



ATHENS CITY COUNCIL MINUTES OF CALLED SESSION

The Athens City Council met in special called session on **Thursday, September 25, 2025**, at 5:30 p.m. in the Athens City Hall Council Chambers with Mayor Eaton presiding. Councilmember Duggan led the invocation. Councilmember Pelley led the Pledge of Allegiance.

Roll call:

PRESENT: Duggan, Pelley, Sherlin, Curtis, Eaton

ABSENT: None

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

PUBLIC NOTICE SPECIAL CALLED SESSION

Notice is hereby given to all residents of Athens, Tennessee, and to all interested persons, that a Special Called Session of the Athens City Council will be held at Athens City Hall, 815 North Jackson Street, Athens, Tennessee, beginning at 5:30 p.m. on Thursday, September 25, 2025.

The purpose of this meeting is to:

1. Act Upon Matters Relating to the City Judge Position in Accordance with Athens City Code, Title 3, Chapter I.
2. Appointment of an Interim City Judge.

Citizens will have the opportunity to provide public comments. Prior to the start of the meeting, all persons wishing to address the City Council must sign in on the sheet provided at the entrance to the Council Chambers. Speakers are required to comply with the adopted Public Comment Rules.

For additional information, please contact the Office of the City Manager at (423) 744-2702.

/s/

Larry Eaton, Mayor

POSTED: 9/23/2025, 3:30 PM

CITIZEN'S COMMENTS GERMANE TO THE AGENDA

-None-

NEW BUSINESS

City Attorney Chris Caldwell addressed City Council and provided a summary of the City Charter, specifically Article XXII ("City Court"), and reviewed the codification history of the Athens City Code. Attorney Caldwell also referenced recent and prior case law, including *McNabb v. Harrison* (Supreme Court of Tennessee, filed March 7, 2025) and *Sitton v. Fulton* (Court of Appeals of Tennessee, February 15, 1978).

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- A. Act Upon Matters Relating to the City Judge Position in Accordance with Athens City Code, Title 3, Chapter I.

Councilmember Sherlin moved to establish an ordinance to remove the residency requirement from the City Code Title 3 “Municipal Court”, Chapter 3-I “City Judge”, Section (3) “Qualifications.” for the purpose of establishing consistency between the City Code and City Charter; seconded by Councilmember Pelley.

Councilmember Pelley moved to call the question. The motion was seconded by Councilmember Sherlin. The motion failed, and discussion continued.

Councilmember Duggan moved to amend the Charter to include county residency requirement; seconded by Mayor Eaton.

FAILED (amendment)

Roll call vote:

YEAS: Duggan, Eaton

NAYS: Pelley, Sherlin

ABSTAIN: Curtis

APPROVED (main motion)

Roll call vote:

YEAS: Pelley, Sherlin, Curtis

NAYS: None

ABSTAIN: Duggan, Eaton

- B. Councilmember Pelley moved to allow the current City Judge, Derek Green, to continue his appointment; seconded by Councilmember Sherlin.

Councilmember Pelley called the question; seconded by Councilmember Sherlin. The motion failed, and discussion continued.

APPROVED

Roll call vote:

YEAS: Duggan, Pelley, Sherlin, Curtis, Eaton

NAYS: None

ADJOURNMENT

Mayor Eaton asked for roll call to adjourn.

Roll call vote:

YEAS: Duggan, Pelley, Sherlin, Curtis, Eaton

NAYS: None

Adjournment: 6:37 p.m.



RANDALL DOWLING, City Manager



LARRY EATON, Mayor