

Mayor and Council Special Session (43rd Voting Session), Work Session and Executive Session July 21, 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"

2:00 PM SPECIAL SESSION

1. Approval of a Resolution: Establishing Charter Review Committee

2:00 PM WORK SESSION

- 2:05 PM** 1. Preliminary Agenda Review
- 2:20 PM** 2. Review of Lease Holdover -Department of Labor, Licensing and Regulation. Doug Reaser, Economic Development Manager
- 2:30 PM** 3. Proposed Parking Permit System - Historic Heights Neighborhood - *Jim Bender, City Engineer*
- 2:50 PM** 4. Settlement Agreement with Boulevard Contractors: 32 N. Potomac Street – *Jim Bender, City Engineer*
- 2:55 PM** 5. Water and Sewer Miscellaneous Fee Adjustments -- Nancy Hausrath, Director of Utilities
- 3:05 PM** 6. E-Bikes & E-Scooters/Camera System – *Chief Paul 'Joey' Kifer & Captain Andrew Lewis*
- 3:25 PM** 7. Strategic Demolition Fund & Community Legacy Grant Application - *Matthew Ross, Planner*
- 3:40 PM** 8. FY28 Budget Discussion – *Scott Nicewarner, City Administrator*

CITY ADMINISTRATOR'S COMMENTS

MAYOR AND COUNCIL COMMENTS

EXECUTIVE SESSION

- 4:00 PM** 1. The Mayor and Council will meet in Open Session 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.

ADJOURN

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

Topic:

Approval of a Resolution: Establishing Charter Review Committee

Mayor and City Council Action Required:

Discussion:

Financial Impact:

Recommendation:

Motion:

Action Dates:

ATTACHMENTS:

File Name

Motion.resol.charter_review_committee_2026.pdf

Description

Motion: Resolution Charter
Review

REQUIRED MOTION

MAYOR AND CITY COUNCIL HAGERSTOWN, MARYLAND

Date: July 21, 2026

TOPIC: Approval of a Resolution: Establishing a Charter Review Committee

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

MOTION: I hereby move for the approval of a resolution establishing the Charter Review Committee 2026 to review the City's Charter and present to the Mayor and Council written recommendations, if any, for changes to the existing Charter. The Committee shall be composed of seven (7) voting members and two (2) non-voting Council members, to be selected by the Mayor and Council. The term of the Committee shall be one year, commencing September 1, 2026 and terminating on August 31, 2027.

The City Attorneys shall attend the meetings of the Committee to provide advice but shall not vote. The City Administrator shall assign employees as necessary to serve as liaison to the Committee and shall provide staff services. These appointees shall not vote.

DATE OF PASSAGE: 07/21/2026
EFFECTIVE DATE: 07/21/2026

CITY OF HAGERSTOWN, MARYLAND

A RESOLUTION ESTABLISHING A CHARTER REVIEW COMMITTEE

WHEREAS, the Mayor and Council believe that it is appropriate and timely to conduct a review of the City Charter and having determined that it is not feasible for any existing department, board or other City body to undertake the review,

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council, pursuant to the Provisions of Administrative Sections of the City Code Part 2, Article V, Section 10-19 through 10-23, and Article VI Sections 10-24 through 10-26, does hereby create the Charter Review Committee of 2026.

The Committee will be responsible for reviewing the City Charter and present to the Mayor and City Council written recommendations, if any, for changes to the existing Charter.

The Committee shall be composed of 7 voting members and 2 non-voting Council members, to be selected by the Mayor and City Council.

The City Attorneys shall attend the meetings of the Committee to provide advice but shall not vote.

The City Administrator shall assign such employees as he deems necessary to serve as liaison to the Committee and shall provide staff services. These appointees shall not vote.

The term of the Committee shall be one year commencing September 1, 2026 and terminating on August 31, 2027.

BE IT FURTHER RESOLVED, by the Mayor and City Council for Hagerstown, Maryland, that this Resolution shall become effective immediately upon its passage.

WITNESS AND ATTEST
AS TO CORPORATE SEAL

MAYOR AND CITY COUNCIL OF THE
CITY OF HAGERSTOWN, MARYLAND

Donna K. Spickler, City Clerk

William B. McIntire, Mayor

Date of Passage: July 21, 2026
Effective Date: July 21, 2026

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

Topic:

Preliminary Agenda Review

Mayor and City Council Action Required:

Discussion:

Financial Impact:

Recommendation:

Motion:

Action Dates:

ATTACHMENTS:

File Name

July_28__2026_Preliminary_Agenda.pdf

Description

Preliminary Agenda



**MAYOR AND CITY COUNCIL
REGULAR SESSION
(44TH VOTING SESSION)
JULY 28, 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:

“We are dedicated to creating a thriving community where diversity is celebrated, economic development flourishes, and the quality of life is enhanced through collaborative and consistent representation.”

Preliminary Agenda

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

7:00 p.m. REGULAR SESSION – Council Chamber, 2nd floor, City Hall

- I. CALL TO ORDER** - Mayor William B. McIntire
- II. INVOCATION**
- III. PLEDGE TO THE FLAG**
- IV. ANNOUNCEMENTS**
 - A. Rules of Procedure – *Effective November 18, 2025*
 - B. Use of cell phones during meetings is restricted.
 - C. All correspondence for distribution to Elected Officials should be provided to the City Clerk and should include a copy for the City Clerk for inclusion in the official record.
 - D. Meeting Schedule:
 - 1. Tuesday, August 4, 2026 – Work Session at 2:00 p.m.
 - 2. Tuesday, August 11, 2026 – Work Session at 2:00 p.m.
 - 3. Tuesday, August 18, 2026 – Work Session at 2:00 p.m.
 - 4. Tuesday, August 25, 2026 – Regular Session at 7:00 p.m.
- V. APPOINTMENTS**
 - Historic District Commission
- VI. CITIZEN COMMENTS**
 - Thirty minutes (30) are allotted for Citizen Comments for items germane to City of Hagerstown business.

Anyone wishing to speak during a Regular Session must pre-register using the form found on the City’s website: www.hagerstownmd.org no later than twenty-four (24) hours prior to the scheduled start of the meeting. Failing to pre-register accurately may result in a speaker not being permitted to speak. Speakers will be called in the order they pre-registered. Each speaker will be permitted to speak for three (3) minutes.

VII. PUBLIC HEARING

Cline Farm Annexation – A-2026-01

Testimony for Public Hearings will be accepted in person at the scheduled meeting. Anyone wishing to speak during the public hearing must sign in at City Hall prior to the hearing. Each speaker will be permitted to speak for three (3) minutes.

VIII. MINUTES

June 2, 2026, June 9, 2026, and June 23, 2026

IX. CONSENT AGENDA

A. Engineering:

1. Software Subscription to Manage CCTV Footage of Storm Drains - IT Pipes Opco, LLC (Beaverton, OR) \$ 19,000.00
2. Blanket Purchase Order for Trash and Recycling Carts - Rehrig Pacific Co. (Erie, PA) \$ 100,000.00
3. Wheaton Park Stage Construction - Alternate Bid Work - NLH Construction (New Market, MD) \$ 53,687.00
4. Concrete Box Culvert Installation at American Legion Driveway - Carl Belt, Inc. (Cumberland, MD) \$ 592,500.00

B. Fire:

1. Tempest Mobile Ventilator - Tempest (Fresno, CA) \$ 750,000.00
2. Pierce Enforcer Pumper - 2nd - Atlantic Emergency Solutions (Manassas, VA) \$ 1,500,000.00
3. iBrid MX6 CO/H2S Meters - National Safety Supply, Inc. (Emmitsburg, MD) \$ 30,842.65

C. Human Resources

1. Liability and Property Insurances - Local Government Insurance Trust (LGIT) (Hanover, MD) \$ 1,160,275.00

D. Information Technology

1. Annual Phone system Maintenance Renewal - Glessner Technologies (Hagerstown, MD) \$ 15,498.00
2. HPD - Network Storage for RTIC Digital Scratch Space - Winslow Technology Group, LLC (Waltham, MA) \$ 49,675.00
3. Intellitime Annual Software and Maintenance Renewal - Intellitime Systems Corporation (Santa Ana, CA) \$ 79,289.04
4. Annual MUNIS Support and Maintenance Agreement - Tyler Technologies (Dallas, TX) \$ 332,413.07
5. Annual Maintenance and Support for Ninja RMM - Software House International (SHI) (Piscataway, NJ) \$ 14,568.75
6. HPD Laserfiche Avante Software Renewal - MCCI (Tallahassee, FL) \$ 10,285.79
7. Sprypoint Professional Services for Implementation - Sprypoint Services (Chicago, IL) \$ 524,000.00

E. Police

1. Blanket Funding for Upfitting of Departmental Vehicles - East Coast Emergency Lighting (Millstone Township, NJ) \$ 200,000.00
2. 2026 Ford Explorer ST-Line - Keystone Ford (Chambersburg, PA) \$ 47,000.00
3. 2025 Ford Explorer Police Interceptor Utility - Keystone Ford (Chambersburg, PA) \$ 45,600.00
4. Two 2026 Chevrolet Tahoes PPB 4WD Vehicles - Hertrich Fleet services (Milford, DE) \$ 111,592.00
5. 2026 GMC Acadia - Sheehy GMC (Hagerstown, MD) \$ 44,853.00
6. 2026 Subaru Outback - Sheehy Subaru (Hagerstown, MD) \$ 35,945.00
7. Four 2026 Ford Explorer Police Interceptor Utility Vehicles - Keystone Ford (Chambersburg, PA) \$ 186,800.00
8. Entry Level Recruit Fees for Washington County Police Academy (WCPA) - Washington County Sheriff's Office (Hagerstown, MD) \$ 22,500.00

Consent Items Continued on Page 3

F. Public Works

**** Please note all times are approximate and subject to change. Meetings are televised and recorded. ****

City Hall • Council Chamber • 1 East Franklin Street • Hagerstown, MD 21740 • 301.766.4183 • TDD 301.797.6617

1. City Hall Gutter Work, Snow Board Replacement, Water Table Repairs - Garland/DBS, Inc. (Cleveland, OH) \$ 77,985.00
2. Replace Existing Refrigerant Monitoring Service at Hagerstown Ice Rink - Kelly HVAC, Inc. (Upper Marlboro, MD) \$ 25,188.00

G. Utilities:

1. Light – 2026 Chevrolet Silverado 2500 w/ Utility Body -- Criswell Chevrolet (Gaithersburg, MD) \$ 63,389.76
2. Light – Norfolk Southern Rail Crossing Fees -- RailPros Field Services, Inc. (Omaha, NE) \$ 26,590.00
3. Water: Magnafloc Polymer Purchase - George S. Coyne Chemical Co., Inc. (Croydon, PA) \$ 50,805.00
4. Water – R.C. Willson Water Treatment Plant Residual Land Application - Synagro (Baltimore, MD) \$ 204,000.00
5. Water: R.C. Willson WTP SCADA Upgrade - ABB, Inc. (Warminster, PA) \$ 528,373.00
6. Water: Tandem Dump Truck – Unit 207 Replacement - Kenworth Sales-Hagerstown (Hagerstown, MD) \$ 191,402.15
7. Water and Wastewater: Master Plan GIS Change Order #2 ~ Black and Veatch (Gaithersburg, MD) \$ 1,470,452.00
8. Wastewater: Airlift Pumps for ENR Filter Modules - Parkson (Fort Lauderdale, FL) \$ 86,215.00
9. Wastewater – Pelletizer Roof Replacement Change Order #1 - Garland/DBS, Inc. (Cleveland, OH) \$ 57,981.00
10. Wastewater – Odor Scrubber Chemical Purchase - Source Technologies, LLC (Lexington, KY) \$ 28,800.00
11. Wastewater – Pump Station 33 Project Close Out - Buchart Horn (York, PA) \$ 9,525.25

X. UNFINISHED BUSINESS

There is no Unfinished Business

XI. NEW BUSINESS

- A. Introduction of an Ordinance: Amending Chapter 238, Water, Establishing Water Miscellaneous Fees - FY27 through FY31
- B. Introduction of an Ordinance: Amending Chapter 240, Water Pollution Control, Establishing Sewer Miscellaneous Fees - FY27 through FY31
- C. Approval of a Resolution: Acceptance of Streets in Hager's Crossing
- D. Approval of a Resolution: Lease Holdover with Department of Labor, Licensing and Regulation (DLLR)
- E. Approval of a Resolution: Permit Parking During Baseball Games at Meritus Park
- F. Approval of a Resolution: Authorizing Deed of Easement with BSE Stateline, LLC
- G. Approval of a Resolution: Authorizing Deed of Easement with 1183 Luther Drive, LLC
- H. Approval of a Resolution: Strategic Demolition and Community Legacy Grant Application
- I. Approval of Settlement Agreement with Boulevard Contractors at 32 N. Potomac Street
- J. Approval to Accept The Arts & Entertainment District Security Grant
- K. Approval of Application for Community Parks and Playgrounds Grant
- L. Approval to Accept the Maryland Criminal Intelligence Network Grant (MCIN)
- M. Approval to Accept Recruitment and Retention Grant
- N. Approval of Government Relations Engagement Agreement with Compass GR Partners

XII. CITY ADMINISTRATOR COMMENTS

XIII. MAYOR & COUNCIL COMMENTS

XIV. ADJOURN

Some items that have been discussed previously, or are of a routine nature, may not have additional information attached to this agenda.

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

Topic:

Review of Lease Holdover -Department of Labor, Licensing and Regulation. Doug Reaser,
Economic Development Manager

Mayor and City Council Action Required:

Discussion:

Financial Impact:

Recommendation:

Motion:

Action Dates:

ATTACHMENTS:

File Name

072126_WS_Lease_Extension.pdf

Description

Review of Lease Holdover -
Department of Labor,
Licensing and Regulation.



TO: Scott Nicewarner, City Administrator

FROM: Doug Reaser, Economic Development Manager

DATE: July 15, 2026

RE: Review of Lease Holdover – Department of Labor, Licensing and Regulation

Staff will attend the July 21, 2026 Mayor & Council Work Session to review a lease holder letter with the State of Maryland.

Background

Maryland Department of Labor, Licensing and Regulation currently leases approximately 11,140 square feet located at 2-6 N Potomac (Elizabeth Hager Center) from the City.

- Department of General Services has requested an additional extension of a holdover request of the lease from January 29, 2007.
- This will be the 8th holdover request as the current 6-month term ends July 31, 2026. The new term will be from August 1, 2026 – January 31, 2027.
- Current rent is \$167,100 per year (\$15/ft). State and City are acting in good faith and all rental payments are current.

Staff seek direction from Mayor and Council on proceeding with the letter to extend the lease holdover.

Attachments: Holdover Letter, Draft Motion

c. Jill Thompson
Michelle Hepburn
Eric Deike
Jim Bender
Amanda Gregg



CITY OF HAGERSTOWN, MARYLAND

William B. McIntire
Mayor

One East Franklin Street • Hagerstown, MD 21740

E-mail: mayor@hagerstownmd.org

Telephone: 301.766.4161 • TDD: 301.797.6617 • Website: www.hagerstownmd.org

July 28, 2026

Mrs. Ilona Ghine
Chief, Lease Management and Procurement Department of General Services
Office of Real Estate
300 W. Preston St., Suite 601
Baltimore, MD 21201

RE: DGS File 3231 Extended Holdover

Dear Mrs. Ghine:

Mayor and City Council of Hagerstown, Maryland, (hereinafter called the "Lessor"), and the State of Maryland, (hereinafter called the "Lessee") to the use the Department of Labor, Licensing and Regulation, Division of Occupational Health, are parties to that certain Lease dated January 29, 2007 (the "Lease") for the lease of the building located at 14 N. Potomac Street, Hagerstown, Maryland. Pursuant to the terms of Section 9.2 of the Lease, Lessee exercised its option to extend the term of the Lease for a period of six (6) months (the "Holdover Period"). The Holdover Period expired on July 31, 2023. Pursuant to the terms of Section 9.2 of the Lease, the Lessor granted an additional extension of the holdover period for a period commencing on August 1, 2023, and ending January 31, 2024 (the "Additional Holdover Extension") and February 1, 2024, to July 31, 2024 (the "Third Holdover Extension").

Pursuant to the terms of Section 9.2 of the Lease, the Lessor granted a fourth extension of the holdover period for a period commencing on August 1, 2024, and ending January 31, 2025 ("Fourth Holdover Extension"). Pursuant to the terms of Section 9.2 of the Lease, the Lessor granted a fifth extension of the holdover period for a period commencing on February 1, 2025, and ending July 31, 2025 ("Fifth Holdover Extension"). Pursuant to the terms of Section 9.2 of the Lease, the Lessor granted a sixth extension of the holdover period for a period commencing on August 1, 2025, and ending January 31, 2026 ("Sixth Holdover Extension"). Pursuant to the terms of Section 9.2 of the Lease, the Lessor granted a seventh extension of the holdover period for a period commencing on February 1, 2026, and ending July 31, 2026 ("Seventh Holdover Extension"). Pursuant to the terms of Section 9.2 of the Lease, the Lessor will grant an eighth extension of the holdover period for a period commencing on August 1, 2026, and ending January 31, 2027 ("Eighth Holdover Extension").

Sincerely,

CITY OF HAGERSTOWN

William B. McIntire, Mayor



REQUIRED MOTION

**MAYOR AND CITY COUNCIL
HAGERSTOWN, MARYLAND**

Date: July 28, 2026

**TOPIC: Approval of a Motion: Lease Holdover Extension with Maryland
Department of Labor, Licensing and Regulation**

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

MOTION: I hereby move that the Mayor and City Council approve the attached holdover extension letter with Maryland Department of General Services for a lease at 2-6 N. Potomac Street, in Hagerstown, MD.

DATE OF INTRODUCTION:	N/A
DATE OF PASSAGE:	07/28/2026
EFFECTIVE DATE:	07/28/2026

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

Topic:

Proposed Parking Permit System - Historic Heights Neighborhood - *Jim Bender, City Engineer*

Mayor and City Council Action Required:

Discussion:

Financial Impact:

Recommendation:

Motion:

Action Dates:

ATTACHMENTS:

File Name

Description

Council_Memo_Historic_Heights_parking_permit_July_21__26.pdf

Memo - Permit Parking
during Baseball Games



CITY OF HAGERSTOWN, MARYLAND

Department of Engineering & Permits

July 21, 2026

TO: Scott Nicewarner, City Administrator

FROM: Jim Bender, City Engineer *JMB*

RE: Proposed Parking Permit System – Historic Heights neighborhood

1. Background

During the spring of 2026, staff made work session presentations on how a parking permit system could be implemented in the Historic Heights neighborhood adjacent to Meritus Park. The purpose of that effort was to address concerns of residents in that neighborhood over patrons attending events at Meritus Park and taking up all of the on-street parking spaces. Based upon discussions at the June 9, 2026 work session, staff have finalized a plan for the permit system.

2. Mayor & Council Action Requested

Review the proposed plan, and determine whether or not to move forward with implementation. If the Council agrees to move forward, a resolution authorizing the creation of the permit parking zone will be presented for the Council's consideration at the July 28th Regular Session meeting. Staff will be present at the work session to discuss.

3. Discussion

As discussed at the June 9th work session, the key points of the proposed parking permit system include:

- Having a parking permit does not guarantee that a parking space will be available, but will prevent a permit holder from getting a ticket if parked in the zone.
- Permits would only be enforced during Flying Boxcar games during the baseball season (generally April 15th – September 15th)
- Permits will be valid for one baseball season; residents will need to apply annually for a permit through the City's Parking Division.
- Window stickers will be used to identify valid permit holders.
- The permits shall be available to the lawful owner of any vehicle which is registered to a residence within the Stadium Zone. Residents applying for permits shall produce proof of their vehicle's registration, and proof of residency at a dwelling within the zone.
- There shall be no fee for the parking permits.

- The penalty for parking in the zone without a permit during the enforcement period shall be \$50 for the first offense, and \$100 for any subsequent offense.
- Signage identifying the limits of the parking zone will be installed to clearly delineate the area.
- Permit holders still need to comply with all other traffic regulations (e.g. reserved handicap parking, street sweeping restrictions, etc.).

attachment: Resolution authorizing creation of the permit zone

CITY OF HAGERSTOWN, MARYLAND

**A RESOLUTION AUTHORIZING THE CITY OF HAGERSTOWN
TO ALLOW PERMITTED PARKING ONLY IN CERTAIN AREAS OF THE CITY
WHENEVER BASEBALL GAMES ARE PLAYED AT MERITUS PARK
IN HAGERSTOWN, MARYLAND**

RECITALS

WHEREAS, the Mayor and Council is the duly constituted legislative body for the City of Hagerstown, Maryland; and

WHEREAS, as the duly constituted legislative body, said Mayor and Council is authorized and empowered, pursuant to the Code of the City of Hagerstown, Maryland, Chapter 60, Article I, Section 60-2(A)(1) to regulate the operation of parking vehicles within the corporate limits by the erection or placement of markers indicating limited or prohibited parking;

WHEREAS, per Chapter 60, Article I, Section 60-3, Chapter 60 and all such regulations adopted pursuant to said Chapter may be enforced by peace officers;

WHEREAS, per Chapter 60, Article I, Section 60-2(D) all such regulations adopted pursuant to said Chapter may be amended or added from time to time, as deemed necessary by the Mayor and City Council by Resolution adopted in accordance with law;

WHEREAS, the Mayor and Council has considered and studied the parking shortage for residents created during baseball games held at Meritus Park; and

WHEREAS, the Mayor and Council deems it in the best interests of the citizens to create a zone and to allow permitted parking only during baseball games in such zone;

WHEREAS, this Resolution is intended to establish a defined zone ("Stadium Zone") within which only permitted parking shall be allowed during such times as baseball games are played at Meritus Park (including also any name by which the facility at 50 West Baltimore Street may be thereafter known), during the period from April 15 – September 15 each year;

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

1. That it adopts herein the foregoing Recitals and authorizes the City of Hagerstown to adopt the rates set forth below.

2. The Stadium Zone to which said permitted parking shall apply shall be bounded by the following streets: W. Antietam Street, S. Walnut Street, Alley #2-94, and Summit Avenue, and is reflected on the map attached hereto and incorporated herein;
3. The permits shall be available to the lawful owner of any vehicle which is registered to a residence within the Stadium Zone;
4. All permittees shall produce registration of the vehicle they wish to have permitted and documentary proof of living at the residence in the zone (including but not limited to deed, lease, utility bill, etc.);
5. There shall be no fee for a permit, and any permit issued shall be valid for one (1) baseball season only;
6. Having a permit does not guarantee its holder that there will be an available space within the Stadium Zone during game time;
7. The City shall develop an application and distribute stickers to eligible permittees, and oversee the erection and placement of signs and/or markers in the Stadium Zone, consistent with this Resolution;
8. No guest or temporary permits shall be issued;
9. Permit holders shall obey all other traffic regulations and signs within the Stadium Zone, including but not limited to street sweeping, disabled parking spaces, etc.
10. Persons parking unpermitted vehicles in the Stadium Zone (or otherwise violating this Resolution) during a baseball game shall be fined \$50 for a first offense and \$100 for any subsequent offense (whether occurring in the same or a different baseball season).

BE IT FURTHER RESOLVED THAT this Resolution shall become effective immediately upon its approval.

WITNESS AND ATTEST
AS TO CORPORATE SEAL

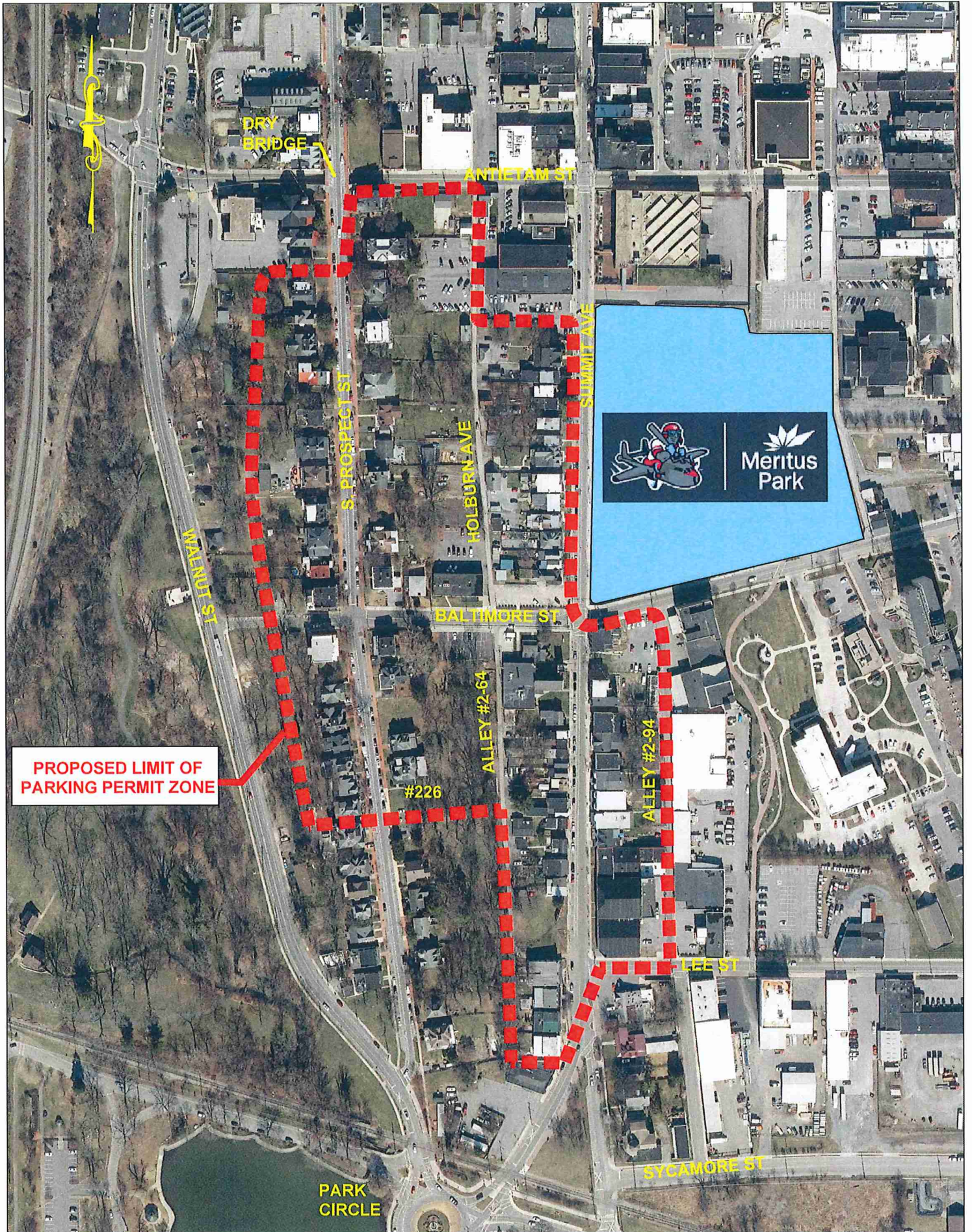
MAYOR AND COUNCIL OF THE
CITY OF HAGERSTOWN, MARYLAND

Donna K. Spickler, City Clerk

William B. McIntire, Mayor

Date of Introduction: July 28, 2026
Date of Passage: July 28, 2026
Effective Date: July 28, 2026

Prepared by:
SALVATORE & MORTON, LLC
City Attorneys



HISTORIC HEIGHTS NEIGHBORHOOD - FINAL PERMIT PARKING ZONE

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

Topic:

Settlement Agreement with Boulevard Contractors: 32 N. Potomac Street – *Jim Bender, City Engineer*

Mayor and City Council Action Required:

Discussion:

Financial Impact:

Recommendation:

Motion:

Action Dates:

ATTACHMENTS:

File Name

32_N_Potomac_Street_settlement.pdf

Description

32 N Potomac Street -
Settlement with Boulevard
Contractors



CITY OF HAGERSTOWN, MARYLAND

Department of Engineering & Permits

July 21, 2026

TO: Scott Nicewarner, City Administrator

FROM: Jim Bender, City Engineer Jim

RE: 32 N. Potomac Street – settlement with Boulevard Contractors

1. Background

In December 2022, the City awarded a contract to Boulevard Contractors (Boulevard) to renovate the former M&T Bank building at 32 North Potomac Street. This building now houses the City's Customer Service and Planning & Economic Development departments. The project did not go as planned – there were significant delays in completing the project, and the quality of the workmanship by Boulevard did not meet expectations. As a result, the City withheld the retainage for the project from Boulevard, and threatened to file claims for liquidated damages. Through mediation with the project's architect and the City Attorney, the City and Boulevard developed a settlement agreement to resolve the dispute. The purpose of this memo is to present the settlement agreement for the Council's consideration.

2. Mayor & Council Action Requested

Review the settlement agreement, and determine whether or not to approve the agreement. If the Council is in agreement, the settlement agreement will be presented for the Council's consideration at the July 28th Regular Session meeting. Staff will be present to discuss this item at the work session.

3. Discussion

The original contract with Boulevard was in the amount of \$2,199,808, and all work was to be completed within 300 calendar days (i.e. December 2024). A temporary certificate of Use & Occupancy for the first floor of the building was issued on September 26, 2025, and the second floor was occupied by January 2026 – more than a year behind schedule. Due to a number of change orders, the final cost of the project was slightly more than \$2,429,000 – this does not include costs for architectural consulting services and legal fees.

There were a number of factors that contributed to the delays and cost overruns on the project. Groundwater was encountered when the contractor excavated for the elevator pit, which resulted in a considerable delay while a solution was developed. Existing conditions encountered in the building (structural elements, utility services, etc.) were different than the project architect had anticipated, which required modifications to the design for the improvements.

However, Boulevard did not fulfill their responsibilities for the project. They failed to provide adequate manpower for the project, which delayed completion. They completed work out of sequence, which lead to delays and damage to carpet and other finishes. The poor workmanship that Boulevard exhibited resulted in final results that, while workable, were not to the level that the City expected.

The City is holding approximately \$243,000 in retainage on the project. If liquidated damages were charged due to the delays in project completion, Boulevard could potentially owe the City a much larger amount of money. Many of Boulevard's subcontractors have not been fully compensated for their work.

City staff and the City Attorney met with Boulevard representatives to discuss the situation. Boulevard acknowledged that the project did not go well; however, they disputed the liquated damage amount, claiming that the delays were the result of the City and our architect not giving them clear direction on how to complete the project. If a resolution wasn't reached, the contract with Boulevard called for the issue to be settled through arbitration. This would have led to significant additional costs for legal fees and architectural contract administration, and there was no guarantee that an arbiter would find in the City's favor.

Boulevard proposed a settlement agreement with the City. Under that agreement, the City would release a maximum of \$217,000 of the \$243,000 in retainages being held, so that Boulevard could pay the outstanding claims from their subcontractors. The City will require signed statements from each of the subcontractors, confirming the amounts that they feel that they are owed, prior to releasing any funds to Boulevard. Boulevard will also turn over all of the required documents and warranties in order the close out the project. A copy of the agreement, signed by Boulevard, is attached. In return, the City will not pursue liquidated damages against Boulevard.

Staff and the City Attorney feel that execution of this settlement agreement is in the best interests of the City. By settling, the City will ensure that Boulevard's subcontractors are made whole, and will allow us to terminate our relationship with Boulevard. While the City could pursue liquidated damages, staff feels that the time and cost required to follow that course of action is not worth the effort, especially since there is no guarantee that we would prevail in an arbitration action.

attachment: proposed settlement agreement

COMPREHENSIVE SETTLEMENT AGREEMENT AND MUTUAL RELEASE

This Comprehensive Settlement Agreement and Mutual Release ("Release") is made this ____ day of May, 2026 (the "Effective Date"), by and between the City of Hagerstown, Maryland, a municipal corporation, with an address of 1 East Franklin Street, Hagerstown, Maryland 21740 (the "City") and Boulevard Contractors Corp, a Maryland corporation, with an address of 10451 Mill Run Circle, Suite 1005, Owings Mills, Maryland 21117 ("Boulevard").

WHEREAS, the City and Boulevard entered into an agreement ("Agreement") for the "32 N. Potomac Street Renovations" project (the "Project"); and

WHEREAS the City and Boulevard intend, by this Comprehensive Settlement Agreement and Mutual Release, to resolve any and all of their respective rights and obligations under the Agreement and regarding the Project.

NOW, THEREFORE, in consideration of the foregoing and for other good and valuable consideration, including but not limited to the elimination of each Party's liability exposure to the other, the receipt and sufficiency of which are hereby acknowledged, intending to be legally bound, the parties agree as follows:

1. *Recitals.* The recitals hereinabove contained are hereby incorporated by reference as if fully set forth in the body of this Release.
2. *Payment from the City to Boulevard.* As hereinafter set forth, the City shall pay to Boulevard the lesser of the sum of the amounts owed to subcontractors as reported on the Subcontractor Statements (described below) or Two Hundred Seventeen Thousand Dollars (\$217,000.00) (the "Release Payment").
3. *Third Party Statements from Subcontractors.* Prior to the Release Payment, and within twenty (20) days following City Approval (as defined in Section 18 of this Agreement), Boulevard shall provide to the City signed statements from each subcontractor with outstanding claims against Boulevard (each a "Subcontractor Statement"). Each Subcontractor Statement shall be on the letterhead or other official documentation of each such subcontractor and shall note the full amount owed to the subcontractor by Boulevard for work under the Agreement, including but not limited to the cost of goods, on the Project. The Subcontractor Statements shall include a statement that the subcontractor will provide a signed release of lien, documentation of all warranties, any shop drawings, product data, samples, specified close out materials to include but not be limited to operation and maintenance manuals, and any other submittal required pursuant to the Agreement to Boulevard upon payment in full and shall be signed by an individual with authority to bind such subcontractor.

4. *Payment Schedule.* Within thirty (30) days of receipt of the Subcontractor Statements, the City shall pay to Boulevard the Release Payment. Boulevard shall then pay its subcontractors within fifteen (15) days of receipt of the Release Payment and provide the operation and maintenance manuals from each subcontractor to the City within five (5) days of receipt. Boulevard's payments pursuant to the preceding sentence shall fully satisfy any and all subcontractors, which may require Boulevard to pay amounts above the Release Payment. It remains the responsibility of Boulevard to ensure all subcontractors are paid in full and to provide releases to the City even if the subcontractor is not paid, or not paid fully, from the Release Payment.
5. *Final Release.* No later than thirty (30) days after receipt of payment from the City, Boulevard shall provide a final release of lien to the City. By issuing the Release Payment, the City waives all claims and defenses it may have against Boulevard except any claims or defenses arising from any warranties or guarantees required under the Agreement.
6. *Submittals and Close Out.* Within ten (10) days of execution of this Release, Boulevard shall provide to the City any submittals required by the Agreement that are within its possession or control. Within ten (10) days of execution of this Release, Boulevard shall provide all material required for the job site close-out as provided for in the Agreement.
7. *Release.* Except as to any obligations set forth in this Release, after payment of the Release Payment and satisfaction of the obligations set forth in this Agreement, the parties hereby generally release each other from any remaining obligations under the Agreement.
8. *Notices.* Notices and other communications required or permitted to be given hereunder shall be deemed to have been duly given if in writing and delivered by recognized overnight delivery service, as follows:

If to City:

City of Hagerstown
ATTN: City Administrator
City Hall
1 East Franklin Street
Hagerstown, MD 21740

With Copy to:

Jason Morton, Esquire
SALVATORE & MORTON, LLC
20 West Washington Street, Suite 402
Hagerstown, Maryland 21740

If to Boulevard:

Boulevard Contractors Corp.
10451 Mill Run Circle, Suite 1005
Owings Mills, Maryland 21117

With Copy to:
Saad Malik, Esquire
Gordon Feinblatt LLC
1001 Fleet Street, Suite 700
Baltimore, Maryland 21202

9. *Further Assurances.* The parties agree to execute such other and further documents and assurances as may be necessary to effect the purposes and premises of this Release.
10. *Governing Law.* Regardless of its place of execution, and regardless of Maryland's conflicts of laws principles, this Release shall be governed by the laws of the State of Maryland as to interpretation, construction, and performance. The parties agree to submit any dispute under this Release to State Courts located in Washington County, Maryland. A prevailing party in any litigation under this Release shall be entitled to an award of its reasonable attorney's fees.
11. *Entire Agreement.* This Release constitutes the entire agreement between the parties, there being no other terms, oral or written, except as herein expressed.
12. *Voluntariness.* Each Party acknowledges that it has consulted with legal counsel of its choosing before executing this Release. Each Party acknowledges and agrees that it has executed this Release freely and voluntarily for the purpose and with the intent of fully settling and determining all issues or claims it may have against the other.
13. *Counterparts.* This Release may be executed in two (2) or more counterparts, each of which shall be deemed an original, and all such counterparts shall together constitute one and the same instrument. It may be executed by copies of physically signed documents exchanged via email attachment in PDF format or equivalent. The parties consent to electronic signatures.
14. *Amendments.* This Release may be amended, changed, or modified only by written amendment executed by the parties hereto. No waiver of any provision of this Release shall be valid unless in writing signed by the party charged.
15. *Severability.* If any provision of this Release shall be determined to be invalid or unenforceable, the remaining provisions of this Release shall not be affected thereby, and every provision of this Release shall remain in full force and effect and enforceable to the fullest extent permitted by law.
16. *Assignment.* This Release may not be assigned by either party without the express written consent of the other party.
17. *Headings.* Headings are intended only as a matter of convenience and for reference and in no way define, limit, or describe the scope or intent of this Release.
18. *Council Approval.* This Release is contingent on the its adoption by formal action of the Mayor and City Council of Hagerstown ("City Approval"). If the City fails to obtain City Approval within sixty (60) days of the Effective Date, this Release shall be null and void.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals the day and year first above written.

ATTEST:

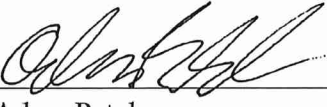
CITY OF HAGERSTOWN

Donna K. Spickler, City Clerk

By: William McIntire
Its: Mayor

ATTEST:

BOULEVARD CONTRACTORS CORP.



Adam Patel
Director of Construction



By: Javed Patel
Its: President

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

Topic:

Water and Sewer Miscellaneous Fee Adjustments -- Nancy Hausrath, Director of Utilities

Mayor and City Council Action Required:

Discussion:

Financial Impact:

Recommendation:

Motion:

Action Dates:

ATTACHMENTS:

File Name	Description
MEMO_WATER_AND_SEWER_MISC_FEE_DISCUSSION_07142026_(1).pdf	Memo: Water & Sewer Misc Fee
Draft_Ordinance_Sewer.pdf	Intro Ord Sewer
Draft_Ordinance_Water.pdf	Intro Ord Water



CITY OF HAGERSTOWN, MARYLAND

Utilities Department

1 Clean Water Circle • Hagerstown, MD 21740

Telephone: 301-739-8577, ext. 650

Website: www.hagerstownmd.org

July 9, 2026

To: Scott Nicewarner, City Administrator

From: Nancy Hausrath, Director of Utilities

Action: Discussion – Water and Sewer Miscellaneous Fee Adjustments

As requested by the Mayor and City Council, please find attached the draft Ordinances amending Chapters 238 and Chapter 240 of City Code to adjust miscellaneous fees.

Water Fee increases include Service Connection Charges and Review and Inspection Fees. Please note that many fees have not been adjusted in over 15 years.

Sewer Fees increases include Connection Charges, Surcharge Rates, Industrial Waste Discharge Fees, and Review and Inspection Fees.

Increases in FY28 through FY31 are based on the recommendations from NewGen Strategies – 5% annually for water and 3% annually for sewer.

As was discussed in prior meetings, should the Mayor and City Council adopt the proposed recommendations, and it becomes necessary to amend the fees, the fees can be amended via ordinance.

Staff will present the proposed fees at the July 14, 2026 Mayor and City Council meeting.

REQUIRED MOTION

**MAYOR AND CITY COUNCIL
HAGERSTOWN, MARYLAND**

DATE: July 28, 2026

TOPIC: Introduction of an Ordinance:
Establish Sewer Miscellaneous Fees - FY27 through FY31

Charter Amendment	_____
Code Amendment	_____
Ordinance	_____X_____
Resolution	_____
Other	_____

MOTION:

I hereby move for the Introduction of an Ordinance to establish fees for Connection Charges, Surcharge Rates, Industrial Waste Discharge Fees, and Review and Inspection Fees as indicated in the body of the Ordinance for FY27 through FY31 effective for all FY27 bills rendered on or after October 1, 2026. A 3% increase will be applied on July 1st of each subsequent fiscal year beginning FY28. These rates and fees are necessary to meet the revenue requirements of the Sewer Fund.

DATE OF INTRODUCTION: July 28, 2026
DATE OF PASSAGE: August 25, 2026
EFFECTIVE DATE: September 24, 2026

ORDINANCE

REVISING RATES FOR SEWER MISCELLANEOUS FEES FOR THE CITY OF HAGERSTOWN, MARYLAND

AN ORDINANCE of the City of Hagerstown, Maryland, pursuant to provisions of the City Charter and the Code of the City of Hagerstown, Maryland, Chapter 240, Water Pollution Control, to establish adequate rates and charges for sewage collection and treatment.

BE IT ENACTED AND ORDAINED by the Mayor and Council of the City of Hagerstown, Maryland, that the following rates are hereby adopted.

§ 240-30. Connection charge. [Amended 5-28-2002 by Ord. No. 2002-15; 9-29-2020 by Ord. No. O-20-29]

The connection charge for a lateral connection to the sanitary sewer service system shall be ~~\$1,300, beginning November 1, 2020~~ **\$1,320.00** and shall be due and payable at the time the connection permit is issued. An additional connection charge for a wye side-by-side connection shall be ~~\$200, beginning November 1, 2020~~, **\$206** and shall be due and payable at the time the connection permit is issued. **Fees become effective on October 1, 2026 and will increase 3% each subsequent year beginning July 1, 2027 through July 1, 2030.**

§ 240-46. Surcharge information.

The approving authority shall establish, maintain and make available to the public a list to specify:

- A. All waste characteristics which, in excessive concentration, are subject to surcharge.
- B. A definition for each waste characteristic of the level of concentration which is excessive.
- C. The rate of surcharge for each excessive waste characteristic.

§ 240-47. Surcharge rates. [Amended 7-12-2005 by Ord. No. O-05-19; 6-20-2006 by Ord. No. O-06-17; 5-22-2007 by Ord. No. O-07-15; 5-27-2008 by Ord. No. O-08-19; 9-22-2009 by Ord. No. O-09-13; 2-25-2014 by Ord. No. O-14-02; 4-23-2019 by Ord. No. O-19-03]⁴; 5-28-2024 by Ord. No. O-24-10; 8-27-2024 by Ord. No. O-24-20]

- A. In accordance with the Charter of the City of Hagerstown, the Mayor and Council of the City of Hagerstown shall, by ordinance, fix, establish and adjust the rates of surcharge for each and every waste characteristic which, in excessive concentration, shall be subject to surcharge. The rate of surcharge shall reflect the cost incurred by the City in treating the excessive concentrations of these waste characteristics.
- B. The rates of surcharge shall be reviewed at least annually by the approving authority in order to determine from the WPC Department records whether or not they are justifiable to meet the cost incurred by the City in treating the excessive concentrations of these waste characteristics. If the difference between the revenue derived from the surcharge and the total annual cost related to those wastes subject to surcharge is sufficient to justify a change in rates, the approving authority shall recommend to the Mayor and Council of the City that the appropriate change be made.
- C. In addition to the standard service charge rates for all classes of customers, customers with excess strength waste for the following waste characteristics shall pay the following industrial surcharge rates. The industrial surcharge rate for Chemical Oxygen Demand in excess above 2.919 pounds shall continue to be ~~\$0.33~~ **\$0.34** per 1,000 gallons. For Biological Oxygen Demand in excess above 1.688 pounds, the surcharge rate shall continue to be ~~\$0.82~~ **\$0.84** per 1,000 gallons. For suspended solids in excess above 1.688 pounds, the surcharge rate shall continue to be ~~\$0.82~~ **\$0.84** per 1,000 gallons.

For grease and oil in excess of 0.0000 pounds, the surcharge rate shall continue to be ~~\$0.47~~ **\$48** per 1,000 gallons. **Fees become effective on October 1, 2026 and will increase 3% each subsequent year beginning July 1, 2027 through July 1, 2030.**

240-51. Industrial waste discharge permit application.

- A. To obtain an industrial waste discharge permit, the owner or his agent shall make application as specified in this chapter. Supplemental information to the application considered pertinent by the approving authority shall include but may not be limited to the quantity of discharge, the rates of discharge (maximum, average and minimum) and whether these rates of flow are continuous or intermittent, the character and the chemical content of the industrial waste and proposed and/or existing pretreatment facilities.
- B. Permits shall contain:
 - (1) Effective and expiration dates.
 - (2) Statement of nontransferability as specified in section (list appropriate section).
 - (3) Effluent limitations based on applicable general pretreatment standards, Categorical Pretreatment Standards, local limits and/or state and local law.
 - (4) Self-monitoring, sampling, reporting, notification and recordkeeping requirements, including an identification of the pollutants to be monitored, sampling location, sampling frequency and sample type, based on the applicable general pretreatment standards, Categorical Pretreatment Standards, local limits and/or state and local law.
 - (5) Statement of applicable civil and criminal penalties for violation of pretreatment standards and requirements and any applicable compliance schedule. Such schedule may not extend the compliance date beyond applicable federal deadlines.
 - (6) Other conditions as deemed appropriate by the City to ensure compliance with all applicable pretreatment standards and requirements.
- C. Permit duration. Permits shall be issued for a specified time period, not to exceed five years. Permits can be extended in writing by the City for up to 180 days past the expiration date. The terms and conditions of the permit may be subject to modification by the City during the term of the permit as limitations or requirements as identified herein are modified or other just cause exists (i.e., changes in the federal or state pretreatment requirements or standards). Users shall apply for a new permit at least 180 days prior to the expiration of the user's existing permit.
- D. Permit nontransferability. Wastewater discharge permits are issued to a specific user for a specific operation. A wastewater discharge permit shall not be reassigned or transferred or sold to a new owner, new user, different premises or a new or changed operation without the prior written approval of the City.
- E. Wastewater discharge permit appeals. Any person, including the industrial user, may petition the Water and Sewer Department to reconsider the terms of a wastewater discharge permit within 60 days of its issuance.
 - (1) Failure to submit a timely petition for review shall be deemed to be a waiver of the administrative appeal.
 - (2) In its petition, the appealing party must indicate the wastewater discharge permit provisions objected to, the reasons for this objection and the alternative condition, if any, it seeks to place in the wastewater discharge permit.

- (3) The effectiveness of the wastewater discharge permit shall not be stayed pending the appeal.
- (4) If the City fails to act within 60 days, a request for reconsideration shall be deemed to be denied. Decisions not to reconsider a wastewater discharge permit, not to issue a wastewater discharge permit or not to modify a wastewater discharge permit shall be considered final administrative action for purposes of judicial review.
- (5) Aggrieved parties seeking judicial review of the final administrative wastewater discharge permit decision must do so by filing a complaint with the appropriate court having jurisdiction within appropriate state statute of limitations.

F. Wastewater discharge permit modification.

- (1) The Water and Sewer Department may modify the wastewater discharge permit for good cause, including but not limited to the following:
 - (a) To incorporate any new or revised federal, state or local pretreatment standards or requirements.
 - (b) To address significant alterations or additions to the industrial user's operation, processes or wastewater volume or character since the time of wastewater discharge permit issuance.
 - (c) A change in the POTW that requires either a temporary or permanent reduction or elimination of the authorized discharge.
 - (d) Information indicating that the permitted discharge poses a threat to Hagerstown's Water and Sewer Department, Hagerstown Water Pollution Control personnel, the general public or receiving waters.
 - (e) Violation of any terms or conditions of the wastewater discharge permit.
 - (f) Misrepresentations or failure to fully disclose all relevant facts in the wastewater discharge permit application or in any required reporting.
 - (g) Revision of or a grant of variance from categorical pretreatment standards pursuant to 40 CFR 403.13.
 - (h) To correct typographical or other errors in the wastewater discharge permit.
 - (i) To reflect a transfer of the facility ownership and/or operation to a new owner/operator.
- (2) The filing of a request by the permittee for a wastewater discharge permit modification does not stay any wastewater discharge permit condition.

G. Tenant responsibility. Where an owner of property leases premises to any other person as a tenant under any rental or lease agreement, if either the owner or the tenant is an industrial user, either or both may be held responsible for compliance with the provisions of this chapter.

H. Permit application fee. The fee for the issuance of an industrial waste discharge permit in accordance with this section, which permit shall be valid for a five-year period, shall be ~~\$300~~ **\$325.** for significant industrial users (SIU) and ~~\$150~~ **\$175.00** for all other permitted industrial users. A significant industrial user is defined in § 240-3 of the City Code. A major modification in the industrial waste discharge permit may require the payment of a new application fee in the discretion of the Water and Sewer Department. **Fees become effective on October 1, 2026 and will increase 3% each subsequent year beginning July 1, 2027 through July 1, 2030. [Added 9-25-2001 by Ord. No. 2001-39]**

- I. Annual permit maintenance fee. In addition to the permit application fee, all persons or entities discharging any industrial waste under a valid industrial waste discharge permit into the water pollution control system of the City of Hagerstown shall pay an annual permit maintenance fee according to the following schedule: **Fees become effective on October 1, 2026 and will increase 3% each subsequent year beginning July 1, 2027 through July 1, 2030. [Added 9-25-2001 by Ord. No. 2001-39]**

Wastewater Flow (gallons/day)	Annual Maintenance Permit Fee
Less than 1,000	\$250.00 \$257.00
1,000 to 9,999	\$500.00 \$515.00
10,000 to 25,000	\$1,000.00 \$1030.00
More than 25,000	\$2,000.00 \$2,060.00

§ 240-53. Review, approval and inspection of facilities.

- A. The design and installation of the plants, equipment and other facilities as referred to herein shall be subject to review, approval and inspection by the City Engineer and the approving authority and subject to the requirements of all applicable federal, state, county and City statutes, codes, ordinances and regulations. **[Amended 6-17-2003 by Ord. No. 2003-22]**
1. Review fees. All persons constructing any main extension and/or pump stations which are to become part of the sewer collection system of the City of Hagerstown shall submit to the City for review plans for such construction. A fee shall be charged for review by the City of these plans which shall be due and payable at the time that the plans are submitted for review. The Council of the City of Hagerstown shall by ordinance fix, establish and adjust the amount of the pump station plan review fee in accordance with the Charter of the City of Hagerstown. The review fee shall be ~~\$0.50~~ **\$0.75** per linear foot of sewer main, and the pump station fee shall be \$14 per gallon (minimum of pump station capacity). **Fees become effective on October 1, 2026 and will increase 3% each subsequent year beginning July 1, 2027 through July 1, 2030. [Amended 9-29-2020 by Ord. No. O-20-29]**
 2. Inspection fees. All persons constructing any main extension and/or pump stations which are to become part of the sewer collection system of the City of Hagerstown shall have the same inspected by the Water and Sewer Department during the course of its construction in accordance with policies to be established by the Department. A fee shall be charged for such inspections which shall be due and payable prior to such inspections taking place. The Council of the City of Hagerstown shall by ordinance fix, establish and adjust the amount of the main extension and/or pump station inspection fee in accordance with the Charter of the City of Hagerstown. The inspection fee shall be ~~\$0.50~~ **\$3.25** per linear foot of sewer main. **Fees become effective on October 1, 2026 and will increase 3% each subsequent year beginning July 1, 2027 through July 1, 2030. [Amended 9-29-2020 by Ord. No. O-20-29]**

REQUIRED MOTION
MAYOR AND CITY COUNCIL
HAGERSTOWN, MARYLAND

DATE: **July 28, 2026**

TOPIC: **Introduction of an Ordinance:**
Establish Water Miscellaneous Fees - FY27 through FY31

Charter Amendment	_____
Code Amendment	_____
Ordinance	_____X_____
Resolution	_____
Other	_____

MOTION:

I hereby move for the Introduction of an Ordinance to establish fees for Service Connection Charges and Review and Inspection Fees as indicated in the body of the Ordinance for FY27 through FY31 effective for all FY27 bills rendered on or after October 1, 2026. A 5% increase will be applied on July 1st of each subsequent fiscal year beginning FY28. These rates and fees are necessary to meet the revenue requirements of the Water Fund.

DATE OF INTRODUCTION: July 28, 2026
DATE OF PASSAGE: August 25, 2026
EFFECTIVE DATE: September 24, 2026

ORDINANCE

REVISING RATES FOR WATER MISCELLANEOUS FEES FOR THE CITY OF HAGERSTOWN, MARYLAND

AN ORDINANCE of the City of Hagerstown, Maryland, pursuant to provisions of the City Charter and the Code of the City of Hagerstown, Maryland, Chapter 238, Water, to establish adequate rates and charges for water treatment and distribution.

BE IT ENACTED AND ORDAINED by the Mayor and Council of the City of Hagerstown, Maryland, that the following rates and fees are hereby adopted.

§ 238-10. Service connection charges.

[Amended 5-27-1969; 7-15-1974; 6-5-1978; 4-17-1990 by Ord. No. 1990-15; 10-16-1990 by Ord. No. 1990-48; 7-21-1992 by Ord. No. 1992-31; 6-21-1994 by Ord. No. 1994-20; 12-22-1998 by Ord. No. 1998-60; 11-23-1999 by Ord. No. 1999-51; 6-27-2000 by Ord. No. 2000-28]

- A. The initial service connection charge for water service shall be due and payable at the time of application for water service and shall be determined in accordance with the following schedule of fees: **Fees become effective on October 1, 2026 and will increase 5% each subsequent year beginning July 1, 2027 through July 1, 2030 [Amended 5-22-2001 by Ord. No. 2001-18; 3-25-2003 by Ord. No. 2003-10; 7-1-2003 by Ord. No. 2003-24; 9-29-2020 by Ord. No. O-20-28; 8-23-2022 by Ord. No. O-22-10]**

Application fee: \$50.00	
Service Pipe Size	Fee
3/4-inch (5/8-inch meter)	\$815.00 \$855.00
1-inch single (3/4-inch meter)	\$1,025.00 \$1,075.00
1-inch double (two 3/4-inch meters)	\$1,300.00 \$1,365.00
1-inch RS Special	\$1,610.00 \$1,690.00
2-inch service	\$1,890.00 \$1,985.00

§ 238-49. Plan review and inspection fees.

[Added 6-17-2003 by Ord. No. 2003-23]

Review Fees: All persons constructing any water main extensions and/or pump stations which are to become part of the water system of the City of Hagerstown shall submit to the City for review plans for such construction. A fee shall be charged for review by the City of these plans which shall be due and payable at the time that the plans are submitted for review. The Council of the City of Hagerstown shall by ordinance fix, establish and adjust the amount of the main extension and/or pump station plan review fee in accordance with the Charter of the City of Hagerstown. The water plan application fee shall be \$50 per application, plus an additional ~~\$0.50~~ **\$0.75** per foot main review. **Fees become effective on October 1, 2026 and will increase 5% each subsequent year beginning July 1, 2027 through July 1, 2030 [Amended 9-29-2020 by Ord. No. O-20-28]**

Inspection Fees: All persons constructing any water main extensions and/or pump stations which are to become part of the water system of the City of Hagerstown shall have the same inspected by the Water and Sewer Department during the course of its construction in accordance with policies to be established by the Department. A fee shall be charged for such construction permits/inspections which shall be due and payable prior to such inspections taking place. The Council of the City of Hagerstown shall by ordinance fix, establish and adjust the amount of the main extension and/or pump station construction permit/inspection fee in accordance with the Charter of the City of Hagerstown. The water plan inspection fee shall be ~~\$3.00~~ **\$3.25** per foot, and the pump station fee per gallon (minimum gallon of PS capacity) shall be \$14. **Fees become effective on October 1, 2026 and will increase 5% each subsequent year beginning July 1, 2027 through July 1, 2030. [Amended 9-29-2020 by Ord. No. O-20-28]**

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

Topic:

E-Bikes & E-Scooters/Camera System – *Chief Paul ‘Joey’ Kifer & Captain Andrew Lewis*

Mayor and City Council Action Required:

Discussion:

Financial Impact:

Recommendation:

Motion:

Action Dates:

ATTACHMENTS:

File Name

Memo_-_E-Bikes_and_E-Scooters.pdf

Description

Memo: Ebike/eScooters



CITY OF HAGERSTOWN MARYLAND

DEPARTMENT OF POLICE
50 N. Burhans Blvd.

Non-Emergency 301-790-3700
Emergency 240-313-4345
Fax 301-733-5513

July 22, 2026

To: Scott Nicewarner,
City Administrator

From: Paul J. Kifer, 
Chief of Police

Ref: E-Bikes and E-Scooters / Camera System

I would like to present to Mayor & Council, information on E-Bikes and E-Scooters / camera system and our possible enforcement efforts. I would also like to use this as an educational opportunity to make the public aware of laws and limitations.



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

Topic:

Strategic Demolition Fund & Community Legacy Grant Application - *Matthew Ross, Planner*

Mayor and City Council Action Required:

Discussion:

Financial Impact:

Recommendation:

Motion:

Action Dates:

ATTACHMENTS:

File Name

Description

2026_0721_WS_Strategic_Demolition_Fund___Community_Legacy_Grant_Application.pdf

Strategic
Demolition
Fund &
Community
Legacy
Grant
Application



MEMORANDUM

TO: Scott Nicewarner, City Administrator

FROM: Matthew Ross, Planner

DATE: July 21, 2026

SUBJECT: Community Legacy and Strategic Demolition Funds Acceptance for FY 2027

Mayor and City Council Action Requested

Staff is requesting Mayor and City Council accept the funds approved for distribution to the City through the Community Legacy and Strategic Demolition Funds for fiscal year 2027.

Background Information

The Stated moved up its awarding of FY2027 funding and assigned grants to localities based on requests from the prior year without application being required by local jurisdictions. Therefore, you are also receiving a companion memo to this one regarding priorities for FY2028. The awarded funding is consistent with the City's previously identified priorities and is intended to support the same activities for which funding was requested during the prior funding cycle. The awards include:

Middle Neighborhood Emergency Home Repair Grant Program: \$75,000

"Provide critical health, safety, and accessibility repairs for low income homeowners in Sustainable Communities, helping seniors, veterans, and families remain safely in their homes while preserving affordable housing and stabilizing neighborhoods."

Strategic Properties Program: \$230,000

"Provide grant funding that would serve as a targeted priority project fund to contribute to the redevelopment of vacant buildings near downtown Hagerstown."

Next Steps

Upon approval by the Mayor and City Council, staff will execute all necessary grant acceptance documents and coordinate with the Maryland Department of Housing and Community Development to implement the funded projects in accordance with program requirements.

Copy: Jill Thompson, Director of Planning and Economic Development
Stephen Bockmiller, Deputy Director for Planning and Zoning Administration
Doug Reaser, Economic Development Manager
Eric Deike, Director of Public Works
Jim Bender, City Engineer
Nancy Hausrath, Director of Utilities

REQUIRED MOTION

MAYOR AND CITY COUNCIL HAGERSTOWN, MARYLAND

DATE: July 28, 2026

TOPIC: Approval to Accept the FY2027 Community Legacy Grant Award from the State of Maryland

Charter Amendment	---
Code Amendment	---
Ordinance	---
Resolution	---
Other	X

MOTION: I hereby move for Mayor and City Council approval to accept the Fiscal Year 2027 State of Maryland Community Legacy Grant, totaling \$305,000. The grant was awarded in the amounts of \$75,000 for the "Middle Neighborhood Emergency Home Repair Grant Program" and \$230,000 for the "Strategic Properties Program".

DATE OF PASSAGE:	07/28/2026
EFFECTIVE DATE:	07/28/2026

MEMORANDUM

TO: Scott Nicewarner, City Administrator

FROM: Matthew Ross, Planner

DATE: July 21, 2026

SUBJECT: Community Legacy and Strategic Demolition Fund Grant FY 2028

Mayor and Council Action Requested

Mayor and Council authorization is needed to begin the process to submit FY 2028 applications to the State's Community Legacy Program (CL) and Strategic Demolition Fund (SDF) Program as well as adoption of a resolution in support of the City's applications. The deadline for grant applications is August 6, 2026.

DHCD's Community's Revitalization Assistance Program – Community Legacy & Strategic Demolition Fund

The goal of the programs are to provide funding to local governments and community development organizations for essential projects aimed at strengthening declining urban areas through a comprehensive approach that includes activities such as business retention and attraction, encouraging home-ownership and rehabilitation, and commercial revitalization. Projects must be consistent with the goals and strategies outlined in the City's Sustainable Community Plan and the projects must be located in the City's Sustainable Community Area.

The Maryland Department of Housing and Community Development has \$8 million in CL funding and \$10 million in SDF funding for grant and loan awards around the State in FY 2028. Community Legacy funds may be used only for capital projects – bricks and mortar projects or loan/grant programs for brick and mortar projects. Projects must be ready to go and be completed within two years. The Strategic Demolition Fund may be used only for pre-construction costs of a project – acquisition, demolition, architectural and engineering services, site work, utility infrastructure, etc. While there is no matching requirement, the application needs to show that the project will leverage other funds.

(Continued)

Proposed FY 2028 Applications

Staff recommends applying to both the CL and SDF program for three City projects. The four projects are consistent with the Sustainable Community Plan and within the Sustainable Community Area. The project are detailed below:

Priority	Program	Project	Description	Grant Request
1	Strategic Demolition Fund	Fire Suppression	Grant program to assist commercial property owners with upgrading fire suppression systems to meet current fire code requirements.	\$150,000
2	Community Legacy	Alley Improvements	Phase 1 improvements to public alleys, no paving is included in this phase.	\$300,000
3	Strategic Demolition Fund	Blighted Properties	Acquisition and demolition of blighted and unsafe structures to eliminate hazards, reduce neighborhood blight, and prepare sites for future redevelopment.	\$300,000
4	Strategic Demolition Fund	Elizabeth Hager Center	Demolition of the Elizabeth Hager Center building to provide access for the repair and replacement of a failing arch storm drain located beneath the structure.	\$200,000

Next Steps

If the Mayor and City Council agree with the staff proposal, a resolution in support of the grant application will be on the July 28 agenda for approval. Staff will prepare the grant application for the submission deadline.

Copy: Jill Thompson, Director of Planning and Economic Development
Amanda Gregg, Chief Housing & Community Development Officer, DHCD
Michelle Hepburn, Chief Financial Officer
Stephen R. Bockmiller, AICP, Deputy Director for Planning and Zoning Administration
Brooke Garver, Accounting & Budgeting Manager
Doug Reaser, Economic Development Manager

REQUIRED MOTION

MAYOR AND CITY COUNCIL HAGERSTOWN, MARYLAND

DATE: July 28, 2026

TOPIC: Approval of a Resolution:
FY28 Community Legacy and Strategic Demolition Fund Application

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

MOTION: I hereby move that the Mayor and City Council approve a resolution indicating approval of the City's FY 2028 Community Legacy Fund and Strategic Demolition Fund application to the Maryland Department of Housing and Community Development. The application requests funding to assist with four projects:

- 1) A \$150,000 grant for a program to assist with installing fire suppression systems.
- 2) A \$300,000 grant for a program to complete phase 1 improvements to public alleys.
- 3) A \$300,000 grant for a program to acquire and demolish blighted and unsafe structures to prepare sites for future development.
- 4) A \$200,000 grant to assist in the demolition of the Elizabeth Hager Center to allow for the repair of a failing arch storm drain.

DATE OF PASSAGE:	07/28/2026
EFFECTIVE DATE:	07/28/2026

LOCAL RESOLUTION

Resolution of the Mayor and Council of the City of Hagerstown approving the application and receipt of financing for Community Legacy projects ("the Projects") further described in the Community Legacy application ("the Application"), to be financed either directly by the Department of Housing and Community Development (the "Department") of the State of Maryland or through other departments or agencies of the State of Maryland.

WHEREAS, the Mayor and City Council of the City of Hagerstown recognizes that there is a significant need for reinvestment and revitalization of Hagerstown's Sustainable Community Area; and

WHEREAS, the Department, either through Community Legacy or through other Programs of the Department, or in cooperation with other State departments or agencies, may provide some or all of the financing for the Projects in order to assist in making them financially feasible; and

WHEREAS, the Projects are located within a Priority Funding Area under Section 5-7B-02 of the Smart Growth Act and within the Hagerstown Sustainable Community Area, and the Projects will conform to the local zoning code; and

WHEREAS, the applicable law and regulations require approval of the Community Legacy Projects and Project financing by the Mayor and City Council of the City of Hagerstown;

NOW, THEREFORE BE IT RESOLVED THAT, the Mayor and City Council of the City of Hagerstown hereby endorses the Projects; and HEREBY approve the request in the form of a grant in the approximate amount of up to \$950,000: (i) \$150,000 in funding for Fire Suppression, (ii) \$300,000 in funding for Alley Improvements, (iii) \$300,000 in funding for Blighted Properties, and (iv) \$200,000 in funding for the demolition of the Elizabeth Hager Center ; and

BE IT FURTHER RESOLVED THAT, the chief elected executive official be, and is hereby requested to endorse this Resolution, thereby indicating his approval thereof; and

BE IT FURTHER RESOLVED THAT, the Mayor is hereby authorized to execute documents and take an action necessary to carry out the intent of these resolutions; and,

BE IT FURTHER RESOLVED THAT, copies of this Resolution be sent to the Secretary of Housing and Community Development of the State of Maryland.

ATTEST/WITNESS:

MAYOR AND CITY COUNCIL OF THE
CITY OF HAGERSTOWN, MARYLAND

Donna Spickler, City Clerk

By: William McIntire, Mayor

Date of Passage: 07/28/2026

Effective Date: 07/28/2026

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

Topic:

FY28 Budget Discussion – *Scott Nicewarner, City Administrator*

Mayor and City Council Action Required:

Discussion:

Financial Impact:

Recommendation:

Motion:

Action Dates:

ATTACHMENTS:

File Name

Memo_-_Budget_Discussion_7-21-26.pdf

Description

Memo: Budget Discussion



CITY OF HAGERSTOWN, MARYLAND

Scott A. Nicewarner
City Administrator

One East Franklin Street • Hagerstown, MD 21740

E-mail: snicewarner@hagerstownmd.org

Telephone: 301.766.4161 • TDD: 301.797.6617 • Website: www.hagerstownmd.org

TO: Mayor and City Council

Subject: FY28 Budget Season Discussion

Though detailed discussion of the FY28 general, enterprise, and capital budgets is several months away, it is important that the Mayor and Council begin discussions regarding the City's long-term fiscal outlook and the financial challenges that will shape the upcoming budget. Early policy direction will allow staff to develop recommendations that align with the Council's priorities while maintaining the City's financial stability.

The City is forecasted to continue experiencing a **structural budget deficit**, meaning that the ongoing cost of providing municipal services is growing at a faster rate than recurring revenues. Unlike a temporary shortfall caused by a one-time event, a structural deficit reflects an imbalance that will continue unless expenditures, revenues, or both are fundamentally adjusted.

Several factors are contributing to this growing challenge, including:

- Continued increases in personnel costs, including wages, health insurance, pensions, and other employee benefits.
- Escalating public safety expenditures associated with police and fire operations and capital needs.
- Inflationary pressures affecting contractual services, equipment, fuel, utilities, and construction costs.
- Aging infrastructure requiring increased investment in maintenance, rehabilitation, and replacement.
- State and federal regulatory requirements that continue to expand municipal responsibilities without corresponding revenue sources.
- Revenue growth that has not kept pace with the increasing cost of providing core municipal services.

While the City's financial management practices have positioned Hagerstown well in recent years, relying on one-time revenues, fund balances, or deferred investments is not a sustainable long-term strategy. Maintaining the City's strong financial position requires proactive planning rather than reactive budget reductions.

Beginning these discussions now will provide sufficient time to evaluate alternatives before the formal FY28 budget process begins. Potential areas for Council consideration may include:

- Reviewing the City's core service delivery model and identifying priority municipal functions.
- Evaluating opportunities for operational efficiencies and organizational improvements.

- Examining user fees and other cost recovery mechanisms to ensure they reflect the actual cost of services.
- Considering economic development initiatives that expand the City's long-term tax base.
- Identifying potential capital project priorities and financing strategies.
- Reviewing the City's revenue structure, including property tax, income tax, enterprise funds, and other recurring revenues.
- Evaluating partnerships and regional service opportunities where appropriate.
- Assessing long-term financial forecasts to better understand projected budget gaps over the next five years.

The objective of these early discussions is not to predetermine any specific budget decisions, but rather to establish a shared understanding of the City's financial outlook and provide sufficient time for thoughtful policy deliberation. Beginning this process well in advance of budget adoption will enhance transparency, improve strategic decision-making, and minimize the need for last-minute adjustments.

With proactive planning and collaborative decision-making, the City can address these structural challenges in a deliberate and responsible manner while continuing to invest in the services and infrastructure that support our residents, businesses, and future growth.

Sincerely,

A handwritten signature in cursive script, reading "Scott A. Nicuwaune".

City Administrator

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

Topic:

The Mayor and Council will meet in Open Session 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: