

## MINUTES

DATE: **THURSDAY, JULY 23, 2020**

TIME: **5:00 PM**

PLACE: **Village Hall, 345 West Street, Arena, Wisconsin**

PURPOSE: **SPECIAL BOARD MEETING called by Voight & Beran; Amended by Village President Reimann WITH THE FOLLOWING AGENDA:**

1. **Call to Order** by Kate Reimann at 5:02 p.m.
2. **Roll Call:** Kate Reimann, Kathy Stoltz, Barb Beran, Paul Pustina, William Hanson, Jessica Voigt arrived at 5:03 p.m.  
Absent: Tara Hill  
Others: DaNean Naeger, Village Clerk; Paul Johnson, Village Attorney
3. **Public Comment.** Steve Wilkinson noted he received a letter regarding his sewer deduct meter and never heard of fees prior to the letter. Noted it doesn't state the rate on the back of the utility bill and doesn't feel it's fair the village can go back two years for billing given he didn't know about it.
4. **SPEAKER: Melissa Bandell – sewer deduct meter.** Noted has a second sewer meter vs a water meter. Sewer Utility is not regulated by the PSC is a separate entity from the water utility. Feels the sewer deduct meter should be called a 'sewer' meter given the water used doesn't go down the sewer system. Had a plumber come in and install the meter not the village and was informed they owned the meter. Wrote the check out to the Village of Arena and not the utility. Noted a sewer meter is permissible with the City of Madison. Noted there was no additional costs to the village for the second meter, automatic system in place so why charge. Requests to be refunded for all rental of billing of second meter, place a new billing code on the water bill (SD), adopt an ordinance to be offered to everyone.

Pustina indicated he has the same meter, purchased it, and installed by a plumber. Noted Spring Green and City of Madison have the same meters so should check with them to what their process is before making a decision.

Motion made by Hanson that the village split the meters like discussed and there shouldn't be a charge to hook up the meter and they can pay for the meter. Motion failed due to lack of a second.

Paul Johnson – Noted everyone is using a different term but is the same thing. Part of this is due to ordinances when it indicated the meters can be purchased. The other part is what your schedule rates with PSC indicates. Schedule AM-1 read and emphasized 'must be installed on the same service lateral as the primary meter'. If the second meter is installed on the same service lateral as the primary meter, then it is a water issue and

not a sewer issue. Village ordinance indicates a 'water only meter'. There is no mention of a sewer deduct meter in the ordinances. Believes the meter Bandell is talking about is an 'additional' meter under PSC rules and is to be rented, not purchased. Also, should be charged \$3/month and is available to anyone who wants one. Noted the letter that was sent out by the Clerk was accurate. The \$3/month fee goes towards the village's responsibility of maintaining/repairing and billing of such meter. Noted must follow PSC rules.

Second question – should the residents that purchased and had a plumber install the meter be paid back. PSC indicates must correct errors and back bill for 24 months of uncollected rates. The Village will repay the \$75 for the cost of the meter given the village must own the meter. The Village can choose to reimburse the customer for the plumbing fees they paid but can not use water utility funds to do so, would need to come out of sewer utility or general fund.

Recommends cleaning up the ordinances to state primary and additional meter and follow the PSC guidelines/schedule. Doesn't feel should mention sewer deduct because you are not deducting the sewer, you are deducting water from the sewer bill. Didn't look at how the City of Madison does it because Arena is not Madison.

Pustina indicated he paid for the plumbing of his meter and doesn't feel it should be reimbursed. The Village's employees are not plumbers. Recommend knowing how many customers and how much is owed back needs to be known before a decision can be made. Clerk indicated in prior minutes there were 3 water only and 4 sewer deduct meters that were purchased. The Village did not charge the \$30 for the installation of the meter.

Pustina read the PSC email that gives the sewer utility the option to purchase sewer meters and be regulated under the village. Clerk noted current sewer ordinance indicates 'a portion of the water not discharged to the sewer system may be deducted provided a water meter has been installed by the Village. Customer must at his/her own expense make necessary changes in the water piping. A charge per month as set via resolution by the Village Board shall be made for each such meter.' No financial records have been found that state the sewer utility purchased any meters.

Motion made by Stoltz to look at the seven homes that prior to 2012 purchased a meter to see how many still own there home. The village shall reimburse \$70.00 to the original owner who installed the additional meter to go towards plumbing costs and per PSC shall back bill \$3/month for the rental of meter. Funds to come out of the sewer utility. Seconded by Beran. Motion carried 5-1 with Pustina opposed.

5. **Sewer deduct meter/ordinance** – Attorney to update water/sewer ordinances and bring back to board for approval.

6. **Fire Agreement with Paul Johnson** – Town of Arena reviewed Attorney Johnsons questions and presented their response. Reimann asked Fire Secretary Wilkinson about the need for separate buildings for EMS/Fire. Fire board discussed separate entities would need separate buildings and would be added costs. Fire Department depends on revenue generated by the EMS/ambulance services to offset pay for equipment, trucks, and ambulances. Noted if loose EMS the funding for the Fire Dept. changes, the Fire Dept. stays. Reimann asked if it was possible to separate the budget for EMS and Fire so the village can see how much EMS is costing and how much is going towards fire. Wilkinson noted for wages EMS is paid one time per year and averaged \$30,000 and fire was the balance. Wilkinson looked at the budget and pointed out how to separate the totals but did not indicated would separate for the upcoming year.

Stoltz raised a concern with the wording of 'equal' representation given the Town Board has two of three members on the Fire Board and the Village has one representative out of seven-member board and one fire representative. Made up this way due to population of the two governments. Pustina indicated it has only happened twice that there was a motion made with a tied vote of 2-2, motion failed. They usually agree. Voight noted if the Village wants more to say and another member on the fire board then the village should pay more of the percentage. Stoltz indicated they want the village to pay by number of EMT calls and not by population so the village should have more say or equal representation for the more percentage they want the village to pay. (44%-56% vs 30%-70%).

Reimann asked the Village Attorney if the Fire Board can be more of an advisory to the Village Board and making recommendations for hiring? Attorney did not get a chance to answer the question. Pustina indicated that the agreement was split 30-70 based on population so that it was fair for each community. They are asking a split of 44-56, they are getting the same service for less money and the village is getting the same service for more money.

Voight recommended possible tackling the change of the membership of the Fire Board at a later time and move forward with agreement so the hiring process can be done. Motion made by Voight to approve the amended Fire/EMS Agreement with a change under financial costs split of equalized value. Seconded by Hanson. Motion carried.

7. **Referendum items/questions.** Clerk provided a breakout of net new construction and amount of tax levy increase year. Along with the recommended wish list of funds needed for possible referendum question(s). Clerk asked if wanted to continue with EMT services referendum question for next year. Recommended if EMT's are to get benefits the village employees should get benefits as well.

Attorney Johnson indicated there is no need for a referendum if EMT services want to be continued given the board approved the agreement to hire EMT's and is effective upon Town of Arena agreeing to changes. The Village needs to come up with how they are

going to pay for it. This question should be answered prior to agreeing to the agreement to hire. Reimann asked how many EMT's should be hired, start with one. Agreement does not indicate the number. Hanson noted three.

Clerk explained if the village budgets over the levy limit, shared revenue will be deducted by that amount. If you go with an exceed the tax levy referendum it does not count against your shared revenues. It is the only way to increase your budget.

Motion made by Voight to resend the Fire/EMS Agreement. Seconded by Pustina. Motion carried 5-1 with Hanson opposed. Hanson indicated he resigns and walked out of the room.

Clerk asked if the agreement could have an end date until after the November election to see if funds will be available to continue services. Attorney Johnson indicated that yes that can be done then after the election the village will need to redo the agreement and come up with plan B if it fails.

Hanson returned, apologized and unresigned.

Motion made by Voight to approve the amended Fire/EMS agreement with an approval from the Village and Town of Arena with effective date of September 1, 2020 – December 31, 2020 with changes to financial costs of 30% Village 70% Township and to hire three (3) FT EMT's. Seconded by Hanson. Motion carried 5-1 with Pustina opposed.

Referendum questions discussed. Motion made by Voigt to have the following referendum questions drawn up by the Clerk and reviewed by the Village Attorney for approval of the resolution at the August meeting.

EMT services non-expiring \$50,000/yr.  
Personnel services non-expiring \$75,000/yr.  
Public Works items \$55,000/yr. for next five years

Seconded by Beran. Motion carried 5-1 with Pustina opposed.

8. Motion made by Voight to **Adjourn**. Seconded by Stoltz. Motion carried at 7:18 p.m.