

General Responses

1. Why does the city not take it over dam and lake?

The Developer asked the city to take the dam and lake early on in the development of the Landings. The City's response was this would be a public body of water. The Developer decided the body of water would remain private. Developers took action to set up a nonprofit company for the ownership and operation and maintenance. Furthermore under Ordinance 1989-34 Section 16 the city would be required to assess the property owners for the maintenance of this Stormwater system.

2. Who owns the Dam?

The Ohio Department of Natural Resources has a list of who they believe are the owners.

The corporation that is the record owner of much of the dam was operated by residents of the Landings who allowed the corporation to expire in 2015. The Knox County Court of Common Pleas will likely be required to determine who succeeds the corporation as the owners of the majority of the dam.

Specific Responses

Bill Tepe

The City will review the comments that you have made.

Alex Varughese

The City will review the comments that you have made.

Bob Rafferty

Proposed Resolution 2019-77 includes Engineering consultant's studies that would develop alternatives and associated costs for these alternatives as well as determine the potential responsible parties.

Bruce Malek

Mike Haughton

The lake receives water from the upstream portion of the watershed. Under Ohio law, the lake must receive water from upstream areas as it did prior to the construction of the Landings development.

The proposed study under Resolution 2019-77 will review the watershed area.

The city does not have jurisdiction to regulate the dam. The developers were well aware that the Knox Cattle Dam was under Ohio Department of Natural Resources jurisdiction before beginning the development.

The proposed study under Resolution 2019-77 will help determine if the Landings was developed consistent with the 1999 storm water design report.

The City approved the developer's plans for a stormwater system. The developers set up processes and processors pursuant to Chapter 920 of the City's Codified Ordinances for the perpetual private operation and maintenance of the Stormwater system. At the time of approval, documents presented to the city appeared to meet the City's standards and requirement. To the City it appeared that the members of the Landings were/are operating/maintaining the stormwater system: the primary discharge pipe for the Knox Cattle Dam was damaged and repaired and someone is mowing the grass adjacent to the lake.

Cloyd Yough

The City will review the comments that you have made.

Phillip Petrie

The City would consider a FEMA application assuming there is a willingness of the Landings to pay for the development of an application and provide the cost share for the grant.

Loretta Godfrey

1. The City apologizes for not providing you the letter. We will check and update our lists.
2. Proposed Resolution 2019-77 includes Engineering consultant's studies that would develop alternatives and associated costs for these alternatives as well as determine the potential responsible parties.

Dan and Cara Risser

The City will review the comments that you have made.

Diane Goodrich

The goal of the City is to bring the Landings development into compliance with the Ohio Department of Natural Resources dam safety rules and the Ohio EPA and City of Mount Vernon's stormwater rules. Compliance with these rules will lead to the protection and preservation of property in the Landings.

Janet Schisler

1. The City apologizes for not providing you the letter. We will check and update our lists.
- 2-3. Proposed Resolution 2019-77 includes Engineering consultant's studies that would develop alternatives and associated costs for these alternatives as well as determine the potential responsible parties.

Jeff Harris

The requirements to maintain the stormwater system were well defined in the City's code in 1999.

The City approved the developer's plans for a stormwater system. The developers set up processes and processors pursuant to Chapter 920 of City's Codified Ordinances for the perpetual private operation and maintenance of the stormwater system. At the time of approval, documents presented to the city appeared to meet the City's standards and requirement. To the City it appeared that the members of the Landings were/are operating/maintaining the stormwater system: the primary discharge pipe for the Knox Cattle Dam was damaged and repaired and someone is mowing the grass adjacent to the lake.

Jerry Harper

The City will review the comments that you have made.

Jesse Marlowe

1. The City does not follow *Robert's Rules of Order*. The City follows *Gotherman's Guide (A Handbook for Municipal Councilmen)*.
2. The standards that require a Member of Council to recuse (not abstain) from acting on a piece of legislation are set by the Ohio Revised Code and administered by the Ohio Ethics Commission.

Joyce Harris

You are not in a designated 100-year flood plain.

From a stormwater perspective, the entire Landings subdivision is responsible to operate and maintain the private stormwater system within the subdivision.

From the Ohio Department of Natural Resources's perspective, the owners of the dam have a responsibility under Ohio Revised Code to operate and maintain the dam.

June Petrie

1. The City does/has not diverted stormwater to this facility.
2. See General Response Number 1.

3. See Ordinance 1989-34 Section 14
4. The developer setup a methodology for a corporation to collect funds to maintain the lake, dam and stormwater system. This plan was not followed by those residents of the Landings who controlled the corporation and this has lead to the current situation.
5. See response to #1
- 6-7. At this time fair and equitable has not been determined. However, is it fair to ask everyone in the City to pay for work on a development on private property that should have been done by the residents of that development?

Noah Aydin

The City strives to treat all residents of the Landings development similarly.

Bill and Teri Blanchard

Proposed Resolution 2019-77 includes Engineering consultant's studies that would develop alternatives and associated costs for these alternatives as well as determine the potential responsible parties.

Sue Kinton

- 1, 3 & 4. Proposed Resolution 2019-77 includes Engineering consultant's studies that would develop alternatives and associated costs for these alternatives as well as determine the potential responsible parties.
- 2&5. Proposed Ordinance 2019-30 arose from difficulties that the City had in dealing with several developers. If adopted it would apply to all stormwater systems in the City.
6. The City is not a party to and does not track private real estate transactions. If you believe that information was withheld from you, you should contact your realtor and/or closing agent.