

ORDINANCE NO. 02-18

AN ORDINANCE AUTHORIZING THE MAYOR TO CONTINUE THE SERVICES FOR FIVE THOUSAND FIVE HUNDRED DOLLARS OF THE CUYAHOGA SOIL & WATER CONSERVATION DISTRICT FOR THE PURPOSE OF PROVIDING TECHNICAL ASSISTANCE IN IMPLEMENTING SOIL AND WATER CONSERVATION MEASURES IN ORDER TO IMPLEMENT THE PUBLIC INVOLVEMENT AND PUBLIC EDUCATION (PIPE) REQUIREMENT UNDER THE OHIO EPA MUNICIPAL SEPARATE STORM SEWER DISCHARGE (MS4) PERMIT.

**Requested By Mayor Brandon L. King
Sponsored By: Timothy R. Austin, Councilor At-Large**

WHEREAS, the East Cleveland City Council passed Ordinance 16-16 authorizing a Memorandum of Understanding between the City of East Cleveland and the Cuyahoga Soil and Water Conservation District; and

WHEREAS, City Council must reauthorize that two year MOU for its continuation.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of East Cleveland, Ohio, three-fifths (3/5) concurring:

SECTION 1. That the Mayor hereby is authorized to execute and deliver a letter for Memorandum of Understanding between the City and the Cuyahoga SWCD on behalf of the City with such changes therein as shall in the opinion of the Director of Law not substantially or materially change the terms and provisions thereof to the detriment of the City of East Cleveland.

SECTION 2. That the City shall be bound by the terms of such Memorandum, including the provision thereof whereby the City agrees to enter into a contract to compensate the Vendor for work performed pursuant to the Memorandum and required in connection with the implementation of the recommendations derived from work performed pursuant to the Memorandum.

SECTION 3. It is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all such deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

SECTION 4. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.


PASSED: February 20, 2018



JOIE GRAHAM
PRESIDENT OF COUNCIL

Date: 2/21/18

ATTEST:



DR. KHADIJAH F. GUY
CLERK OF COUNCIL

Date: 2/21/18

APPROVED:



BRANDON L. KING
MAYOR

VETO: YES _____ NO _____

APPROVED AS TO FORM:



WILLA M. HEMMONS
DIRECTOR OF LAW

Date: 2/21/18

Emergency n/a First Read 2/6/18 Second Read 2/20/18

	<u>Yea</u>	<u>Nay</u>
Councilor Joie N. Graham	<u>x</u>	_____
Councilor Ernest L. Smith	<u>x</u>	_____
Councilor Nathaniel Martin	<u>x</u>	_____
Councilor Barbara J. Thomas	<u>excused</u>	_____
Councilor Timothy R. Austin	<u>x</u>	_____

MS4 SUMMARY

Municipal Separate Storm Sewer Systems (MS4) Permit:

The MS4 permit was created under the Clean Water Act of 1972, phase II of the National Pollutant Discharge Elimination System.

Defined urban areas are required to have an active MS4 permit in accordance with 40 CFR 123.25 and Ohio law (OAC 3745-39). The City of East Cleveland is located wholly in the defined urban area. This is governed by the Ohio EPA and enforced by fines.

Once permitted, an annual report (or Storm Water Management Plan) must be completed by April 1st. The City currently has an active permit in good standing.

The annual report consists of 6 parts (or Minimum Control Measures (MCM's))

1. Public Education and Outreach
2. Public Participation/Involvement
3. Illicit Discharge Detection and Elimination
4. Construction Site Runoff Control
5. Post-Construction Site Runoff Control
6. Pollution Prevention and Good Housekeeping

Each year, the report must state what was done in the past year for each of the six parts as well as what is planned in the current year for each of the six parts.

OHM's Legislation:

This will allow OHM to create and submit the annual report. This consists of updating all 6 parts of the report to reflect 2018, as well as the effectiveness of 2017.

OHM works with Cuyahoga Soil and Water Conservation District (Parts 1,2, and 4) and Cuyahoga Dept. of Health (part 3) in preparing the report. OHM is responsible for parts 5 and 6.

Cuyahoga Soil and Water's Legislation:

This allows Soil and Water to continue to perform parts 1,2, and 4. By allowing this, the City is not responsible for holding public events or education seminars. Soil and Water will mail out flyers and hold the events for the City, as necessary.

Soil and Water will also review all proposed construction plans submitted to the City to ensure they are EPA compliant (part 4).

Please note that this fee is reimbursable by NEORS