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3 **A RESOLUTION STATING THE COMMON COUNCIL OF FORT WAYNE HAS NO**
4 **CONFIDENCE IN THE FORT WAYNE SOLID WASTE DEPARTMENT**
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6 WHEREAS, the Fort Wayne Solid Waste Department led in the due diligence and
7 negotiation of the current garbage contractor contract (Contract) and recommended Red River to
8 the Common Council in 2017, and

9 WHEREAS, wherein that Red River's service under the Contract has been poor and Red
10 River has been found by the Common Council to be in substantial breach of its contract; and

11 WHEREAS, the Common Council has repeatedly urged the Solid Waste Department to
12 fine Red River according to the terms of the Contract and the Solid Waste Manager and the
13 Director of Public Works have refused to do so; and

14 WHEREAS, members of the Common Council have requested daily miss lists according
15 to the terms of the Contract. Neither the Director of the Solid Waste District nor any other City
16 employee working in the Solid Waste Department has produced said miss lists. Further the Solid
17 Waste Department has failed to maintain the dashboard that was requested and agreed upon,
18 active on the Solid Waste website; and

19 WHEREAS, according to the 2019 CAFR, the last publicly produced financial document,
20 the Solid Waste Department had a total net position in excess of \$1.7 million on December 31,
21 2019, further until November 2020 no financial briefing from the Solid Waste Department was
22 given to the Common Council; and

23 WHEREAS, despite cutting back service and limiting collection to receptacles only, the
24 Solid Waste Department ran out of provided receptacles and for weeks offered no assistance or
25 guidance to ratepayers who ordered said receptacles, who then had no way of disposing their
26 refuse; and

27 WHEREAS, members of the Common Council wrote a letter to the Solid Waste
28 Department dated November 13, 2020 addressing several topics of concern and have yet again
29 received no response; and

30 WHEREAS, the Holiday season will predictably increase the quantity of refuse and many
31 ratepayers will not have the bin capacity to hold the refuse. Further and the Solid Waste
32 Department has not announced any plans to accommodate these ratepayers and compel Red
33 River to comply with the terms of the Contract, which Contract Council has long been told binds
34 everything the Solid Waste Department may do; and

1 WHEREAS, these shortcomings of the Solid Waste Department, compounded by the
2 poor history of Red River, make any relevant discussions about rate increases untenable; and

3 WHEREAS, the Solid Waste Department is funded by ratepayers, under the supervision
4 of the Division of Public Works and the Director of Public Works, under the supervision and an
5 appointee of the Mayor: and

6 WHEREAS, the Solid Waste Department does not present a budget for Common
7 Council's review and approval, therefore Council has no supervisory oversight or "power of the
8 purse" over the Solid Waste Department in the matters listed above and only the Mayor and
9 Mayoral-appointees do.

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11 **NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF**
12 **THE CITY OF FORT WAYNE, INDIANA:**

13 **SECTION 1.** That the Common Council determines it has no confidence in the
14 leadership of the Fort Wayne Solid Waste Department as it relates to fiscal and contract
15 management and once again urges the Mayor to intervene in attentively fixing the issues of the
16 Solid Waste Department.

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19 _____
20 Russ Jehl, Council Member
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22 APPROVED AS TO FORM AND LEGALITY
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24 _____
25 Joseph G. Bonahoom, Attorney for City Council