

**CITY OF MUENSTER, TEXAS  
ORDINANCE NO. 419**

**AN ORDINANCE OF THE CITY OF MUENSTER, TEXAS, ORDERING A JOINT GENERAL ELECTION WITH COOKE COUNTY, TO BE HELD ON MAY 4, 2024, FOR THE PURPOSE OF ELECTING THREE (3) MEMBERS TO THE CITY COUNCIL FOR A TWO (2) YEAR TERM EACH; DESIGNATING LOCATIONS AND HOURS OF POLLING PLACES; AUTHORIZING CONTRACTS FOR ELECTION SERVICES, SUPPLIES AND VOTING MACHINES; DESIGNATING FILING DEADLINES; ORDERING NOTICES OF ELECTION TO BE GIVEN AS PRESCRIBED BY LAW IN CONNECTION WITH SUCH ELECTION; AUTHORIZING THE MAYOR AND CITY SECRETARY TO TAKE ALL ACTIONS NECESSARY TO COMPLY WITH APPLICABLE ELECTION LAWS; PROVIDING A SAVINGS/REPEALING CLAUSE, SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE; AND FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW.**

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MUENSTER, TEXAS, THAT:**

**SECTION 1.** A joint general election with Cooke County is hereby ordered to be held on Saturday, May 4, 2024 (“Election Day”) for the purpose of electing three (3) members to the City Council to hold office for two (2) year terms (the “General Election” or the “Election”).

**SECTION 2.** The Election Day polling place where qualified voters shall cast ballots at such location in the General Election as determined by the Cooke County Elections Administrator, and upon designation by the Cooke County Elections Administrator, such locations shall be set forth in Exhibit “A” to this Ordinance, which shall be incorporated herein by reference. Election day voting locations may be added or removed from Exhibit A as determined by the Cooke County Elections Administrator without further action of the City Council, as necessary for the proper conduct of the election. The polling place shall be open from 7:00 a.m. until 7:00 p.m. on the date of the election.

**SECTION 3.** Early voting by personal appearance for registered voters shall be available beginning on Monday, April 22, 2024 through Tuesday, April 30, 2024, Monday through Friday, between the hours of 8:00 a.m. to 6:00 p.m. at:

Cooke County Annex Building  
112 S. Dixon Street  
Gainesville, Texas 76240

The current list of early voting locations and hours is attached hereto as Exhibit A. **Early voting locations may be added or removed from this list as determined by the Cooke County**

**Elections Administrator and shall be incorporated herein without further need to amend this Ordinance.**

The City Council hereby appoints the Cooke County Elections Administrator as the “Early Voting Clerk.” The Early Voting Clerk’s official mailing address is: 101 South Dixon, Gainesville, Texas 76240.

Applications for ballot by mail shall be requested from and mailed to:

Pam Harrison, Cooke County Clerk  
101 S. Dixon Street  
Gainesville, Texas 76240

Applications for ballot by mail may also be requested from and emailed to the Early Voting Clerk at pam.harrison@co.cooke.tx.us. Applications for ballot by mail must be received no later than Tuesday, April 23, 2024.

**SECTION 4.** Candidate Packets shall be available in person at Muenster City Hall located at 400 N. Main Street, Muenster, Texas 76252, beginning January 17, 2024. City Hall hours during the candidate filing periods for the General Election for City Council are Monday through Friday 8:00 a.m. to 12:00 p.m., and 1:00 p.m. to 5:00 p.m.

Candidates must file their application for a place on the ballot by February 16, 2024 at 5:00 p.m. in person at 400 N. Main Street, Muenster, Texas 76252, or by mail at 400 N. Main Street, Muenster, Texas 76252. The City is not responsible for late deliveries by the postal service or any delivery company.

Applications will be accepted in the Office of the City Secretary during regular business hours during the candidate filing period in accordance with the Election Code.

**SECTION 5.** Lawfully authorized voting machines shall be used in this election for early voting and Election Day voting. Lawfully authorized ballots shall be used for early voting by mail. The Mayor, or his designee, is hereby authorized to enter into contracts for the use of voting machines, ballot preparation, ballot tabulation and similar functions.

The Election shall be conducted in accordance with the Texas Election Code under the jurisdiction of the Cooke County Elections Administrator (the “Election Administrator”), pursuant to an election services contract between the City and Cooke County, and other participating entities, if any, as described therein, (the “Election Services Contract” or “Contract”), a copy of which Contract shall be incorporated herein as **Exhibit B** upon its final approval and execution by the City. Voting shall be by electronic method.

The Mayor, the City Manager or designee, is authorized to amend or supplement any and all contracts for the administration of the Election and any Special Election, including without limitation the Election Services Contract, to the extent required for the Election to be conducted in an efficient and legal manner as determined by the Election Administrator and in accordance

with the Election Code. In the event that no election is necessary, the City Secretary shall notify the County and shall present the City Council a Resolution or Ordinance cancelling the election.

The Mayor or City Secretary may appoint an Election Judge, Alternate Election Judge and any other positions required to be filled to conduct the Election immediately upon finding individuals qualified and willing to serve if such persons are not provided by the Cooke County Elections Administrator. The appointed Election Judge may appoint an Election Clerk to assist in administration of the Election.

**SECTION 6.** The Election, including notices for the Election, shall be held in accordance with the Constitution of the State of Texas and the Election Code, and all resident qualified voters of the City shall be eligible to vote at the Election.

**SECTION 7.** The City Secretary, or her designee, is hereby authorized and directed to publish and/or post, in the time and manner prescribed by law, all notices required to be so published and/or posted in connection with the conduct of this Election.

**SECTION 8.** The Mayor and City Secretary, in consultation with the City's Attorney, are hereby authorized and directed to take any and all actions necessary to comply with the provisions of the Texas Election Code and any other state or federal law in carrying out and conducting the Election, whether or not expressly authorized herein.

**SECTION 9.** All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.


**SECTION 10.** Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional, illegal, or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid.

**SECTION 11.** It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and public notice of the time, place, and purpose of said meeting was given, all as required by Article 551.041 of the Texas Government Code.

**SECTION 12.** This Ordinance shall take effect immediately upon and after its passage and publication as provided by law.

**DULY ADOPTED AND PASSED** by the City Council of the City of Muenster, Texas, on this the 08 day of January 2024.

APPROVED:

  
Tim Felderhoff, Mayor

ATTEST:

  
Ammie Hennigan, City Secretary

**Exhibit A**  
**Early Voting Locations**

**Exhibit B**  
**City and Cooke County Election Services Contract**