

Dennis Murray **called the meeting to order** at 5 p.m.

The following Commissioners were in attendance: Jeff Smith, Julie Farrar, Naomi Twine, Dennis Murray, Dick Brady, Wesley Poole and Scott Schell. Commissioners-Elect Nikki Lloyd, Greg Lockhart and Dave Waddington were also in attendance.

City staff present: Trevor Hayberger – Assistant Law Director, Eric Wobser – City Manager, Kelly Kresser – Commission Clerk and Aaron Klein – Director of Public Works (via Skype).

Upon motion of Dick Brady and second of Jeff Smith, the commission voted to have an executive session regarding pending litigation. Roll call on the motion: Jeff Smith, Julie Farrar, Naomi Twine, Dennis Murray, Dick Brady, Wesley Poole and Scott Schell, 7. The President declared the motion passed.

At 5:02 p.m., the commission went into executive session.

At 5:45 p.m., the commission returned to open session.

RESOLUTION NO. 055-15R: It is requested a Resolution be passed authorizing and directing the City Manager to execute a Memorandum of Understanding (MOU) with the Board of Commissioners of Erie County; and declaring that this Resolution shall take immediate effect in accordance with Section 14 of the city charter.

Upon motion of Dick Brady and second of Jeff Smith, the commission voted to approve this Resolution under suspension of the rules and in accordance with Section 14 of the city charter.

Discussion: Julie Farrar asked if the Erie County Commissioners were together on this. Dennis Murray said the hope is after discussion of the proposal tonight, authorization would be granted for Eric Wobser to sign the MOU on behalf of the city; Pete Daniel is authorized to sign on behalf of Erie County.

Bill Monaghan, Erie County Commissioner, said it was agreed at their meeting this morning to execute this agreement and Pete Daniel was given authorization to sign the MOU on behalf of the County.

Dick Brady said this settlement is a result of the City and County Commissioners coming to the realization this issue will never be solved by politicians or the courts. Both Commissions had enough respect for their employees (Eric Wobser, Pete Daniel, Aaron Klein and Jack Meyers) to negotiate this, and the result is what we are seeing here today. The clock can now stop ticking on both governments spending money on litigation. Dick Brady said he is thrilled to have gotten to this point and looks forward to next spring. Bill Monaghan said there have been bumps in the road but a lot of things have been done with the city and we will do a lot more together with the city's vision. Dennis Murray said there is too much good momentum to continue to be an impediment between the relationship of the city and the county. If nothing else, this will set aside the litigation. Animosity between the two governments is not good and he is glad we were all able to reach this agreement. It is important, long-term, to provide a foundation for industry and for our residents to have good affordable water; this took a lot of hard work and meetings. Eric Wobser said it has been a wonderful opportunity to work with Pete Daniel and Jack Meyers, and also gave thanks to Aaron Klein and Trevor Hayberger who worked over the past few months to put this MOU together. Eric Wobser thanked the City and County Commissioners for their leadership and said he is excited to put an end to this chapter of litigation with a four-year agreement and the opportunity to partner. Pete Daniel thanked the professionalism of the city's administration and said it was a pleasure to work with them.

Roll call on the motion: Yeas: Jeff Smith, Julie Farrar, Naomi Twine, Dennis Murray, Dick Brady, Wesley Poole and Scott Schell, 7. The President declared the motion passed. Roll call on the Resolution: Yeas: Jeff Smith, Julie Farrar, Naomi Twine, Dennis Murray, Dick Brady, Wesley

Poole and Scott Schell, 7. The President declared the Resolution passed in accordance with Section 14 of the city charter.

Upon motion of Dick Brady and second of Julie Farrar, the commission voted to adjourn. The President declared the motion passed and the meeting adjourned at 5:53 p.m.

Kelly L. Kresser, CMC
Clerk of the City Commission

Dennis E. Murray, Jr.
President of the City Commission