

ATHENS CITY COUNCIL

MINUTES OF MEETING

November 19, 2024

The Athens City Council met in regular session on Tuesday, November 19, 2024, at 6:00 p.m. in the Athens City Hall Council Chambers with Mayor Sherlin presiding. Councilmember Curtis led the invocation. Councilmember Pelley led the Pledge of Allegiance.

Upon roll call, the following members were present:

Curtis, Witt-McMahan, Pelley, Eaton, Sherlin

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

APPROVAL OF MINUTES

-1-

Councilmember Curtis moved to approve the regular meeting minutes of October 15, 2024 and the called meeting minutes of October 30, 2024; Councilmember Witt-McMahan seconded. Minutes approved.

Roll call vote:

YEA5: Curtis, Witt-McMahan, Pelley, Eaton, Sherlin

NAYS: None

CERTIFICATION OF ELECTION

-2-

The following certification of election and official tabulation of the Athens City Election was presented by City Attorney Caldwell, and is entered herein as a part of these minutes:

"We, the undersigned members of the McMinn County Election Commission, do hereby certify that we held a Municipal Election for the City of Athens on Tuesday, November 5, 2024, in the voting precincts in this city, according to law, for the purpose of electing the offices of Athens City Council (2) members and City School Board (3) members, and that we have canvassed the returns of said election as required by law, and we do hereby certify that the following (3) three pages of tabulation are a true, correct, and complete accounting of the results by precinct of said election as established by the canvassing of the returns, this 18th day of November, 2024."

McMinn County Commissioners of Election

/s/ Todd Watson, Chairman

/s/ Bobby Goodman, Secretary

/s/ Amber Robinson, Member

/s/ Brenda Ratledge, Member

/s/ Stephen Miller, Member

ATHENS CITY COUNCIL – (4 YEAR TERM) VOTE FOR THREE (3)

Jordan Curtis	2,950
John M. Duggan	2,778
Perry McCowan	2,007

Total Votes 7,735

ATHENS CITY SCHOOL BOARD – VOTE FOR THREE (3)

Stan Harrison	4,024
Chris Adams	2,962
Beth Jackson	2,913

Total Votes 9,899

SWEARING IN OF NEWLY ELECTED COUNCIL MEMBERS

-3-

The swearing in of the newly elected council members was conducted by City Judge, Derek Green. Jordan Curtis recited the oath of office followed by John M. Duggan. The new council took their seats.

Upon roll call, the following members were present:

Curtis, Duggan, Eaton, Pelley, Sherlin

ELECTION OF MAYOR & VICE MAYOR

-4-

Election of Mayor

Councilmember Curtis nominates Vice Mayor Eaton

Discussion: Councilmember Pelley spoke in opposition.

Roll call vote:

YEAS: Curtis, Duggan, Eaton, Sherlin

NAYS: Pelley

-5-

Election of Vice Mayor

Councilmember Duggan nominates Councilmember Sherlin

Councilmember Sherlin declines.

Mayor Eaton nominates Councilmember Curtis

Councilmember Pelley nominates Councilmember Duggan

Councilmember Duggan declines.

No discussion.

Roll call vote:

YEAS: Curtis, Sherlin, Eaton

NAYS: Duggan, Pelley

COMMUNICATIONS AND SPECIAL PRESENTATIONS

-6-

Councilmember Sherlin presents Frances Witt-McMahan with an appreciation plaque for her dedicated service as a city council member from 2020 – 2024.

CITIZEN'S COMMENTS GERMANE TO THE AGENDA

-7-

1. Tyler Boyd
2. Glenn Whiting

CONSENT AGENDA

-8-

The following items were read into the record by the recording clerk:

- a.) Approve Athens City Schools Budget Amendment #1 FY 2025.
- b.) Approve Revised Public Comment Rules.
- c.) Approve an annual contribution, not to exceed \$500, to the Veterans Day Parade through American Legion Post 68.
- d.) Approve the bid from Tim's Fencing, Inc. (Knoxville) to install replacement ornamental fencing at the Cedar Grove Cemetery for a cost not to exceed \$110,000.
- e.) Approve Purchase of a 2022 Ford F550 Altec bucket truck for the Public Works Department Traffic Control Division & surplus of asset #4263, a 2008 Ford F550 Altec, to be sold using GovDeals.
- f.) Appoint Frances Witt-McMahan to the Council Advisory Committee.
- g.) Appoint Mary Scudder to the Council Advisory Committee.

Vice Mayor Curtis moved to approve consent agenda items; Councilmember Duggan seconded. No discussion. Motion approved.

Roll call vote:

YEAS: Duggan, Pelley, Sherlin, Curtis, Eaton

NAYS: None

ORDINANCES

-9-

OLD BUSINESS

-10-

NEW BUSINESS

-11-

Reimbursing \$341.82 to Larry Eaton for funding the 2024 Veterans Day Parade insurance.

Vice Mayor Curtis moved to approve reimbursement; Councilmember Duggan seconded.

Mayor Eaton stated that he did not ask for the reimbursement. Councilmember Sherlin stated that he asked for the reimbursement to be considered. Councilmember Pelley stated that he opposed the reimbursement.

Councilmember Sherlin moved to call the question; Councilmember Duggan seconded.

Roll call vote:

YEAS: Duggan, Sherlin, Curtis

NAYS: Pelley

ABSTAIN: Eaton

-12-

Motion: Approve reimbursing \$341.82 to Larry Eaton.

Roll call vote:

YEAS: Duggan, Sherlin, Curtis

NAYS: Pelley

ABSTAIN: Eaton

-13-

Preparation for 2025 Strategic Summit

Councilmember Duggan made a motion to approve the date of Friday, February 21, 2025 for the 2025 Strategic Summit, Vice Mayor Curtis seconded. No discussion.

Roll call vote:

YEAS: Duggan, Pelley, Sherlin, Curtis, Eaton

NAYS:

-14-

Councilmember Duggan made a motion to change the time of the monthly Work Session meeting from 3:00pm to 5:00pm; Councilmember Pelley seconded. No discussion.

Roll call vote:

YEAS: Duggan, Pelley, Curtis, Eaton

NAYS: Sherlin

-15-

Mayor's appointments of council members to boards and committees

Mayor Eaton appointed Interim council members to the following boards and committees:

Board of Zoning Appeals	Eaton
Athens Regional Planning Commission	Sherlin
Friendly City Sister Cities Committee	Duggan
Athens Park Foundation	Pelley
McMinn County Department of Juvenile Services	Duggan
McMinn County Economic Development Authority	Curtis
McMinn County Senior Citizens	Duggan
Historic Preservation Commission	Curtis
Athens Regional Planning Commission	Curtis
Athens Utilities Board	Eaton

Further discussion concerning permanent appointments will take place at the December Work Session.

Councilmember Sherlin moved approval; Vice Mayor Curtis seconded. Discussion began with Councilmember Pelley questioning his censure. No Vote.

-16-

Mayor Eaton moved that all policy and procedures are in accordance with the Charter; and if the City Manager implements any policy or procedure, it must be presented to the City Council within 60 days; Councilmember Duggan seconded.

-17-

Councilmember Pelley moved to postpone the discussion of policy and procedure until the December Work Session; Vice Mayor Curtis seconded. Councilmember Duggan believes that it is important to review policy often. Vice Mayor Curtis emphasizes the importance of allowing the staff feedback and supports the postponement to December.

-18-

Councilmember Pelley moved to call the question; Councilmember Sherlin seconded. No vote.

Motion to postpone the discussion on policy and procedures until December Work Session.

Roll call vote:

YEAS: Pelley, Sherlin, Curtis

NAYS: Duggan, Eaton

-19-

Councilmember Pelley moved to investigate why Mr. Whiting was not allowed to fix his building for over 5 years but now we are allowing someone else to do what our experts said could not be done; no second. Motion failed.

-20-

Councilmember Pelley moved to require certification from any employee that inspects possible condemned buildings; no second. Motion failed.

-21-

Councilmember Pelley moved that anytime an investigation is done an outline must be required for informational records; no second. Motion failed.

-22-

Councilmember Pelley moved that an “honest investigation” take place regarding term limits; Councilmember Sherlin seconded. Councilmember Pelley says that only a referendum vote can change the term limits. Councilmember Sherlin disagrees, stating the power to change the Charter is given to the City Council, then approved by the state legislator. Motion failed.

Councilmember Sherlin moved to call the question; Mayor Eaton seconded.

Roll call vote:

YEAS: Duggan, Sherlin, Curtis, Eaton

NAYS: Pelley

Motion: “Honest investigation” regarding term limits.

Roll call vote:

YEAS: Pelley

NAYS: Duggan, Sherlin, Curtis, Eaton

-23-

Councilmember Pelley moved for outside counsel to investigate if it is true that Public Entity Partners can decide to settle cases against the city; no second. Motion failed.

-24-

Councilmember Pelley moved to have a called meeting to discuss why the city attorney refused to respond to his email concerning Mr. Whiting request for certain exhibits; no second. Motion failed.

-25-

Councilmember Pelley moved to terminate the City Attorney; no second. Motion failed.

-26-

Councilmember Pelley moved to have outside counsel investigate whether the attorney can handle the ouster lawsuit; no second. Motion failed.

-27-

Councilmember Pelley moved to have outside investigators investigate Nina shredding documents pertaining to an employee compliant; no second. Motion failed.

-28-

Councilmember Pelley moved to have a called meeting to discuss why an investigation did not take place after an employee went to Human Resources with a complaint; no second. Motion failed.

REPORTS

-29-

Finance Department Monthly Report
presented by Director of Finance, Mike Keith

Fire Department Monthly Report
presented by Fire Chief, Brandon Ainsworth

Police Department Monthly Report
presented by Police Chief, Fred Schultz

REPORT FROM THE CITY MANAGER

-30-

Randall Dowling presented the departmental reports and updates.

CITIZENS COMMENTS

-31-

- 1.) Tyler Boyd - Appreciates the police enforcing the new speed limit on Ingleside Avenue. He supports employee handbook revision to allow the city council to review all policies and procedures.
- 2.) Glenn Whiting – Discussed various disagreements he has with city council, city attorney, and city employees.
- 3.) Dick Pelley – Discussed his various failed motions he made during the meeting. He claims corruption within the city.

ADJOURNMENT

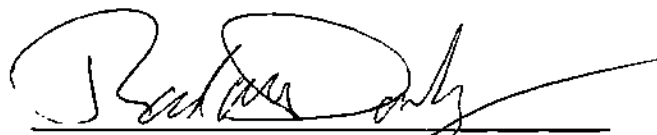
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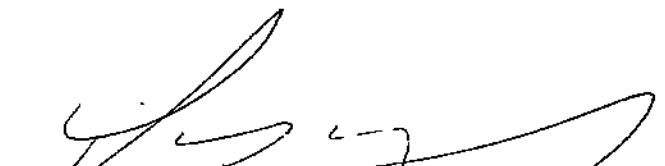
Mayor Eaton called for adjournment. The meeting adjourned at 7:40 p.m.

Roll call vote:

YEAS: Duggan, Pelley, Sherlin, Curtis, Eaton

NAYS:



RANDALL DOWLING, City Manager

LARRY EATON, Mayor