



# AD HOC COMMITTEE MEETING AGENDA

November 28, 2023 at 6:00 PM

Kronenwetter Municipal Center - 1582 Kronenwetter Drive Board Room (Lower Level)

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**1. CALL MEETING TO ORDER**

- A. Pledge of Allegiance
- B. Roll Call

**2. PUBLIC COMMENT**

Please be advised per State Statute Section 19.84(2), information will be received from the public. It is the policy of this Village that Public Comment will take no longer than 15 minutes with a three-minute time period, per person, with time extension per the Chief Presiding Officer's discretion. Be further advised that there may be limited discussion on the information received, however, no action will be taken under public comments.

**3. OLD BUSINESS**

- C.** Discussion and Possible Action: Review of Utility Commission Ordinance Examples
- D.** Discussion and Possible Action: Review of Finance & Personnel Ordinance Examples

**4. APPROVAL OF PREVIOUS MEETING MINUTES**

- E.** Approval of Minutes from Oct. 30, 2023 Ad Hoc Committee Meeting - Committee Structure

**5. CONSIDERATION OF ITEMS FOR FUTURE AGENDA**

**6. ADJOURNMENT**

***NOTE: Requests from persons with disabilities who need assistance to participate in this meeting or hearing should be made at least 24 hours in advance to the Village Clerk's office at (715) 693-4200 during business hours.***

Posted: 11/22/2023 Kronenwetter Municipal Center and [www.kronenwetter.org](http://www.kronenwetter.org)

Faxed: WAOW, WSAW, WSAU, and Mosinee Times | Emailed: Wausau Daily Herald

**Article II. Administration Enforcement****Sec. 14-36. Marshfield Utility Commission.**

- (1) *Created.* There is hereby created a Marshfield Utility Commission which shall take entire charge of and manage the Marshfield water and electric utility and the communications utility, appoint a manager or superintendent and fix his compensation and supervise the operation of the utility under the general control and supervision of the council.
- (2) *Membership.* The commission shall be composed of seven members of the public within the area served by the electric and water utility, however, a majority of the commission must be residents of the city. Two of the members shall also be members of the Common Council while serving on the commission. If a member is appointed at the time he or she is a resident of the city, he or she will be deemed to have vacated the appointed office in the event he or she loses resident status. The commissioners shall be elected by the council for a term of seven years and until their successors are elected and qualify, beginning on October 1 of each year, except that the terms of the commissioners first elected shall expire successively one each year on each succeeding October 1.
- (3) *Organization and operation.* The commissioners shall select a president and a secretary. They shall have the services of the city engineer and may employ and fix the compensation of such subordinates as necessary. The commissioners shall make rules for their proceedings and their department and keep books of account as prescribed by the public service commission, which shall be available to the public. They shall keep full and accurate minutes of their proceedings and transactions, and make a monthly report to the council and such other reports as the council may require.
- (4) *Compensation.* The commissioners shall be entitled to such compensation as may be authorized by the council.
- (5) *Powers.* The commission shall have such general powers in the construction, extension, improvement and operation of the utility as designated by ordinance or resolution of the council or by the laws of the state, and shall have the authority to expend up to \$25,000.00 on any specific improvement or purchase without approval of the council.
- (6) *Departmental expenditures.* Departmental expenditures shall be audited monthly by the commission, and when approved, a voucher schedule shall be prepared and certified to the city clerk by the president and secretary that the claims listed therein have been authorized for payment. There shall be further certifications on the schedule whether or not funds are available for payment of the claims as listed. Order checks shall then be prepared by the utility and entered upon the books of the utility, after which they shall be signed by the utility manager and transmitted to the city clerk and finance director for their signatures as provided by § 66.0607(4) Wis. Stats. The mayor's signature shall not be necessary to validate such order checks.
- (7) *Reports.* The manager of the Marshfield utility shall record and report at each regular meeting of the council all of the transactions of his department for the preceding calendar month, in such form as may be required by the council.
- (8) *Receipts.* All funds due and owing to the utility from all sources shall be paid directly to the utility.

(Code 1982, § 13.03; Ord. No. 1036, § 1, 11-23-2004; Ord. No. 1036, § 2, 11-23-2004; Ord No 1483 12-13.2022, Ord No. 1496 7-25-2023)

**13.01 WATER UTILITY BOARD.**

- (1) Election . The City of Madison hereby elects, pursuant to Wis. Stat. § 66.0805(6), to provide for the operation of the Madison Water Utility by a board of officers other than the commission provided for in Wis. Stat. § 66.0805(1)-(3). In establishing this Board, the City also relies on its authority under Wis. Stat. § 62.11(5). (Am. by ORD-07-00099, 8-23-07)
  
- (2) Water Utility Board . There is hereby created a Water Utility Board of eight (8) members, whose duty shall be the management and operation of the Water Utility. There shall be seven (7) voting members and one (1) non-voting ex-officio member. At least one (1) and not more than two (2) of the voting members shall be members of the Common Council, who shall serve during their two-year terms. The members shall be appointed by the Mayor and confirmed by the Common Council, and members who are not members of the Common Council shall serve staggered terms of five (5) years, respectively provided that the Mayor may appoint one of the members whose term ends in 2010 to a three (3) year term in order to achieve staggered terms. In case of vacancy, the Common Council may at any regular or special meeting confirm a member for the unexpired term. The Director of Public Health Madison and Dane County under Sec. 7.02, MGO, or his or her designee shall serve as an ex-officio, non-voting member of the Board in order to provide advice and information to the Board on health issues related to the Water Utility. The Director of Public Health Madison and Dane County shall not vote, may not make motions, and shall not be counted as a member in determining quorum or majorities. Upon passage of this ordinance, the existing commissioners of the Board of Water Commissioners shall immediately succeed to positions as members of the Water Utility Board and fill out their terms as if appointed to the remaining length of their terms. (Am. by Ord. 10,239, 4-12-91; ORD-06-00098, 8-2-06; ORD-07-00099, 8-23-07; ORD-10-00064; 6-23-10; ORD-15-00009, 1-28-15)
  
- (3) Meeting, Organization and Duties of the Board . The Board on an annual basis shall choose from among their number a president, vice president and secretary. The Board may make rules for its own proceedings and for the government of the Utility. The Board shall keep books of account in the manner and form prescribed by the Public Service Commission which shall be open to the public. The Board shall have the management and supervision of the Water Utility and all matters connected therewith, subject to the general control and supervision of the Water Utility Board by the Mayor and Common Council. The Council shall exercise such supervision by enacting ordinances governing the Board's operation, and approving contracts for the Water Utility as it does for other departments. The Board shall have the general power and authority to make rules and regulations for the management of said Utility as it shall from time to time find necessary for the safe, economical and efficient management and protection of the Water Utility. The Board shall issue an annual report which shall be made available to the Common Council.

(Sec. 13.01 Am. by Ord. 6665, Adopted 6-26-79; Am. by ORD-07-00099, 8-23-07)

- (4) Employees . Employees of the Water Utility shall be governed by the ordinances, rules and procedures established for other employees of the City of Madison, together with any rules established by the Water Utility Board. (Cr. by ORD-07-00099, 8-23-07)

**Public Utility Commission – DRAFT**

**10-31-2023 Version**

- (a) *Creation.* The Village has created a single Public Utility Commission to manage the sewer and water utilities.
- (b) *Composition.* The Public Utility Commission shall consist of five members.
  - (1) *Trustee members.* The two trustee members shall be appointed in accordance with Village Ordinance Section 14-5. Appointments.
  - (2) *Citizen members.* The three citizen members of the Public Utility Commission shall be appointed by the village president subject to confirmation by the village board, at the organizational meeting of the board during the month of May. The citizen members shall be rate payers or customers of the utilities. The citizen members who are appointed upon the creation of the Public Utility Commission shall hold office for a period of one, two and three years, respectively, and thereafter annually during the month of May for a period of three years.
  - (3) *Director of Public Works & Utilities.* The Director will act in an advisory capacity to the Public Utility Commission and attend all of its meetings and serve as manager of the sewer and water utilities.
- (c) *Organization.* As soon as possible after their appointment, and annually thereafter, the members of the Public Utility Commission shall organize by choosing from among their numbers a member to Chair and preside over the meetings of the Public Utility Commission.
- (d) *Authority.*
  - (1) Subject to the general supervision and control of the village board, the Public Utility Commission shall have entire charge and management of the sewer and water utilities of the village and shall supervise the operations of the utilities except as to those specific powers retained by the village board as set forth in subsection (d)(3) of this section.
  - (2) The Public Utility Commission shall make rules for its own proceedings and for the government of its department.
  - (3) The Public Utility Commission shall have such general powers in the construction, extension, improvement, and operation of the utilities. All construction work and equipment purchase(s) that require the issuance of revenue debt shall be under the immediate supervision of the village board. Payment of claims are set forth in (e.) (2).
- (e) *Fiscal management.*
  - (1) *Budget.* The Public Utility Commission shall have the power to create and set operational and capital improvement budgets for the sewer and water utilities. Said budgets become part of the budget document adopted by the Village Board annually for all Funds of the Village.
  - (2) *Accounting.* It shall be the duty of the Village Finance Director/Treasurer to maintain for the Public Utility Commission books of account in the manner prescribed for utilities by the Wisconsin Public Service Commission. The books of account shall be open to the public.
  - (3) *Audits.* A list of vouchers payable shall be reviewed by the Public Utility Commission and if approved, forwarded to the Village Board to be paid by the village as provided in Wis. Stats. §§ 66.0607 and 66.0805. Utility receipts shall be paid to the Utility Clerk.
  - (4) *Income use.* The income of the sewer and water utilities shall be applied first to meet operational, maintenance, capital improvement requirements and other necessary disbursements or indebtedness. Income in excess of these requirements may be invested under the Village Policy FINN-005; Investment Policy invested by the Village Finance Director/Treasurer. The Finance Director/Treasurer shall monthly prepare a report for the Public Utility Public Utility Commission of the budget to actual activity and balance invested.

**§ 14-5. Appointments.**

The village president appoints members to commissions, boards, and committees with consultation and confirmation by the village board. Regular appointments shall take place at the village board's second regular meeting in April. Vacancies on commissions, boards, or committees shall follow the same appointment policy and be filled as soon as possible.

(Ord. No. 10-04, 4-12-2010)

**Recommended additional language as it applies to trustee appointments:**

*The village president will appoint trustees to commissions and committees, by blending a trustee elected in an odd year with a trustee elected in an even year, whenever possible.*

**Intent:** The goal of this recommendation is to improve continuity of committee work. This will also ensure that each trustee will have the opportunity to have up to 2 separate committee assignments.

**Example:** In the example below, I deliberately avoided the use of the village president (T7) due to the additional responsibilities that the role already carries.

	<u>Election Year</u>	
	ODD	Even
<b>PC -</b>	T1	T2
<b>CLIPP -</b>	T3	T4
<b>APC -</b>	T5	T6
<b>Utility -</b>	T1	T2
<b>RDA -</b>	T3	T4
<b>*Finance -</b>	T5	T6
<b>*Ad-hoc/Special -</b>	??	??

*\* Potential future committees*



**AD HOC COMMITTEE MEETING ON COMMITTEE STRUCTURE  
MINUTES  
October 30, 2023**

**1. CALL MEETING TO ORDER**

- A. Pledge of Allegiance**
- B. Roll Call.**

The meeting was called to order by Chairman Vedvik at 6 p.m. Zero citizens were present. Roll call was taken. Present: Trustee Kenneth Charneski, Trustee Kelly Coyle, Trustee Alex Vedvik, Trenton Karch, Patrick Kilsdonk, Lyn McCarthy, Craig Mortensen. Staff Present: Kim Manley, Interim Administrator. Sean Dumais, alternate was absent and excused.

**2. PUBLIC COMMENT. None**

**3. NEW BUSINESS**

**C. Discuss and Possible Action – Review of Utility Commission Ordinance Examples**

Charneski reported he had looked at the statutes and the committee vs commission are very similar. What would the difference be then? Vedvik noted that there is a difference in the management and operations. Mortenson agreed stating it can vary and will be dependent on the ordinance created for the commission. Discussion followed on the current abilities the committee has – recommendations only, etc. and what a commission could do which is act on an item without having to refer it to another committee or village board. All realized that the village board is still involved in the general supervision and if debt would be issued but its role would be limited compared to what it is now. Vedvik also reminded the group that the utilities are a business entity and should operate as such. Discussion then focused on the structure of a commission – who would sit on the commission, how many years term. Manley noted in the draft ordinance it shows a staggered three-year term, five person – two trustees and three citizens example. Discussion then followed on continuity in appointments, use of rate payers as citizen members. Coyle brought forward an idea to have a split that would allow for continuity in the appointments of Trustees – one appointed in their one-year remaining term and one appointed at the start of the two-year term. That way one would always be on the commission or any committee to provide some continuity in appointments. Coyle stated he could put an example together for the group. All felt that would be a good idea to see the language.

**D. Discuss and Possible Action – Review of Finance & Personnel Ordinance Examples**

Discussion on the current Administrative Policy Committee’s duties and whether or not last year’s meetings were an exception. After discussion, it was felt that perhaps not. The policy review should continue annually by the Committee, as an example. The discussion also talked about Community Life, Infrastructure and Public Property (CLIPP) being a catch all for everything else. All felt that a split may provide for a more focused committee and create opportunities for more citizen involvement.

Broadband was discussed and the committee felt that it should be brought to the CLIPP duties going forward.

**E. Discuss and Possible Action – Directive to Staff on Internship Duties**

After discussion on the duties (creating Standard Operating Procedures) it was decided to table this item to get the new Administrator involved.

**F. Discuss and Possible Action – Draft Utility Commission Ordinance.**

Vedvik noted that this item was also discussed earlier on the agenda under item C.

**4. OLD BUSINESS**

**5. PREVIOUS MEETING MINUTES FROM COMMISSIONS AND COMMITTEES**

**G. Discuss and Consider Minutes from the September 26, 2023 Meeting.**

Minutes amended to include the research alternate Sean Dumais had done and the example provided by Charneski on the yard waste site. Motion by Coyle, seconded by Mortenson to approve as amended.

Motion carried on a unanimous voice vote, 7-0-0.

**6. CONSIDERATION OF ITEMS FOR FUTURE AGENDA**

Manley to provide:

- 1.) Madison Utility Commission Ordinance
- 2.) Marshfield Utility Commission Ordinance
- 3.) Updated Draft Utility Commission Ordinance

Coyle to provide:

- 1.) Language for appointments and splitting of Administrative Policy Committee

Karch to provide:

- 1.) Create a process to make a final recommendation

**7. ADJOURNMENT**

Motion to adjourn by Charneski, seconded by Karch. Motion carried on a unanimous voice vote, 7-0-0. Meeting adjourned at 8:35 p.m.

Respectfully Submitted By,  
Kim Manley,  
Interim Administrator/Acting Secretary