

**CITY COUNCIL BUILDING  
CHATTANOOGA, TENNESSEE  
SEPTEMBER 26, 2006**

Chairman Pierce called the meeting of the Chattanooga City Council to order with Councilmen Bennett, Benson, Franklin, Gaines, Page, Rico, Robinson, and Rutherford present. City Attorney Randall Nelson, Management Analyst Randy Burns, and Shirley Crownover, Assistant Clerk to the Council, were also present.

**PLEDGE OF ALLEGIANCE/  
INVOCATION**

Councilwoman Robinson led the Pledge of Allegiance, followed by invocation.

**MINUTE APPROVAL**

On motion of Councilwoman Robinson, seconded by Councilman Franklin, the minutes of the previous meeting were approved as published and signed in open meeting.

**BOBBY DAVENPORT**

On motion of Councilman Rico, seconded by Councilman Franklin,  
**A RESOLUTION RECOGNIZING, HONORING, AND  
COMMENDING BOBBY DAVENPORT FOR HIS  
OUTSTANDING EFFORTS AND ACCOMPLISHMENTS  
DURING HIS SERVICE TO THE TRUST FOR PUBLIC LAND  
AND THE CITY OF CHATTANOOGA**  
was adopted.

**JERRY PACE**

On motion of Councilman Benson, seconded by Councilwoman Robinson,  
**A RESOLUTION RECOGNIZING, HONORING, AND  
COMMENDING JERRY PACE FOR HIS OUTSTANDING  
EFFORTS AND ACCOMPLISHMENTS DURING HIS SERVICE  
TO THE CHATTANOOGA-HAMILTON COUNTY REGIONAL  
PLANNING AGENCY**  
was adopted, with Chairman Pierce abstaining.

CONTRACT

On motion of Councilman Rico, seconded by Councilwoman Rutherford,  
**A RESOLUTION AUTHORIZING THE EXECUTION OF CHANGE ORDER NO. 1, RELATIVE TO CONTRACT NO. E-04-010, 21<sup>ST</sup> CENTURY WATERFRONT, PACKAGE 5-NORTH SHORE OUTDOOR CENTER PAVILION, WITH STEIN CONSTRUCTION COMPANY, INC., WHICH CHANGE ORDER INCREASES THE CONTRACT AMOUNT BY EIGHTY-EIGHT THOUSAND SEVEN HUNDRED NINETY-NINE DOLLARS (\$88,799.00)**  
was adopted.

CONTRACT

On motion of Councilwoman Gaines, seconded by Councilman Franklin,  
**A RESOLUTION AUTHORIZING THE EXECUTION OF CHANGE ORDER NO. 2, RELATIVE TO CONTRACT NO. E-04-010, 21<sup>ST</sup> CENTURY WATERFRONT, PACKAGE 5 - NORTH SHORE OUTDOOR CENTER PAVILION, WITH STEIN CONSTRUCTION COMPANY, INC., WHICH CHANGE ORDER INCREASES THE CONTRACT AMOUNT BY THIRTY-EIGHT THOUSAND FOUR HUNDRED NINETY-TWO DOLLARS (\$38,492.00)**  
was adopted.

Councilman Rico noted that the next two Resolutions were discussed in the Public Works Committee and come with a recommendation for approval.

CONTRACT

On motion of Councilman Rico, seconded by Councilwoman Rutherford,  
**A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT NO. E-06-011-201, 2006 BITUMINOUS RESURFACING REQUIREMENTS, TO C.W. MATTHEWS CONTRACTING COMPANY, INC. FOR A TOTAL AMOUNT NOT TO EXCEED ONE MILLION FIVE HUNDRED EIGHTY-FIVE THOUSAND FIVE HUNDRED DOLLARS (\$1,585,500.00)**  
was adopted.

SIGN ACCEPTANCE

On motion of Councilman Rico, seconded by Councilwoman Robinson,  
**A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PUBLIC WORKS TO ACCEPT SIGN MATERIALS AND FUNDS FROM RIVERCITY COMPANY IN THE AMOUNT OF TWO HUNDRED THREE THOUSAND THREE HUNDRED SIXTY-TWO DOLLARS (\$203,362.00) FOR THE CHATTANOOGA AREA SIGNAGE AND WAYFINDING PROGRAM**  
was adopted.

CONTRACT

On motion of Councilman Franklin, seconded by Councilwoman Rutherford,  
**A RESOLUTION AUTHORIZING THE MAYOR TO NEGOTIATE AND EXECUTE A CONTRACT WITH ARTECH DESIGN GROUP FOR ARCHITECTURAL SERVICES ON THE CENTER FOR ADVANCED MANUFACTURING TRAINING AT ENTERPRISE SOUTH TO BE FUNDED BY CITY, COUNTY, STATE, AND FEDERAL GOVERNMENTS**  
was adopted.

PUD SPEC. EXCEP.PERMIT

**2006-134 (ABT Construction LLC)**

On motion of Councilman Benson, seconded by Councilwoman Rutherford,  
**A RESOLUTION APPROVING A PROPOSED FINAL PLANNED UNIT DEVELOPMENT SPECIAL EXCEPTIONS PERMIT FOR A PLANNED UNIT DEVELOPMENT KNOWN AS SOUTHERNWOOD VILLAGE PLANNED UNIT DEVELOPMENT ON TRACTS OF LAND LOCATED AT 1700 AND 8600 PETTY ROAD, MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON THE FINAL PLANNED UNIT DEVELOPMENT PLAN ATTACHED HERETO AND MADE A APRT HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS**  
was adopted.

**OVERTIME**

Overtime for the week ending September 22, 2006, totaled \$11,596.24.

**PERSONNEL**

The following personnel matters were reported for the various departments:

**PUBLIC WORKS DEPARTMENT:**

- **CHRISTOPHER T. WHITMIRE**—Resignation of Tree Trimmer, effective 9/14/06.
- **BERNARD L. WALLACE**—Resignation of Crew Worker, Effective 9/8/06.

**CHATTANOOGA POLICE DEPT.:**

- **TONYA DUNLAP**—Resignation of School Patrol Officer, effective 9/5/06.
- **CHANDRA MCFARLAND**—Return to Duty from FMLA, effective 9/21/06.
- **HEIDI WHITE**—Resignation of Police Officer, effective 9/28/06.

**GENERAL GOV'T—INFORMATION SYSTEMS:**

- **MICHELE PICKETT**—Resignation of Programmer, effective 9/8/06.
- **PHILLIP A. CROSBY**—Hire as Programmer, Pay Grade 16/2, \$34,985.00 annually, effective 8/25/06.
- **THOMAS A. CLARK**—Hire as Programmer, Pay Grade 16/2, \$34,985.00 annually, effective 8/22/06.
- **ALEXANDER BENTLEY**—Resignation of Network Technician, effective 8/18/06.

PERSONNEL (CONT'D)

**NEIGHBORHOOD SERVICES DEPT.:**

- **DANA WOMBLE**—Return to Duty from FMLA of Administrative Secretary, Sr., effective 9/25/06.

PURCHASES

On motion of Councilwoman Rutherford, seconded by Councilman Rico, the following purchases were approved for use by the Public Works Dept.:

**KMPT USA, INC. (Single Source Purchase)**  
**Requisition R0090627/B0003323**

Repair Parts and Technical Service

\$29,092.80

**POWER EQUIPMENT COMPANY (Lowest and best bid meeting specs.)**  
**Requisition R0092346/B0003468**

Heavy & Light Equipment Maintenance & Repairs

\$65.00 per hour

**PURCHASES (CONT'D)**

**HERTZ EQUIPMENT RENTAL CORP., GODWIN PUMPS OF AMERICA, INC.,  
MID SOUTH EQUIPMENT, NORTRAX, INC., POWER EQUIPMENT  
COMPANY, STOWERS RENTAL AND SWOPE EQUIPMENT (Multiple  
Contracts:**

**Requisition R089692/B0003386**

Rental Equipment

\$19,626.25	Hertz Equipment Rental
\$32,486.00	Stowers Rental
\$13,030.00	Mid South Equipment
\$11,245.00	Swope Equipment
\$ 6,305.00	Godwin Pumps
\$ 4,975.00	Nortrax
\$17,216.00	Power Equipment

**SOUTHERN URBAN FORESTRY ASSOC. (Lowest & best bid meeting  
specs.)**

**Requisition R0092339/B0003469**

Tree Inventory Services

\$12,000.00

**PURCHASES**

On motion of Councilwoman Rutherford, seconded by Councilman Franklin, the following purchases were approved for use by the Chattanooga Fire Dept.:

**FISHER SCIENTIFIC COMPANY (Lowest & best complete bid)**

**Requisition R0092067/B0003441**

Decontamination System & Shelter

\$44,730.00

**PURCHASES (CONT'D)**

**FORESTRY SUPPLIERS, INC. (Lowest & best bid meeting specs.)**  
**Requisition R0091794/B0003423**

True North Firefly SAR Equipment Packs & Hydration Reservoirs

\$11,381.05

**PURCHASE**

On motion of Councilwoman Rutherford, seconded by Councilman Rico, the following purchase was approved for use by General Services—Fleet Management:

**PARMAN LUBRICANTS (Best bid meeting specs.)**

Petroleum Products

\$101,965.00

**NEIGHBORHOOD CONF.**

Adm. Beverly Johnson reminded the Council of the Neighborhood Conference that starts tomorrow and goes through noon on Friday. She stated that hopefully she would see each of the Councilmembers at the event, noting that she had provided each member with a Conference Booklet with information on the Conference. She stated that she had been asked the question if Councilmembers could “float” in and out, and the answer is “yes”. She added that she hoped each Councilmember could find an opportunity on their calendars to attend; that it will be an exciting event, with great speakers coming.

**HEARING:**  
**OFFICER JEFFERY BALLARD**

Attorney Nelson reported that the hearing for **Jeffery Ballard** would have to be rescheduled; that the Police Department's attorney had requested this because of family problems. The hearing was re-set for **November 6, 2006, at 10:00 a.m. with a panel consisting of Councilmen Rico, Rutherford, and Franklin. Councilman Page is the alternate.**

**AIRPORT REPORT**

Councilwoman Rutherford stated that she would like to bring up a matter at this point—that we had never heard from the Airport, and she would like an oral and written quarterly report; that this is an important aspect of economic development in this City.

Chairman Pierce noted that we had two City Judges, whom we also might need to hear from quarterly.

Councilman Rico suggested them just “sending” a report.

Councilwoman Rutherford maintained that this was very important and decisions are being made that the Council has no information about, and it is important to know what an entity of the City is doing. **She moved that the Airport Manager be asked to come to the Council meeting the first Tuesday of November and give us an oral and written report on the airport.**

Councilman Page stated that he thought this best could be handled in committee as opposed to a Council meeting.

Councilwoman Rutherford contended that the Council meeting was better because it is a more formal setting, and she thought this was proper for this chamber; that too much is discussed in committee meetings when other people are on their jobs and can't be present; that business people would like to attend a Council meeting when the Airport Report is presented because this is very important to business and economic development and business people can't always come at a 3:00 or 4:00 committee meeting; that she did not think it would hurt to take 15 minutes of a Council meeting and have this addressed.

**AIRPORT (CONT'D)**

Councilman Page stated that he, also, thought this was important, noting that Enterprise Funds have the biggest budget; however he questioned whether or not to do this in open Chamber or in a committee meeting where there could be more discussion.

Councilwoman Rutherford responded that the issue could be discussed in Council meeting; that people in business would like to attend; that she would like it heard at 6:00 p.m. on a Tuesday so that the public could attend; that in the last few years we had been cutting down on activity in Council meetings and hearing everything in committee; that anyone interested should be free to be here at 6:00 p.m.

**Councilman Franklin stated that he would not mind seconding Councilwoman Rutherford's motion;** however he felt both Councilwoman Rutherford and Councilman Page's positions had merit; that when the Mayor makes a presentation he makes it to the Council and the committee for benefit of both. He questioned why both could not co-exist because both forums have validity; that he would think that maybe because it is an economic development issue that maybe it should be presented at a committee meeting and an abridged version be heard at the regular Council meeting.

Councilwoman Rutherford stated that Councilman Franklin had made a good point.

Councilman Benson stated that he could not go along with quarterly; that we also have such entities as the Trade Center, Enterprise South, and the Library; that he thought occasions would arise when the Council has an interest, and then we can invite them—that it needs to be on a basis of what is actually going on; that they did make an Annual Report.

Chairman Pierce stated that he did not think the City Attorney was ready to report; that he thought there was an Ordinance saying that the City Judges needed to report on a quarterly basis. He stated that he thought this information should be in committee.

Councilman Benson still questioned having a quasi entity reporting every two or three months.

**AIRPORT (CONT'D)**

Councilwoman Rutherford maintained that things are happening at the Airport that the Council is not aware of; that it is different from the Library—that the Airport is a “different animal”. She stated that the Council did have responsibility in respect to the Airport Authority because we approve its members. She reiterated that she would like to hear from the Airport Manager in Council Chambers on the first Tuesday in November; that if we want to go into it in more depth, then we can take it to the appropriate committee—that a Quarterly Report is not out of line; that if it gets to be repetitive, then we can change it.

**Councilman Franklin stated that he was now ready to second Councilwoman Rutherford’s motion**—that he had wanted some discussion first; that **he would second her motion** and defer to the Legal Committee in regards to putting this in some kind of Ordinance form like the Judges.

Chairman Pierce stated that we needed to come up with some guidelines first, **in which case Councilman Franklin stated that he would amend his motion**. Chairman Pierce felt that we should hold up hearing this in Council until it has been heard in committee.

Councilwoman Rutherford stated that her motion was Quarterly, and if it gets repetitive at a future time, she would change her motion. She mentioned the terrific complaints she was getting concerning commercial aviation, stating that people were looking to the Council for answers.

**Councilman Franklin stated that he would take his motion back**; that this should go to committee first and a decision could be made; that he would like for Councilwoman Rutherford to amend her motion and say that this comes to committee first.

Councilman Page stated that if there were no second to this motion that he would host this issue in an Economic Development committee meeting so that the Council could be updated.

Chairman Pierce stated that we would need Councilman Page to set a meeting, and then this could move into committee.

Councilwoman Rutherford questioned what Councilman Franklin had said.

### AIRPORT (CONT'D)

Councilman Franklin explained that he was requesting that the Airport come to us with a report through the Economic Development Committee; that we can make a determination then, and it might well still come to us on a Quarterly basis.

**Councilwoman Rutherford stated that she did not like this motion but “half a loaf” was better than none.** However, she did feel it should be heard by a Committee of the Whole and even though she felt it should be heard in Council chambers, she would amend her motion.

Councilwoman Robinson pointed out that we don't need a motion on this.

Councilman Page stated that we would set a time for the Airport Manager to come and report to us; that this would be scheduled through the Clerk or the Assistant Clerk, Shirley Crownover, to find out an appropriate time when they could come.

### COMMITTEES

Councilwoman Robinson reported that in a committee meeting today it was affirmed that the weekly curbside recycling service will continue weekly on the regularly scheduled day through the month of October; however there is a City Ordinance that requires garbage collection twice weekly.

Councilman Rico reminded Councilmembers that the **Public Works Committee will meet on Tuesday, October 3<sup>rd</sup> at 4:00 p.m.**

Councilman Franklin noted that the Safety Committee today discussed Take-Home vehicles for police officers and firefighters in conjunction with a draft prepared by Fleet Management. He stated that there was a very rigorous discussion, which was good, and that we need to do this with other issues also. He noted that there was also a brief discussion on testing for firefighters and police officers; that there would be another committee meeting to deal with this and that he would be in contact with Donna Kelley.

Councilwoman Rutherford stated that she wanted to remind Councilman Rico to schedule a Public Works Committee meeting primarily to address recycling. Councilman Rico responded that he would think about this;

**COMMITTEES (CONT'D)**

that it could be done in a Public Works committee. Councilwoman Rutherford stated that she wanted this meeting next week. Councilman Rico noted that it would depend on others' schedules. Councilwoman Rutherford noted that if Councilman Rico did not adjourn his Public Works Committee meeting that it could be recessed and pick up this issue at another time next week. Councilman Rico stated that he "might" do that.

**AGENDA SESSION**

Councilman Pierce questioned if this part of the agenda could just be taken off. Councilman Benson noted that we handle Agenda items in committee. Attorney Nelson responded that "sure" it could be taken off but that he would have to draft a Resolution; that the Council Rules address order of business, and we would have to amend the rules. Chairman Pierce stated that he had a real hang-up with this because we never address anything relating to this part of the Agenda.

**RON MOORE**

**Ron Moore** approached the podium to address the Council, with the help of a friend. He stated that he lived at **1703 E. 12<sup>th</sup> Street**. He thanked the Council for allowing him to be here, stating that he watched the Council on television and had had dealings with Councilmen Rico, Pierce, Gaines, and Franklin. He stated that his situation was small—that he had been locked out of his house since 2004 and had been doing business with the City. He reiterated that his problem was small compared to other proceedings; that he was speaking for his family—that he had two grandchildren who had to be away from his house, and his heart had gotten broken; that he came here, not for himself, but his heart was broken because of how handicapped and underprivileged people are treated; that the process he was talking about was unethically done.

At this point Chairman Pierce asked Mr. Moore to speak to his concern, noting that he only had three minutes to speak.

**RON MOORE (CONT'D)**

Mr. Moore urged Chairman Pierce to quit talking and “get off his clock” and to be tolerant of him. He went on to say that in regards to his health and in regards to two individual communities’ interest, it broke his heart; that people wanted to move towards wealth and peace, and this just broke his heart; that he was speaking on behalf of other people—that his problem was simple; that under the old form of government, his situation would be small, and he could just go to former Commissioner Franklin and get it straightened out. He went on to say he needed his problem resolved—that his house was up for sale through a misunderstanding; that he wanted to get his house back, and he did not have bad credit; that his house was going on the auction block; that things he saw at neighborhood associations meetings and the 311 System should be corrected. He urged to let people supervise; that it was not right how people were being treated; that 311 was making people enemies with each other.

At this point Chairman Pierce stated that he was going to have to cut Mr. Moore off. Mr. Moore urged him to tolerate him and give him more time. Chairman Pierce stated that he knew Mr. Moore’s house had been declared a public nuisance. Mr. Moore stated that he had been locked out of his house, and he was willing to pay for it. Chairman Pierce asked him if he had talked to CNE? Mr. Moore responded that he had talked to every umbrella under the City of Chattanooga; that he just wants to know how much he owes, and he will gladly pay it; that he begged his wife not to take out this loan.

At this point Chairman Pierce asked Adm. Johnson what she knew about this situation. She responded that she was not familiar with the situation but did know that it involved a foreclosure; that she was not at all involved with this; that some other entity was involved.

At this point Paul Page stated that if it involved a foreclosure, then it should come to his office. Councilman Benson explained to Mr. Page that this was a CNE problem.

**RON MOORE (CONT'D)**

Councilwoman Gaines stated that she had met with Mr. Moore; that he lived in her district; that this is CNE property and this past week it was put in foreclosure; that she would call Mr. Traughber and get more details and be in touch with Mr. Moore.

Councilman Benson confirmed that it was a CNE situation, noting that he was on their Board and that CNE had financial problems, too.

Mr. Moore stated that he just wanted to pay it off and go on; that he had been trying to do this for two years.

Councilwoman Gaines noted that Mr. Moore had been living in a hotel for two years and had been working on his property, but it was never completed.

Mr. Moore stated that they got “personal” with him and locked him out.

Chairman Pierce stated that we appreciated Mr. Moore coming before us, but this was something the Council could not address.

At this point Mr. Moore asked “Who is the City of Chattanooga”? He stated that he had been told by Johnny Holloway that the Council was the City of Chattanooga. He again questioned who was the City of Chattanooga. He asked the Council just to tell him that.

Chairman Pierce responded that Mr. Moore was talking to the City Council.

Councilman Franklin stated that Councilman Benson serves on the Board of CNE and that is the entity that Mr. Moore needs to be dealing with; that the City does provide funding for CNE and Councilwoman Gaines was going to get Mr. Moore with Mr. Traughber.

Mr. Moore wanted to know who he could get with concerning what his eyes and heart were seeing? He noted that he had piloted the program to “Keep America Beautiful”; that he had been instrumental in forming Neighborhood Watch in Houston, Texas; that he was not coming to the Council without authority.

**RON MOORE (CONT'D)**

Councilwoman Gaines offered to meet with Mr. Moore after this meeting or sometime before this week is out; that she would be in contact with Mr. Traughber and would see that Mr. Moore got a meeting.

Mr. Moore asked if he could be assured that there would be no foreclosure on his house. Chairman Pierce stated that Councilwoman Gaines had agreed to talk to him.

**DAVE PORFINO**

**Dave Porfino** approached the Council and asked for a clarification about the meeting that Councilwoman Rutherford had mentioned.

Councilwoman Rutherford explained that at the committee meeting today it was passed that there would be a called meeting to discuss nothing but recycling; that legally we have to advertise such a meeting; that we don't know the date at this time; that if we do not adjourn next week's Public Works Committee meeting, then we can legally go ahead and schedule a meeting for the purpose of addressing recycling.

Mr. Porfino wanted to know if the City was going forward with once a month recycling.

Councilwoman Rutherford responded that there had been no legal motion; that through the month of October it will be once a week and hopefully next week we will come up with a solution that will be on-going; that no two of the Councilmembers have agreed on this.

Chairman Pierce asked Councilwoman Rutherford to explain to Mr. Porfino that we have already passed a Budget, on the recommendation of the Mayor, and if we go back into this, we will have to amend the Budget; that if we are buying seven new trucks, to get the money we may have to have a tax increase or else eliminate other services; that we have to handle this, and he wished all well in doing something that is best for the entire community.

**DAVE PORFINO (CONT'D)**

Mr. Porfino asked about the physical realities of making it work or if it were simply from Day One that the City would allocate \$100,000 for marketing and education. He questioned why funding for education was allowed to lapse in 2003? He wanted to know why there was never a Public Works Study done to determine the percentage of people recycling while educational programs were in place and if participation was higher than 13% when education was in place? He stated that we have no historical reference to gauge how successful or unsuccessful the now proposed \$100K marketing and education campaign will be. He went on to say that if a study is commissioned, it also would have answered one of the most basic, but critical questions of all: at what percentage rate would the city consider curbside recycling to be “successful”—40%, 30%, or 20%.

He went on to say that he was concerned about the PR firm that the City was hiring to do the \$100K marketing campaign; that they were the people responsible for the Power Point presentation shown at the Public Works meeting on September 5<sup>th</sup> and that presentation was full of factual errors, contained critical omissions and was heavily slanted against curbside recycling.

Mr. Porfino also wanted to know why three chairpersons of the three committees of the Task Force were denied access to that Presentation before it was made, stating that there was a concerted effort by the Mayor’s office to block access to that report; that they were given a big slap in the face for their efforts and quite frankly, the democratic process was subverted.

In summary, he stated, these concerns cannot and should not be ignored, as the City stands ready to proceed with a \$100K contract with Waterhouse PR; that this is the last chance for recycling in Chattanooga.

**JANICE HASH**

**Ms. Hash** thanked the Council for allowing them to speak, stating that she also was a member of the Task Force, but her story was much different. She noted that she had only been in Chattanooga for six months and was a Travel Writer; that she had been so impressed with Chattanooga and the progress it was making that she had decided to move here and was given the opportunity to sit on this Task Force—that she was honored; however, her experience had not been a good one, and the Task Force had not been treated in good faith—that many had spent many hours on this. She urged the Council to take a look around—that she knew Chattanooga was not Portland, Oregon, but there are other smaller cities that have extensive successful recycling programs; that she felt that this was short-changing the citizens of Chattanooga; that recycling is empowering and a very powerful experience when there is participation—that it is something one single person can do to change the world. She urged the Council to take this seriously, because they had.

**BETSY BRAMLETT**

**Betsy Bramlett** spoke next, stating that she, too, was a member of the Task Force, and it was a tough job; that she had never been more disappointed with Ron Littlefield in her life; that being on the Task Force was great, but this Task Force had been thwarted from the beginning. She stated “shame on Mayor Littlefield and his mouthpiece”. Ms. Bramlett stated that she had to talk fast—that she had a southern drawl—that she had talked to the Mayor, and he had said “Betsy if you will keep your mouth shut, I’ll pick up your recycling every week.” She stated that she responded “thanks, but no thanks”. She stated that she was not a privileged person and that every citizen in the City should have the same opportunity and if everyone wanted Mayor Littlefield to pick up their recycling every week to just call him and at this point she offered his office number and also his home number, stating that she should not be treated special. She urged everyone to let the Mayor pick up their recyclables.

She went on to say that the whole City Council is confused! She stated that idea to have recyclables picked up on Brush Pick-up week is questionable because people have no idea when their brush pick-up week is; that if you say on a Wednesday, when will it actually get picked up and who will decide; that she agreed with the Councilmembers who wanted to go back and find out what is legal; that a lot of people want to have recycling, and the City’s plan won’t work.

**BETSY BRAMLETT (CONT'D)**

Chairman Pierce asked Ms. Bramlett if she would like to give out her personal phone number to the public. She laughed and responded that she would like to offer a reward for finding the people who killed the goat.

**ROBERT STONE**

**Mr. Robert Stone** of Allied Waste came before the Council to discuss a recent purchase that was approved by the Council on September 19, 2006. He read from the minutes of that date on Page 10 "*Refuse and Recyclables Transport Services (Allied Waste Services of Chattanooga submitted a lower bid of \$72.45 per haul, but was ruled non-responsive for taking exceptions to our specifications*".) Mr. Stone stated that they were formerly known as BFI and had been in the City for 25 years; that they had 134 employees in this area and over 35,000 customers. He noted that Allied Waste would have saved the City money, but they were ruled non-responsive. He also noted that there was a discrepancy in the Minutes of that date—that they read \$75.00, when it was actually \$76.00 per haul. He reiterated that the City could have realized a savings with their lower bid. He supplied copies of their bid, which is made a part of this minute material. He was asking that the Council rescind their previous decision to go with Refuse and Recyclables Transport Services.

Chairman Pierce stated that the Council could reconsider their decision on one condition—if Administration had not already agreed to sign the contract.

Mr. Paul Page stated that they had held this up; that the Council could review it, and these people could come back next week—that they had not signed the contract. He stated that it would be easy to correct the \$1.00 difference in the minutes and change it to \$76.00 per haul.

Attorney Nelson stated that they also might notify the other bidder (one that received the contract) so that both sides could be heard.

**ROBERT STONE (CONT'D)**

Mr. Page agreed that Allied Waste Services had a right; that there is a 30 day "out", and they put in an escalator clause, and it got kicked out.

Chairman Pierce stated that this would be taken up in committee meeting next week at the 4:00 p.m. Public Works Committee.

**ADJOURNMENT**

Chairman Pierce adjourned the meeting of the Chattanooga City Council until Tuesday, October 3, 2006, at 6:00 P.M.

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**CHAIRMAN**

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**CLERK OF COUNCIL**

