



Special Council Meeting

Council Chambers

August 20, 2019 ~ 6:00pm

A) CALL TO ORDER

The Council for the City of Norwood met in special session on the above date with Mrs. Donna Laake presiding. The meeting opened with a prayer and the Pledge of Allegiance.

B) PRAYER

C) PLEDGE OF ALLEGIANCE

D) ROLL CALL

On roll call, the following members answered present: Mr. Bonsall, Mr. Clark, Mr. Thompson, Ms. Stevenson, Mrs. Hanrahan, and Mr. Breadon; Mr. Sanker was absent.

E) DISCUSS WATER SYSTEM ISSUES AND ALLOW FOR PUBLIC COMMENT

Mrs. Laake thanked Ms. Stevenson for presiding in her absence at the previous meeting. Mrs. Laake confirmed that letters were sent to the Administration, Ohio EPA, and GCWW; representatives from the Ohio EPA and GCWW replied, indicating they would not be attending the meeting tonight. Mr. Thompson requested the Clerk of Council read the responses from the Ohio EPA and Patrick Duhaney, and both letters were then entered into Council's records (copies are available in the Clerk of Council's office).

Mrs. Laake opened the meeting for public comment.

1) Amy Wolfinbarger

Ms. Wolfinbarger, of Carthage Avenue, expressed her disappointment over the mayor's absence from this meeting. Ms. Wolfinbarger believes the Administration's inaction has put the entire community at risk; this is making it difficult for community members to trust the mayor. Ms. Wolfinbarger is questioning the safety of the water; she trusts Cincinnati's ability to provide safe water and she trusts their recommendations. Ms. Wolfinbarger stated she is curious about what will happen when Norwood's contract with Greater Cincinnati Water Works (GCWW) expires and asked what happens when Norwood satisfies the violations of the EPA; long-term plans are needed and should be adhered to.

2) Dave Bohlinger

Mr. Bohlinger, who owns numerous rental properties in Norwood, expressed concerns about the EPA's handling of the current water situation. Mr. Bohlinger recapped a conversation that Mrs. Hanrahan stated she had with a representative from the Ohio EPA; the representative indicated the water is safe and there is nothing leaking into the drinking water. Mr. Bohlinger asked Mrs. Hanrahan if she had another discussion with the Ohio EPA, in which they indicated water from the towers probably is leaking into the drinking water; Mr. Bohlinger wanted to confirm that someone with the EPA then asked Mrs. Hanrahan to "remain quiet" about drinking water not being safe. Mrs. Hanrahan proceeded to share that she talked with a representative of the Ohio EPA while she was on vacation; she spoke with Heather, who said there could be some leakage from the tanks into the drinking water. She was told that the only way for leakage to occur would be with major pressure drops due to fighting fires and major water main breaks. Mrs. Hanrahan stated she made a post about this on Facebook; while speaking with Michael Guastella, Mrs. Hanrahan stated she was going to retract the original post since there might be some leakage, and he thought doing so would place mistrust in the EPA. Mr. Bohlinger stated the Ohio EPA now wants to keep things quiet; the operator of record in Norwood is not doing his job. Ohio Revised Code 743.08 states that Council has authority to initiate an investigative committee to remove an individual from office in cases of negligence.

3) Liam Shanahan

Mr. Shanahan, of South Madison Avenue, thanked Council for holding a public meeting to allow citizens the opportunity to ask questions and voice their opinion and concerns. Mr. Shanahan stated residents deserve to know about safety; city government is failing residents. Mr. Shanahan mentioned the accounting error that was caught, which caused the water fund to be in the red for several years; Mr. Shanahan asked if this accounting error was the cause of our water system not getting fixed. Mr. Shanahan commended Mr. Bonsall and Mrs. Hanrahan for their work regarding the water issue; there was more concern displayed by Cincinnati's

mayor and GCWW than there was by Norwood's mayor. Mr. Shanahan stated the importance of ensuring there is safe drinking water in the city and he also recommends Council begins the process of utilizing the authority that it outlined in ORC 743.08.

Mrs. Laake acknowledged Mr. Sanker's arrival in Council Chambers.

Mrs. Hanrahan stated Mayor Williams confirmed that work had been completed after the 2014 study; she contacted Dixon Engineering, who worked on the repairs in 2015. The Clerk of Council read a letter from Earl Strater with Dixon Engineering regarding repairs made to the water towers in 2015. Mrs. Hanrahan also stated she had called GCWW about organic matter testing, and they instructed her to contact Mr. Geers; organic matter testing is done by GCWW. Mrs. Laake, who was once the Norwood Health Commissioner, confirmed that water testing for free and total chlorine in Norwood is a daily requirement; this is completed by Norwood Health Department staff. There are also tests completed for bacteria, which are determined by the EPA; the city must submit collection sites on a map to the EPA. Samples are taken to the Cincinnati Health Department lab; results are then sent back to the Norwood Health Department. The city is also required to test for lead and copper, but not on an annual basis. The Norwood Health Department documents the test numbers for each day; if a sample comes back positive, it must be investigated, and a boil alert must be issued. In May of the following year, a report must be sent to all residents who pay for water; Mrs. Laake worked with GCWW to develop the template that is used for the report. All other test data in the annual report comes from GCWW, because they produce the water; Norwood is not required to test for organic matter. Mrs. Laake confirmed that the previously contracted water purveyor in the city allowed his license to expire; Mr. Geers then became the purveyor because he had a water license. The EPA comes to Norwood for an audit every three years; they review forms, interview the water employees, and visit the water towers. Mrs. Laake questions what happened when the EPA completed the inspection in 2016. Mr. Breadon agrees that the tanks need to be replaced and the water system needs to be updated, but also stated everything indicates the water has passed all tests.

Mr. Bonsall referred back to the letter from Mr. Duhaney and the identified action steps; Mr. Bonsall stated he does not trust Mr. Geers as the operator of record for Norwood's water system. There has been a lack of communication to Council and to the Norwood citizens. Cincinnati is willing to loan Norwood an operator of record to focus on the water system, and Mr. Bonsall believes Norwood should take them up on that offer; a 6-month contract would provide Council some oversight into what is not happening or what needs to happen. Mr. Bonsall also stated a long-term plan is needed; neglect started prior to this Administration. Mr. Bonsall believes Council should look at exploring a long-term partnership with Cincinnati to handle Norwood's water system; many other municipalities have GCWW operating their water systems. GCWW is looking for a resolution from Council to look into a long-term contract; Mr. Bonsall believes Council should pass this type of resolution at a future meeting.

Mr. Thompson agrees that the Safety-Service Director does a lot of jobs; Norwood currently needs someone to focus on water only. If there is a fear of finances, Council can state to the mayor that they will appropriate the necessary funds to establish a temporary position of operator of record.

Mrs. Laake stated the tanks are required for pressure and the EPA requires that the city has a day's worth of water available; the issue at hand is how much testing has been done and how good is the water that has been sitting in those tanks. Mr. Breadon mentioned the lead pipes currently underground that need updating; Mrs. Laake stated Cincinnati uses additives in the water that clings to lead pipes, which helps avoid lead leaching into the water.

Mrs. Hanrahan stated she agrees with Mr. Bonsall and Mr. Thompson; Council's responsibility is to look at all options. There are still unanswered questions about needing a reserve tank. It would be a nice to get a diagram of the tanks and Norwood's water system. Mr. Clark apologized for not being able to attend the previous meeting; he expressed his support of a resolution to hire a new water purveyor as someone who will solely focus on water. Mr. Clark believes Council still needs an informational meeting to get answers to the many unanswered questions from all involved parties. Mrs. Hanrahan stated it is an issue that Council cannot get anyone to talk to them; Council's ability to get information has become an obstacle. Mrs. Laake confirmed Norwood has a contract with GCWW to complete testing around the water towers that expires August 31, 2019; that contract could be extended, which may create an opportunity to include an operator of record from GCWW. Mr. Thompson stated Council is only aware of the contract because of records requests; nothing has been provided to Council. Mr. Bonsall stated he just found a public record from Mayor Williams indicating how much money could be spent. Mr. Thompson expressed his frustration over the "complete and total lack of communication and transparency" and the feeling that Council is "in the dark" with regard to this matter. Mrs. Laake informed Council that Mayor Williams reported at the Financial Planning and Supervision Commission meeting that one tank was drained and repairs were being made; they would then work on the second tank and file the report with the EPA once that is complete. Once the EPA views the report, they will then make a recommendation of how to proceed.

Ms. Stevenson brought to Council's attention the fact that no one from the Norwood Health Department was invited to attend this special meeting; going forward, they should be included as invitees when water issues are discussed. Ms. Stevenson acknowledged that Council members all have different bits of information; she asked for members of Council to share their information regarding the water issues with the Clerk of Council's office, so that it is all available and on record in one location. Ms. Stevenson mentioned information shared by Mr. Bonsall earlier was something she wasn't aware of; having all of the information compiled in one place will be helpful to all members of Council. Mr. Thompson commended Ms. Stevenson on this fantastic idea; it will allow Council the resources to investigate the situation. Ms. Stevenson suggested that Council ask the Administration for a copy of the EPA report, to determine if an investigation is necessary. Mrs. Laake suggested scheduling a follow up meeting with Ohio EPA to get answers to some of Council's questions and to avoid any speculation.

Mr. Bonsall wanted to confirm that it sounds like Council supports hiring a temporary operator of record from GCWW; it also sounds like Council supports allowing GCWW to look into operating Norwood's water system on a long-term basis. Mr. Bonsall spoke about the tanks and believes that before millions of dollars are spent on the tanks, that the city needs to understand if the tanks are even needed in the event GCWW takes over Norwood's water system. Mr. Bonsall read ORC 743.08, which gives Council power as a legislative authority; Council should keep this in mind and launch an investigative committee. If the investigative committee finds that either malfeasance or neglect of duty with regard to the water system has occurred, the legislative authority may be able to remove that individual from office. Mr. Bonsall stated he will work with the Law Department on two different resolutions; one for long-term operation of the water system and the other for an operator of record for a 6-month period. Ms. Stevenson believes the report from the EPA should come first; that will provide enough guidance as to what areas the operator of record will have to focus. Ms. Stevenson raised the question of whether or not members of this investigative committee must be members of Council. Mr. Bonsall recommends moving forward with the two proposed resolutions as soon as possible, in the event of a possible veto. Mr. Breadon expressed his concerns about transferring services to the city of Cincinnati; Norwood has professionals testing water on a daily basis at the Norwood Health Department. Mr. Bonsall reiterated the fact that the resolutions are for information gathering; they are not a commitment on behalf of Council.

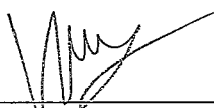
Mrs. Laake stated it is important to see what is contained in the EPA report and the recommendations that accompany the report; the report should be released shortly after the repair of the second tank. Mrs. Hanrahan agrees with Mr. Bonsall's idea of requesting two resolutions. Ms. Stevenson asked the Clerk of Council about the office's ability to collect and scan all received information; Mr. Geers confirmed that is something that can be handled within the Clerk of Council's office. Ms. Stevenson requested other members of Council share any information they have received on the water issue with the Clerk of Council's office. Mrs. Laake stated she will talk to Mayor Williams about amending the contract to have GCWW serve as the temporary operator of record and to also get a cost estimate.

F) EXCUSE ABSENT MEMBER/S

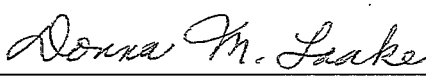
There were no absent members.

G) ADJOURNMENT

On a motion by Mr. Bonsall, seconded by Mr. Breadon, it was moved to adjourn. All present voted, "Yes".



Joseph S. Geers
Clerk of Council



Donna M. Laake
President of Council