



**IMU BOARD OF TRUSTEES OF THE ELECTRIC,
WATER AND COMMUNICATIONS UTILITIES**

November 10, 2021

5:30 PM

City Hall South Conference Room

Agenda

- 1. Call to Order**
- 2. Roll Call**
- 3. Public Comment**
- 4. Combined Electric, Water and Communications Informational Items**
 - A. Discussion regarding engaging special counsel.
- 5. Other Business**
 - A. Enter into closed session in accordance with Iowa Code Section 21.5 (1)(c) to discuss strategy with legal counsel in matters that are presently in litigation or where litigation is imminent and where its disclosure would be likely to prejudice or disadvantage the government.
 - B. Resolution to appoint counsel to the Indianola Municipal Utilities.
- 6. Adjourn**

MEMORANDUM

To: IMU Board of Trustees of the Electric, Water and Communications Utilities

From: Jackie Raffety, Deputy Clerk

Date: November 10, 2021

Subject: Enter into closed session in accordance with Iowa Code Section 21.5 (1)(c) to discuss strategy with legal counsel in matters that are presently in litigation or where litigation is imminent and where its disclosure would be likely to prejudice or disadvantage the government.

Recommendation: Roll call to enter and exit the closed session is in order.

Attachments: None

MEMORANDUM

To: IMU Board of Trustees of the Electric, Water and Communications Utilities
From: Jackie Raffety, Deputy Clerk
Date: November 10, 2021
Subject: Resolution to appoint counsel to the Indianola Municipal Utilities.

Recommendation: Roll call is in order.

Attachments: 1. Engagement Resolution

**RESOLUTION TO APPOINT COUNSEL TO
THE INDIANOLA MUNICIPAL UTILITIES**

WHEREAS, the Indianola Municipal Utilities (“IMU”) is an independent city utility established under Iowa Code Chapter 388;

WHEREAS, the IMU Board of Trustees (the “Board”) has sole authority to manage, control, and operate the utility;

WHEREAS, Mike Rozga and Adam Voigts are duly appointed and acting Trustees of the Board;

WHEREAS, Mayor Pamela K. Pepper has issued notices of removal of trustees Mike Rozga and Adam Voigts of this Board without proper cause;

BE IT RESOLVED BY THE BOARD, that the firm of Dickinson, Mackaman, Tyler & Hagen, P.C. be engaged to advise and represent the Indianola Municipal Utility, its Board and its Trustees with respect to notices of removal of trustees and related matters;

BE IT FURTHER RESOLVED, that such engagement be on terms approved by the General Manager at hourly rates not to exceed \$295 per hour.

Adoption Date:_____

Signature of Board Secretary:
