CITY OF STOUGHTON, 207 South Forrest Street, Stoughton, WI 53589

ORDINANCE OF THE COMMON COUNCIL			
To amend Section 2-256 of the City of Stoughton Code of Ordinances, relating to the composition of the Stoughton Utilities Committee.			
Committee Action:	Utilities Committee recommend Common Council approval 5 - 0.		
Fiscal Impact:	0		
File Number:	O-24-2019	**Date Introduced:**	October 8, 2019

RECITALS

A. On September 30, 2019 the Stoughton Utilities Committee recommended amending Section 2-256 of the City of Stoughton Ordinances with the primary purpose of updating the composition of the Stoughton Utilities Committee.

B. The Utilities Committee recommended amending Section 2-256 as provided in Exhibit A.

ORDINANCE

The City Council of the City of Stoughton, Dane County, Wisconsin, ordains as follows:

1. Section 2-256 of the City of Stoughton Code of Ordinances is amended as provided in Exhibit A.

2. This ordinance will take effect upon adoption and publication or posting pursuant to law.

The foregoing ordinance was adopted by the Common Council of the City of Stoughton at a meeting held on October 8, 2019.

APPROVED:

_____
Timothy Swadley, Mayor

ATTEST:

Dates:

Council Approved_____

_____
City Clerk

Published_____

EXHIBIT A

MUNICIPAL CODE OF THE CITY OF STOUGHTON, WISCONSIN

Chapter 2 – ADMINISTRATION

ARTICLE IV. – BOARDS, COMMISSIONS AND COMMITTEES

DIVISION 11. – UTILITIES COMMITTEE

Sec. 2-256. – Composition.

The utilities committee shall consist of the mayor, three at large members of the common council appointed annually by the mayor and confirmed by the council, and ~~three~~ two city residents and one resident from within the service area of the public electric, water or wastewater utilities appointed by the mayor and confirmed by the council for three-year staggered terms, one for one year, one for two years, one for three years, and thereafter for three-year terms. The committee will elect an alderperson to be the liaison and an alternate liaison with the city council annually at its first regularly scheduled meeting after the council reorganization meeting. Citizen members shall serve with such compensation as determined by the city council by resolution from time to time.

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APPROVED:

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Timothy Swadley, Mayor

ATTEST:

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_____City Clerk

Posted_____

Published_____

EXHIBIT A

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DRAFT STOUGHTON UTILITIES COMMITTEE SPECIAL MEETING MINUTES

Monday, September 30, 2019 – 5:30 p.m.
Stoughton, WI

Location: Edmund T. Malinowski Board Room
Stoughton Utilities Administration Office
600 South Fourth Street
Stoughton, Wisconsin, 53589

Members Present: Citizen Member David Erdman (Chair), Alderperson Ben Heili, Alderperson Regina Hirsch, Alderperson Greg Jenson, Mayor Tim Swadley (Vice-Chair)

Excused: Citizen Member John Kallas

Absent: None

Others Pressent: Stoughton Director of Finance & Comptroller Jamin Friedl, Stoughton Director of Human Resources & Risk Management Amy Jo Gillingham, Stoughton Utilities Assistant Director Brian Hoops, Stoughton Utilities Director Jill Weiss

Call to Order: Utilities Committee Chairperson David Erdman called the regular Stoughton Utilities Committee Meeting to order at 5:33 p.m.

Amending Section 2-526 of the Stoughton Municipal Code related to the composition of the Stoughton Utilities Committee: Stoughton Utilities staff informed the committee that as announced at the September 16, 2019 meeting of the Stoughton Utilities Committee, Citizen Member Kym Ackerman has submitted her resignation from the committee. It was recognized that the current vacancy provided the committee with an opportunity to review the ordinance related to the composition of the committee to determine if there were any potential opportunities to better represent all Stoughton Utilities customers and ratepayers.

Staff further informed the committee that more than 26% of Stoughton Utilities rate payers (2,376 accounts) receive service outside the city limits in five neighboring townships, and that four other City of Stoughton boards or commissions either require or allow for members that reside outside of the city boundaries. Discussion followed.

Motion by Heili, the motion seconded by Hirsch, to amend Section 2-256 to related to the composition of the Utilities Committee to read:

> *The utilities committee shall consist of the mayor, three at large members of the common council appointed annually by the mayor and confirmed by the council, and ~~three~~ two city residents and one resident from within the service area of the public electric, water or wastewater utilities appointed by the mayor and confirmed by the council for three-year staggered terms, one for one year, one for two years, one for three years, and thereafter for three-year terms. The committee will elect an alderperson to be the liaison and an alternate liaison with the city council annually at its first regularly scheduled meeting after the council reorganization meeting. Citizen members shall serve with such compensation as determined by the city council by resolution from time to time.*

and recommend approval of said amendment to the Stoughton Common Council. The motion carried unanimously 5 to 0.

Stoughton Utilities

600 South Fourth Street
P.O. Box 383
Stoughton, WI 53589-0383

Serving Electric, Water & Wastewater Since 1886

Date: September 26, 2019

To: Stoughton Utilities Committee

From: Jill M. Weiss, P.E.
Stoughton Utilities Director

Subject: Amending Section 2-526 of the Stoughton Municipal Code related to the composition of the Stoughton Utilities Committee

As announced during the September 16, 2019 meeting of the Stoughton Utilities Committee, Citizen Member Kym Ackerman has submitted her resignation from the committee. Ms. Ackerman became a member of the committee in December 2017, and her current term ran through April 2021.

The City of Stoughton Municipal Code Sec. 2-526 addresses the composition of the Stoughton Utilities Committee:

> *The utilities committee shall consist of the mayor, three at large members of the common council appointed annually by the mayor and confirmed by the council and three city residents appointed by the mayor and confirmed by the council for three-year staggered terms, one for one year, one for two years, one for three years, and thereafter for three-year terms.*

Please find attached the full City of Stoughton Municipal Code Chapter 2, Article IV, Division 11 - Utilities Committee.

It was recognized that the current citizen member vacancy provided us with an opportunity to review the ordinance related to the composition of the committee for potential opportunities to better represent all Stoughton Utilities customers and ratepayers. The Mayor, Director of Finance, and I met to discuss options, and three potential changes were discussed. These are as follows:

- Creating one citizen member position to be filled with a Stoughton Utilities customer that resides outside of the city limits. This change would allow for representation of the more than 26% of rate payers (2,376 accounts) receiving service outside the city limits in five neighboring townships.
- Structuring the committee to have a total of six members, thereby setting the quorum size to four. Currently five members must be present for a quorum.
- Structuring the committee to have equal voting representation of votes from elected officials, including the Mayor, to votes from citizen members.

Each of these ideas have merit and are worthy of discussion, and may be a direction that is in the best interests of the rate payers of Stoughton Utilities as well as the City of Stoughton. There may be other potential changes worth discussing that were not mentioned.

Currently, at least four other City of Stoughton boards or commissions either require or allow for members that are not residents of the City of Stoughton. They are the Commission on Aging, the Cable Television Commission, the Tree Commission, and the Opera House Board.

If the Utilities Committee moved to recommend changes to the ordinance to reflect the above potential options, a revised ordinance could potentially read as follows:

> *The utilities committee shall consist of the mayor, two at large members of the common council appointed annually by the mayor and confirmed by the council, and three citizen members including two city residents and one township resident from within the utilities' service area, appointed by the mayor and confirmed by the council for three-year staggered terms, one for one year, one for two years, one for three years, and thereafter for three-year terms.*

If any ordinance changes are approved by the Utilities Committee and recommended for approval to the Stoughton Common Council, staff would have such changes reviewed and the final ordinance language drafted by the City Attorney.

City of Stoughton Municipal Code

ARTICLE IV. - BOARDS, COMMISSIONS AND COMMITTEES

DIVISION 11. - UTILITIES COMMITTEE

Sec. 2-526. - Composition.

The utilities committee shall consist of the mayor, three at large members of the common council appointed annually by the mayor and confirmed by the council and three city residents appointed by the mayor and confirmed by the council for three-year staggered terms, one for one year, one for two years, one for three years, and thereafter for three-year terms. The committee will elect an alderperson to be the liaison and an alternate liaison with the city council annually at its first regularly scheduled meeting after the council reorganization meeting. Citizen members shall serve with such compensation as determined by the city council by resolution from time to time.

(Code 1986, § 1.10(a); Ord. No. 0-10-10, § 1, 8-10-2010)

Sec. 2-527. - Organization.

The utilities committee shall annually at its first regularly scheduled meeting after the council reorganization choose a chair and vice chair from its members. The committee shall meet regularly once a month and at such times within the month as the committee shall determine.

(Code 1986, § 1.10(b); Ord. No. 0-10-10, § 1, 8-10-2010)

Sec. 2-528. - Rules.

The common council may make the rules for the government and conduct of business by the utilities committee.

(Code 1986, § 1.10(c); Ord. No. 0-10-10, § 1, 8-10-2010)

Sec. 2-529. - Record; report.

The utilities committee shall keep a public record of its proceedings. The utilities committee shall report to the common council each month.

(Code 1986, § 1.10(d); Ord. No. 0-10-10, § 1, 8-10-2010)

Sec. 2-530. - Responsibilities, powers and duties.

The utilities committee shall serve in an advisory capacity to the common council on matters related to public electric, water and wastewater utilities and such matters relating thereto as are requested by common council.

(Code 1986, § 1.10(e); Ord. No. 0-10-10, § 1, 8-10-2010)