

# STOUGHTON UTILITIES COMMITTEE REGULAR MEETING MINUTES

Monday, December 18, 2023 – 5:30 p.m.

Stoughton, WI

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**Location:** Edmund T. Malinowski Board Room, Stoughton Utilities Administration Office  
600 South Fourth Street, Stoughton, Wisconsin  
Optional Virtual Participation: GoToMeeting ID 444-927-117

**Members Present:** Citizen Member Carl Chenoweth, Citizen Member David Erdman (Chair), Alderperson Regina Hirsch, Alderperson Daniel Payton, Mayor Tim Swadley, Citizen Member Dustin Thoren (Vice-Chair)

**Excused:** None

**Absent:** Alderperson Greg Jensen

**Others Present:** WPPI Energy Services Manager Darren Jacobson (Virtual), Stoughton Utilities Finance Manager Shannon Statz, Stoughton Utilities Director Jill Weiss

**Call to Order:** Chairperson Erdman called the regular Stoughton Utilities Committee Meeting to order at 5:30 p.m. Chenoweth, Erdman, Hirsch, Payton, Swadley, and Thoren were present in person. No members attended virtually.

**Verification of Quorum:** The chair verified that a quorum of the committee membership was present.

**Certification of Compliance with Open Meetings Law:** Weiss certified that the meeting had been properly noticed in compliance with open meetings law.

**Public Comments:** There were no public comments.

**Utilities Committee Consent Agenda:** Stoughton Utilities staff presented and discussed the Stoughton Utilities Committee consent agenda items. Discussion followed.

Motion by Chenoweth, the motion seconded by Thoren, to approve the following consent agenda items as presented:

- a. Draft Minutes of the November 20, 2023 Regular Utilities Committee Meeting
- b. Stoughton Utilities Payments Due List Report
- c. Stoughton Utilities Statistical Report
- d. Communications

Chairperson Erdman expressed thanks to all the Stoughton Utilities staff that participated in the holiday parade and in the Stoughton Utilities Holiday Donation Drive.

The motion carried unanimously 6 to 0.

**Status of the Utilities Committee recommendation(s) to the Stoughton Common Council:** Stoughton Utilities staff presented and discussed the following items from the Stoughton Utilities Committee that were recently approved and/or placed on file by the Stoughton Common Council:

**Business:**

1. Aqueous Film-Forming Foam (AFFF) Product Liability Litigation (MDL 2873)

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Discussion followed.

**Status of the PSCW Electric Rate Application Filing:** Staff provided the committee with an update on the electric rate application that was filed with the Public Service Commission of Wisconsin (PSCW) in February 2023. The PSCW has proposed a revised increase of 3.29%, or \$548,393. The actual change to individual customers will vary based on class of service. If the application is approved by the PSCW as recommended by PSCW staff, the average residential customer using 689 kilowatt-hours (kWh) of electricity per month will see a monthly increase of approximately \$2.79, or 3.1%.

A hearing on the application was held on Tuesday, November 28, 2023 at 10:00 a.m. by virtual meeting with a physical meeting location in the Ed Malinowski Boardroom at the Stoughton Utilities Administration Office. Staff has not yet received official approval of the rates by the PSCW following the hearing. Staff explained that if approved by the PSCW within the upcoming week, the effective date for the new rates is planned to be January 1, 2024. Discussion followed.

**Water Tower License Agreement Between Stoughton Utilities and the City of Stoughton, Wisconsin for Communications Attachments on Tower No. 2:** Stoughton Utilities staff provided background information regarding a request by the City of Stoughton to place additional communications attachments on the tower. A license agreement has been drafted that is very similar to the agreement with Dane County for their attachments on Tower No. 3. The draft amendment presented for approval will require minor updates to include specific information provided by the licensee as required to execute the agreement.

Discussion followed.

Chenoweth moved to table the agreement until all parts of it had been worked out. The motion failed for lack of a second.

Swadley expressed his concern over the length of the agreement, stating the city's needs could change over the next ten years.

Motion by Hirsch, the motion seconded by Peyton, to approve the Water Tower License Agreement between Stoughton Utilities and the City of Stoughton, Wisconsin contingent upon Utilities Director Weiss working with the City Attorney and City staff to add a termination clause for either party to exit the contract early. Upon mutual agreement of the termination clause, the Stoughton Utilities Director is authorized to sign on behalf of Stoughton Utilities, and recommend approval of the Water Tower License Agreement and authorization to sign to the Stoughton Common Council at a future meeting. The motion carried unanimously 6 to 0.

**Second Amendment to Water Tower License Agreement Between the City of Stoughton, Wisconsin and County of Dane, Wisconsin for Communications Attachments on Tower No. 3:** Stoughton Utilities staff provided background information regarding a request by the City of Stoughton to place additional communications attachments on the tower to supplement existing DaneCom equipment. Stoughton Utilities had previously entered into a license agreement with Dane County in 2015, as amended in 2016, and a second amendment will be required to address the additional communications attachments, as well as clarify additional language from the original agreement. The draft amendment presented for approval will require minor updates to include specific information provided by the licensee as required to execute the agreement.

Discussion followed.

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Thoren questioned if a diagram should be added to the agreement before it is approved. Utilities Director Weiss stated the diagram was not yet available but would be added before it was sent to the Common Council for approval.

Motion by Thoren, the motion seconded by Peyton, to approve the Second Amendment to the Water Tower License Agreement between the City of Stoughton, Wisconsin and the County of Dane, Wisconsin, and authorize the Stoughton Utilities Director to sign on behalf of Stoughton Utilities, and recommend approval of the Second Amendment to License Agreement and authorization to sign to the Stoughton Common Council at a future meeting. The motion carried 6 to 0

**Stoughton Wastewater Utility 2024 Rate Adjustment:** Staff presented and discussed a proposed rate adjustment affecting customers of the wastewater utility. The last wastewater rate adjustment occurred on July 1, 2022. The proposed rate adjustment is an across-the-board increase to retail rates of 8%, bringing the total wastewater bill for an average residential customer to \$32.92 per month, a monthly increase of \$2.42. The proposed adjustment date is effective for consumption on or after February 1, 2024.

Staff informed the committee that this proposed rate increase was included in the 2024 wastewater utility operating budget that was approved by the committee in October 2023, and the common council in November 2023. Staff further informed the committee that wastewater utility rates are solely governed by the Stoughton Common Council and changes in rates require a revision to Section 74 of the Stoughton Municipal Code of Ordinances.

Discussion followed.

Motion by Chenoweth, the motion seconded by Thoren, to approve the Wastewater Utility 2024 rate adjustment and adopt modifications to Subsections 74-112 and 74-113 of the City of Stoughton Municipal Code of Ordinances, and recommend approval of the rate adjustment and adoption of the ordinance revisions to the Stoughton Common Council at their January 9, 2024 meeting. The motion carried 6 to 0.

**2023 Q4 Stoughton Utilities Investment Update:** Stoughton Utilities staff provided the committee with a list of Stoughton Utilities' investments by individual utility for review. Staff also informed the committee of recent and planned upcoming reinvestments, and the criteria used when considering whether to invest funds or maintain cash deposits. Discussion followed.

**Utilities Committee Future Agenda Items:** Stoughton Utilities staff informed the committee that a request to release a utility easement as well as the annual disbursement of the 2023 RoundUp funds for July through December will be presented at the next committee meeting. Routine February items will include the annual delinquent account write off list and presentation of the annual year in review report, as well as presentation of a publication to customers focused on rate education and transparency. A spring tour of the electric, water and wastewater infrastructure will be discussed in the future. In addition, Swadley recommended a quarterly update from Utilities Director Weiss about ongoing utility projects.

Discussion followed.

**Adjournment:** Being no further business before the committee, the chair adjourned the meeting at 6:26 p.m.

Respectfully submitted,

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Shannon M. Statz

Stoughton Utilities Finance Manager