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Mayor

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Dear Residents,

This week Nexus began delivering pipe along their 8-mile pipeline route through Green in preparation for trenching, welding, and pipeline laying in July. While we vigorously objected to the route through our beautiful city, our objections were ultimately dismissed by federal regulators and federal courts.

Former Mayor Dick Norton began the fight against the Nexus pipeline that continued for over three years. Towards the end of last year, we were fighting four court cases against Nexus and the OEPA, with the cost to the city exceeding \$350,000. Neighboring communities, local landowners, the CAK airport and others either didn't join the fight, or left the fight, one by one, by signing agreements with Nexus. The pipeline was coming through Green.

In the face of construction activity to both our east and west and under the advice of our litigation team, the City of Green used the remaining leverage that we had in federal appeals court to negotiate a settlement to provide significant benefits and safety assurances for our community. These benefits include construction oversight, weekly meetings with Nexus, road use maintenance agreements, \$25 million of insurance during pipeline construction and continuing through operations, enhanced pipeline inspection and reporting protocols, 20 acres of land to add to our city parks, and \$7.5 million in cash.

City Council approved the settlement agreement. A group of residents immediately initiated a referendum petition with claims that a referendum could nullify the settlement agreement, move the pipeline, or even stop the construction of the pipeline. Based on these promises, many very thoughtful and well-meaning people worked tirelessly to gather the required number of signatures for the referendum within 30 days, hoping to protect their community from the impact of the proposed pipeline. Their efforts should be commended.

Upon receipt of the petitions, the city was required to hold the petitions for a 10-day period. After completing a legal review, our Finance Director sent the petitions to the Summit County Board of Elections to determine the validity of the petitions. The Board of Elections, however, declined to address the validity of the petitions as a whole, choosing to focus only on the validity of each individual signature. The BOE provided a count of valid signatures and returned the petitions to the City, noting that the City's Finance Director was required to determine the validity and sufficiency of the referendum if the petitions were to be returned to the BOE for inclusion on the November ballot.

Under legal advice from the City of Green Interim Law Director William Chris, managing partner of the local law firm Roderick Linton Belfance LLP, and outside legal counsel from Brennan Manna & Diamond, our Finance Director declared that the referendum was insufficient and invalid because the information attached to the petitions was both incorrect and incomplete, leaving residents who were asked to sign the petition without the relevant information necessary to understand what they were signing, and why. Moreover, it was reiterated that the settlement agreement, approved by Green City Council as Resolution 2018-09, was an administrative action and therefore never subject to referendum.

Of course, just like the city's three-year battle that came before it, the referendum of the settlement agreement could not stop the pipeline from coming through the City of Green. Accepting this unfortunate reality in January allowed us to negotiate the best possible outcome for our community. It allowed us to focus on protecting our community in meaningful ways. It gave us the resources and allowed us to do what no other community has done: to take active steps to educate our community, train our safety forces, purchase safety equipment, expand our parks, and invest in our sports and recreational facilities.

Warm Regards,

Gerard Neugebauer, Mayor
City of Green