



City of Green

Central Administration
Building
1755 Town Park Blvd.
PO Box 278
Green, OH 44232

Meeting Minutes

City Council

Barbara Babbitt - Ward 1
Bob Young - Ward 2 - Vice President
Rocco Yeargin - Ward 3
Matt Shaughnessy - Ward 4
Stephen Dyer - At-Large
Chris Humphrey - At-Large - President
Justin Speight - At-Large
Molly Kapeluck, MMC Clerk of Council

Wednesday, February 7, 2018

7:00 PM

Council Chambers

I. Call to Order

The Green City Council met in regular session at the Central Administration Building, 1755 Town Park Blvd., Green, OH. President Humphrey presided over the meeting which he called to order at 7:00 p.m.

II. Pledge of Allegiance

Councilmember Humphrey led the Pledge of Allegiance.

III. Roll Call of Council Members

Present: 7 - Barbara Babbitt, Stephen Dyer, Chris Humphrey, Matt Shaughnessy, Justin Speight, Rocco Yeargin and Bob Young

V. Unfinished Business

[TMP-1912](#) Summary of Settlement Terms

Attachments: [2018-R09 Summary of Settlement Terms 2 6 18 FINAL](#)

[2018-R09](#) A RESOLUTION APPROVING A SETTLEMENT OF PENDING LITIGATION, AUTHORIZING THE MAYOR TO ENTER INTO A SETTLEMENT AGREEMENT AND RELATED DOCUMENTS THERETO, AND DECLARING AN EMERGENCY.

Sponsors: Gerard Neugebauer

Attachments: [2018-R09 Nexus - Signed Legislation](#)
[2018-R09 re NEXUS Settlement.docx](#)
[Summary of Settlement Terms 2 6 18 FINAL.pdf](#)
[2018-R09 re Exhibit A Nexus Settlement Agreement & Release, Grant of Easement, RUMA, Dismissal.pdf](#)

IV. Public Report

Mr. Humphrey welcomed those present and explained the process to this point on this piece of legislation.

President Humphrey started the public speaking portion of the meeting at 7:05 p.m.

Desmond Wertheimer, 130 East Turkeyfoot Lake Road - Mr. Wertheimer explained his reasons for not supporting the pipeline or this resolution. He addressed things that he felt should be in the agreement and why. He talked about the gas storage field under the City of Green.

Mark Loveland, 1775 Koons Road - He asked if any member of council lived within a quarter mile of the gas line. Mr. Humphrey told Mr. Loveland this was his opportunity to give his opinion but it was not a question portion and the City would not be answering questions. Mr. Loveland voiced his concerns with this pipeline.

Tammy Daly - 1779 King Drive - She had seven questions for Council. She said she thought the City still had some legal options to try and there was still additional issues that could be negotiated if we had to go that route.

Justin Leonti, 540 E. Nimisila Road - Mr. Leonti thanked the City for all their hard work fighting Nexus. He explained why the settlement did not go far enough.

Barb Collier, 1337 Koons Road - She talked about her concerns about the pipeline and the barrier they talk about building. She said she did her research and not one member of council live in the kill zone but 2,200 people do. She talked about the property value of the homeowners in that area.

Margaret Amonett, 4831 Mayfair Road - Mrs. Amonett said she would like to enjoy her 16.8 acres in her retirement and the value of her property. She talked about the trees and the mess Nexus will leave behind.

Dave Cohen, 1323 Cherry Wood Lane - Mr. Cohen talked about his concerns with the City well water and other water supply.

Elaine Selzer, 2686 Wise Road - She said the line goes through her 48 acres. She talked about concerns when Nexus goes out of business or who would pay medical bills if people do get hurt.

Anita Wilson - 3054 Heckman Road - She explained her family legacy and the pipeline goes straight through it. She urged Council to vote no for her family and the citizens of Green.

David Jacobs - 2873 Wise Road - Mr. Jacobs thanked the City for fighting and said he hoped they continued to do so. The money they are offering doesn't cover all the damages they will make. He also urged Council to vote against the legislation.

Pat Wasiks - 433 E. Comet Road - He asked why a City would take a settlement when individuals are not going to get a settlement. His property value is devalued but he is not getting compensated. He urged Council to vote no also.

David Mucklow, 4882 Mayfair Road - Mr. Mucklow said he is in the blast zone and he has been in the fight since day one.

Ellyn Moser, 2385 Handforth Street - She is not close to the blast zone but because trees have been cut at Ariss park she can now see the park. She doesn't want any of the kids being hurt at one of the parks.

Al Courtney, 1471 Cherry Lane - Mr. Courtney said he has spent 81 years of his 87 in Green. He said he was confident that the Mayor and Council will do what is right for the City of Green.

Daniel McCall, 4066 Highpoint Dr. - Mr. McCall said it wasn't a matter of when it will happen, it is when and where. He talked about his concerns of what a life is worth when the pipeline explodes. He hopes the City continues the fight and that there is full transparency among those that vote on this. He would not want to have this on his conscious.

Diane Petrella, 5373 Thursby Road - Mrs. Petrella said she is not thrilled about living in this city anymore. She was not happy that questions are not being answered. She hopes they will vote against this.

Jane Carl, 445 Ott Drive - Mrs. Carl said she doesn't live in the City of Green but she does most of her business in the City. Nexus has just recently moved off her property. She asked how the City was sure that Nexus hasn't lied to them.

Teresa Reno, 3081 Wise Road - She talked about issues with other pipeline issues.

Michael Bertalone, 1721 Tripplet Blvd. Read a statement from the local 18 Operating Engineers Union in support of the pipeline.

Paul Geroskey, 7730 Speeth Road - Co founder of C.O.R.N. - He talked about the goal of the group. He asked council to reject the offer from Nexus and explained why.

Mayor Neugebauer - Talked about the anger in the community. He reminded Council if they voted no Nexus would not be bound to follow the local ordinances that were acted by this Council to protect the health, safety and welfare of our citizens, nor will you have the opportunity to review plans, environmental protection measures, nor will the City have access to the construction zone for inspections. If you vote no, you will be asking the City to spend an additional \$140,000 in legal fees this year and continue our four lawsuit bringing a total of \$300,000 over the next two years. On the bright side he will get to keep making Nexus miserable.

Rocco Yeargin, - See Attached Statement

Justin Speight - See Attached Statement

Bob Young - Mr. Young said he was having a hard time. He is against this pipeline and has been since the start. He talked about his concerns. He has come to the realization that this pipeline is not going to be rerouted. He said we are either going to be a city with a pipeline or a city with a pipeline and received a settlement. This also gives us some control over these people. He reviewed his options. What it comes down to is we are giving them an easement on two acres of land. We are not saying we want or are for the pipeline. He said the easy thing is to vote no but then the city would miss out on an opportunity, as far as the money goes to fix and keep safe what they have degraded in our community. He said he heard the residents and he hopes they the citizens understand from his side of the table that this is not easy and if Council makes a wrong decision tonight, for him it is only a \$7.5 million decision. There are 90 property owners in Green and they have 89 of those 90 easements.

Barbara Babbitt - Mrs. Babbitt thanked everyone for coming and sharing their thoughts with Council. She said she has read every email and every piece of information that has been provided to her. She is grateful for the people in the community that has taken the time to learn everything about this pipeline and share that information with her. She reiterated she has only been on council for five weeks and when she ran for the seat she emphasized safety was her most important priority as a council person. She has always supported the City's fight. To say this process has been frustrating, disheartening and disappointing would be an epic understatement. She explained what she has learned about the process and it has been a disappointing experience. She has faith in the City Administration and those they have hired who have fought this fight and have brought the information and analysis to advise the Council. She said it was clear to her the pipeline is coming, it is awful, we don't want it and we have been let down by the processes but it is coming.

The stay that was granted by the 6th circuit will likely be lifted within the week when they render a decision on our appeal and Nexus can begin work as soon as that happens. She said not taking this deal would be a roll of the dice and a gamble with our residents safety that she doesn't think she can make. What the City receives with this deal monetarily will allow us to make accommodations for some of the sacrifices that the City has to make with the pipeline that is coming anyway into our City. She talked about the baseball fields and parks that are located within the blast zone. She asked the City to begin in the morning to develop a plan on where we are going to move the baseball fields at Greensburg park and how we are going to fund it. She asked the City take the \$7.5 million and place it in a separate account and track the spending of those funds and ensure they are set aside specifically to accommodate what we are loosing with the pipeline and safety services and other things that may be necessary to accommodate the fact that we are stuck with a pipeline through our city. She said use of the funds from this settlement used for anything other than relocating the fields and making the necessary expenditures for safety in the blast zone. Those are the only acceptable uses in her opinion.

Steve Dyer - See Attached Statement

Matt Shaughnessy - See Attached Statement

Chris Humphrey - Mr. Humphrey said from the beginning it has been a David and Goliath battle. The battle became more difficult after FERC decided that it would allow the pipeline to be built through our community. The City has done everything they can to oppose it, to keep it out of our community. Federal preemption says that if this federal agency is tasked with making this decision, says it can go through your community, it can go through your community. That makes him angry. He said if you want someone to blame, blame FERC. The head of FERC came out of the oil and gas industry. Blame Nexus, who wants to transport this gas and instead of taking a less populous route, they are taking it through a populous city. Blame money and politics. Not one State or Federal politician has said one negative word about this pipeline going through our community, because it is money in politics folks. If you want to blame someone blame the Ohio EPA because it took them thirty days from the time FERC approved this pipeline for them to do all of their due diligence on whether or not this was going to negatively impact Green environmentally. Green does not want this pipeline but the federal agency that is tasked with whether or not this pipeline can go through our community has said it is going through. He said it would be easy for him to give applaud lines so that residents could applaud and say you are fighting for me. He said the City has fought for you and expended legal fees. The City has fought in Federal Court, met with the EPA. The City has spoken with state and national politicians. They City has done everything that is in their power to fight this pipeline. There is not one person or leader in this City that is happy. This pipeline is going to be in our City. There is not one credible legal opinion that gives us

the opportunity to stop this pipeline from going through our community. He said all the legal counsel, including our law director have put countless hours into fighting this pipeline and have cut the best deal they can. He said the City only had one victory that has met anything in this fight and that was getting the stay from the 6th circuit court of appeals to stop because they did not do all their environmental homework. He talked about the choices the City had. He said he must do what is the responsible thing.

A motion was made by Council Member Humphrey, seconded by Council Member Young, to adopt the . The motion carried by the following vote:

Aye: 4 - Babbitt, Humphrey, Yeargin and Young

Nay: 3 - Dyer, Shaughnessy and Speight

[TMP-1959](#) Rocco Yeargin 2-7-18 Statement

Attachments: [Rocco Yeargin](#)

[TMP-1944](#) Justin Speights statement 2-7-18

Attachments: [Justin Speight](#)

[TMP-1941](#) Steve Dyer Statement 2-7-18

Attachments: [Steve Dyer](#)

[TMP-1940](#) Matt Shaughnessy Statement 2-7-18

Attachments: [Matt Shaughnessy](#)

VI Adjournment

Mr. Young moved to adjourn at 8:57 p.m.

ATTEST: _____
MOLLY KAPELUCK, CLERK OF COUNCIL

APPROVED: _____
CHRIS HUMPHREY, PRESIDENT

Upon approval by City Council, this official written summary of the meeting minutes shall become a permanent record and the official minutes shall consist of a permanent video recording, in accordance with Green City Council Ordinance 2014-12, adopted on November 25, 2014.