



ATHENS CITY COUNCIL MINUTES OF REGULAR SESSION

The Athens City Council met in regular session on **Tuesday, April 15, 2025**, at 6:00 p.m. in the Athens City Hall Council Chambers with Mayor Eaton presiding. Vice Mayor Curtis led the invocation. Mayor Eaton led the Pledge of Allegiance.

Roll call:

PRESENT: Duggan, Pelley, Sherlin, Curtis, Eaton

ABSENT:

The following decisions were made and ordered to be part of the records of the Athens City Council.

APPROVAL OF MINUTES

Vice Mayor Curtis moved to approve the minutes of Tuesday, March 18, 2025 – Regular Session; Councilmember Duggan seconded and proposed two corrections:

Page 6, Item 13 – Correct the misspelling of Vice Mayor Cutis to Curtis.

Page 7, Item 18 – Add language to clarify Councilmember Pelley’s motion about the rules not allowing citizens to speak negatively about the City.

Vice Mayor Curtis moved to approve the minutes with amendments; Councilmember Duggan seconded.

With these amendments, the minutes were approved.

Roll call vote:

YEAS: Duggan, Sherlin, Curtis, Eaton

NAYS: Pelley

COMMUNICATIONS AND SPECIAL PRESENTATIONS

- A. Athens City Middle School, Assistant Principal Dr. Trey Ivins presented updates, upcoming events, and voiced appreciation for the SRO, Police Department, and Fire Department.
- B. Mayor Eaton presented a VIVID Award to Shelia & the late Dan Chesanow for their “Unwavering Dedication to Animal Welfare”.
- C. Councilmember Duggan presented a Proclamation to Kathi Grand for the 2025 National Day of Prayer.

CITIZEN'S COMMENTS GERMANE TO THE AGENDA

- Glenn Whiting addressed the Council regarding legal settlements.

In response, Mayor Eaton requested that City Attorney Caldwell provide an overview of the legal matters involving Mr. Whiting. City Attorney Caldwell stated that the lawsuits in question are currently on appeal and have been ongoing since 2020.

CONSENT AGENDA

- A. Approve Memorandum of Agreement between City of Athens and NoogaLights, LLC and award RFP 25-04 to NoogaLights, LLC (option 3) for Christmas Lights Show at Athens Regional Park
- B. Approve the Contract between the City of Athens and Total Lawn Care and award RFB 25-05 to Total Lawn Care for Mowing and Maintenance of Three City-Owned Cemeteries
- C. Approve the Construction Phase Design Service Agreement between City of Athens and Gresham Smith Engineers to Design, Assist in Bidding, and Provide Construction Administration for the ARP funded Stormwater Project.

Vice Mayor Curtis moved to approve all consent agenda items as presented; Councilmember Duggan seconded.

Discussion:

- Councilmember Pelley spoke in opposition of Item A, saying that using the event as a “fundraiser for someone is very inappropriate”.

Councilmember Pelley moved amending the original motion to allow Item A to be discussed separately from the Consent Agenda; Councilmember Sherlin seconded.

The motion to amend failed.

Roll call vote:

YEAS: Pelley, Sherlin
NAYS: Curtis, Eaton
ABSTAIN: Duggan

Vote on original motion (to Approve Consent Agenda as Presented)

Motion approved.

Roll call vote:

YEAS: Duggan, Curtis, Eaton
NAYS: Pelley, Sherlin

ORDINANCES

-none-

OLD BUSINESS

A. Discussion of City Hall

Vice Mayor Curtis moved to authorize the City Manager to engage architects Allen & Hoshall to design plans and refined cost estimates for an Annex and Renovation to the current City Hall as described by the City Manager; Mayor Eaton seconded.

Discussion:

- Councilmember Pelley expressed a desire to continue the discussion at future meetings and supported moving the Parks and Recreation Department to Athens Regional Park.
- Vice Mayor Curtis stated that the matter has been under discussion for years, costs are increasing, and utilizing the existing site is the most practical approach.
- Councilmember Sherlin agreed that the issue has been discussed extensively but requested more specific project details before engaging architects for preliminary design and cost estimation.
- Councilmember Duggan requested that firm dates be set for further discussions, should they be necessary.
- Mayor Eaton noted that hiring an architect is the logical next step to enable productive future discussion.

Councilmember Duggan moved to amend the original motion to include scheduling two called planning sessions within the next four weeks. He later withdrew the motion.

Councilmember Sherlin moved to postpone the discussion until the May Work Session and to schedule additional planning sessions before proceeding with contracting an architect. Councilmember Pelley seconded the motion.

Motion to postpone was approved.

Roll call vote:

YEAS: Pelley, Sherlin

NAYS: Curtis, Eaton

ABSTAIN: Duggan

Vice Mayor Curtis called the question on the original motion; Mayor Eaton seconded.

Vote on Motion to Call the Question:

The motion failed to receive the required two-thirds vote, and discussion resumed.

Roll call vote:

YEAS: Duggan, Curtis, Eaton

NAYS: Pelley, Sherlin

Original motion approved.

Roll call vote:

YEAS: Duggan, Curtis, Eaton

NAYS: Pelley, Sherlin

B. Approval of Legal Settlement

City Attorney Caldwell provided an update on the current lawsuit filed in McMinn County Chancery Court involving Robert Roberts, LLC. He explained that mediation had taken place and recommended settling the matter for \$95,000, payable to Robert Roberts, LLC through their attorney.

Vice Mayor Curtis moved to approve the settlement in the amount of \$95,000. Councilmember Duggan seconded the motion.

Discussion:

- Councilmember Sherlin expressed opposition to settling, stating that the City was not at fault in the matter.
- Vice Mayor Curtis noted that continuing to contest the case could ultimately result in higher costs for the City.

Motion approved.

Roll call vote:

YEAS: Duggan, Curtis, Eaton

NAYS: Pelley, Sherlin

NEW BUSINESS

A. Discussion to Amend Athens City Code 8-52 (1) - Number of Local Liquor Store Privilege Licenses.

Councilmember Duggan moved to increase the number of local liquor store privilege licenses from two (2) to three (3). Vice Mayor Curtis seconded the motion.

First Reading of Ordinance No. 1139:

AN ORDINANCE OF THE CITY OF ATHENS, TENNESSEE TO AMEND TITLE 8, CHAPTER II OF THE ATHENS CITY CODE TO INCREASE THE LIMIT ON LOCAL LIQUOR STORE PRIVILEGE LICENSES.

Discussion:

- Councilmembers Sherlin and Pelley opposed the increase, asserting that there are already enough liquor stores in the area.
- Councilmember Duggan and Vice Mayor Curtis expressed support for the amendment, citing their belief in a free market approach.

Motion approved.

Roll call vote:

YEAS: Duggan, Curtis, Eaton

NAYS: Pelley, Sherlin

B. Disposing of a House and Property at Regional Park

RESOLUTION NO. 2025-10

A RESOLUTION DECLARING CERTAIN REAL PROPERTY LOCATED AT 2201 DECATUR PIKE, LOT 1, AS SURPLUS TO THE NEEDS OF THE CITY OF ATHENS AND AUTHORIZING ITS DISPOSAL

Councilmember Sherlin moved to approve Resolution No. 2025-10 with a condition that a minimum bid be attached to the property disposal, set at no less than the improvement value or the commercial appraisal, whichever is higher. Councilmember Pelley seconded the motion.

Motion approved.

Roll call vote:

YEAS: Duggan, Pelley, Sherlin, Curtis, Eaton

NAYS: None

C. Reappoint David Passmore to Board of Adjustment & Appeals (term expires April 2030)

Councilmember Pelley moved to approve the reappointment of David Passmore; Vice Mayor Curtis seconded the motion.

Motion approved.

Roll call vote:

YEAS: Duggan, Pelley, Sherlin, Curtis, Eaton

NAYS: None

D. Reappoint Charles Byrd to the Tax Equalization Board (term expires April 2027)

Councilmember Pelley moved to approve the reappointment of Charles Byrd; Vice Mayor Curtis seconded the motion.

Motion approved.

Roll call vote:

YEAS: Duggan, Pelley, Sherlin, Curtis, Eaton

NAYS: None

E. Fill the unexpired term of Janice Hardaway (expiring August 2025) on the Athens Regional Planning Commission

Mayor Eaton appointed Frances Witt-McMahan to fill the unexpired term. Vice Mayor Curtis moved to confirm the mayoral appointment. Councilmember Duggan seconded the motion.

Motion approved.

Roll call vote:

YEAS: Duggan, Sherlin, Curtis, Eaton

NAYS: Pelley

F. New Business – Proposal for Splash Pad at Cook Park

Councilmember Pelley moved to put a splash pad at Cook Park. Motion failed for lack of second.

REPORTS

Finance Department Monthly Report
Director of Finance, Mike Keith

Fire Department Monthly Report
Fire Chief, Brandon Ainsworth

Police Department Monthly Report
Police Chief, Fred Schultz

REPORT FROM THE CITY MANAGER

Program of Work
City Manager, Randall Dowling

CITIZENS COMMENTS

- Charlie Senn – Safeguard American Voter Eligibility Act (SAVE Act)
- Glenn Whiting – City Hall Annex and Renovation
- Dick Pelley – The way he has been treated during his time served on the City Council.

ADJOURNMENT

Vice Mayor Curtis moved to adjourn; Councilmember Duggan seconded. The meeting adjourned at approximately 8:15 pm.

Roll call vote:

YEAS: Duggan, Pelley, Sherlin, Curtis, Eaton

NAYS: None



RANDALL DOWLING, City Manager



LARRY EATON, Mayor