ATHENS CITY COUNCIL
WORK SESSION

Monday, December 8, 2025, 3:00pm

I. INVOCATION

II. PLEDGE OF ALLEGIANCE

III. COMMUNICATIONS AND SPECIAL PRESENTATIONS

A. Sandra Kinney – Main Street Athens

IV. DISCUSSION

(1) A. Presentation of FYE June 30, 2025 Annual Comprehensive Financial Report

(2-4) B. FY 2025-26 Fund Balance Transfer from General Fund to Capital Improvement Fund

(5-6) C. Resolution 2025-31, a Resolution Authorizing the Distribution of the Athens Utilities Board's Gas In Lieu of Tax Payments for FY 2025-26.

(7-8) D. Resolution 2025-32, a Resolution Authorizing the Distribution of the Athens Utilities Board's Electrical In Lieu of Tax Payments for FY 2025-26.

(9-27) E. Debt Management Policy Annual Review

(28-30) F. Bid Award of RFP 25-16 for Fireworks and Drone Light Show for July 4, 2026

(31-35) G. Bid Award of RFB 25-17 for Safety Improvements at the Intersection of Rocky Mount Rd. / W. Madison Ave. / Old Riceville Rd.

(36-39) H. Municipal Judge Application Process

(40-42) I. Second Reading and Public Hearing of Ordinance 1149, An Ordinance to Amend the Zoning Ordinance of the City of Athens, Tennessee, so as to Amend the Official Zoning Map to Include and Zone Property off Lee Drive to R-3 (High Density Residential District) said area being located within the Corporate Limits of Athens, Tennessee.

(43-46) J. Citizen Comment Rules

(47-56) K. City Council Personal Code of Professionalism

(57-59) L. Complaint Form and Procedure

(60-61) M. Resolution 2025-33, a Resolution Authorizing the City of Athens, Tennessee to Participate in the Cyber Security Matching Grant Program through Public Entity Partners.

(62-64) N. Resolution 2025-33, a Resolution concerning the Extension of Davis Place Drive and New Roadways off Shadows Lawn Drive Built to City Standards to be Named 'Meadow Wood Lane' & English Oak Lane' and Accepting said Streets into the Street System of the City of Athens, Tennessee.

(65) O. Designating Friday, December 26, 2025 as a One-Time Additional Paid Holiday for City Employees

(66-67) P. 2026 Meeting Dates for City Council Work Sessions, Regular Sessions, and Beer Board

Q. Councilmember Items

a. Councilmember Sherlin
   i. Resignation from Athens Municipal Regional Planning Commission

(68-69) b. Mayor Eaton
   i. Athens Municipal Regional Planning Commission Appointment

(70-71) c. Vice Mayor Curtis
   i. Graffiti Ordinance

V. NEW BUSINESS

VI. BOARDS & COMMITTEES

VII. ADJOURNMENT

Agenda Item
IV. A. Presentation of FYE June 30, 2025 Annual Comprehensive Financial Report

Overview
Mike Keith, Finance Director, will present the results of the FYE June 30, 2025 Annual Comprehensive Financial Report (report will be provided at work session).

Action to Consider
Consensus is needed to move this item to the December 16, 2025 regular session for approval.

Affected Departments
Finance Department

CITY OF ATHENS
EST. 1822
CITY HALL
THE FRIENDLY CITY
TENNESSEE

Agenda Item

IV. B. FY 2025-26 Fund Balance Transfer from General Fund to Capital Improvement Fund

Overview

The city's established General Fund unassigned fund balance policy is to maintain an amount equal to 75% of General Fund expenditures in reserves. Based on the current budget, that amount would total $16.9M. Currently, the General Fund has $19.2M in reserves and needs to transfer $1.7M to the Capital Improvement Fund to fund future capital projects. After the transfer is made, the General Fund reserves would total approximately $17.5M, slightly above the policy amount, and the Capital Improvement Fund reserves would total approximately $15.5M. Attached is the Finance Director's memo and the cash balances and investment sheet ending Oct. 31, 2025.

Action to Consider

Consensus is needed to move this item to the December 16, 2025 regular session for consideration.

Affected Departments

Finance Department

FINANCE DEPARTMENT

MEMORANDUM

TO: Randy Dowling, City Manager

FROM: Mike Keith, Director of Finance

DATE: November 24, 2025

RE: FY2026 Fund Balance Transfer

Our fund balance policy for the unassigned fund balance in the General Fund is to maintain an amount equal to 75% of budgeted expenditures. For the FY2026 budget, that amount should be $16,943,250. I am recommending that we transfer $1,700,000 of excess fund balance to the Capital Projects Fund in December. This will leave us with a fund balance of approximately $17,500,000 in the General Fund. I realize it is above the target but we have $150,000 of leftover paving funds to use in future years that will come out of fund balance. Secondly, the balance of $17,500,000 will put us at the estimated fund balance needed for the FY2027 budget. With sales tax revenue growth slowing in the current year and the loss of property tax revenues, I believe this will help us maintain the appropriate fund balance over the next several years.

Please let me know if you have any questions or need any additional items for this memo.

CITY OF ATHENS
FINANCIAL REPORT
CASH BALANCES AND INVESTMENT SHEET
2025-2026

	JUL	AUG	SEPT	OCT
GENERAL	15,865,000	15,280,000	15,019,000	15,145,000
EMP MED BENEFIT	305,000	306,000	307,000	308,000
SCHOOL DEBT SER	4,142,000	4,237,000	4,324,000	4,418,000
CITY DEBT SER	114,000	114,000	114,000	114,000
CAP IMP	13,936,000	13,924,000	13,869,000	13,824,000
FLEET	8,433,000	7,176,000	7,050,000	6,968,000
SAN	1,474,000	2,736,000	2,413,000	2,399,000
DRUG	208,000	186,000	190,000	197,000
CONFERENCE	168,000	172,000	174,000	173,000
2021 GO BOND	1,077,000	1,081,000	1,085,000	1,088,000
HOTEL/MOTEL TAX	954,000	973,000	1,001,000	1,035,000
TOTAL CASH & INV	46,676,000	46,185,000	45,546,000	45,669,000

CITY OF ATHENS
EST. 1822
CITY HALL
THE FRIENDLY CITY
TENNESSEE

Agenda Item

IV. C. Resolution 2025-31, a Resolution Authorizing the Distribution of the Athens Utilities Board's Gas In Lieu of Tax Payments for FY 2025-26.

Overview

The Finance Department is requesting the City Council to approve the attached resolution authorizing the Athens Utilities Board to distribute their Gas in Lieu of Tax Payments to various public entities as outlined in the resolution.

The gas amount increased by over $24,000 due to a decrease in the net property investment but the 3-year average in operating revenue less the cost of gas increased enough over the prior year to offset the equalization decrease.

Action to Consider

Consensus is needed to move this item to the December 16, 2025 regular session for consideration.

Affected Departments

Finance Department

RESOLUTION NO. 2025-31

A RESOLUTION AUTHORIZING THE DISTRIBUTION OF THE ATHENS UTILITIES BOARD'S NATURAL GAS IN LIEU OF TAX PAYMENTS FOR FISCAL YEAR 2025/2026.

WHEREAS, the Legislature for the State of Tennessee enacted Public Chapter No. 39 during its 1987 session, which Act provided for a uniform formula to pay tax equivalents on gas systems to the respective cities and counties served by the Athens Utilities Board in accordance with the respective property tax rates set by said governing bodies; and

WHEREAS, in TCA 7-39 et seq. provides that the legislative body of the municipality will pass a resolution outlining the amount to be paid to each respective jurisdiction served by the utilities, using the current tax rate by the respective governing body.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Athens, Tennessee, as follows:

That the recitals above are true and accurate and form a part of this Resolution; and

That meeting in regular session this **16th** day of **December, 2025**, that the Athens Utilities Board is hereby authorized, directed and empowered to distribute its gas in lieu of tax payments (tax equivalent) to the City of Athens, Tennessee, for the City of Athens, the sum of **$265,682.81**.

BE IT FURTHER RESOLVED that the Athens Utilities Board will distribute to the following municipalities, which it serves and owns property, in accordance with the following schedules:

Niota	-	**$481.79**
Calhoun	-	**$153.10**

BE IT FURTHER RESOLVED that the Athens Utilities Board will pay the sum to the City of Athens in monthly installments beginning the **20th** day of **July 2025**, and the same day of each month thereafter for this fiscal year.

BE IT FURTHER RESOLVED by the Athens City Council that this resolution shall take effect immediately from and after its passage, the public welfare requiring it.

ON MOTION BY ____,

SECONDED BY ____,

said Resolution was approved by roll call vote.

ATTEST:

____
Larry Eaton, Mayor

____
Randall Dowling, City Manager

APPROVED AS TO FORM:

____
Christopher M. Caldwell, City Attorney

Agenda Item

IV. D. Resolution 2025-32, a Resolution Authorizing the Distribution of the Athens Utilities Board's Electrical In Lieu of Tax Payments for FY 2025-26.

Overview

The Finance Department is requesting the City Council approve the attached resolution authorizing the Athens Utilities Board to distribute their Electrical in Lieu of Tax Payments to various public entities as outlined in the resolution for FY 2025-26.

The amount for electricity has decreased by approximately $74,000 due to the equalization factor being applied to their net property investment and the 3-year average of revenues after the cost of power decreased from the previous year.

Action to Consider

Consensus is needed to move this item to the December 16, 2025 regular session for consideration.

Affected Departments

Finance Department

RESOLUTION NO. 2025-32

A RESOLUTION AUTHORIZING THE DISTRIBUTION OF THE ATHENS UTILITIES BOARD'S ELECTRICAL IN LIEU OF TAX PAYMENTS FOR FISCAL YEAR 2025/2026.

WHEREAS, the Legislature for the State of Tennessee enacted Public Chapter No. 84 during its 1987 session, which Act provided for a uniform formula to pay tax equivalents on electrical systems to the respective cities and counties served by the Athens Utilities Board in accordance with the respective property tax rates set by said governing bodies; and

WHEREAS, in Section 5(d) of said Act, the legislative body of the municipality and/or governing agency agrees that the electric system subject to said Act, is to pass a Resolution outlining the amount to be paid to each respective jurisdiction served by the utilities, using the current tax rate by the respective governing body.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Athens, Tennessee, as follows:

That the recitals above are true and accurate and form a part of this Resolution; and

That meeting in regular session this 16th day of December, 2025, that the Athens Utilities Board is hereby authorized, directed and empowered to distribute its electrical in lieu of tax payments (tax equivalent) to the City of Athens, Tennessee, for the City of Athens and McMinn County, the sum of **$863,580.63** in accordance with the following schedule for the **fiscal year 2025/26** as follows:

McMinn	-	**$194,305.64**
Athens	-	**$669,274.99**

or a total amount of **$863,580.63**.

The City of Athens will make distributions to McMinn County as required by law.

BE IT FURTHER RESOLVED that the Athens Utilities Board will distribute to the following municipalities and Monroe County, which it serves and owns property, in accordance with the following schedules:

Englewood	-	**$ 6,705.04**
Niota	-	**$ 7,665.06**
Monroe	-	**$ 969.97**

or a total amount of **$15,340.07**.

BE IT FURTHER RESOLVED that the Athens Utilities Board will pay the sum to the City of Athens in monthly installments beginning the **20th** day of **July 2025**, and the same day of each month thereafter for this fiscal year.

BE IT FURTHER RESOLVED by the Athens City Council that this resolution shall take effect immediately from and after its passage, the public welfare requiring it.

ON MOTION BY ______________________________,

SECONDED BY ______________________________,

said Resolution was approved by roll call vote.

____
Larry Eaton, Mayor

ATTEST:

____
Randall Dowling, City Manager

APPROVED AS TO FORM:

____
Christopher M. Caldwell, City Attorney

Agenda Item
IV. E. Debt Management Policy Annual Review

Overview
The state requires the City Council to review the city's debt management policy annually. That policy is attached. The Finance Director is recommending that no changes be made to the policy at this time.

Action to Consider
Consensus is needed to move this item to the December 16, 2025 regular session for consideration.

Affected Departments
Finance Department

FINANCE DEPARTMENT

MEMORANDUM

TO: Randy Dowling, City Manager

FROM: Mike Keith, Director of Finance

DATE: November 24, 2025

SUBJECT: Annual Review of Debt Management Policy

I have reviewed the debt management policy and request that it be placed on the December agenda for the study session and Council meeting. State law requires that the policy be reviewed annually by the City Council. I do not recommend any changes to the policy at the present time.

Please let me know if you have any questions or need any additional information.

DEBT MANAGEMENT POLICY

Original Adoption by City Council: December 20, 2011
Reviewed by City Council: December 16, 2025

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INTRODUCTION

This Debt Management Policy (the "Debt Policy") is a written guideline with parameters that affect the amount and type of debt that can be issued by the City of Athens, Tennessee (the "City"), the issuance process and the management of the City's debt. The purpose of this Debt Policy is to improve the quality of management and legislative decisions and to provide justification for the structure of debt issuances consistent with the Debt Policy's goals while demonstrating a commitment to long-term capital planning. It is also the intent of the City that this Debt Policy will signal to credit rating agencies, investors and the capital markets that the City is well managed and will always be prepared to meet its obligations in a timely manner. This Debt Policy fulfills the requirements of the State of Tennessee regarding the adoption of a formal debt management policy on or before January 1, 2012. This policy will be reviewed by the City Council on a regular basis as required by the State of Tennessee.

This Debt Policy provides guidelines for the City to manage its debt and related annual costs within both current and projected available resources while promoting understanding and transparency for our citizens, taxpayers, rate payers, businesses, investors and other interested parties.

The City may, from time to time, review this Debt Policy and make revisions and updates, if warranted.

CITY OF ATHENS, TENNESSEE
DEBT MANAGEMENT POLICY

I. INTRODUCTORY STATEMENT

In managing its Debt (defined herein as tax-exempt/taxable bonds, capital outlay notes, other notes, capital leases, interfund loans or notes and loan agreements); it is the City's policy to:

- Achieve the lowest cost of capital within acceptable risk parameters
- Maintain or improve credit ratings
- Assure reasonable cost access to the capital markets
- Preserve financial and management flexibility
- Manage interest rate risk exposure within acceptable risk parameters

II. GOALS AND OBJECTIVES

Debt policies and procedures are tools that ensure that financial resources are adequate to meet the City's long-term capital planning objectives. In addition, the Debt Management Policy (the "Debt Policy") helps to ensure that financings undertaken by the City have certain clear, objective standards which allow the City to protect its financial resources in order to meet its long-term capital needs.

The Debt Policy formally establishes parameters for issuing debt and managing a debt portfolio which considers the City's specific capital improvement needs; ability to repay financial obligations; and, existing legal, economic, and financial market conditions. Specifically, the policies outlined in this document are intended to assist in the following:

- To guide the City in policy and debt issuance decisions
- To maintain appropriate capital assets for present and future needs
- To promote sound financial management
- To protect the City's credit rating
- To ensure the City's debt is issued legally under applicable state and federal laws
- To promote cooperation and coordination with other parties in the financing
- To evaluate debt issuance options

III. PROCEDURES FOR ISSUANCE OF DEBT

1) Authority

a) The City will only issue Debt by utilizing the statutory authorities provided by *Tennessee Code Annotated* as supplemented and revised ("TCA") and the Internal Revenue Code (the "Code").

b) The City will adhere to any lawfully promulgated rules and regulations of the State and those promulgated under the Code.

c) The City consists of three separate units; the City of Athens, the Athens City School system and the Athens Utilities Board. Each has its own board, but all debt for each of these three entities must be formally adopted by resolution of the City's Legislative Body. For the purposes of this Debt Policy, it is understood that the City of Athens and the Athens City School system will adopt this policy, while the Athens Utilities will adopt its own separate policy to be approved by its board as well as the City Council.

2) Transparency

a) It is recognized that the issuance of Debt must have various approvals and on occasion, written reports provided by the State of Tennessee Comptroller's office either prior to adoption of resolutions authorizing such Debt, prior to issuance and/or following issuance. The City, in conjunction with any professionals (including, but not limited to, financial advisors, underwriters, bond counsel, etc. which may individually or collectively be referred to herein as "Financial Professionals") will ensure compliance with TCA, the Code and all federal and State rules and regulations. Such State compliance will include, but not be limited to, compliance with all legal requirements regarding adequate public notice of all meetings of the City related to consideration and approval of Debt. In the interest of transparency, all costs (including interest, issuance, continuing and one-time) shall be disclosed to its legislative body, citizens and other interested parties in a timely manner. Additionally, the City shall provide the Tennessee Comptroller's office sufficient information on the Debt to not only allow for transparency regarding the issuance, but also assuring that the Comptroller's office has sufficient information to adequately report or approve any formal action related to the sale and issuance of Debt. The City will also make this information available to its legislative body, citizens and other interested parties.

b) The City will file its Audited Financial Statements and any Continuing Disclosure document prepared by the City or its Dissemination Agent. To promote transparency and understanding, these documents should be furnished to members of the Legislative Body and made available electronically or by other usual and customary means to its citizens, taxpayers, rate payers, businesses, investors and other interested parties by posting such information on-line or in other prominent places.

IV. CREDIT QUALITY AND CREDIT ENHANCEMENT

The City's Debt management activities will be conducted in order to maintain or receive the highest possible credit ratings. The City Manager and Finance Director in conjunction with any Financial Professionals that the City may chose to engage will be responsible for maintaining relationships and communicating with one or more rating agencies.

The City will consider the use of credit enhancements on a case-by-case basis, evaluating the economic benefit versus cost for each case. Only when clearly demonstrable savings can be shown shall an enhancement be considered. The City will consider each of the following enhancements as alternatives by evaluating the cost and benefit of such enhancements:

1) Insurance

The City may purchase bond insurance when such purchase is deemed prudent and advantageous. The predominant determination shall be based on such insurance being less costly than the present value of the difference in the interest on insured bonds versus uninsured bonds.

2) Letters of Credit

The City may enter into a letter-of-credit (“LOC”) agreement when such an agreement is deemed prudent and advantageous. The City or its Financial Professionals, if any, may seek proposals from qualified banks or other qualified financial institutions pursuant to terms and conditions that are acceptable to the City.

V. AFFORDABILITY

The City shall consider the ability to repay Debt as it relates to the total budget resources, the wealth and income of the community and its property tax base and other revenues available to service the Debt. The City may consider debt ratios and other benchmarks compared to its peers when analyzing its Debt including materials published by the nationally recognized credit rating agencies.

VI. DEBT STRUCTURE

The City shall establish all terms and conditions relating to the issuance of Debt and will invest all bond proceeds pursuant to the terms of its investment policy, if any. Unless otherwise authorized by the City, the following shall serve as the Debt Policy for determining structure:

1) Term

All capital improvements financed through the issuance of Debt will be financed for a period not to exceed the useful economic life of the improvements and in consideration of the ability of the City to absorb such additional debt service expense. The term of Debt shall be determined by, but not limited to, the economic life of the assets financed, conditions in the capital markets, the availability of adequate revenue streams to service the Debt and the existing pattern of Debt payable from such identifiable fund or enterprise activity, but in no event will the term of such Debt exceed forty (40) years.

2) Capitalized Interest

From time to time, certain financings may require the use of capitalized interest from the date of issuance until the City is able to realize beneficial use and/or occupancy of the financed project. Interest may be capitalized through a period permitted by federal law and TCA if it is determined that doing so is beneficial to the financing by the Legislative Body and is appropriately memorialized in the legislative action authorizing the sale and issuance of the Debt.

3) Debt Service Structure

General Obligation debt issuance shall be planned to achieve relatively net level debt service or level principal amortization considering the City's outstanding debt obligations, while matching debt service to the useful economic life of facilities. Absent events or circumstances determined by its Legislative Body, the City shall avoid the use of bullet or balloon maturities (with the exception of sinking fund requirements required by term bonds) except in those instances where such maturities serve to make existing overall debt service level or match specific income streams. Debt which is supported by project revenues and is intended to be self-supporting should be structured to achieve level proportional coverage to expected available revenues.

4) Call Provisions

In general, the City's Debt should include a call feature no later than ten (10) years from the date of delivery of the bonds. The City will avoid the sale of long-term debt which carries longer redemption features unless a careful evaluation has been conducted by the City Manager and Finance Director and/or Financial Professionals, if any, with respect to the value of the call option.

5) Original Issuance Discount/Premium

Debt with original issuance discount/premium will be permitted.

6) Deep Discount Bonds

Deep discount debt may provide a lower cost of borrowing in certain capital markets. The City Manager and Finance Director and/or Financial Professionals, if any, should carefully consider their value and effect on any future refinancing as a result of the lower-than-market coupon.

VII. DEBT TYPES

When the City determines that Debt is appropriate, the following criteria will be utilized to evaluate the type of debt to be issued.

1) Security Structure

a) General Obligation Debt

The City may issue Debt supported by its full faith, credit and unlimited ad valorem taxing power ("General Obligation Debt"). General Obligation Debt may be used to finance capital projects that do not have significant independent creditworthiness or significant on-going revenue streams or as additional credit support for revenue-supported Debt, if such support improves the economics of the Debt and is used in accordance with these guidelines.

b) Revenue Debt

The City may issue Debt supported exclusively with revenues generated by a project or enterprise fund ("Revenue Debt"), where repayment of the debt service obligations on such Revenue Debt will be made through revenues generated from specifically designated sources. Typically, Revenue Debt will be issued for capital projects which can be supported from project or enterprise-related revenues.

c) Capital Leases

The City may use capital leases to finance projects assuming the City Manager and Finance Director and/or Financial Professionals, if any, determine that such an instrument is economically feasible.

d) Tax Increment Financing

The City may use tax increment financing (TIF) to finance projects as allowed under Tennessee guidelines.

2) **Duration**

a) **Long-Term Debt**

The City may issue long-term Debt when it is deemed that capital improvements should not be financed from current revenues or short-term borrowings. Long-term Debt will not be used to finance current operations or normal maintenance. Long-term Debt will be structured such that financial obligations do not exceed the expected useful economic life of the project(s) financed.

i. *Serial and Term Debt.* Serial and Term Debt may be issued in either fixed or variable rate modes to finance capital infrastructure projects;

ii. *Capital Outlay Notes ("CONs").* CONs may be issued to finance capital infrastructure projects with an expected life up to twelve years; or

iii. *Capitalized Leases.* Capitalized Leases may be issued to finance infrastructure projects or equipment with an expected life not greater than its expected useful life.

b) **Short-Term Debt**

Short-term borrowing may be utilized for:

i. Financing short economic life assets;

ii. The construction period of long-term projects;

iii. For interim financing; or

iv. For the temporary funding of operational cash flow deficits or anticipated revenues subject to the following policies:

1. *Bond Anticipation Notes ("BANs"). BANs,* including commercial paper notes issued as BANs, may be issued instead of capitalizing interest to reduce the debt service during the construction period of a project or facility. The BANs shall not mature more than 2 years from the date of issuance. BANs can be rolled in accordance with federal and state law. BANs shall mature within 6 months after substantial completion of the financed facility.

2. *Revenue Anticipation Notes ("RANs") and Tax Anticipation Notes (TANs").* RANs and TANS shall be issued only to meet cash flow needs consistent with a finding by bond counsel that the sizing of the issue fully conforms to federal IRS and state requirements and limitations.

3. *Lines of Credit.* Lines of Credit shall be considered as an alternative to other short-term borrowing options. A line of credit shall only be structured to federal and state requirements.

3) *Other Short-Term Debt.* Other Short-Term Debt including commercial paper notes, BANs, Capitalized Leases and CONs may be used when it provides an interest rate advantage or as interim financing until market conditions are more favorable to issue debt in a fixed or variable rate mode. The City will determine and utilize the most advantageous method for short-term borrowing. The City may issue short-term Debt when there is a defined repayment source or amortization of principal.

Interest Rate Modes

a) Fixed Rate Debt

To maintain a predictable debt service schedule, the City may give preference to debt that carries a fixed interest rate.

b) Variable Rate Debt

The City recognizes the value of variable rate debt obligations in certain circumstances and that cities have benefitted from the use of variable rate debt in the financing of infrastructure and capital improvements. The City also recognizes that there are inherent risks associated with the use of variable rate debt. To mitigate these risks, the City will:

i. Monitor historical and projected interest rates for variable rate debt

ii. Reasonably limit the total outstanding variable rate debt in relation to total debt. Management will monitor interest rates and take appropriate steps to fix interest rates in the event of increasing interest costs. The analysis of variable rate debt costs will take into consideration the amount and investment strategy of the City's operating cash. Long term financial planning will consider the possible impact of increasing interest costs associated with variable rate debt.

VIII. USE OF DERIVATIVES

As of 7/1/2011, the City has no outstanding derivatives with its debt portfolio. The City has no plans to use derivatives or other similar financial structures in the future. Prior to any reversal of this provision:

1) A written management report prepared by the City Manager, Finance Director and/or Financial Professionals, if any, outlining the potential benefits and consequences of utilizing these structures must be submitted to the City Council; and

2) City Council must adopt a specific amendment to this policy concerning the use of derivatives or interest rate agreements that complies with the State Funding Board guidelines.

IX. REFINANCING OUTSTANDING DEBT

The City may refund debt when it is in the best financial interest of the City to do so. The City Manager and Finance Director, in conjunction with Financial Professionals, if any, shall have the responsibility to analyze outstanding Debt for refunding opportunities. The decision to refinance must be explicitly approved by the City Council, and all plans for current or advance refunding of debt must be in compliance with all state laws and regulations.

The City Manager and Finance Director will consider the following issues when analyzing possible refunding opportunities:

1) Onerous Restrictions

Debt may be refinanced to eliminate onerous or restrictive covenants contained in existing debt documents.

2) Restructuring for economic purposes

The City may also refund Debt when it is in its best financial interest to do so. Such a refunding will be limited to restructuring to meet unanticipated revenue expectations, achieve cost savings, mitigate irregular debt service payments, release reserve funds or remove unduly restrictive bond covenants or any other reason approved by the Legislative Body in its discretion.

3) Term of Refunding Issues

Normally, the City will refund Debt equal to or within its existing term. However, the City Manager and Finance Director may consider maturity extension, when necessary to achieve desired outcomes, provided that such extension is legally permissible and it is approved by the Legislative Body. The City Manager and Finance Director may also consider shortening the term of the originally issued debt to realize greater savings. The remaining useful economic life of the financed facility and the concept of inter-generational equity should guide these decisions.

4) Escrow Structuring

The City shall utilize the least costly securities available in structuring refunding escrows. In the case of open market securities, a certificate will be provided by a third party agent, who is not a broker-dealer stating that the securities were procured through an arms-length, competitive bid process, that such securities were more cost effective than State and Local Government Obligations (SLGS), and that the price paid for the securities was reasonable within Federal guidelines. In cases where taxable Debt is involved, the City Manager and Finance Director, with the approval of bond counsel, may make a direct purchase as long as such purchase is the most efficient and least costly. Under no circumstances shall an underwriter, agent or any Financial Professionals sell escrow securities involving tax-exempt Debt to the City from its own account.

5) Arbitrage

The City shall take all necessary steps to optimize escrows and to avoid negative arbitrage in its refunding. Any positive arbitrage will be rebated as necessary according to Federal guidelines.

X. METHODS OF ISSUANCE

The City Manager and Finance Director may consult with a Financial Professional regarding the method of sale of Debt. Subject to approval by the Legislative Body, the City Manager and Finance Director will determine the method of issuance of Debt on a case-by-case basis consistent with the options provided by prevailing State law.

1) Competitive Sale

In a competitive sale, the City's Debt will be offered in a public sale to any and all eligible bidders. Unless bids are rejected, the Debt shall be awarded to the bidder providing the lowest true interest cost as long as the bid adheres to the requirements set forth in the official notice of sale.

In a competitive sale, a financial advisor may bid on an issue for which they are providing advisory services only if:

a) Authorized by the rules and regulations of the Municipal Securities Rulemaking Board (the “MSRB”), including Rule G-23, as may be amended and modified;

b) The Legislative Body or designated official grants in writing specific authority on a transaction by transaction basis;

c) Such sale is properly carried out through a widely and publicly advertised sale, during normal bond sale hours, and through an industry standard, electronic bidding platform; and

d) The financial advisory fee is separately disclosed and billed from the underwriting fee.

2) Negotiated Sale

The City recognizes that some securities are best sold through a negotiated sale with an underwriter or group of underwriters. The City shall assess the following circumstances in determining whether a negotiated sale is the best method of sale:

a) State requirements on negotiated sales;

b) Debt structure which may require a strong pre-marketing effort such as those associated with a complex transaction generally referred to as a "story" bond;

c) Size or structure of the issue which may limit the number of potential bidders;

d) Market conditions including volatility wherein the City would be better served by the flexibility afforded by careful timing and marketing such as is the case for Debt issued to refinance or refund existing Debt;

e) Whether the Debt is to be issued as variable rate obligations or perhaps as Zero Coupon Debt;

f) Whether an idea or financing structure is a proprietary product of a single firm;

g) In a publicly offered or privately placed, negotiated sale, a financial advisor, if any, shall not be permitted to resign as the financial advisor in order to underwrite or privately place an issue for which they are or have been providing advisory services;

h) The underwriter shall clearly identify itself in writing as an underwriter and not as a financial advisor from the earliest stages of its relationship with the City with respect to the negotiated issue. The underwriter must clarify its primary role as a purchaser of securities in an arm's length commercial transaction and that it has financial and other interests that differ from those of the City. The underwriter in a publicly offered, negotiated sale shall be required to provide pricing information both as to interest rates and to takedown per maturity to the Legislative Body (or its designated official) in advance of the pricing of the debt.

3) Private Placement

From time to time, the City may elect to privately place its Debt. Such placement shall only be considered if this method is demonstrated to be advantageous to the City.

XI. PROFESSIONALS

1) Financial Professionals

As needed, the City may select Financial Professionals to assist in its Debt issuance and administration processes. In selecting Financial Professionals, consideration should be given with respect to:

a) relevant experience with municipal government issuers and the public sector;

b) indication that the firm has a broadly based background and is therefore capable of balancing the City's overall needs for continuity and innovation in capital planning and Debt financing;

c) experience and demonstrated success as indicated by its experience;

d) the firm's professional reputation;

e) professional qualifications and experience of principal employees; and

f) the estimated costs, but price should not be the sole determining factor.

2) Miscellaneous

a) Written Agreements

i. Any Financial Professionals engaged by the City shall enter into written agreements including, but not limited to, a description of services provided and fees and expenses to be charged for the engagement.

ii. The City shall enter into an engagement letter agreement with each lawyer or law firm representing the City in a debt transaction. No engagement letter is required for any lawyer who is an employee of the City or lawyer or law firm which is under a general appointment or contract to serve as counsel to the City. The City does not need an engagement letter with counsel not representing the City, such as underwriters' counsel.

iii. The City shall require all Financial Professionals engaged in the process of issuing debt to clearly disclose all compensation and consideration received related to services provided in the debt issuance process by both the City and the lender or conduit issuer, if any. This includes "soft" costs or compensations in lieu of direct payments.

iv. If the City chooses to hire financial advisors, the City will enter into a written agreement with each person or firm serving as financial advisor for debt management and transactions. Whether in a competitive sale or negotiated sale, the Financial Advisor will not be permitted to bid on, privately place or underwrite an issue for which they are or have been providing advisory services for the issuance.

v. If there is an Underwriter, the City will require the Underwriter to clearly identify itself in writing (e.g., in a response to a request for proposals or in promotional materials provided to an issuer) as an Underwriter and not as a Financial Advisor from the earliest stages of its relationship with the City with respect to that issue. The Underwriter must clarify its primary role as a purchaser of securities in an arm's-length commercial transaction and that it has financial and other interests that differ from those of the City. The Underwriter in a public offered, negotiated sale will be required to provide pricing information both as to interest rates and to takedown per maturity to the Legislative Body in advance of the pricing of the debt.

b) Conflict of Interest

i. Financial Professionals involved in a debt transaction hired or compensated by the City shall be required to disclose to the City existing client and business relationships between and among the professionals to a transaction (including but not limited to financial advisors, swap advisors, bond counsel, swap counsel, trustee, paying agent, underwriter, counterparty, and remarketing agent), as well as conduit issuers, sponsoring organizations and program administrators. This disclosure shall include that information reasonably sufficient to allow the City to appreciate the significance of the relationships.

ii. Financial Professionals who become involved in the debt transaction as a result of a bid submitted in a widely and publicly advertised competitive sale conducted using an industry standard, electronic bidding platform are not subject to this disclosure. No disclosure is required that would violate any rule or regulation of professional conduct.

XII. COMPLIANCE

1) Continuing Annual Disclosure

Normally at the time Debt is delivered, the City will execute a Continuing Disclosure Certificate in which it will covenant for the benefit of holders and beneficial owners of the publically traded Debt to provide certain financial information relating to the City by not later than twelve months after each of the City's fiscal years, (the "Annual Report and provide notice of the occurrence of certain enumerated events. The Annual Report (and audited financial statements, if filed separately) will be filed with the MSRB through the operation of the Electronic Municipal Market Access system ("EMMA") and any State Information Depository established in the State of Tennessee (the "SID"). If the City is unable to provide the Annual Report to the MSRB and any SID by the date required, notice of each failure will be sent to the MSRB and any SID on or before such date. The notices of certain enumerated events will be filed by the City with the MSRB through EMMA and any SID. The specific nature of the information to be contained in the Annual Report or the notices of significant events is provided in each Continuing Disclosure Certificate. These covenants are made in order to assist underwriters in complying with SEC Rule 15c2-12(b) (the "Rule").

2) Arbitrage Rebate

The City will also maintain a system of record keeping and reporting which complies with the arbitrage rebate compliance requirements of the Internal Revenue Code (the "Code").

3) Records

The City will also maintain records required by the Code including, but not limited to, all records related to the issuance of the debt including detailed receipts and expenditures for a period up to 6 years following the final maturity date of the Debt or as required by the Code.

XIII. DEBT POLICY REVIEW

1) General Guidance

The guidelines outlined herein are only intended to provide general direction regarding the future issuance of Debt. The City maintains the right to modify this Debt Policy and may make exceptions to any of its guidelines at any time to the extent that the execution of such Debt achieves the goals of the City as long as such exceptions or changes are consistent with TCA and any rules and regulations promulgated by the State.

This Debt Policy should be reviewed from time to time as circumstances, rules and regulations warrant.

2) **Designated Official**

The City Manager and Finance Director are responsible for ensuring substantial compliance with this Debt Policy.

CITY OF ATHENS

EST. 1822

CITY HALL

THE FRIENDLY CITY

TENNESSEE

Agenda Item
IV. F. Bid Award of RFP 25-16 for Fireworks and Drone Light Show for July 4, 2026

Overview
The city conducts an annual July 4th fireworks event at Regional Park. To celebrate the nation's 250^{th} anniversary, the city wants to enhance this year's July 4^{th} event by having a combined traditional fireworks event and modern 600-unit drone light show event (20 minutes in total). To obtain a vendor to conduct this annual event, bid documents were prepared and distributed. On the bid deadline date of October 30, 2025, two responses were received. Attached are the memorandum from the Purchasing Assistant, bid tabulation sheet, and vendor contract.

If approved, the expense will be placed in next year's budget. In addition, the county contributes $3,000 and a $8,000 state grant was awarded to the city to defray the cost of this event.

Following discussion during the November 10, 2025 work session, the consensus was to place this item on the November 18, 2025 regular session under New Business for further discussion. To obtain a commitment from the vendor and get on their schedule, the city needs to make a decision by December 31, 2025 at the very latest.

During the November 18, 2025 work session, the consensus was to place this item on the December 8, 2025 work session for further discussion. The city attorney has prepared a memo regarding the use of hotel/motel tax for this event (previously distributed by email).

Action to Consider
Consensus is needed to move this item to the December 16, 2025 regular session for consideration.

Affected Departments
Parks & Recreation

PURCHASING DEPARTMENT

MEMORANDUM

To: Mike Keith, Finance Director

From: Angela Robbins, Purchasing Assistant

Date: November 5, 2025

Re: RFP #25-16 — Fireworks & Drone Light Show

The City solicited RFP #25-16 for an Independence Day Fireworks and Drone Light Show for July 4, 2026. Key requirements included a music-synchronized program; aerial shells ≤6"; FAA Part 107–compliant drone operations; detailed site/safety plans; and minimum $10,000,000 liability insurance, with a not-to-exceed budget of $125,000.

Two responsive proposals were received:

> Pyro Shows, Inc. delivering pyrotechnics with Dronisos providing the drone show for a total of $119,000.
>
> Mark's Pops, Inc. delivering pyrotechnics with Brightwave FX providing the drone show for a total of $125,000.

Based on responsiveness, technical quality, safety/insurance compliance, experience, and price, I recommend award to Pyro Shows, Inc. with Dronisos for $119,000 as the lowest responsive and responsible offer that meets or exceeds all requirements. A rain-date/postponement fee of $4,000 applies if utilized.

PURCHASING DIVISION
BID TABULATION SHEET

REQUESTING DEPARTMENT: PARKS & RECREATION

DATE BID ADVERTISED Wednesday, October 15, 2025

BID NUMBER: 25-16

DATE BID OPENED Thursday, October 30, 2025

PROJECT NAME: FIREWORKS & DRONE LIGHT SHOW

BIDDER	STREET ADDRESS	CITY	STATE	ZIP	(Y/N) COMPLIANCE?	($) BID AMOUNT
Pyro Shows, Inc	PO Box 1776 115 North 1st Street	LaFollette	TN	37766	Y	$119,000
Mark's Pops, Inc.	1075 Lambert Hollow Lane	Granville	TN	38564	Y	$125,000

815 N. Jackson Street, Athens, TN 37303 · (423) 744-2780 · arobbins@athenstn.gov

CITY OF ATHENS
EST. 1822
CITY HALL
THE FRIENDLY CITY
TENNESSEE

Agenda Item

IV. G. Bid Award of RFB 25-17 for Safety Improvements at the Intersection of Rocky Mount Road/W. Madison Avenue/Old Riceville Road

Overview

The FY 2025-26 approved Capital Improvement Fund budget contains $499,880 in state grant funds to design and install road and railroad crossing improvements at the intersection of Rocky Mount Road/W. Madison Avenue/Old Riceville Road.

Bid documents were prepared and distributed. On the deadline date of November 17, 2025, two bids were received. Attached are the bid tabulation sheet, memo from the Public Works Department with additional project details, letter from the consulting engineer, CSR Engineering, recommending the low bidder, and an intersection graphic.

Based on the submitted bids, the lowest and most responsive bidder was Stansell Electric (Nashville, TN) for a bid of $383,761. In addition to the bid amount, other costs have been or will be incurred using the state grant funds including railroad review fees, traffic signal design, and traffic signal construction inspection ($46,000) for a total project cost of $429,761, well below the state grant amount. Even if the project's cost exceeds the state grant amount, the state would fund all costs for this project.

If approved, this road improvement project is anticipated to be completed during summer 2026.

Action to Consider

Consensus is needed to move this item to the December 16, 2025 regular session for consideration.

Affected Departments

Public Works Dept.

PUBLIC WORKS

TO:	Randall Dowling, City Manager
FROM:	Kevin L. Helms, Project Manager
Cc:	Ben Burchfield, Public Works Director
DATE:	November 19, 2025
SUBJECT:	Rocky Mt. Rd. & W Madison Ave. Railroad Safety Improvements

Background

In conjunction with the city, TDOT previously conducted a safety evaluation of two intersections on Old Riceville Road. The intersections included within the evaluation are those at Rocky Mt. Road and at W Madison Avenue. The evaluation was initiated due to safety concerns associated with the railroad crossing located on Old Riceville Road between these two intersections.

TDOT employed CSR Engineering to perform the evaluation and subsequently authorized them to proceed with the engineering design needed to implement the recommended safety measures. TDOT has allocated funding for this project from the Tennessee Highway-Railroad Grade Crossing Program, also known as the Section 130 Program, which is managed by the Tennessee Office of Rail Engineering. All costs associated with this project will be reimbursed to the city up to a maximum of $499,880.00. This amount includes funding for design and inspection services in addition to construction expenses.

In January 2025 City Council adopted a resolution authorizing the city to execute a contract with the state for this project. Following execution of the contract, CSR Engineering worked with city staff to finalize project design followed by issuing a request for bids. Two bids were received and opened on November 17, 2025, at City Hall. The low bid was submitted by Stansell Electric Company, Inc. in the amount of $383,761.00. The bid format is based upon unit quantity prices so the final cost will be based upon actual quantities used during construction.

Action Item

Approve award of the lowest and best bid to Stansell Electric Company, Inc. in the amount of $383,761.00.

Additional Attachments

- Engineer's recommendation of bid award letter
- Bid tabulation
- Bid from Stansell Electric Company, Inc.

PURCHASING DIVISION
BID TABULATION SHEET

REQUESTING DEPARTMENT: Public Works

BID NUMBER: RFB #25-17

PROJECT NAME: Safety Improvements -Rocky Mount Road/NS Railway

DATE BIDS ADVERTISED: Saturday, October 18, 2025

DATE BIDS RECEIVED: Monday, November 17, 2025

DATE BID RECEIVED	TIME BID RECEIVED	BIDDER	CONTACT NAME	STREET ADDRESS	CITY	STATE	ZIP	PHONE	EMAIL	Addendum	Signed Proposal	Proposal Certification	TERMS	Non-Boycott Cert	DRUG FREE	Iran Divestment Cert	No Contact	Non-Collusion	BID BOND	(Y/N) COMPLIANCE?	($) BID AMOUNT
11/17/2025	10:30am	Stansell Electric Company, Inc	Matt leonard	860 Visco Drive	Nashville	TN	37210	615-329-4944	[illegible]	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	$383,761.00
11/17/2025	2:53pm	Wilson Construction Group, LLC	Keith Wilson	PO Box 785	Athens	TN	37371	423-745-0600	[illegible]	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	$524,344.84
										Did not notate receiving addendum											

815 N. Jackson Street, Athens, TN 37303 · (423) 744-2780 · arobbins@athenstn.gov

CSR Engineering Inc.
2010 Hwy. 49E
Pleasant View, TN 37146
Phone: (615) 212-2389
Fax: (615) 246-3815
www.csrengineers.com

November 19, 2025

Kevin Helms
City of Athens
815 N. Jackson St.
Athens, TN 37303

Re: Safety Improvements at Athens - NS Railway Crossing Project Bid Certification

Dear Mr. Helms,

To the best of my knowledge, the attached Bid Submittal is an accurate tabulation of bids received for the subject project. CSR has reviewed the bids for responsiveness and responsibility. We recommend awarding to the low bidder, Stansell Electric Company, Inc., in the amount of $383,761.00.

Sincerely,

J L Reyn

Jason Reynolds, P.E.
CSR Engineering

Attachments: Bid Tab Summary Sheet
Itemized Bid Form Submitted (Stansell Electric Company)

TYPE	YEAR	PROJECT NO.	SHEET NO.
CONST	2025	HSIP-R-3682(10)	5

TRAFFIC SIGNAL LEGEND

EXISTING	PROPOSED	DESCRIPTION
		STEEL POLE
		SIGNAL HEAD WITH BACK PLATE
		RADAR DETECTION
		EVP OPTICAL DETECTOR & CONFIRMATION LAMP
		6'X50' TARGET AREA
		SIGN (OVERHEAD)
		TYPE B PULL BOX
		FIBER OPTIC PULL BOX
		PAD MOUNTED CONTROLLER CABINET
		CONDUIT
		RAIL ROAD HWY FLASH NO GATE
		RAIL ROAD HWY FLASH WITH GATE
		MAST ARM

OVERHEAD STREET NAME SIGNS (SNS)

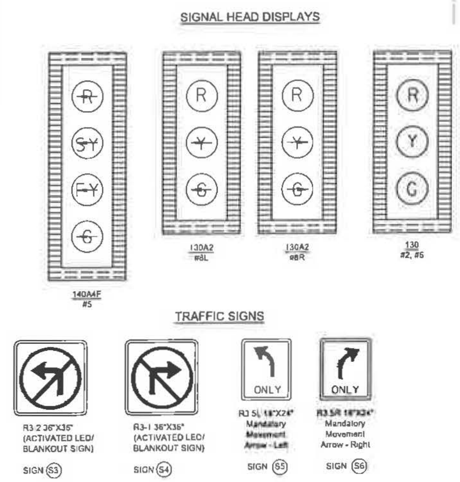
SIGN (S1) Old Riceville Rd 10'-6" X 2'-0"

SIGN (S2) W Madison Ave 10'-6" X 2'-0"

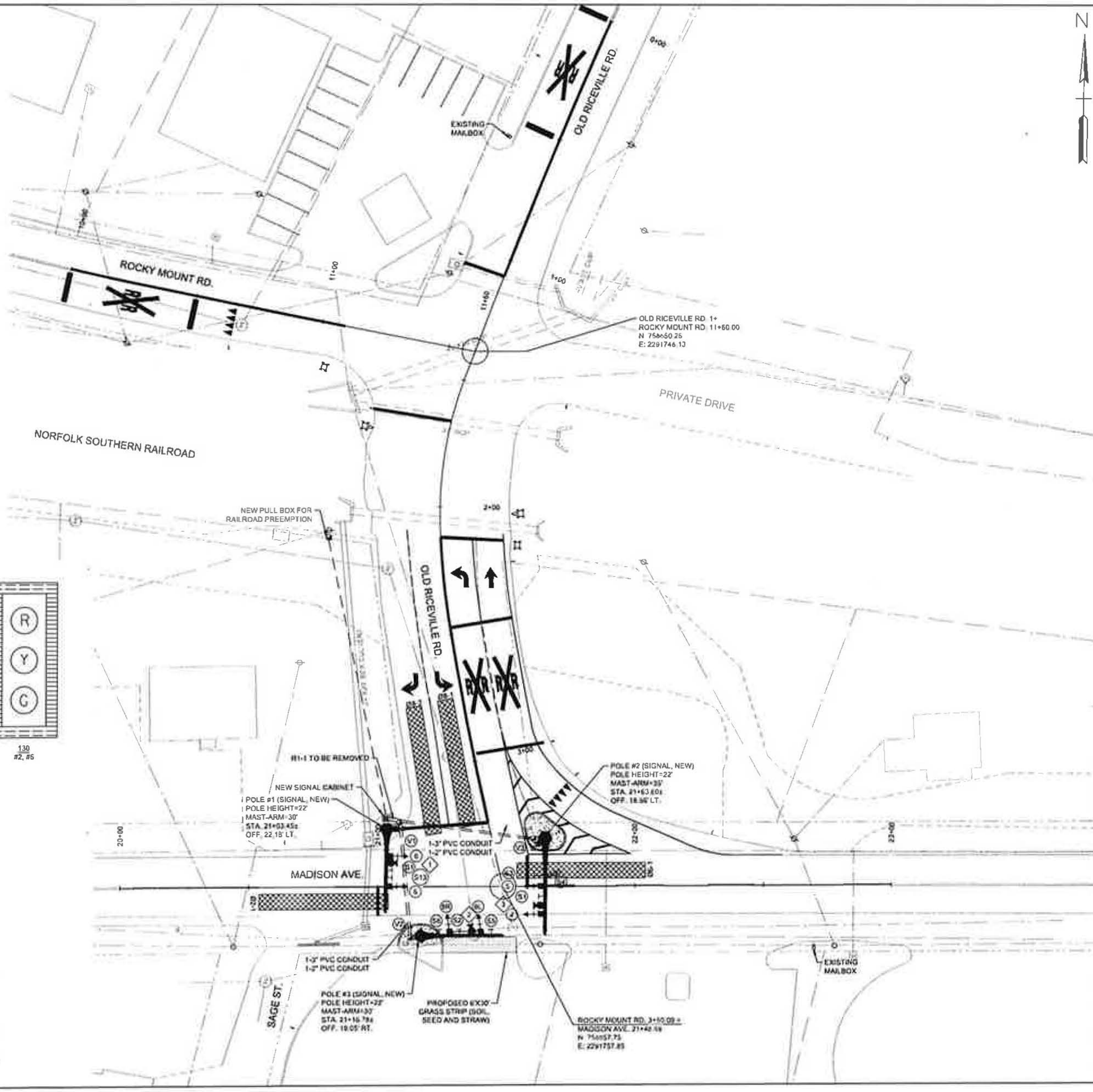
SIGN (S13) M4 2'-0" X 2'-0"

NOTE:
12" U.C. LETTERS (MINIMUM)
9" L.C. LETTERS (MINIMUM)
HIGH INTENSITY REFLECTIVE SHEETING
GREEN BACKGROUND
DOUBLE SIDED HANGING
MUTCD COMPLAINT

SNS LETTERING SHOWN FOR REFERENCE ONLY. SNS SIZE AND LETTERING TO BE APPROVED BY CITY OF ATHENS TRAFFIC ENGINEERING PRIOR TO FABRICATION AND INSTALLATION. THE CONTRACTOR IS RESPONSIBLE FOR COORDINATION WITH THE CITY, FABRICATIONS, AND INSTALLATION OF SNS'S.



NOTES:
1. LOCATIONS OF SIGNAL POLES AND PULL BOXES ARE APPROXIMATE AND CAN BE ADJUSTED 5'-10' IN THE FIELD TO AVOID UTILITY CONFLICTS. IF POLES ARE ADJUSTED, CONTRACTOR TO VERIFY MAST ARM LENGTHS ARE SUFFICIENT TO PROVIDE CORRECT LOCATION OF THE SIGNAL HEADS.
2. CONTRACTOR MAY REQUEST ASSISTANCE BY THE CITY FOR ANY MAKE-READY WORK THAT INVOLVES OVERHEAD UTILITIES AND COORDINATE PRIOR TO ACTUAL START WORK DATE.
3. 2" CONDUIT TO BE INSTALLED WITH PILL ROPE FOR FUTURE PEDESTRIAN SIGNALS.



SEALED BY

STATE OF TENNESSEE
DEPARTMENT OF TRANSPORTATION

PROPOSED LAYOUT

SCALE: 1"=30'

CITY OF ATHENS
EST. 1822
CITY HALL
THE FRIENDLY CITY
TENNESSEE

Agenda Item
IV. H.   Municipal Judge Application Process

Overview
During the November 18, 2025 regular session, Ordinance 1147 was considered on second reading. The ordinance proposed amending Title 3, *Municipal Court*, Chapter I, Section 3 of the Athens City Code to remove the requirement that the City Judge be a resident of McMinn County.

Following the public hearing, Councilmember Sherlin moved to approve Ordinance 1147, with a second from Vice Mayor Curtis. The roll-call vote resulted in a tie, as a tie vote cannot carry a motion, the ordinance failed. Under Athens City Code §3-I CITY JUDGE (3-1)(3), this failure resulted in an immediate vacancy in the office of City Judge. Mitchell Bryant was appointed as judge pro tem (interim) during the November 18, 2025 regular session and took his oath of office on November 19th so municipal court would continue without interruption.

T.C.A. §16-18-312 governs the duration of an interim municipal judge appointment. While the statute technically applies, the City Attorney advises that because the Council is unlikely to complete the permanent appointment process within the statutory period, Council should review the interim appointment of Judge Bryant at the upcoming meeting and determine whether they wish to extend the interim appointment for an additional thirty (30) days. Extending the appointment would reset the statutory clock and allow the Council adequate time to complete the permanent appointment process. Council may also choose to appoint a different interim judge if they so desire.

To fill the vacancy, it is recommended that the City Council open an application period to ensure all applicants meet the requirements of Athens City Code §3-I and applicable state laws, including residency in McMinn County and licensure to practice law in Tennessee.

Proposed Schedule:

- **Dec. 8, 2025 – Work Session:** Discuss process to appoint Municipal Judge
- **Dec. 16, 2025 – Regular Session:** Approve process for filling the vacancy
- **Dec. 17, 2025 – Jan. 7, 2026:** Advertise vacancy; accept applications (sample attached)
- **Jan. 12, 2026 – Work Session:** Review and discuss applicants
- **Jan. 20, 2026 – Regular Session:** Appoint a qualified applicant and administer oath of office

Action to Consider
Consensus is needed to move this item to the December 16, 2025 regular session for consideration.

Affected Departments
City Council

ATHENS CITY JUDGE

APPOINTMENT INFORMATION

Eligibility Requirements

To be eligible for appointment as City Judge, applicants must meet the qualifications set forth in the Athens City Charter, Athens City Code and Tennessee Code Annotated.

Athens City Charter
Article XXII

Athens City Code
Title 3 Municipal Court

Application Instructions

Interested and qualified individuals should submit the completed application **no later than 5:00 p.m., Wednesday, January 7, 2026**. Applications may be submitted to:

City Manager's Office
City of Athens, Tennessee
815 North Jackson Street
Athens, TN 37303

Email: admin@athenstn.gov

Online: www.athenstn.gov

Tentative Appointment Schedule

- **Dec. 8, 2025 – Work Session:** Discuss process to appoint City Judge
- **Dec. 16, 2025 – Regular Session:** Approve process for filling the vacancy
- **Dec. 17, 2025 – Jan. 7, 2026:** Advertise vacancy; accept applications
- **Jan. 12, 2026 – Work Session:** Review and discuss applicants
- **Jan. 20, 2026 – Regular Session:** Appoint a qualified applicant and administer oath of office

For more information contact the Office of City Manger at (423) 744-2702 or admin@athenstn.gov.

ATHENS CITY JUDGE APPOINTMENT APPLICATION

Full Name: ______________________________

Residential Address: ______________________________
(Please attach proof of residency in McMinn County.)

Phone Number: ______________________________

Email: ______________________________

TN Board of Professional Responsibility (BPR) Number: ______________________________

1. Are you a resident of McMinn County? *(Athens City Code Chapter 3-I* (3-1)(3)*)*	❑ Yes	❑ No
2. Do you understand that the City Judge serves at the will and pleasure of the City Council? *(Athens City Charter, Article XXII, Athens City Code Chapter 3-I (3-1)(1))*	❑ Yes	❑ No
3. Do you understand that maintaining residency in McMinn County is a continuing requirement, and loss of residency immediately vacates the office of City Judge? *(Athens City Code Chapter 3-I* (3-1)(3)*)*	❑ Yes	❑ No
4. Do you certify that you are currently in good standing with the Tennessee Board of Professional Responsibility and have no pending disciplinary actions? (Athens City Code Chapter 3-I (3-1)(3))	❑ Yes	❑ No
5. Do you have any ongoing professional obligations that would prevent you from presiding during scheduled City Court times? (4:00pm Monday's and Wednesday's) If yes, please explain: ______________________________	❑ Yes	❑ No

6. Please provide a brief statement explaining your interest in serving as the Athens City Judge.

____

____

____

____

____

____

7. Please list prior judicial or quasi-judicial experience:

____

____

____

____

____

____

I hereby certify that all information provided in this application is true and accurate. I acknowledge that the position of City Judge is governed by Tennessee law, the Athens City Charter, and the Athens City Code; that the City Judge serves at the will and pleasure of the City Council; that I must be bonded before taking office; and that I must maintain residency in McMinn County and active Tennessee law license in good standing at all times while serving.

______________________________ ______________________________
Signature Date

Agenda Item

IV. I. Second Reading and Public Hearing of Ordinance 1149, An Ordinance to Amend the Zoning Ordinance of the City of Athens, Tennessee, so as to Amend the Official Zoning Map to Include and Zone Property off Lee Drive to R-3 (High Density Residential District) said area being located within the Corporate Limits of Athens, Tennessee.

Overview

A public hearing was conducted during the October 6, 2025 meeting of the Athens Municipal Regional Planning Commission. Following staff's recommendation for approval, the Planning Commission voted to recommend to City Council that a public hearing be scheduled and the City Council adopt the Plan of Services for the proposed annexation and R-3 zoning of approximately 2.35 acres located off Lee Drive in Athens, identified as part of Parcel 047K, Group A, Parcel 022.00.

The following items were approved during the November 18, 2025 regular session:

- Resolution 2025-29 (Plan of Services)
- Resolution 2025-30 (Annexation)
    - Recorded on 11/20/2025
- First Reading of Ordinance 1149

A second reading and public hearing for Ordinance 1149 are scheduled for the December 16, 2025 regular session. If approved, the zoning officially takes effect, completing the annexation process.

Action to Consider

Consensus is needed to move this item to the December 16, 2025 regular session for a second reading and public hearing.

Affected Departments

Community Development

ORDINANCE NO. 1149

AN ORDINANCE TO AMEND 'THE ZONING ORDINANCE OF THE CITY OF ATHENS, TENNESSEE,' SO AS TO AMEND THE OFFICIAL ZONING MAP TO INCLUDE AND ZONE PROPERTY OFF LEE DRIVE TO R-3 (HIGH DENSITY RESIDENTIAL DISTRICT) SAID AREA BEING LOCATED WITHIN THE CORPORATE LIMITS OF ATHENS, TENNESSEE.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF ATHENS, TENNESSEE, AS FOLLOWS:

SECTION 1.
That the Official Zoning Map of Athens, Tennessee, identified and referred to in Section 3.02 of said Zoning Ordinance, be amended to show the following described property and zoning designation as described within the body of this ordinance and shown on the attached illustration titled; *"R-3 (High Density Residential District) Zoning Request by Mikel Heath and Staci Lynn Frazier (Part of Tax Map 047K A Parcel 022.00 and Parcel 047N A 001.00)"*said property being within the corporate limits of Athens, Tennessee:

> **Area Description (R-3)**
> Being located in McMinn County, Tennessee and being a portion of the property of the Haren and Frazier owners, known as tax parcel 47N-A-001, 47K-A-022 and recorded in Deed book 14R Page 213 in the Register's office of McMinn County, Tennessee (R.O.M.C.) and being more particularly described as follows:
>
> Beginning at the south west corner of the Lee Manor II LP tract and the northwest corner of the Lee Drive right-of-way being an Open Top Pipe (found); thence S 42°14'05" W a distance of 30.47' to an Iron Base BSE (found); thence N 49°57'09"W a distance of 73.49' to an Angle Iron (found); thence N 11°13'17" W a distance of 852.15' to a point said point being the POINT OF BEGINNING thence N 11°13'17" W a distance of 46.68' to a Pinch Top Pipe (found); thence N 89°40'17" W a distance of 100' to a point; thence S 46°49'43" W a distance of 567.00' to a point; thence S 67°04'43" W a distance of 167.00' to a point; thence S 11°04'51" W a distance of 237.45' to a capped Iron Pin (Found) TN2493; thence S 30°38'15" W a distance of 62.68' to a point; thence N 47°23' 25"E a distance of 1,024.47' to a point, said point being the POINT OF BEGINNING.

The parcels are further described on the attached illustration titled Exhibit A.

SECTION 2.
Any Ordinance, Resolution, Motion or parts thereof in conflict herewith are hereby repealed and superseded. If any sentence, clause, phrase or paragraph of this Ordinance is declared to be unconstitutional by any Court of competent jurisdiction, such holding will not affect any other portion of this Ordinance.

SECTION 3.
As required by Tennessee Code Annotated (T.C.A), Section 13-7-203(a), a Public Hearing subject to 21 calendar days' notice has been held, and this ordinance meets the requirements of T.C.A. Section 13-7-201 through 13-7-210, including the approval of all necessary agencies.

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon final passage as provided by law.

First Reading:	**November 18, 2025**
Public Hearing Notice:	**November 22, 2025**
Second Reading:	**December 16, 2025**
Date of Public Hearing	**December 16, 2025**

ORDINANCE NO. 1149

ATTEST:

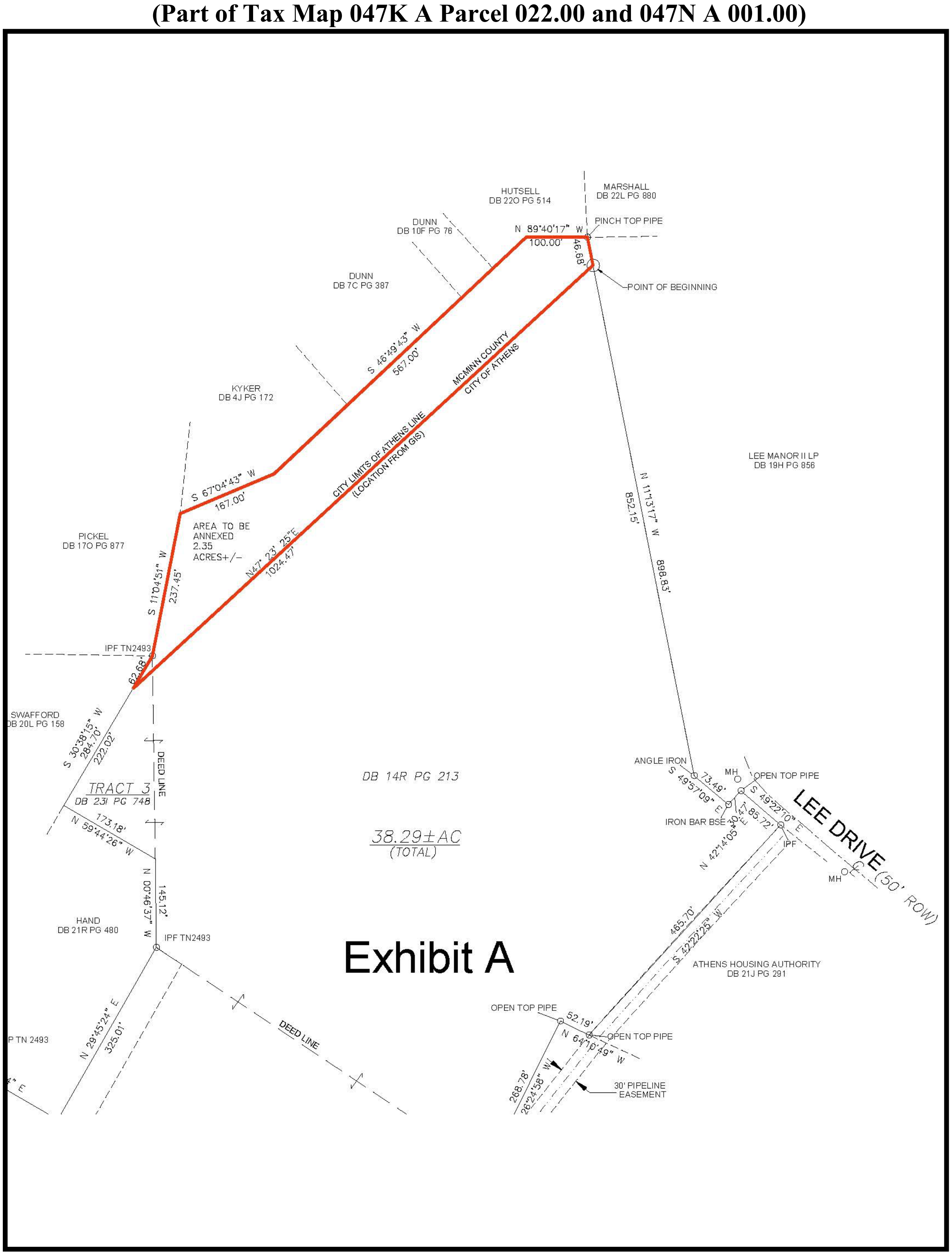
Larry Eaton, Mayor

Randall Dowling, City Manager

APPROVED AS TO FORM:

Christopher Caldwell, City Attorney

EXHIBIT A
(Part of Tax Map 047K A Parcel 022.00 and 047N A 001.00)



CITY OF ATHENS
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TENNESSEE

Agenda Item
IV. J. Citizen Comment Rules

Overview
TCA 8-44-112 (attached) requires each governing body to reserve a period of time at each public meeting, that has actionable items, to hear public comments that are germane to the agenda for the meeting. The governing body may put reasonable restrictions on public comments such as time limits, number of speakers, advance sign up, etc.

To implement TCA 8-44-112, city staff prepared and the city council approved Citizen Comment Rules during the November 19, 2024 regular session (attached).

However, at a special-called meeting held on October 23, 2025, the Council discussed revising the Citizen Comment Rules and directed the City Manager and City Attorney to prepare a draft for review for the November 10, 2025 work session in which this discussion was postponed until the December 8, 2025 work session.

Based on that directive, attached is a revised document for consideration, Public Comment Rules & Decorum.

Action to Consider
Consensus is needed to move this item to the December 16, 2025 regular session for consideration. If approved, an ordinance amendment would be necessary to revise Chapter 1, 1-44 (Order of Business).

Affected Departments
City Council

CURRENT

City Council
Citizen Comment Rules

Citizens may make comments at city council meetings where actionable items are on the agenda as required by state law, § 8-44-112. Two opportunities exist for citizens to comment during the meetings. 1) During **Citizens Comments Germane to the Agenda** when citizens may speak only to specific agenda items and 2) During **Citizens Comments** when citizens may speak on any subject the city has authority over.

The Public Comment Rules are set forth as follows:

1. Each speaker must give notice of their intent to speak by completing the **sign-in** form at the entrance of the Council Chambers prior to the commencement of the public meeting.

2. Each speaker is granted **three (3) minutes** to make their comments; time may not be yielded to others.

3. Time will begin after the speaker states their name and address, for the record. The Mayor may allow non-city residents to speak but is not compelled to do so.

4. Each speaker is expected to speak from the podium (not from the audience) in a civil, non-argumentative, and respectful manner. The speaker shall not be permitted to use any vulgar or obscene language.

5. Each speaker is expected to address their comments to the Mayor. The speaker shall not direct questions to the council members, staff, or audience. The speaker shall not refer to any person by name, make attacks or denigrate others.

6. The Mayor may acknowledge the comment has been heard. Neither council members nor staff shall address or respond to the speaker during the three (3) minute comment period.

7. The speaker may not address the Council on matters which are not under the authority of the Council, and which are regulated by other governmental bodies or agencies.

8. The speaker shall not speak to any previous or pending litigation unless it is on the agenda.

9. The Mayor may interrupt or call out of order anyone who breaks these rules. Any deviation from these rules will result in a warning without loss of time. If a speaker continues to violate these rules, they will be interrupted and shall lose the remaining time.

Disorderly Conduct or Disrupting a Public Meeting is Prohibited.

(Tenn. Code Ann. § 39-17-305 § 39-17-306)

Citizens are not required to attend a city council meeting to make a request or comment.

passed 11/19/2024

Athens City Council
Public Comment Rules & Decorum

PROPOSED

TCA 8-44-112 requires each governing body to reserve a period of time at each public meeting that has actionable items to hear public comments that are germane to the agenda for the meeting. During the designated time for Public Comments Germane to the Agenda, speakers may only talk about those items on the agenda and no others.

TCA 8-44-112 also allows the governing body to make certain rules that are intended to ensure public comments are heard in an orderly, respectful, and efficient manner. All public comments become part of the official city record and subject to disclosure. As a reminder, speakers may address the Council as a matter of legislative grace and not as a matter of right.

The Public Comment Rules & Decorum are set forth as follows:

1. Each speaker must give notice of their intent to speak by signing the form at the entrance of the Council Chambers prior to the commencement of the public meeting. Speakers who fail to sign in prior to the start of the meeting will not be recognized. Any speaker needing accommodation shall notify the office of the City Manager one (1) business day prior to the meeting.

2. Each speaker is granted five (5) minutes to make comments; time may not be transferred to others. The Chairperson may, at their discretion, shorten or extend the time limit for all speakers to accommodate the meeting agenda. Groups sharing a common position are required to appoint one spokesperson to avoid repetition. In order to provide for a diverse pool of comments, priority among those signing up shall be given to speakers who have not commented during the preceding two / three meetings.

3. Time will begin after the speaker states their name for the record. Speakers must reside in, own property in, or operate a business within the City of Athens. Other speakers may be permitted at the discretion of the Chairperson.

4. Speakers must address the Council from the podium using the attached microphone in a civil and orderly manner. Profanity, obscene language, or disruptive conduct are prohibited.

5. Speakers shall address their remarks to the Council as a whole, not to individual members, staff, or audience. Personal attacks, insults, or comments directed at specific individuals are prohibited.

6. Neither Council members nor staff shall discuss, comment or respond during the speaker's allotted time. Questions or comments may be addressed after the comment period at the Chairperson's discretion.

7. Speakers may not comment on matters which are not under the authority of the City Council nor pending or threatened litigation unless such matters appear on the agenda.

8. The Chairperson shall preserve order and decorum. Any violation of these rules shall result in one warning without loss of time. Continued violation shall result in forfeiture of remaining time. Disorderly conduct or disrupting a public meeting is prohibited and may result in removal pursuant to T.C.A. § 39-17-305 & T.C.A. § 39-17-306.

Individuals wishing to make comments are not required to attend a city council meeting. Comments may be submitted in writing to the office of the city manager or directly to elected officials.

passed 00/00/0000

Tenn. Code Ann. § 8-44-112

Copy Citation

Current through the 2025 Regular Session.

8-44-112. Reserved period for public comment — Reasonable restrictions allowed — Notice to public commenters — Applicability.

(a) A governing body shall, for each public meeting, reserve a period for public comment to provide the public with the opportunity to comment on matters that are germane to the items on the agenda for the meeting.

(b) The governing body may put reasonable restrictions on the period for public comment, such as the length of the period, the number of speakers, and the length of time that each speaker will be allowed to provide comment. The governing body may require a person to give notice in advance of the desire to offer comments at a meeting. The governing body shall take all practicable steps to ensure that opposing viewpoints are represented fairly, if any.

(c) A notice for a public meeting shall indicate the manner in which a person may indicate the person's desire to provide public comment at the meeting.

(d) This section does not apply to:

(1) A meeting of a governing body, or a portion thereof, where the governing body is conducting a disciplinary hearing for a member of the governing body or a person whose profession or activities fall within the jurisdiction of the governing body; or

(2) A meeting for which there are no actionable items on the agenda.

History

Acts 2023, ch. 300, § 1.

Agenda Item
IV. K. City Council Personal Code of Professionalism

Overview
During the December 20, 2022 regular session, the City Council voted to rescind the City Council Personal Code of Professionalism by adopting Resolution No. 2022-38 (attached) since the City Council is under the state's ethics code and the city's ethics code. Then city attorney Buckley stated, "there was no need for three codes and that the state code would prevail regardless."

At the special-called meeting held on October 23, 2025, the City Council discussed reinstating a code of conduct/professionalism and directed city staff to prepare a draft for review for the November 10, 2025 work session in which this discussion was postponed until the December 8, 2025 work session. Attached for review are the previous City Council Personal Code of Professionalism and the City's Code of Ethics (Chapter 1, 1-177 to 1-187).

It is important to distinguish between ethics and professionalism. While the two are related, they serve different purposes and address different aspects of conduct in public service.

Ethics is the minimum legal standard for conduct in public office. These requirements are primarily defined by Tennessee law, including but not limited to:

- Campaign Finance – T.C.A. Title 2, Chapter 10
- Conflicts of Interest – T.C.A. §§6-54-107–108 and §§12-4-101–102
- Disclosure of Interests – T.C.A. §8-50-501 et seq.
- Consulting Fees – T.C.A. §§2-10-122, 124
- Criminal Offenses – Bribery, misconduct, and misuse of office (T.C.A. §§39-16-101 et seq., §§39-16-401 et seq.)
- Ouster Law – T.C.A. §8-47-101 et seq.

A Code of Professionalism, by contrast, sets higher behavioral standards that reflect the City of Athens' values and expectations in public service. It focuses on principles such as accountability, communication, demeanor, and respect, reinforcing public trust and effective governance beyond the minimum requirements of law.

Action to Consider
Consensus is needed to move this item to the December 16, 2025 regular session for consideration.

Affected Departments
City Council

City Council Personal Code of Professionalism

PREAMBLE:

The residents and businesses and visitors of Athens are entitled to have fair, ethical and accountable local government. Councils are composed of individuals with a wide variety of backgrounds, personalities, values, opinions, and goals. Despite this diversity, all have chosen to serve in public office in order to preserve and protect the present and future of the community. In all cases, this common goal should be acknowledged, even as Council members may "agree to disagree" on contentious issues. To this end, members of the Athens City Council should:

- Comply with both the letter and the spirit of the laws and policies affecting operations of the government.
- Be independent, impartial and fair in their judgment and actions.
- Use their public office for the public good, not for personal gain.
- Conduct public deliberations and processes openly, unless legally confidential, in an atmosphere of respect and civility.

To this end, the Athens City Council adopts this Code of Professionalism to encourage public confidence in the integrity of local government and its fair and effective operation.

City Council members shall sign this personal Code of Professionalism at the first council meeting following their election to office. This will serve as a symbol of each Council member's continuing commitment to abide by the principles of this code.

Public Interest

- Members should serve only the interests of the city as a whole and should never improperly confer an advantage or disadvantage on any one person, or group of persons. Stewardship of the public interest must be their primary concern.

Honesty and Integrity

- Members should not engage in improper behavior, nor should they place themselves in situations where their honesty and integrity may be questioned, and they should on all occasions avoid the appearance of such behavior. Council members shall comply with the laws of the nation, the State of Tennessee, and the Charter, codes and policies of the City of Athens in the performance of their public duties.

Objectivity

- Members should make all recommendations and decisions based solely on merit and what will serve the best interest of the citizens and City of Athens. This includes decisions related to policy as well as those regarding appointments and awards.

Personal Judgment

- Members can and will take account of the views of others, but they should reach their own conclusions on the issues before them, and act in accordance with those conclusions. Again, decisions shall be based upon the merits and substance of the matter at hand.

Accountability

- Members should be accountable to the public for their actions and the manner in which they carry out their Council responsibilities, and should cooperate fully and honestly with the scrutiny appropriate to their particular office. Council members shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of other members of the City Council, boards, committees, staff or the public.

Openness

- Members should be as open as possible about their actions and those of the council, and should be prepared to justify their actions.

Respect for other Council members

- Members should remember the respect and dignity of their office in their dealings with each other. Difficult questions, tough challenges to a particular point of view, and criticism of ideas and information are legitimate elements of a free democracy in action. However, this does not allow Council members to make personal, impertinent, slanderous, abusive, or disparaging comments toward a Council member and/or his or her ideas, opinions, statements, or questions. Council members should focus on issues, not on personalities.

Relationships with City Manager and Staff

Members should:

- Treat all Athens city employees with courtesy and respect.
- Observe any guidelines that are in place regarding contact with employees.
- Avoid publicly criticizing any employee in any way, but especially in ways that reflect on the competence and integrity of the employee. This includes any type meeting public gathering.
- Not seek to improperly influence staff in the normal undertaking of their duties or their conduct or attitude towards other employees or public officials.
- Raise concerns about employees only with the City Manager, and concerns about the City Manager with the City Attorney.

Duty to Uphold the Law

- Members shall uphold all federal, state and local laws, and on all occasions, act in accordance with the trust the public places in them. Council members themselves have the primary responsibility to assure that ethical standards are understood and met and that the public can have full confidence in the integrity of City government.

Stewardship

- Members must ensure that the Council uses resources prudently and for lawful purposes, and that the Council maintains sufficient resources to meet its obligations.

Communication

- It is the responsibility of Council members to publicly share substantive information that is relevant to a matter under consideration and other matters of city business, excepting items that must be kept in confidence such as those relating to legal issues and pending litigation. Council members are urged to and may also share information they have received from sources outside of the public decision-making process with all other Council members.

Disclosure of Corruption

- Council members, and all City officials, pursuant to other City rules and regulations, should, upon sufficient proof or evidence, disclose to the appropriate authorities, such as the City Manager, City Council, City Attorney, or local District Attorney General's office any behavior or activity that may qualify as public corruption, abuse, fraud, bribery, or other violation of any rule, regulation or law imposed upon a public official or employee. Council members should refrain from making public comments about public corruption, abuse, fraud, bribery, or other violation of the law by a public official or employee, absent sufficient proof or evidence which would be admissible in a legal proceeding.

Conflict of Interest

- State statutes dictate many of the ethics provisions that apply to municipal officials and employees. The Athens City Council has adopted a "Code of Ethics" which shall be adhered to by all members of City Council.

Appropriate Dress

- Members should dress appropriately in a manner befitting a professional person when attending meetings of the Council or any public event in a representative capacity.

Implementation

- As an expression of the standards of professionalism and conduct for Council members, the Athens City Council Code of Professionalism is intended to be self-enforcing. Council members shall sign a copy of the Code of Professionalism upon entering office affirming they have read and understand the Code and its provisions.

- The City Council shall consider and decide on recommendations for revision to the Code of

Professionalism as they become necessary.

Compliance and Enforcement

- The Athens City Council Code of Professionalism expresses standards of ethical conduct expected of Council members. The Council has the primary responsibility to ensure that these ethical standards are understood and met and that the public can have full confidence in the integrity of government. In addition to any discipline or punishment as provided by state law, the City Council, by majority vote, may discipline or punish one of its members for a violation of this Code of Professionalism which discipline or punishment may include a reprimand, loss of committee assignment or referral to the local District Attorney General's office. No action shall occur without providing the Council member with notice of the charged violation and an opportunity to be heard. Any action with respect to compliance and enforcement of this Code of Professionalism shall occur in a public meeting at the end of all other business on the Agenda for the meeting.

The Athens City Council Code of Professionalism shall be considered the definitive document relating to professional conduct by Athens City Council members.

By signing below, I affirm that I have read and understand the Athens City Council Code of Professionalism and will attempt to comply with its provisions for the greater good of the City of Athens.

Council Member Pelley moved, Council Member Witt-McMahan seconded, to approve the Base Bid and Alternate 1 for the Larry Dean Wallace, Sr. Animal Shelter and Adoption Center building. Roll call vote:

AYES:	**Curtis, Pelley, Witt-McMahan, Sherlin**
NAYS:	**None**
ABSENT:	**Eaton**

- 9 -

PROPOSED ORDINANCE TO RESCIND AND REPLACE ORDER OF BUSINESS OF REGULAR CITY COUNCIL MEETING AGENDA

ORDINANCE NO. 1115 – FIRST READING
ORDINANCE TO AMEND THE ATHENS MUNICIPAL CODE TO ALTER THE ORDER OF BUSINESS OF REGULAR CITY COUNCIL MEETINGS.
Council Member Pelley moved, Council Member Witt-McMahan seconded, to approve Ordinance No. 1115 on first reading. Interim City Manager Keith clarified that this ordinance changes the order of business to have the Requests from Citizens moved from Item XII to Item VII and will follow Communications and Special Presentations on the agenda. Roll call vote:

AYES:	**Curtis, Pelley, Sherlin**
NAYS:	**None**
ABSTAIN:	**Witt-McMahan**
ABSENT:	**Eaton**

- 10 -

APPROVE NEW DESIGN FOR CITY SEAL

Council Member Pelley moved, Council Member Witt-McMahan seconded, to approve the new design for the City Seal (the middle one on the bottom of page 54 in the agenda packet that contains the date, the name of the city, Friendly City, and the name of the state.) Council Member Curtis stated his opinion for not supporting the new design. Council Member Witt-McMahan stated her opinion in favor of using the new design as the City Seal and using the current logo as a logo. **Mayor Sherlin moved, Council Member Pelley seconded, to postpone the discussion to January 9, 2023 study session.** Roll call vote:

AYES:	**Curtis, Pelley, Witt-McMahan, Sherlin**
NAYS:	**None**
ABSENT:	**Eaton**

- 11 -

APPROVE RESOLUTION NO. 2022-38 TO RESCIND THE CODE OF PROFESSIONALISM FOR THE ATHENS CITY COUNCIL.

RESOLUTION NO. 2022-38
A RESOLUTION TO RESCIND THE CODE OF PROFESSIONALISM FOR THE ATHENS CITY COUNCIL.

The caption of Resolution No. 2022-38 was read by the recording clerk. **Council Member Pelley moved, Mayor Sherlin seconded, to approve Resolution No. 2022-38 to rescind the Code of Professionalism for the Athens City Council.** Mayor Sherlin stated the Council is under the State of Tennessee Ethics Code, the Code of Ethics in the Athens Municipal Code, and the Code of Professionalism, that is three (3) ethics codes for Council to follow. Interim City Attorney Buckley stated there was no need for three codes and that the State code would prevail regardless. Roll call vote:

AYES:	**Curtis, Pelley, Witt-McMahan, Sherlin**
NAYS:	**None**
ABSENT:	**Eaton**

Council Member Pelley moved, Mayor Sherlin seconded, to have the Interim City Attorney look at all the City's lawsuits and see which ones the City can resolve. Interim City Attorney Buckley stated that in his professional opinion, they should not be discussing pending litigation in a public forum. He was not going to involve himself in this public forum with matters of litigation that have not been to court yet. Interim City Attorney Buckley advised the Council not to discuss this issue, that they deny Council Member Pelley's motion, and they discuss pending litigation at the proper place and time. Council Member Pelley stated he was not asking the Council to discuss these cases, he was asking the Council to ask him to look at the cases and advise the Council on which ones could be settled before they go to court. Interim City

CHAPTER 1-VII ETHICS

1-177 Applicability; Applicable And Related State Statutes
1-178 Personal Interest Defined
1-179 Disclosure Of Personal Interest--By Official With Vote
1-180 Disclosure Of Personal Interest--In Non-Voting Matters
1-181 Acceptance Of Gratuities, Etc.
1-182 Use Of Information
1-183 Use Of Municipal Time, Facilities, Etc.
1-184 Use Of Position Or Authority
1-185 Outside Employment
1-186 Ethics Complaints
1-187 Violations

1-177 Applicability; Applicable And Related State Statutes

(1) This chapter encompasses ethics regulations applicable to personnel of the municipality. It applies to all full-time and part-time elected or appointed officials and employees, whether compensated or not, including those of any separate board, commission, committee, authority, corporation, or other instrumentality appointed or created by the municipality. The terms "municipal" and "municipality" include these separate entities.

(2) State statutes dictate or relate to ethics provisions applicable to municipal officials and employees, including, but not limited to, the following:

(a) Campaign finance: T.C.A. § 2-10-101 et seq.

(b) Conflicts of interest: T.C.A. §§ 6-54-107, 6-54-108, 12-4-101, and 12-4-102.

(c) Conflicts of interest disclosure statements: T.C.A. § 8-50-501 et seq.

(d) Consulting fee prohibition for elected municipal officials: T.C.A. §§ 2-10-122 and 2-10-124.

(e) Crimes involving public officials (bribery, soliciting unlawful compensation, buying and selling in regard to office): T.C.A. § 39-16-101 et seq.

(f) Crimes of official misconduct, official oppression, misuse of official information: T.C.A. § 39-16-401 et seq.

(g) Ouster law: T.C.A. § 8-47-101 et seq.

(Code 1995, § 1-501; Ord. No. 965, 6-19-2007)

1-178 Personal Interest Defined

For purposes of ACC 1-179 and ACC 1-180, the term "personal interest" means:

(1) Any financial, ownership, or employment interest in the subject of a vote by a municipal board not otherwise regulated by state statutes on conflicts of interests; or

(2) Any financial, ownership, or employment interest in a matter to be regulated or supervised; or

(3) Any such financial, ownership, or employment interest of the official's or employee's spouse, parents, stepparents, grandparents, siblings, children, or stepchildren.

(4) The term "employment interest" includes a situation in which an official or employee or a designated family member is negotiating possible employment with a person or organization

that is the subject of the vote or that is to be regulated or supervised.

(5) In any situation in which a personal interest is also a conflict of interest under state law, the provisions of the state law take precedence over the provisions of this chapter.

(Code 1995, § 1-502; Ord. No. 956, 6-19-2007)

1-179 Disclosure Of Personal Interest--By Official With Vote

An official with the responsibility to vote on a measure shall disclose during the meeting at which the vote takes place, before the vote and so it appears in the minutes, any personal interest that affects or that would lead a reasonable person to infer that it affects the official's vote on the measure. In addition, the official may recuse himself from voting on the measure.

(Code 1995, § 1-503; Ord. No. 965, 6-19-2007)

1-180 Disclosure Of Personal Interest--In Non-Voting Matters

An official or employee who must exercise discretion relative to any matter, other than casting a vote, and who has a personal interest in the matter that affects or that would lead a reasonable person to infer that it affects the exercise of the discretion shall disclose, before the exercise of the discretion when possible, the interest on a form provided by and filed with the city manager. In addition, the official or employee may, to the extent allowed by law, Charter, ordinance, or policy, recuse himself from the exercise of discretion in the matter.

(Code 1995, § 1-504; Ord. No. 965, 6-19-2007)

1-181 Acceptance Of Gratuities, Etc.

(1) An official or employee may not accept, directly or indirectly, any money, gift, gratuity, or other consideration or favor of any kind from anyone other than the municipality:

(a) For the performance of an act, or refraining from performance of an act, that he would be expected to perform, or refrain from performing, in the regular course of his duties; or

(b) That might reasonably be interpreted as an attempt to influence his action, or reward him for past action, in executing municipal business.

(2) The following are not deemed to be a prohibition against accepting any money, gift, gratuity, or other consideration or favor of any kind:

(a) Any gift, excluding money, intended for all department heads, all members of the city council, or all members of any committee or board appointed by city council at or near a holiday given for a non-business purpose and motivated by the holiday season;

(b) Any unsolicited token or award of appreciation in recognition of public service in the form of a plaque, trophy, desk item, or other similar item, provided that any such item shall not be in a form that can be readily converted to cash;

(c) Informational materials in the form of books, articles, periodicals, other written materials, audio tapes, video tapes or other forms of communication;

(d) Gifts that are given for a non-business purpose and motivated by a close personal friendship;

(e) Sample merchandise, promotional items, and appreciation tokens if such merchandise items and tokens are routinely given to customers, suppliers, or potential customers, or suppliers in the ordinary course of business, the value of which to the official or employee does not exceed $50.00 per occasion or accumulative value of more than $100.00 to the official or employee during a calendar year from the same person or business entity; and

(f) Food, refreshments, meals, or beverages, the value of which to the official or employee does not exceed $50.00 per occasion or accumulative value of more than $100.00 to the official or employee during a calendar year from the same person or business entity.

(Code 1995, § 1-505; Ord. No. 965, 6-19-2007)

1-182 Use Of Information

(1) An official or employee may not disclose any information obtained in his official capacity or position of employment that is made confidential under state or federal law except as authorized by law.

(2) An official or employee may not use or disclose information obtained in his official capacity or position of employment with the intent to result in financial gain for himself or any other person or entity.

(Code 1995, § 1-506; Ord. No. 965, 6-19-2007)

1-183 Use Of Municipal Time, Facilities, Etc.

(1) An official or employee may not use or authorize the use of municipal time, facilities, equipment, or supplies for private gain or advantage to himself.

(2) An official or employee may not use or authorize the use of municipal time, facilities, equipment, or supplies for private gain or advantage to any private person or entity, except as authorized by legitimate contract or lease that is determined by the city council to be in the best interests of the municipality.

(Code 1995, § 1-507; Ord. No. 965, 6-19-2007)

1-184 Use Of Position Or Authority

(1) An official or employee may not make or attempt to make private purchases, for cash or otherwise, in the name of the municipality.

(2) An official or employee may not use or attempt to use his position to secure any privilege or exemption for himself or others that is not authorized by the Charter, general law, or ordinance or policy of the municipality.

(Code 1995, § 1-508; Ord. No. 965, 6-19-2007)

1-185 Outside Employment

An official or employee may not accept or continue any outside employment if the work unreasonably inhibits the performance of any affirmative duty of the municipal position or conflicts with any provision of the city Charter or any ordinance or policy.

(Code 1995, § 1-509; Ord. No. 965, 6-19-2007)

1-186 Ethics Complaints

(1) The city attorney is designated as the ethics officer of the municipality. Upon the written request of an official or employee potentially affected by a provision of this chapter, the city attorney may render an oral or written advisory ethics opinion based upon this chapter and other applicable law.

(2) Except as otherwise provided in this section, the city attorney shall investigate any credible complaint against an appointed official or employee charging any violation of this chapter or may undertake an investigation on his own initiative when he acquires information indicating a possible violation and make recommendations for action to end or seek retribution for any activity that, in the attorney's judgment, constitutes a violation of this chapter.

(3) The city attorney may request the city council to hire another attorney, individual, or entity to act as ethics officer when he has or will have a conflict of interest in a particular matter.

(4) When a complaint of a violation of any provision of this chapter is lodged against a member of the city council, the city council shall either determine that the complaint has merit, determine that the complaint does not have merit, or determine that the complaint has sufficient merit to warrant further investigation. If the city council determines that a complaint warrants further investigation, it shall authorize an investigation by the city attorney or another individual or entity chosen by the city council.

(5) The interpretation that a reasonable person in the circumstances would apply shall be used in interpreting and enforcing this chapter.

(6) When a violation of this chapter also constitutes a violation of a personnel policy, rule, or regulation or a civil service policy, rule, or regulation, the violation shall be dealt with as a violation of the personnel or civil service provisions rather than as a violation of this chapter.

(Code 1995, § 1-510; Ord. No. 965, 6-19-2007)

1-187 Violations

An elected official or appointed member of a separate municipal board, commission, committee, authority, corporation, or other instrumentality who violates any provision of this chapter is subject to punishment as provided by the city Charter or other applicable law, and, in addition, is subject to censure by the city council. An appointed official or an employee who violates any provision of this chapter is subject to disciplinary action.

(Code 1995, § 1-511; Ord. No. 965, 6-19-2007)

Agenda Item
IV. L. Complaint Form and Procedure

Overview
During the October 23, 2025 special-called meeting, the City Council requested that a general complaint form and procedure be created so citizens have a way to voice their concerns about city issues. The city already had a digital citizen request form on its website, which was primarily used for service requests. This existing form was recently revised and expanded to serve multiple purposes including submitting comments to the City Council, employee conduct complaints, general complaints, property maintenance issues, and general service requests while maintaining electronic routing to the appropriate department head for resolution.

Citizens can access this form through the city's website under the Popular Links section on the front page or by phone if they do not have Internet access.

If a complaint involves serious allegations concerning the City Council, an appointed Board member, or a city employee and the allegation is deemed credible, the matter would be referred to the City Attorney or, if necessary, outside counsel for investigation in accordance with Athens City Code Title 1 Administration, Chapter 1-VII Ethics, Section 1-186 Ethics Complaints.

It is important to note that this new complaint form and process would not replace or alter existing internal procedures for employee-related matters such as workplace harassment, discrimination, sexual harassment, or ADA compliance, all of which are addressed under separate city policies.

Action to Consider
Consensus is needed to move this item to the December 16, 2025 regular session for consideration.

Affected Departments
All

Citizen Request Form

Citizen Comment / Complaint / Request for Service

Name

First Name

Last Name

Would you like to be contacted by the appropriate department?

- Yes
- No

Phone Number

(000) 000-0000

The phone number provided will be used solely for purposes related to this request.

Email

Please enter your email address so we can follow up on your request. example@example.com

Address

Street Address

City

State / Province

Postal / Zip Code

Reason for Submission

- Comment for City Council
- Employee Conduct Complaint
- General Complaint
- Property Maintenance
- Request for Service
- Other

Have you previously contacted city staff regarding this issue?

- Yes
- No

Details of Submission:

Please be as specific as possible, including all relevant times, dates, locations, details, and the inclusion of any photos or documents.

File Upload

Browse Files

Drag and drop files here

Please verify that you are human *

I am human

hCaptcha

Privacy - Terms

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CITY OF ATHENS
EST. 1822
CITY HALL
THE FRIENDLY CITY
TENNESSEE

Agenda Item

IV. M. Resolution 2025-33, a Resolution Authorizing the City of Athens, Tennessee to Participate in the Cyber Security Matching Grant Program through Public Entity Partners.

Overview

Approval of Resolution 2025-33 would authorize the City of Athens to apply for the Cyber Security Matching Grant offered by Public Entity Partners and commit the City to provide the required local match if awarded. The maximum grant amount available is $500.

To strengthen the City's cybersecurity posture, the I.T. Department plans to implement hardware-based Multi-Factor Authentication (MFA) across the Microsoft 365 environment and the City's VPN remote-access systems. Credential compromise remains one of the most common entry points for cyber incidents in local governments, making secure, phishing-resistant authentication a priority.

As part of this effort, the City intends to purchase 45 USB-A NFC security keys and 5 USB-C security keys, at an estimated total cost of $3,000, to be funded by the General Fund. If awarded, the grant would offset a portion of this investment.

Action to Consider

Consensus is needed to move this item to the December 16, 2025 regular session for consideration.

Affected Departments

Information Technology Department

RESOLUTION NO. 2025-33

A RESOLUTION AUTHORIZING THE CITY OF ATHENS, TENNESSEE TO PARTICIPATE IN THE CYBER SECURITY MATCHING GRANT PROGRAM THROUGH PUBLIC ENTITY PARTNERS.

WHEREAS, the cyber security safety of the City of Athens is of great importance; and

WHEREAS, all efforts shall be made to provide a reduced liability for the City of Athens employees; and

WHEREAS, Public Entity Partners seeks to encourage a secure cyber environment by offering the *Cyber Security Partners Matching Grant Program*, which assists members with the purchase of cyber security tools, training, and services designed to protect from ransomware and social engineering; and

WHEREAS, the City of Athens now seeks to participate in this important program.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, TENNESSEE:

SECTION 1.
The City of Athens is hereby authorized to apply for a Cyber Security Partners Matching Grant through Public Entity Partners.

SECTION 2.
That the City of Athens is further authorized to provide a matching sum to serve as a match for any monies provided by this grant, with the maximum eligible grant award being Five Hundred Dollars ($500).

ON MOTION BY ______________________________________

SECONDED BY ______________________________________

said Resolution was approved by roll call vote on the **16th** day of **December**, **2025**.

____
Larry Eaton, Mayor

ATTEST:

____
Randall Dowling, City Manager

APPROVED AS TO FORM:

____
Christopher M. Caldwell, City Attorney

Agenda Item

IV. N. Resolution 2025-34, a Resolution concerning the Extension of Davis Place Drive and New Roadways off Shadows Lawn Drive Built to City Standards to be Named 'Meadow Wood Lane' & 'English Oak Lane' and Accepting said Streets into the Street System of the City of Athens, Tennessee.

Overview

The attached resolution authorizes the City of Athens to formally accept newly constructed roadways within Davis Place Subdivision Phase II into the City street system. The Athens Municipal Regional Planning Commission recommended acceptance at its December 1, 2025 meeting, and all required agencies have approved the street names.

Action to Consider

Consensus is needed to move this item to the December 16, 2025 regular session for consideration.

Affected Departments

Community Development

RESOLUTION NO. 2025-34

A RESOLUTION CONCERNING THE EXTENTION OF DAVIS PLACE DRIVE AND NEW ROADWAYS OFF SHADOWS LAWN DRIVE BUILT TO CITY STANDARDS TO BE NAMED 'MEADOW WOOD LANE' AND 'ENGLISH OAK LANE' AND ACCEPTING SAID STREETS INTO THE STREET SYSTEM OF THE CITY OF ATHENS, TENNESSEE."

WHEREAS, the Athens Municipal Regional Planning Commission recommends the acceptance of approximately 695 feet of roadway named 'Meadow Wood Lane', approximately 355 feet of Davis Place Drive extension and approximately 1175 feet of "English Oak Lane' into the city street system as shown on the attachment title 'Roadways for Davis Place Subdivision Phase II'; and

WHEREAS, the above portion of the streets were recommended for acceptance by the Athens Municipal Regional Planning Commission at their regular meeting December 1, 2025; and

WHEREAS, all necessary agencies have approved the above stated street names and recommend their acceptance;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Athens, Tennessee, as follows:

That the recitals above are true and accurate and form a part of this Resolution; and the Athens Board of Mayor and Council, meeting in regular session this **16th** day of **December**, **2025**, officially accepts the roadways and official names of Meadow Wood Lane and English Oak Lane and incorporates same into the City of Athens roadway system; and

ON MOTION BY ____

SECONDED BY ____

said Resolution was approved by roll call vote and will take effect immediately.

____
Larry Eaton, Mayor

ATTEST:

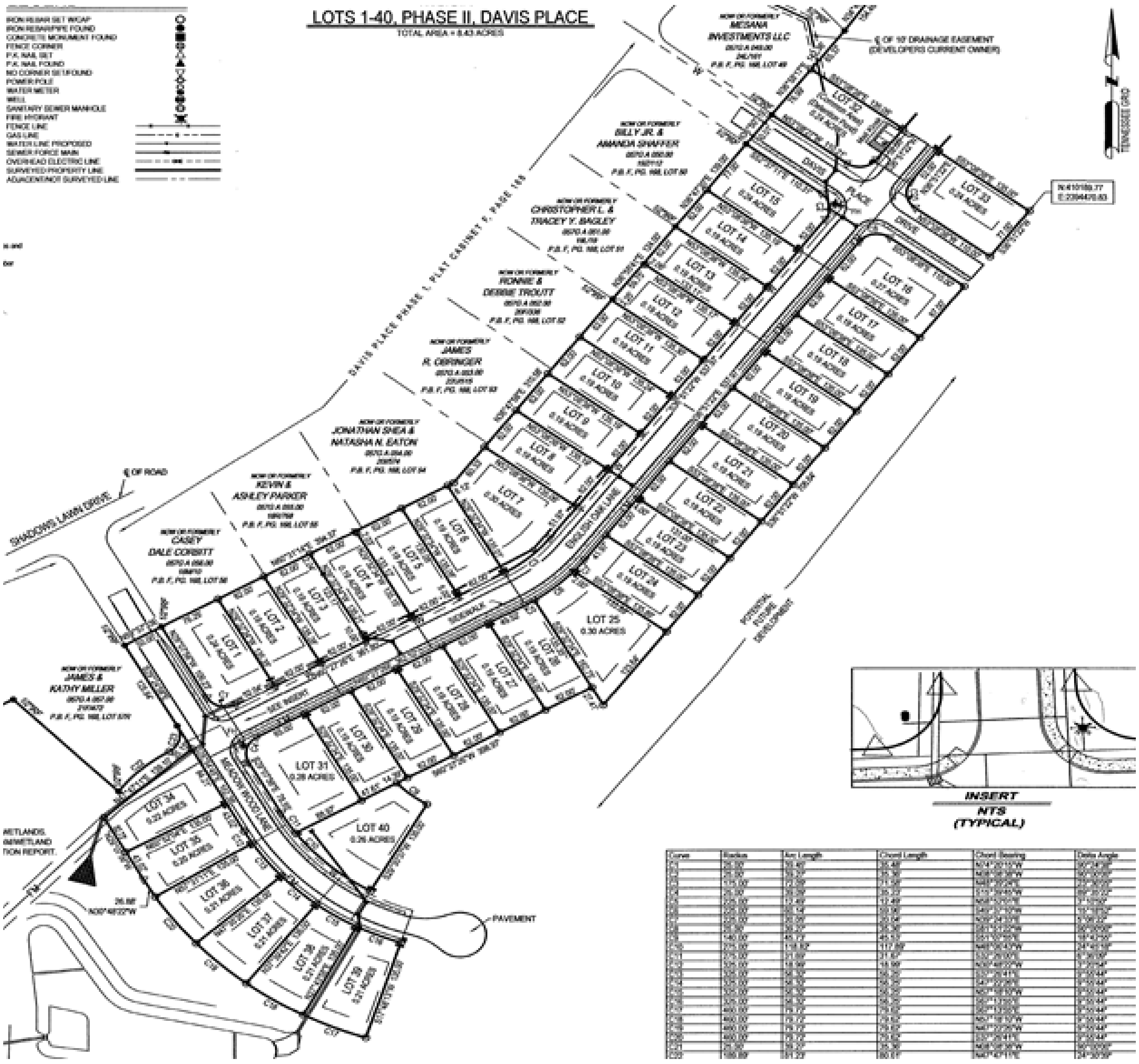
____
Randall Dowling, City Manager

APPROVED AS TO FORM:

____
Christopher M. Caldwell, City Attorney

RESOLUTION NO. 2025-34

Roadways for Davis Place Subdivision Phase II



CITY OF ATHENS

EST. 1822

CITY HALL

THE FRIENDLY CITY

TENNESSEE

Agenda Item

IV. O. Designating Friday, December 26, 2025 as a One-Time Additional Paid Holiday for City Employees

Overview

Since the Christmas holidays fall on Wed. Dec. 24 and Thurs. Dec. 25 this year, it is requested that Friday, Dec. 26 be considered as a one-time additional paid holiday for city employees. According to the Finance Department, wages for this one additional holiday are estimated to be $9,800 and the cost of benefits is estimated to be $1,200 for a total payroll cost of $11,000 to pay the city employees that have to work on holidays including the Police Department, Fire Department, Animal Shelter, and Sanitation Department, which is customary for all city holidays. This additional holiday will be paid in the same manner and at the same rate as all other paid holidays. The funds needed will come from fund reserves.

If approved, residential garbage pick-up will be normal on Wed. Dec. 24. The Thurs. Dec. 25 pick-up will be Monday, Dec. 29 and the Friday, Dec. 26 pick-up will be Tuesday, Dec. 30.

This request is a one-time event for Friday, Dec. 26, 2025 only.

Action to Consider

Consensus is needed to move this item to the December 16, 2025 regular session for consideration.

Affected Departments

All

CITY OF ATHENS
EST. 1822
CITY HALL
THE FRIENDLY CITY
TENNESSEE

Agenda Item

IV. P. 2026 Meeting Dates for City Council Work Sessions, Regular Sessions, and Beer Board

Overview

City staff has prepared the 2026 meeting dates for the city council work sessions, regular sessions, and beer board meetings (attached). Tennessee Municipal League conferences have been taken into consideration and there are no apparent conflicts. During review, staff identified one date requiring adjustment: the regularly scheduled Work Session for Monday, September 7, 2026 fell on Labor Day. In accordance with standard practice, this meeting has been rescheduled to the next business day, Tuesday, September 8, 2026. All other meeting dates remain on their regular schedule.

Action to Consider

Consensus is needed to move this item to the December 16, 2025 regular session for consideration.

Affected Departments

City Council

2026
Meeting Schedules

ATHENS CITY COUNCIL
WORK SESSION

5:00 P.M.

Monday the week prior to the regular city council meeting

January	12	2026	May	11	2026	September	8*	2026
February	9	2026	June	8	2026	October	12	2026
March	9	2026	July	13	2026	November	9	2026
April	13	2026	August	10	2026	December	7	2026

Meetings to be held in the Athens City Hall Burkett L. Witt Council Chambers

*** Rescheduled for Holiday**

ATHENS CITY COUNCIL

6:00 P.M.

3rd Tuesday of each month

January	20	2026	May	19	2026	September	15	2026
February	17	2026	June	16	2026	October	20	2026
March	17	2026	July	21	2026	November	17	2026
April	21	2026	August	18	2026	December	15	2026

Meetings to be held in the Athens City Hall Burkett L. Witt Council Chambers

ATHENS BEER BOARD

5:30 P.M.

(preceding each regular meeting of the city council whenever there is business to come before the board)

January	20	2026	May	19	2026	September	15	2026
February	17	2026	June	16	2026	October	20	2026
March	17	2026	July	21	2026	November	17	2026
April	21	2026	August	18	2026	December	15	2026

Meetings to be held in the Athens City Hall Burkett L. Witt Council Chambers

Agenda Item
IV. Q. b. i. Athens Municipal Regional Planning Commission Appointment

Overview
During the City Council's regular session on November 19, 2024, Steven Sherlin was appointed to the Athens Municipal Regional Planning Commission by then-newly elected Mayor Eaton, pursuant to the mayor's appointment authority under Title 14-I of the Athens City Code.

On December 3, 2025, Mr. Sherlin resigned from the AMRPC via email, creating a vacancy on the Commission. Under Tenn. Code Ann. §13-4-101(a)(1), *"Any vacancy in an appointed membership shall be filled for the unexpired term by the mayor of the municipality, who shall also have authority to remove any appointed member at the mayor's pleasure."* An application process will begin to fill the vacancy on the Athens Municipal Regional Planning Commission.

The Planning Commission members, their terms, and who they are appointed by are attached.

Action to Consider
No action required by City Council.

Affected Departments
City Council

Athens Municipal Regional Planning Commission

Jona Mckeehan-Garrett	Resident
Jordan Curtis	Council Representative
Steven Sherlin	Mayor's Designee
John Proffitt	Resident
Sam Stephens	Resident
Francis Witt-McMahan	Resident
Eric Newberry	Athens Utilities Board

Term of Office:	Three-years & two-year terms, coinciding with the biennial mayoral election
Term Limit:	Four (4) consecutive terms or Twelve (12) consecutive years
Number of Members:	Seven (7) members
Appointed by:	Mayor (except the council member – selected by city council)
Meets:	1st Monday of each month @ 12:00 Noon
Location:	Municipal Building – Conference Room
Absenteeism Policy:	three (3) consecutive unexcused absences
T.C.A. Reference:	§ 13-4-101 13-3-101
Established:	Athens Municipal Code 14-I

Duties & Responsibilities

- The planning commission consists of seven (7) members:
    - **(1)** The Mayor or the Mayor's designee.
    - **(1)** A council member selected by the City Council.
    - **(1)** The General Manager of the Athens Utilities Board.
    - **(2)** Residents of the City of Athens, appointed by the Mayor,
    - **(2)** Non-residents of the City of Athens, appointed by the Mayor.
- All members serve without compensation.
- The four (4) mayor-appointed members serve three-year terms.
- The mayor/designee and the council member selected by the governing body serve two-year terms, coinciding with the biennial mayoral election.
- Vacancies for appointive memberships are filled by the mayor for the remainder of the unexpired term.

Agenda Item
IV.Q. c. i. Graffiti Ordinance

Overview
Vice Mayor Curtis requested MTAS guidance on potential ordinances addressing graffiti and public profanity. The new MTAS Management Consultant was emailed on October 28th , but no response has been provided as of November 6th.

In the meantime, below is some information for the Council's review, including a definition of graffiti and points to consider regarding the adoption of an ordinance.

According to the Town of Smyrna, Tennessee's Municipal Code, Title 11, Chapter 15 ("Graffiti"), graffiti is defined as: *"Any inscription, word, figure, marking, symbol, design, painting, or drawing that is etched, scratched, drawn, painted, sprayed, or otherwise placed on any surface of public or private property without the consent of the property owner or occupant, and which is visible to the public."*

Basically, graffiti refers to unauthorized markings or defacement of property, whether public or private. Authorized murals or public art approved by the property owner or the City are not considered graffiti.

Points to consider:
- Helps preserve community appearance and property values.
- Establishes clear legal authority for enforcement and abatement.
- Reinforces community standards and discourages vandalism.
- May increase enforcement and cleanup responsibilities for the City.
- Could place removal obligations on property owners.
- Identifying the person responsible can be difficult.
- Must be drafted carefully to avoid free speech or due process conflicts.
- Stronger sign ordinances and enforcement can complement graffiti regulations by discouraging unsanctioned displays.
- Effective enforcement involves identifying violations, notifying property owners, quick removal of graffiti, cost to remove, coordination between city departments, penalizing offenders, etc.…

Additional input from MTAS will be shared once received.

Action to Consider
A motion, second, and majority vote are needed to authorize staff to prepare an Ordinance.

Affected Departments
Community Development, Police, Public Works

Information provided by:
Margaret Norris
Municipal Management Consultant
UT Municipal Technical Advisory Service (MTAS)

- Smyrna: https://www.mtas.tennessee.edu/system/files/mrln/mknowledge/main/Graffiti%20Ordinance.pdf
- McMinnville (starting on page 11-9): https://www.mtas.tennessee.edu/system/files/codes/McMinnville_t-11.pdf
- East Ridge (starting on page 11-12): https://www.mtas.tennessee.edu/system/files/codes/east_ridge-t11.pdf
- Walden (spattered throughout Title 14, Chapter 2): https://www.mtas.tennessee.edu/system/files/codes/combined/Walden-code.pdf
- Maryville property maintenance code modifies the *International Property Maintenance Code*, 2018 edition as follows: “Chapter 3, General Requirements: Section 302.9 Defacement of property. Is hereby amended locally in the City of Maryville by inserting at the end: "All graffiti shall be removed or the surface repainted to match the existing surfaces."
- Dayton’s regulations found in Title 11: 11-1005. Making obscene drawings. (1) No person shall make, draw, color, paint, scratch, cut, or otherwise produce any obscene drawing, writing, graffiti, picture, or other material in public or on a public place, including a public or private building, billboard, utility pole, wall, sidewalk, roadway, or poster. (2) Every person who is found guilty of violating this section is guilty of pandering obscenity and shall be punished in accordance with the general penalty clause for this code. (1988 Code, § 10-1005)

What I shared above doesn’t address encouraging public art. I looked separately for that and found just a couple of examples for you:

- Linden: https://www.mtas.tennessee.edu/system/files/mrln/mknowledge/main/Town%20of%20Linden%20-%20Arts%20Commission%20Ordinance.pdf

- Franklin: https://www.mtas.tennessee.edu/mknowledge/outdoor-display-works-art-city-owned-property

- Chattanooga has a vibrant public art program and you can read more about it here: https://chattanooga.gov/things-to-do/arts-culture-creative-economy/public-art

- Nashville also has a public art program that is described here: https://www.metroartsnashville.gov/public-art

- Knoxville likewise has a public arts committee: https://www.knoxvilletn.gov/government/boards_commissions/public_arts_committee

- Memphis is on the arts scene too: https://memphistn.gov/boards-and-commissions/

More information may be provided by the MTAS attorneys in the coming weeks.