

**City Council Minutes**  
**Tuesday, September 10, 2024**

On the 10<sup>th</sup> day of September 2024, at 6:33 p.m., the City Council of the City of Hurst, Texas, convened in a Regular Meeting at City Hall, 1505 Precinct Line Road, Hurst, Texas, with the following members present:

Henry Wilson	)	Mayor
John Miller	)	Mayor Pro Tem
Cathy Brotherton	)	Councilmembers
Cindy Shepard	)	
Jon McKenzie	)	
Gary N. Waldron	)	

Clay Caruthers	)	City Manager
Matthew Boyle	)	City Attorney
Clayton Fulton	)	Assistant City Manager
Malaika Marion Farmer	)	Assistant City Manager
Rita Frick	)	City Secretary

With the following Councilmembers absent: Jimmy Meeks, constituting a quorum; at which time, the following business was transacted:

The meeting was called to order at 6:33 p.m. and Councilmember Cathy Brotherton gave the Invocation.

The Pledge of Allegiance and Texas Pledge were given.

**PRESENTATION(S)**

**CONSENT AGENDA**

1. Consider approval of the minutes for the August 27, 2024 Council meetings

Mayor Pro Tem Miller moved to approve the consent agenda. Motion seconded by Councilmember Shepard. Motion prevailed by the following vote:

Ayes: Councilmembers Miller, Brotherton, Shepard, McKenzie and Waldron  
No: None

**RESOLUTION(S)**

2. Consider Resolution 1867 approving a negotiated settlement between the Atmos Cities Steering Committee (“ACSC”) and Atmos Energy Corp., Mid-Tex Division regarding the company’s 2024 rate review mechanism filing

Assistant City Manager Clayton Fulton briefed Council on the negotiated settlement noting Atmos filed a rate request pursuant to the RRM Tariff adopted by the ACSC members and

claimed that its cost-of-service in a test year ending December 31, 2023, entitled it to additional system-wide revenues of \$196.8 million. He stated after application of standards set forth in ACSC's RRM Tariff and subsequent reviews and meetings, the parties have agreed to settle the case at \$164.7 million, a reduction of \$32.1 million from the original request. He stated the impact of the settlement on average residential rates is an increase of \$5.52 on a monthly basis, or 6.84%. The increase for average commercial usage will be \$13.39 or 3.44%. Mr. Fulton stated the ACSC Executive Committee has urged all ACSC members to pass the Resolution.

Councilmember Brotherton moved to adopt Resolution 1867 approving the negotiated settlement between the Atmos Cities Steering Committee and Atmos Energy Corp., Mid-Tex Division. Motion seconded by Councilmember McKenzie. Motion prevailed by the following vote:

Ayes: Councilmembers Miller, Brotherton, Shepard, McKenzie and Waldron

No: None

### **OTHER BUSINESS**

3. Review of upcoming calendar items – City Manager Clay Caruthers reviewed the future event calendar.
4. City Council Reports - Items of Community Interest – Mayor Pro Tem Miller commented although he was not at the recent Rickel Park Ribbon Cutting, his wife and daughter enjoyed the new equipment.

### **PUBLIC INVITED TO BE HEARD – A REQUEST TO APPEAR CARD MUST BE COMPLETED AND RETURNED TO THE CITY SECRETARY TO BE RECOGNIZED. CITIZEN COMMENTS ARE LIMITED TO A MAXIMUM OF 3 MINUTES PER SPEAKER**

Mayor Wilson recognized the following individuals who expressed their concerns of a possible development of nine homes on a current single family 2.5-acre lot in Adam Acres noting the potential for issues regarding drainage, security, traffic, water pressure, sanitary sewer, and tree mitigation; also expressing the desire for Council and Staff to support the neighborhood by protecting the uniqueness of their neighborhood: Dan Lewis, 1316 Cimarron Trail; Selena Asire, 1400 Cimarron Trail; Kirk Maisenbacher, 1400 Cimarron Trail and Dale Ballard, 1442 Cimarron Trail. Mayor Wilson also recognized Taylor Thorns, 237 Fanning Drive who spoke regarding the drainage repairs north of Cannon Drive and advocated native plantings be utilized instead of turf grass to help with the erosion problem.

**EXECUTIVE SESSION in Compliance with the Provisions of the Texas Open Meetings Law, authorized by Tex. Government Code Section 551.087 deliberation and conducting of economic development negotiations regarding financial information relative to prospective business expansion in the City, Section 551.072 deliberation of the purchase, exchange, lease, or value of real property (Pipeline Road Project), Section 551.071 Consultation with and legal advice from the City Attorney regarding community improvement alternatives and Section 551.071 Consultation with attorney on a matter in which the duty of the attorney to the government body under the Texas Disciplinary Rules of Professional Conduct of the State Bar**

**of Texas clearly conflicts with the Open Meetings Act (zoning, land use, and permits) and to reconvene in Open Session at the conclusion of the Executive Session – Mayor Wilson did not adjourn to executive session.**

5. Take any and all action necessary ensuing from Executive Session – No action was taken.

**ADJOURNMENT**


The meeting was adjourned at 6:53 p.m.

**APPROVED** this the 10<sup>th</sup> day of September 2024.

**ATTEST:**

  
Rita Frick, City Secretary

**APPROVED:**

  
Henry Wilson, Mayor