

City Council
November 12, 2020

A special meeting of the Mayor and City Council of the City of Waxahachie, Texas was held in the Council Chamber at City Hall, 401 S. Rogers on Thursday, November 12, 2020 at 12:00 p.m.

Councilmembers Present: David Hill, Mayor
Mary Lou Shipley, Mayor Pro Tem
Chuck Beatty, Councilmember
Kevin Strength, Councilmember
Melissa Olson, Councilmember

Others Present: Michael Scott, City Manager
Albert Lawrence, Assistant City Manager
Tommy Ludwig, Assistant City Manager
Robert Brown, City Attorney
Lori Cartwright, City Secretary

1. Call to Order

Mayor David Hill called the meeting to order.

2. Invocation

3. Pledge of Allegiance and Texas Pledge of Allegiance

Mayor Hill gave the invocation and led the Pledge of Allegiance and the Texas Pledge of Allegiance.

4. Public Comments

Mr. Patrick Souter, 700 West Main Street, Waxahachie, spoke against the city's process of an election runoff and how it was handled. He stated because Ms. Duran moved out of the city, the election runoff should be between him and Mr. Barnes.

Mr. Ryan Finch, 504 Sycamore Street, Waxahachie, Mr. Souter's Campaign Finance Officer, spoke against the process of the election runoff.

5. Canvass and accept votes of City Council Election held on November 3, 2020

Mayor Hill canvassed the election returns of the City Council Election held on Tuesday, November 3, 2020 as follows:

Place 1	David Hill	9,317
Place 1	Paul Christenson	5,284
Total Votes Cast:		14,601
Place 2	Tiffany Duran	6,150
Place 2	Patrick Souter	3,865
Place 2	Doug Barnes	4,038
Total Votes Cast:		14,053

Place 3	Melissa Olson	7,777
Place 3	Kevin Strength	6,857
Total Votes Cast:		14,634

Action:

Councilmember Kevin Strength moved to accept the election returns of the City Council Election held on Tuesday, November 3, 2020 as presented. Mayor Pro Tem Mary Lou Shipley seconded, All Ayes.

6. Administer Oaths of Office to Council Member Place 1 and Council Member Place 3

City Secretary Lori Cartwright administered the Oaths of Office to Mr. David Hill and Ms. Melissa Olson.

7. Consider proposed Ordinance ordering a Runoff Election for Council Member Place 2

City Attorney Robert Brown stated the City received a Certificate of Withdrawal from Ms. Tiffany Duran for Place 2 after the agenda for the current city council meeting was posted. He explained the procedure of cancelling the order of a runoff election for Councilmember Place 2, noting Mr. Barnes will be sworn in at the City Council meeting of November 16, 2020. Mr. Brown presented Ordinance 3229 ordering a runoff election.

ORDINANCE NO. 3229

AN ORDINANCE OF THE CITY OF WAXAHACHIE, TEXAS, ORDERING THAT A RUNOFF ELECTION BE HELD ON TUESDAY, DECEMBER 8, 2020, FOR THE PURPOSE OF ELECTING AN AT-LARGE COUNCIL MEMBER FOR PLACE 2; PROVIDING FOR A CONTRACT FOR ELECTION SERVICES WITH THE ELLIS COUNTY ELECTIONS ADMINISTRATOR; DECLARING AN EMERGENCY; AND PROVIDING AN EFFECTIVE DATE.

Action:

Councilmember Chuck Beatty moved to approve Ordinance No. 3229 as presented. Mayor Pro Tem Mary Lou Shipley seconded, All Ayes.

8. Comments by Mayor, City Council, City Attorney and City Manager

City Council and City Staff thanked Councilmember Kevin Strength for his dedicated years of service on City Council and the many projects that were completed and currently under construction because of him.

City Attorney Robert Brown referenced the Texas Election Code noting the code does allow a candidate, not a city, to go petition the court and try to declare somebody ineligible. He explained the only way Ms. Duran's name cannot be on the runoff ballot is for the city to call a runoff election and for her to submit a withdrawal, which is what happened. Mr. Brown stated if the judge says that she was ineligible, she still goes on the ballot. He explained there is no path for the 3rd place vote getter to be placed on a runoff election ballot.

9. Adjourn

There being no further business, the meeting adjourned at 12:30 p.m.

Respectfully submitted,

Lori Cartwright
City Secretary