

## REQUIRED MOTION

### MAYOR & CITY COUNCIL HAGERSTOWN, MARYLAND

DATE: February 7, 2023

TOPIC: Approval of an Emergency Ordinance: Designating the City Administrator to Sign Documents and Administer Oaths in the Absence of a Mayor

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

MOTION: I hereby move for the approval of an Emergency Ordinance designating that the City Administrator, Scott A. Nicewarner, is authorized to execute all documents on behalf of the City of Hagerstown, required to have been executed by the Mayor until a new Mayor can be appointed. The City Administrator is further authorized to administer all oaths normally administered by the Mayor.

Date of Passage: 02/07/2023

Effective Date: 02/07/2023

**CITY OF HAGERSTOWN, MARYLAND**

**AN EMERGENCY ORDINANCE DESIGNATING  
CITY ADMINISTRATOR TO SIGN DOCUMENTS  
AND ADMINISTER OATHS IN THE ABSENCE OF  
A MAYOR UNTIL SUCH TIME AS A MAYOR  
IS APPOINTED BY THE COUNCIL**

**RECITALS**

1. That the Mayor of the City of Hagerstown Emily N. Keller has resigned as of 11:59 p.m. on January 31, 2023. The Council is in the process of appointing a new Mayor pursuant to the City Charter.
2. Certain documents need to be signed and certain oaths need to be administered before a new Mayor can be appointed and the current City Charter or Code makes no provisions for these duties.
3. That the City Council desires to designate Scott A. Nicewarner, the City Administrator to perform these duties until a new Mayor is appointed.

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED** by the Council of the City of Hagerstown:

1. That the recitals in this Ordinance are incorporated by reference herein and deemed a substantive part of this Ordinance.
2. That the City Administrator Scott A. Nicewarner is hereby designated to execute all documents on behalf of the City of Hagerstown, required to have been executed by the Mayor and is further authorized to administer all oaths normally administered by the Mayor.
3. That an emergency exists, under the City's Charter at Article II, Section 207, because of the resignation of the Mayor and the need to have documents executed and oaths administered in the time period before a new Mayor can be appointed. It is necessary that this Ordinance become effective immediately upon passage by the Council.

WITNESS AND ATTEST AS TO  
CORPORATE SEAL

COUNCIL OF THE CITY OF  
HAGERSTOWN

\_\_\_\_\_  
Donna K. Spickler, City Clerk

\_\_\_\_\_  
Kristin B. Aleshire  
Councilmember

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Robert E. Bruchey, II  
Councilmember

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Tiara Burnett  
Councilmember

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Tekesha Martinez  
Councilmember

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Shelley McIntire  
Councilmember

Date of Introduction: February 7, 2023  
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PREPARED BY:  
SALVATORE & MORTON, LLC  
CITY ATTORNEY