: Amending the City Code, Chapter 173-32, Prohibited Lodging Out Of Doors

4:00 PM WORK SESSION

- 4:10 PM** 1. Wastewater 101 Video – *Tyler Puffenberger, Deputy Director of Water/Wastewater, Chuck Mills, Superintendent of Wastewater, and Anthony Robinson, Supervisor of Wastewater Collections*
- 4:25 PM** 2. Review of 441 S. Potomac Street addition to the Competitive Negotiated Sale (CNS) Program -- *Doug Reaser, Business Development Specialist*
- 4:40 PM** 3. Potential Northern Avenue Sidewalk Replacement Project – *Jim Bender, City Engineer*
- 4:55 PM** 4. Proposed Parking Permit System - Historic Heights Neighborhood
- 5:10 PM** 5. Legislative Update – *Scott Nicewarner, City Administrator*

CITY ADMINISTRATOR'S COMMENTS

MAYOR AND COUNCIL COMMENTS

ADJOURN

**REQUIRED MOTION
MAYOR AND CITY COUNCIL
HAGERSTOWN, MARYLAND**

Topic:

The Mayor and Council will meet in Open Session only for the purpose of voting to close its meeting to discuss matters that the Open Meetings Act permits it to discuss in Executive/Closed Session.

Mayor and City Council Action Required:

Discussion:

Financial Impact:

Recommendation:

Motion:

Action Dates:

**REQUIRED MOTION
MAYOR AND CITY COUNCIL
HAGERSTOWN, MARYLAND**

Topic:

EXECUTIVE SESSION – Council Chamber, 2nd floor, City Hall

Mayor and City Council Action Required:

Discussion:

Financial Impact:

Recommendation:

Motion:

Action Dates:

ATTACHMENTS:

File Name

February_3__2026_Executive_Session.pdf

Description

Executive Session Agenda



**MAYOR AND CITY COUNCIL
EXECUTIVE SESSION
FEBRUARY 3, 2026
AGENDA**

Vision Statement:

The City of Hagerstown will inspire an inclusive, business-friendly, and sustainable community with clean, safe and vibrant neighborhoods.”

Mission Statement:

“The City of Hagerstown shall be a community focused municipality.”

The agenda and meeting packet is available at www.hagerstownmd.org/government/agenda

3:00 p.m. EXECUTIVE SESSION

1. To consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State; (#4)

** Business Proposal*

2. (i) the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; (#1)

** Appointment: Community Development Block Grant (CDBG) Citizen Advisory Committee Members*

***AUTHORITY: Annotated Code of Maryland, General Provisions Article: Section 3-305(b)
(Subsection is noted in parentheses)**

CITY OF HAGERSTOWN, MARYLAND

PUBLIC BODY: Mayor & City Council
PLACE: Council Chamber, 2nd floor, City Hall

DATE: February 3, 2026
TIME: 3:00 p.m.

AUTHORITY: ANNOTATED CODE OF MARYLAND, GENERAL PROVISIONS ARTICLE: Section 3-305 (b) :
1. To discuss:

- [X] (i) the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; or
- [] (ii) any other personnel matter that affects one or more specific individuals;
- [] 2. To protect the privacy or reputation of individuals with respect to a matter that is not related to public business;
- [] 3. To consider the acquisition of real property for a public purpose and matters directly related thereto;
- [X] 4. To consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State;
- [] 5. To consider the investment of public funds;
- [] 6. To consider the marketing of public securities;
- [] 7. To consult with counsel to obtain legal advice;
- [] 8. To consult with staff, consultants, or other individuals about pending or potential litigation;
- [] 9. To conduct collective bargaining negotiations or consider matters that relate to the negotiations;
- [] 10. To discuss public security, if the public body determines that public discussions would constitute a risk to the public or public security, including:
(i) the deployment of fire and police services and staff; and
(ii) the development and implementation of emergency plans;
- [] 11. To prepare, administer or grade a scholastic, licensing, or qualifying examination;
- [] 12. To conduct or discuss an investigative proceeding on actual or possible criminal conduct; or
- [] 13. To comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter; or
- [] 14. Before a contract is awarded or bids are opened, discuss a matter directly related to a negotiation strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.
- [] 15. Administrative Function

EXECUTIVE SESSION AGENDA

City Hall • Council Chamber • 1 East Franklin Street • Hagerstown, MD 21740
301.739.8577, Ext. 113 • Telephone for the Hearing Impaired 301.797.6617

**REQUIRED MOTION
MAYOR AND CITY COUNCIL
HAGERSTOWN, MARYLAND**

Topic:

Approval of an Ordinance: Amending the City Code, Chapter 173-32, Prohibited Lodging Out Of Doors

Mayor and City Council Action Required:

Discussion:

Financial Impact:

Recommendation:

Motion:

Action Dates:

ATTACHMENTS:

File Name	Description
Approval_of_Ordinance_-_Prohibited_Lodging_Out_of_Doors.pdf	Motion and Ordinance - Lodging Out of Doors

REQUIRED MOTION

MAYOR AND CITY COUNCIL HAGERSTOWN, MARYLAND

Date: February 3, 2026

TOPIC: **Approval of an Ordinance: *Amending the City Code Chapter 173-32, Prohibited Lodging Out of Doors***

Charter Amendment	_____
Code Amendment	<u>X</u>
Ordinance	_____
Resolution	_____
Other	_____

MOTION: I hereby move to approve an ordinance to amend the City Code by amending Chapter 173-32, Prohibited Lodging Out of Doors, which makes it unlawful for any person to sleep and/or lodge out of doors in any public place within the City limits of Hagerstown, Maryland. This prohibition extends to vehicles parked on public places. Only Hagerstown Police Department law enforcement officers will enforce this Ordinance.

The Amendment to this Ordinance removes the sunset provision.

DATE OF INTRODUCTION: 01/20/2026
DATE OF APPROVAL: 02/03/2026
EFFECTIVE DATE: 03/06/2026

CITY OF HAGERSTOWN, MARYLAND

**AN ORDINANCE TO AMEND THE CODE
OF THE CITY OF HAGERSTOWN, BY
AMENDING CHAPTER 173-32 THEREOF, ENTITLED
PROHIBITED LODGING OUT OF DOORS
BY REMOVAL OF A SUNSET PROVISION**

RECITALS

WHEREAS, the Mayor and Council have a responsibility to maintain a safe, clean environment within the City;

WHEREAS, the Mayor and City Council of Hagerstown, Maryland, find that sleeping and/or lodging out of doors in public places poses a risk to public health, safety, and welfare, and that it impedes the appropriate use of public spaces by all residents and visitors;

WHEREAS, the Mayor and City Council of Hagerstown, Maryland, deem it necessary to enact laws to address these concerns and promote the orderly and safe use of public spaces;

WHEREAS, the Mayor and Council recognize that public places play a significant role and are part of the foundation upon which healthy, thriving and safe communities are built;

WHEREAS, the Mayor and Council desire to protect and promote the public health, safety and welfare of the citizens and visitors of Hagerstown, to enact obligations as to the use of public places, and to encourage all parties to maintain and improve the quality of public places within the community;

WHEREAS, the Mayor and Council desire to protect, preserve, and promote the health, safety and welfare of the citizens and visitors of Hagerstown by the safe and proper use of public places, through education and the implementation and enforcement of reasonable laws;

WHEREAS, the Mayor and Council further recognize that laws regarding sleeping and/or lodging out of doors in public places are essential to the accomplishment of these purposes;

WHEREAS, this Ordinance shall be enforced only by Hagerstown Police Department law enforcement officers;

WHEREAS, Mayor and Council enacted 173-32 on July 8, 2025, with an Effective Date of August 8, 2025 and with a sunset provision of six (6) months, unless acted upon prior to that period; and

WHEREAS, this amended Ordinance shall not have a sunset provision. In all other respects Chapter 173-32 shall remain as set forth as originally enacted.

NOW, THEREFORE, BE IT RESOLVED, ENACTED AND ORDAINED by the Mayor and Council of the City of Hagerstown, Maryland, as its duly constituted legislative body, as follows:

1. The aforesaid recitals be and are incorporated herein as if restated verbatim.
2. The Code of the City of Hagerstown is hereby amended by amending Chapter 173-32, to read as follows:

(See Attached)

3. This amendment to the Code of the City of Hagerstown shall become effective immediately upon the effective date of this Ordinance.

BE IT FURTHER RESOLVED, ENACTED AND ORDAINED that this Enacting Ordinance shall become effective upon the expiration of thirty (30) calendar days following its approval.

WITNESS AND ATTEST
AS TO CORPORATE SEAL

MAYOR AND COUNCIL OF THE
CITY OF HAGERSTOWN, MARYLAND

Donna K. Spickler
City Clerk

Date of Introduction: 01/20/2026
Date of Passage: 02/03/2026
Effective Date: 03/06/2026

William B. McIntire
Mayor

PREPARED BY:
SALVATORE & MORTON, LLC
CITY ATTORNEY

§173-32 PROHIBITED LODGING OUT OF DOORS

A. Policy.

WHEREAS, the Mayor and City Council of Hagerstown, Maryland, find that sleeping and/or lodging out of doors in public places poses a risk to public health, safety, and welfare, and that it impedes the appropriate use of public spaces by all residents and visitors; and WHEREAS, the Mayor and City Council of Hagerstown, Maryland, deem it necessary to enact laws to address these concerns and promote the orderly and safe use of public spaces.

B. Definitions.

For the purposes of this Ordinance, the following terms shall have the meanings indicated:

- (1) "*Lodging out of doors*" means the use of a public place for living accommodation purposes such as sleeping or making preparations to sleep (including the laying down of bedding for the purpose of sleeping), storing personal belongings, making a fire, using a tent, shelter, or other structure for sleeping, or doing any digging or earth breaking, whether temporary or otherwise, for the purpose of sleeping.
- (2) "*Public place*" means any outdoor area owned or maintained by the City of Hagerstown, including but not limited to streets, alleys, sidewalks, bridges, parking lots, parking decks, parks, plazas, public buildings, and other public properties.
- (3) "*Sleeping*" means the act of being in a state of rest while lying down with the intention of sleeping, which may include the use of bedding, blankets, sleeping bags, or similar materials.

C. Prohibition.

- (1) It shall be unlawful for any person to sleep and/or lodge out of doors in any public place within the city limits of Hagerstown, Maryland. This prohibition shall extend to motor vehicles parked on public places.
- (2) The prohibition in subsection (1) shall not apply to the following:
 - a. Individuals participating in events or activities approved or sponsored by the City of Hagerstown that involve temporary overnight stays in public places.

D. Penalties.

- (1) Only Hagerstown Police Department law enforcement officers are authorized to enforce this Ordinance.
- (2) Any person found in violation of this Ordinance shall be subject to a fine not exceeding \$500 or imprisonment for a period not exceeding 60 days, or both. Each day any violation of

this Ordinance continues shall constitute a separate offense.

(3) In addition to or in lieu of the penalties provided in subsection (b), any person found in violation of this Ordinance may be directed to vacate the public place and may be offered or directed to available social services or assistance.

E. Severability.

If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this Ordinance are declared to be severable.

F. Sunset Clause.

~~This Ordinance shall automatically expire and be of no further force or effect six (6) months after its effective date, unless the Mayor and City Council take formal action to extend or amend its provisions. Notwithstanding its expiration, any citations or charges issued under this Ordinance prior to its expiration shall remain valid, and all such cases shall be prosecuted to their full resolution in accordance with applicable law.~~

**REQUIRED MOTION
MAYOR AND CITY COUNCIL
HAGERSTOWN, MARYLAND**

Topic:

Wastewater 101 Video – *Tyler Puffenberger, Deputy Director of Water/Wastewater, Chuck Mills, Superintendent of Wastewater, and Anthony Robinson, Supervisor of Wastewater Collections*

Mayor and City Council Action Required:

Discussion:

Financial Impact:

Recommendation:

Motion:

Action Dates:

**REQUIRED MOTION
MAYOR AND CITY COUNCIL
HAGERSTOWN, MARYLAND**

Topic:

Review of 441 S. Potomac Street addition to the Competitive Negotiated Sale (CNS) Program --
Doug Reaser, Business Development Specialist

Mayor and City Council Action Required:

Discussion:

Financial Impact:

Recommendation:

Motion:

Action Dates:

ATTACHMENTS:

File Name

020326_WS_441_S_Potomac.pdf

Description

Review of 441 S. Potomac
St addition to the
Competitive Negotiated
Sale program.



TO: Scott Nicewarner, City Administrator

FROM: Doug Reaser, Business Development Specialist

DATE: January 30, 2026

RE: Review of 441 S. Potomac Street addition to the Competitive Negotiated Sale program

Staff will attend the February 3rd Work Session to review adding 441 S Potomac Street the site to the City's Competitive Negotiated Sale (CNS) program with the goal of transferring the property to the private sector for redevelopment.

441 S. Potomac

- The site was purchased in 2024 from Columbia Gas.
- The property includes ~.65 acres in area. The area is identified as Parcels 1 and 3 in the attached Exhibit A.

Competitive Negotiated Sale Process

A brief summary of the Competitive Negotiated Sales Process is as follows:

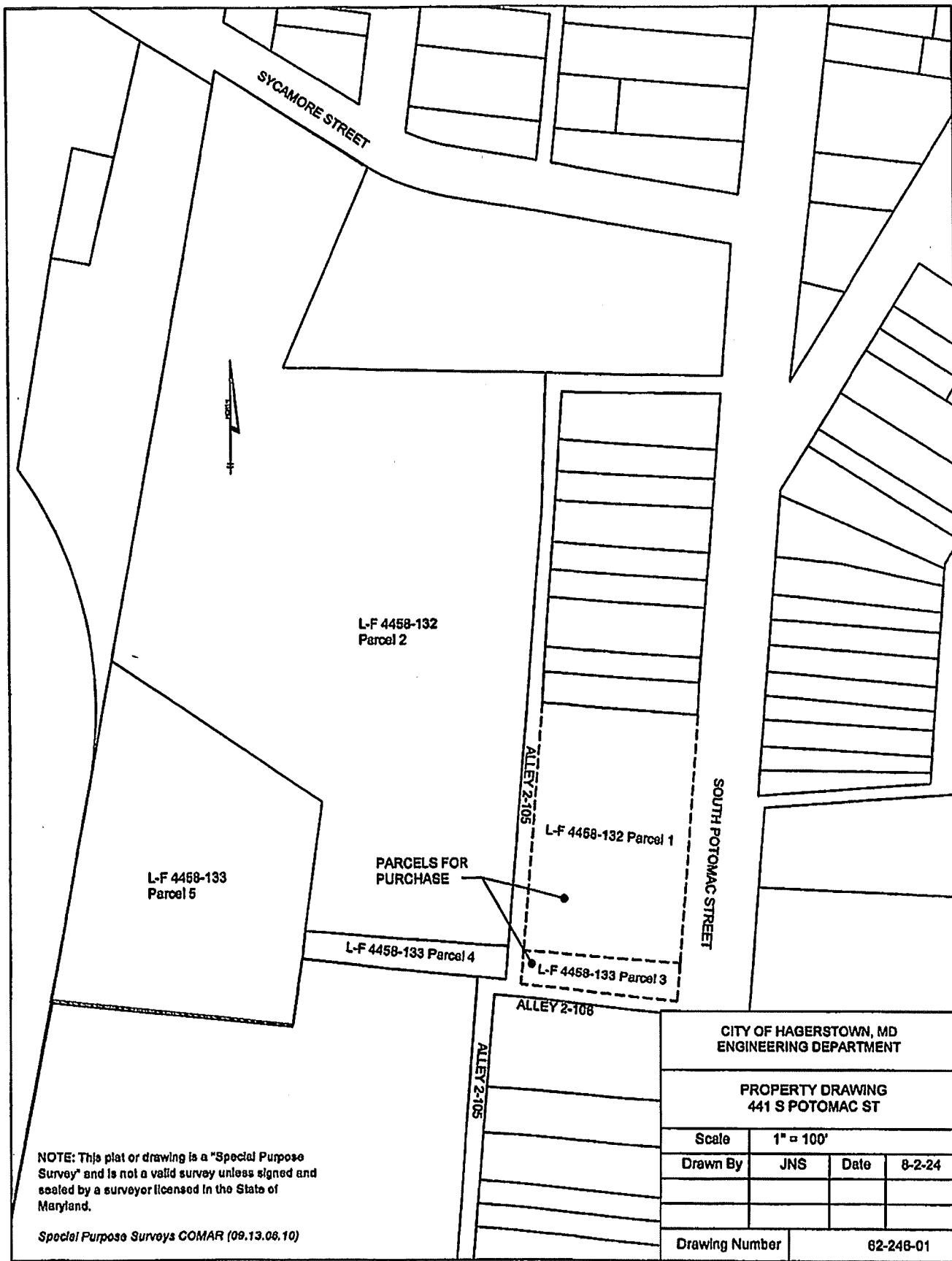
- The Competitive Negotiated Sale is a process that facilitates the sale of City-owned properties with the goal of returning the property to the private sector for its redevelopment and highest/best use.
- The City of Hagerstown makes real estate available for purchase and redevelopment.
- The Department of Planning and Economic Development (DPED) coordinates the process and accepts purchase applications.
- The Mayor and City Council identifies properties to be offered for sale and ultimately approves any development concept and purchase.

An overview of the CNS process is included as an attachment. Staff request Mayor and City Council direction on adding the site to the CNS program.

Attachments: Exhibit A of 441 S Potomac Street
Competitive Negotiated Sale Process Summary
Draft Motion

c. Jill Thompson
Michelle Hepburn
Eric Deike
Jim Bender

EXHIBIT A



City of Hagerstown

**Competitive Negotiated Sale Process
SUMMARY**

The following is a summary of the program which originated in 2013.

Program Overview

- The Competitive Negotiated Sale is a process that facilitates the sale of City-owned properties with the goal of returning the property to the private sector for its redevelopment and highest/best use. The City of Hagerstown makes real estate available for purchase and redevelopment. The Department of Planning and Economic Development (DPED) coordinates the process and accepts purchase applications. The Mayor and City Council identifies properties to be offered for sale and ultimately approves any development concept and purchase.
- Any entity or individual may qualify to purchase City property through this process except that some restrictions may apply to City of Hagerstown employees. The purchaser must provide a project plan and budget and be able to demonstrate the financial ability and experience necessary to complete the purchase, the proposed development plan and /or the operation and proper maintenance of the property.
- Properties currently available through CNS:
 - Elizabeth Hager Center, 14 N Potomac St.
 - Central Lot Site A and Site B

Program Process

- Applicants must submit a completed CNS application form, along with all required supporting documents to DPED. A cross-department staff committee reviews all application submittals and recommends complete and viable applications to the Mayor and City Council. Competitive proposals are accepted on an ongoing basis. During committee review of CNS proposals, the development plan is weighed equally if not more importantly than the proposed sale price. The goal is to find the highest and best use of each CNS property.
- CNS properties are marketed through the City of Hagerstown's (DPED) website, through free real-estate websites such as Co-Star, by local realtors and developers and through signage on the buildings.
- CNS properties acquired or rehabilitated with State Community Legacy funds may restrict the types of uses for the property. For example, Community Legacy funded buildings cannot be used for the following: pawn shops, gun shops, tanning salons, massage parlors, adult video/book shops, adult entertainment facilities, check cashing facilities, gambling facilities, tattoo parlors or liquor stores.
- CNS properties acquired or rehabilitated with CDBG funds typically require sale proceeds to return to the CDBG program.
- DPED staff maintains documentation concerning other aspects of CNS properties where applicable, such as code overviews and environmental assessment reports.

REQUIRED MOTION

MAYOR & CITY COUNCIL HAGERSTOWN, MARYLAND

DATE: February 24, 2026

TOPIC: **Approval to add 441 South Potomac Street to the City's Competitive Negotiated Sale (CNS) Process**

Charter Amendment	_____
Code Amendment	_____
Ordinance	_____
Resolution	_____
Other	<u>X</u>

MOTION: I hereby move for the Mayor & City Council to approve the addition of 441 South Potomac Street to the City's Competitive Negotiated Sale (CNS) Process, with the goal of transferring the property to the private sector and returning the property to the tax rolls. Purchase proposals will be evaluated based on both offer price and how the future use of the property will contribute to the vitality of the neighborhood.

DATE OF INTRODUCTION: 2/24/2026

DATE OF PASSAGE: 2/24/2026

EFFECTIVE DATE: 2/24/2026

**REQUIRED MOTION
MAYOR AND CITY COUNCIL
HAGERSTOWN, MARYLAND**

Topic:

Potential Northern Avenue Sidewalk Replacement Project – *Jim Bender, City Engineer*

Mayor and City Council Action Required:

Discussion:

Financial Impact:

Recommendation:

Motion:

Action Dates:

ATTACHMENTS:

File Name

Potential_Northern_Avenue_Sidewalk_Replacement_Project.pdf

Description

Potential Northern Avenue
Sidewalk Replacement
Project



CITY OF HAGERSTOWN, MARYLAND

Department of Engineering & Permits

February 3, 2026

TO: Scott Nicewarner, City Administrator
FROM: Jim Bender, City Engineer
RE: Potential Northern Avenue sidewalk replacement project

1. Background

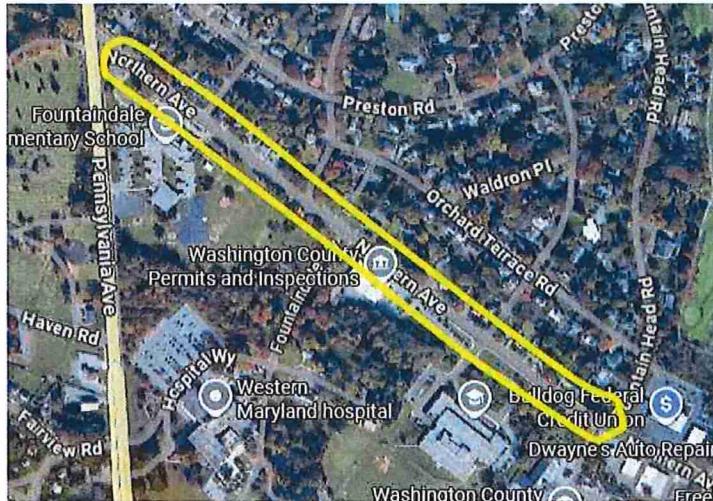
For many years, staff have known that the sidewalks on the north side of Northern Avenue were deteriorating and were in poor condition. There was also a large tree at one location that had severely heaved the sidewalk; there was no easy way to fix that situation and save the tree. The City/County boundary line coincides with the northern right-of-way line of the street, meaning that the properties on the northern side of the road are actually outside of City limits. The large tree has since been removed, but the deteriorated sidewalks remain. The purpose of this memo is to gauge the Council's interest in performing a sidewalk replacement project on that side of Northern Avenue.

2. Mayor & Council Action Requested

Review this information, and give staff direction on whether or not to pursue a sidewalk replacement project along Northern Avenue. If the Council authorizes the project, the Department of Engineering and Permits will prepare construction drawings and aim to construct the project this summer. Staff will be present at the work session to discuss.

3. Discussion

The section of Northern Avenue in question lies between Pennsylvania Avenue and Fountain Head Road as shown below (approximately $\frac{1}{2}$ mile in length).



Located along that section of road are two schools (Fountaindale Elementary and Northern Middle School). The City has performed maintenance and repairs to the sidewalks on the south side of the street where the schools are located, and they are in acceptable condition. For the reasons mentioned above, the sidewalks on the north side of the street have not been maintained, and sections are in poor condition; they do not meet the standards set by the Americans with Disabilities Act (ADA). Some representative photos are shown below



Many of the existing sidewalk sections have deteriorated to the point where they would meet the City's criteria for replacement, and some sections would be classified as a hazard. The City's sidewalk replacement policy prioritizes walk routes within $\frac{1}{4}$ mile of schools; given the fact that these sidewalks are used by students walking to and from Fountaindale and Northern Middle, they would certainly qualify for replacement.

Northern Avenue is a City-maintained public street, and the right-of-way line is just behind the back edge of the sidewalk on the northern side; being so, the sidewalks are part of the City street system. Chapter 216.24 of the City Code places the responsibility for maintenance and repair of sidewalks on the City. While this project would constitute an improvement across the frontages of County properties, it would improve pedestrian safety for the public in general.

Preliminary estimates of the cost to construct this project are in the \$150,000 - \$200,000 range. The City has uncommitted Highway User Revenue funds that can be used to complete this project. Under current State/Federal regulations, whenever significant improvements are made to a street (e.g. pavement milling and overlays), the City is required to bring the sidewalk system into compliance with ADA regulations (to the greatest extent practicable). While Northern Avenue is not currently on the three-year pavement preservation list, it will eventually need to be resurfaced, and the sidewalk improvements would be required at that time.

If the Council gives direction to proceed with the project, staff will work to prepare design plans and specifications for the project. We would hope to complete the project in the summer of 2026 while schools are not in session. Staff anticipates that we would need to obtain Right-of-Entry agreements with several property owners, as some of the work needed to tie-in to existing driveways and yards may extend beyond the right-of-way; staff would work with the City Attorney to secure these agreements.

**REQUIRED MOTION
MAYOR AND CITY COUNCIL
HAGERSTOWN, MARYLAND**

Topic:

Proposed Parking Permit System - Historic Heights Neighborhood

Mayor and City Council Action Required:

Discussion:

Financial Impact:

Recommendation:

Motion:

Action Dates:

ATTACHMENTS:

File Name

Proposed_Parking_Permit_System-Historic_Heights.pdf

Description

Proposed Parking Permit System - Historic Heights Neighborhood



CITY OF HAGERSTOWN, MARYLAND

Department of Engineering & Permits

February 3, 2026

TO: Scott Nicewarner, City Administrator
FROM: Jim Bender, City Engineer jm
RE: Proposed Parking Permit System – Historic Heights neighborhood

1. Background

The opening of Meritus Park at 50 W. Baltimore Street has generally been a positive experience, drawing thousands of people to downtown Hagerstown during ballgames and events. However, the large number of patrons driving to the stadium has led to parking issues in nearby residential areas, particularly the South Prospect Historic District (also known as the Historic Heights neighborhood). Given the proximity to Meritus Park, the free on-street parking spaces in the neighborhood are a popular choice for fans during Flying Boxcar games.

Neighborhood residents often find that the parking spaces are filled with non-resident cars during ballgames, forcing them to seek parking far away from their residences. Representatives of the Historic Heights Neighborhoods 1st group contacted the City, asking for assistance with this issue. After discussing the issue with this group, and after staff meetings to consider potential solutions, the consensus was that a permit parking system could be implemented to control parking in that neighborhood.

2. Mayor & Council Action Requested

Review this information, and give staff direction on whether or not to proceed with the implementation of a permit parking system. If the Council agrees to move forward, staff will work with the City Attorney to prepare the necessary legislation to create the permit parking program. If the Council does not agree, staff will work to develop other solutions to the issue. Staff will be present at the work session to discuss.

3. Discussion

The attached exhibit shows the residential neighborhood adjacent to Meritus Park. Within the red dashed line, there are 112 separate property parcels. While some of these properties (approximately 40%) are owner-occupied, many properties are rentals with multiple apartment units. Counting owner-occupied and rental properties, the total number of dwelling units in that area is approximately 310.

There are fewer marked on-street spaces in this area than the number of dwelling units. There are approximately 198 marked on-street parking spaces; however, nine of those spaces are reserved handicap parking spaces or temporary loading zones, reducing the number of available on-street spaces to approximately 190. Thirteen of the owner-occupied parcels have driveways with at least some off-street parking. Many of the multi-unit parcels have off-street parking in the rear of the properties, particularly along Holburn Avenue (between Antietam Street and Baltimore Street, running parallel with

Summit Avenue), Alley #2-64 (between Baltimore Street and Summit Avenue, running parallel with Summit Avenue), and Alley #2-94 (between Baltimore Street and Lee Street, also running parallel with Summit Avenue). Because these off-street parking areas do not have marked spaces, it is difficult to estimate how many vehicles use that parking. Regardless, between existing neighborhood residents and patrons of Meritus Park, it is easy to envision that any available on-street spaces would be filled during Flying Boxcars games.

On November 17, 2025, staff from the Engineering & Permits Department, the Hagerstown Police Department, and the Parking Division of the Department of Public Works met with representatives of the Historic Heights neighborhood group to discuss the issue. Based upon the discussion at that meeting, and subsequent meetings of City staff, the consensus was that the most practical solution would be to implement a residential parking permit system in that neighborhood. Many other municipalities (e.g. the City of Frederick, the City of Rockville, Harrisonburg, VA) have residential parking permit programs to address similar issues, and staff reviewed those programs to see how they were structured and enforced. Attached is a list of key elements that staff feel should be considered if such a program is implemented in Hagerstown. This list was reviewed with the City's Board of Traffic & Parking at meetings in December and January, and the Board felt that this was enough of a starting point to bring to the City Council.

The attached list is just a framework for how a permit system could be structured. It is not a final plan; there are a number of operational details that would need to be worked out before implementation. The Parking Division would need to develop a system to manage the program. The Council would have to agree on the penalty that would be assessed for violations of the program, and HPD would have to develop a policy for enforcement. Designs for the actual permit stickers/placards would need to be developed, as would signage notifying people that the Historic Heights neighborhood was a permit parking zone. Because the majority of Flying Boxcar games occur outside of normal City business hours, Parking enforcement staff will not be available to assist; HPD would be the main enforcement agency for the program. The City Attorney would also have to develop an ordinance to establish the program.

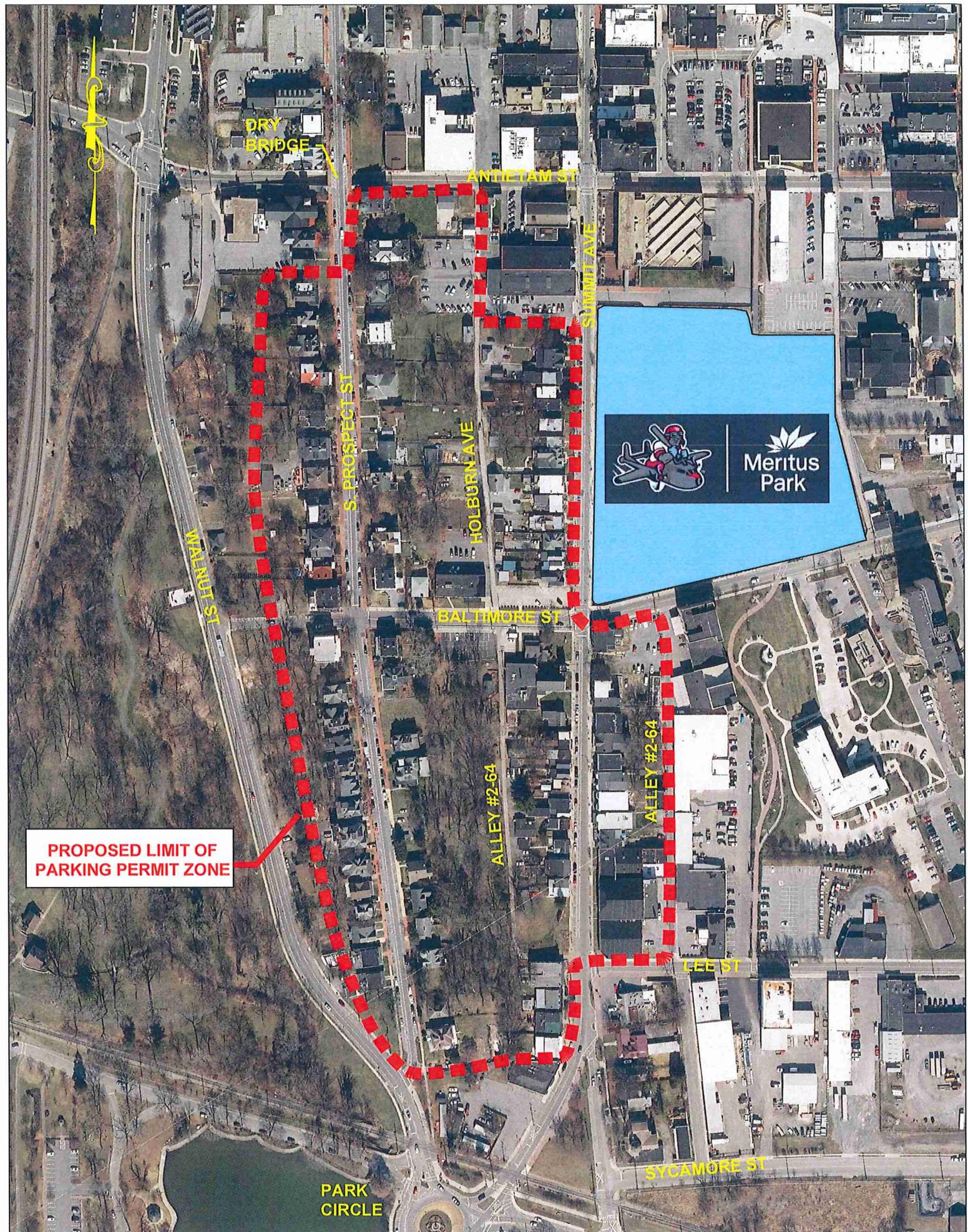
It is important to note that the purpose of this program would be to address the concerns of the Historic Heights residents. This would not be an attempt to force people to use paid parking at the Hub City Garage or other City parking facilities. Based upon staff observations over the past two baseball seasons, there is ample parking available within walking distance to Meritus Park without using the spaces in the Historic Heights neighborhood. It should also be noted that this is a somewhat unique situation; there are few (if any) other facilities in the City that generate periodic parking demands as great as Meritus Park, or that would warrant a parking permit system.

attachments: Exhibit showing the Historic Heights neighborhood
Proposed framework for parking permit program

Historic Heights parking permit program – Proposed Framework – 02/03/2026

1. The parking permit process would be voluntary – residents within the zone may register for a permit, but they are not required to do so.
2. Having a parking permit does not guarantee the permit holder that a space will be available; rather, it will prevent the permit holder from getting a ticket if they are parked in the permit zone.
3. Permits would only be enforced during the normal Flying Boxcars season (generally April 15th – September 15th).
4. Permits would only be enforced on S. Prospect Street and Summit Avenue between Antietam Street and (roughly) Park Circle, and on W. Baltimore Street between Summit Avenue and Walnut Street.
5. Residents wishing to obtain a permit will have to register with the City Parking Division. They will need to provide various documentation including their driver's license, current vehicle registration, rental agreement/lease, and possibly other information.
6. Permits would be valid for one baseball season; residents would need to reapply each year.
7. Proposed permit fees: \$0 (free) for the first permit, \$20 for the second permit; the City will need to decide what to charge for additional permits beyond the second permit, or if more than two permits would be issued to a property. (Frederick charges \$0 for the first permit on unmetered streets, and \$100 for a second permit; Rockville charges an average of \$10 per permit; Harrisonburg charges \$5 per permit).
8. Upon successful registration, permit stickers would be issued – stickers would be displayed at the bottom of the rear window/windshield of the vehicle on the driver's side of the car. Sticker colors would change each year.
9. Upon request, one visitor pass will be provided per permit at no charge. Design of passes shall be unique and difficult to copy. (Rockville and Harrisonburg issue two visitor passes with each permit at no charge; Frederick does not automatically issue visitor passes, but makes them available for \$1 per day)
10. Signage will be required – language to say something like "Permit Parking only during events/games at Meritus Park". Large signs to be placed at the "entrances" to the permit parking zone (Antietam Street/Dry Bridge, near the Clara Barton memorial) – smaller signs periodically through the permit zone. The potential fine amount to be listed on the signs (at least the large signs).

11. Proposed penalty for violation of the permit requirement: \$250, subject to Council approval. (Rockville charges \$60 for first offense, \$100 for subsequent offenses; Frederick charges \$50 per violation; Harrisonburg charges \$75 per violation. Currently the highest parking fine in Hagerstown is \$100 for improperly parking in a reserved handicap parking space)
12. Enforcement by HPD – warnings given early in the season; tickets issued after that, but probably on a complaint-driven basis.



HISTORIC HEIGHTS NEIGHBORHOOD - POTENTIAL PERMIT PARKING ZONE

**REQUIRED MOTION
MAYOR AND CITY COUNCIL
HAGERSTOWN, MARYLAND**

Topic:

Legislative Update – *Scott Nicewarner, City Administrator*

Mayor and City Council Action Required:

Discussion:

Financial Impact:

Recommendation:

Motion:

Action Dates: