



**IMU Board of Trustees of the
Electric, Water and Communications Utilities
March 8, 2021
City Hall Council Chambers
5:30 p.m.**

Agenda

1. Call to Order
2. Roll Call
3. Public Comments
4. Consent Agenda
 - A. Claims for February 25 and March 8, 2021.
 - B. February 22, 2021 Minutes.
5. Electric Utility Informational Items
6. Water Utility Informational Items
7. Communications Utility Action Items
 - A. Resolution approving an intergovernmental agreement between Indianola Municipal Utilities and City of Pella Telecommunications Utility providing for joint ownership and use of certain facilities and related matters.
 - B. Set a public hearing for proposed telecommunication rate changes for April 12, 2021 at 5:30 pm in the City Hall Council Chambers.
8. Communications Utility Informational Items

9. Combined Electric, Water and Communications Utilities Action Items
 - A. Consider approval of utility accounts to be written off and to use any customary collection method, including submission to the state offset program, and to charge any applicable collection fees.
10. Combined Electric, Water and Communications Utilities Informational Items
11. Other Business
 - A. Enter into closed session in accordance with Iowa Code Section 388.9(1) to discuss marketing and pricing strategies and proprietary information of the telecommunications division whose competitive position will be harmed by public disclosure that is not required of potential or actual competitors and no public purpose is served by such disclosure.
12. Adjourn

IMU Regular Downstairs

4. A.

Meeting Date: 03/08/2021

Information

Subject

Claims for February 25 and March 8, 2021.

Information

Fiscal Impact

Attachments

February 25 Claims

March 8 Claims

AP Check Preview

Date Range: All Dates

Indianola Municipal Utilities

Thursday, February 25, 2021

9:50:31 AM

Vendor	Due Date	Notes	Terms	Bill Total	Discount	Interest	Amount Due	Payment	Invoice Number	Bill Number
Account To Be Paid From 0000-10120-999										
City Of Indianola - VEND-1008 - BL-4892										
	3/25/2021	0221 Utility Payroll Expenses	Net 30	277,839.12	0.00	15.00	277,839.12	277,839.12	0221 Utility Payroll Exp	BL-4892
							277,839.12	277,839.12		
City Of Indianola - VEND-1008 - BL-4894										
	3/26/2021	Feb 2021 Caselle Claims	Net 30	9,035.47	0.00	15.00	9,035.47	9,035.47	Feb 2021 Caselle Claims	BL-4894
							9,035.47	9,035.47		
IMWCA - VEND-1130										
	7/31/2020	Work comp premium 20-21	Net 30	5,742.44	0.00	15.00	5,742.44	5,742.44	INV76217	BL-4895
							5,742.44	5,742.44		
Iowa Dept Of Revenue - VEND-1117										
	3/3/2021	Sales Tax Billed 020121	Net 30	42,318.71	0.00	15.00	42,318.71	42,318.71	Sales Tax Billed 020121	BL-4893
							42,318.71	42,318.71		
			Check Count: 4			Totals:	\$334,935.74	\$334,935.74		

AP Check Preview

Date Range: All Dates

Indianola Municipal Utilities

Friday, March 5, 2021

10:46:45 AM

Vendor	Due Date	Notes	Terms	Bill Total	Discount	Interest	Amount Due	Payment	Invoice Number	Bill Number
Account To Be Paid From			0000-10120-999							
A & W - VEND-2740										
2/10/2021			Open Terms	54.29	0.00	0.00	54.29	54.29	0119	BL-4923
							54.29	54.29		
ACCO UNLIMITED CORP. - VEND-2810										
2/20/2021	Liquid Chlorinating		Open Terms	1,424.16	0.00	0.00	1,424.16	1,424.16	0210559-IN	BL-4901
							1,424.16	1,424.16		
AMERICAN BUSINESS PHONES - VEND-3810										
2/19/2021	Digium phone system install		Open Terms	13,052.64	0.00	0.00	13,052.64	13,052.64	65187	BL-4987
							13,052.64	13,052.64		
AUTOMATIC SYSTEMS CO. - VEND-51495										
2/10/2021	Field service completed		Open Terms	1,277.50	0.00	0.00	1,277.50	1,277.50	36585S	BL-4978
							1,277.50	1,277.50		
Border States Industries Inc - VEND-1070										
3/28/2021	13 Term Meter Socket		Net 30	225.43	0.00	15.00	225.43	225.43	921621176	BL-4971
4/2/2021	Tool board for bucket truck		Net 30	157.39	0.00	15.00	157.39	157.39	921645813	BL-4995
							382.82	382.82		
Brick Gentry P.C. - VEND-1004										
3/27/2021	Legal services		Net 30	120.00	0.00	15.00	120.00	120.00	346860	BL-4975
							120.00	120.00		
Calix Inc - VEND-1028										
3/24/2021	ONT - 803G		Net 30	4,876.48	0.00	15.00	4,876.48	4,876.48	251450	BL-4945
							4,876.48	4,876.48		
Cappel's Ace Hardware - VEND-1204										
3/18/2021	Ballast		Net 30	25.99	0.00	15.00	25.99	25.99	000718	BL-4979
							25.99	25.99		
Casual Rags - VEND-1006										
3/13/2021	Shirts		Net 30	106.80	0.00	15.00	106.80	106.80	153999	BL-4902
							106.80	106.80		
Cedar Falls Utilities - VEND-1045 - BL-4927										

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Indianola Municipal Utilities

Friday, March 5, 2021

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	3/7/2021	0121 Bandwidth & 5g	Net 30	6,700.00	0.00	15.00	6,700.00	6,700.00	0121 Bandwidth & 5g	BL-4927
							6,700.00	6,700.00		
Cedar Falls Utilities - VEND-1045 - BL-4973										
	3/31/2021	Labor and rack space	Net 30	6,355.71	0.00	15.00	6,355.71	6,355.71	91329	BL-4973
							6,355.71	6,355.71		
Cintas Corporation - VEND-1007										
	3/25/2021	Medicine cabinet supplies-Fiber	Net 30	41.91	0.00	15.00	41.91	41.91	5052930462	BL-4946
	3/19/2021	First aid supplies	Net 30	39.13	0.00	15.00	39.13	39.13	5052289593	BL-4935
							81.04	81.04		
City Of Indianola - VEND-1008 - BL-4985										
	3/31/2021	Professional Services	Net 30	90,189.83	0.00	15.00	90,189.83	90,189.83	2678	BL-4985
							90,189.83	90,189.83		
Consortia Consulting - VEND-1009										
	3/19/2021	Consulting	Net 30	900.00	0.00	15.00	900.00	900.00	22197	BL-4931
							900.00	900.00		
Convergint Technologies LLC - VEND-1082										
	2/18/2021	Line shop cameras 50% payment	Net 30	3,884.50	0.00	15.00	3,884.50	3,884.50	111SNL0603	BL-4969
	3/30/2021	Line shop cameras final payment	Net 30	3,884.50	0.00	15.00	3,884.50	3,884.50	111SNL603A	BL-4970
							7,769.00	7,769.00		
CORE & MAIN - VEND-102636										
	2/24/2021	Hymax	Open Terms	1,070.70	0.00	0.00	1,070.70	1,070.70	N756148	BL-4916
	2/19/2021	PVC Pipe	Open Terms	1,158.90	0.00	0.00	1,158.90	1,158.90	N725635	BL-4917
							2,229.60	2,229.60		
DAY, MIKE - VEND-103271										
	2/26/2021	2 way radios	Open Terms	975.00	0.00	0.00	975.00	975.00	21-001	BL-4968
							975.00	975.00		
Des Moines Register Media - VEND-1010										
	4/2/2021	Board of trustee minutes	Net 30	181.40	0.00	15.00	181.40	181.40	0003691673	BL-4977
							181.40	181.40		
DES PLANQUES, CHRIS - VEND-101766										

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Indianola Municipal Utilities

Friday, March 5, 2021

10:46:45 AM

Vendor	Due Date	Notes	Terms	Bill Total	Discount	Interest	Amount Due	Payment	Invoice Number	Bill Number
	3/2/2021	0321 Mobile Device	Open Terms	75.00	0.00	0.00	75.00	75.00	0321 Mobile Device	BL-5003
							75.00	75.00		
Doug Shull - VEND-1105										
	3/31/2021	0321 Treasury Contract	Net 30	83.34	0.00	15.00	83.34	83.34	0321 Treasury Contract	BL-4996
							83.34	83.34		
Dust Pros Janitorial - VEND-1011										
	3/22/2021	0221 Cleaning-EL	Net 30	984.40	0.00	15.00	984.40	984.40	2327	BL-4982
	3/21/2021	Cleaning supplies-EL	Net 30	99.51	0.00	15.00	99.51	99.51	2328	BL-4983
	3/24/2021	0221 Cleaning-Util Svcs	Net 30	856.00	0.00	15.00	856.00	856.00	2331	BL-4928
	3/24/2021	0221 Cleaning supplies-Fiber	Net 30	49.76	0.00	15.00	49.76	49.76	2332	BL-4929
	3/24/2021	0221 Scrub And Buff-WA	Net 30	180.00	0.00	15.00	180.00	180.00	2334	BL-4919
	3/24/2021	0221 Cleaning-Util Svcs	Net 30	749.00	0.00	15.00	749.00	749.00	2329	BL-4976
	3/24/2021	Cleaning supplies-Util Svcs	Net 30	32.10	0.00	15.00	32.10	32.10	2330	BL-4938
							2,950.77	2,950.77		
Dylan Michelsen - VEND-1180										
	3/31/2021	0321 Mobile Device	Net 30	75.00	0.00	15.00	75.00	75.00	0321 Mobile Device	BL-5000
							75.00	75.00		
Elisha Greene - VEND-1209										
	3/31/2021	0321 Mobile Device	Net 30	25.00	0.00	15.00	25.00	25.00	0321 Mobile Device	BL-5004
							25.00	25.00		
Fuse Technic LLC - VEND-1012										
	3/31/2021	Consulting	Net 30	375.00	0.00	15.00	375.00	375.00	FT20210301001	BL-4957
							375.00	375.00		
HACH COMPANY - VEND-20810										
	2/13/2021	Chlorine	Open Terms	738.29	0.00	0.00	738.29	738.29	12321976	BL-4920
							738.29	738.29		
HYDAKER WHEATLAKE CO, THE - VEND-103109										
	2/27/2021	Replace transmission poles	Open Terms	58,900.00	0.00	0.00	58,900.00	58,900.00	132327	BL-4958
							58,900.00	58,900.00		

ImOn Communications LLC - VEND-1072

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Indianola Municipal Utilities

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	3/30/2021	Regulatory and billing	Net 30	6,840.02	0.00	15.00	6,840.02	6,840.02	INV0033375	BL-4956
							6,840.02	6,840.02		
IMU - VEND-8629										
	3/2/2021	Utilities-EL	Open Terms	3,310.56	0.00	0.00	3,310.56	3,310.56	10099428	BL-4943
	3/2/2021	Utilities-Util Svcs	Open Terms	259.41	0.00	0.00	259.41	259.41	10096330	BL-4986
							3,569.97	3,569.97		
Independent Advocate - VEND-1136										
	3/31/2021	WA Operator Ad	Net 30	200.00	0.00	15.00	200.00	200.00	709	BL-4992
	3/7/2021	Digital advertising	Net 30	200.00	0.00	15.00	200.00	200.00	696	BL-4932
							400.00	400.00		
Infomax Office Systems Inc - VEND-1013										
	3/25/2021	Copier Contract	Net 30	835.50	0.00	15.00	835.50	835.50	28824358	BL-4899
							835.50	835.50		
Innovative Systems - VEND-1048 - BL-5005										
	4/2/2021	0321 Utility Bills	Net 30	5,784.72	0.00	15.00	5,784.72	5,784.72	53778	BL-5005
							5,784.72	5,784.72		
Innovative Systems - VEND-1048 - BL-5006										
	4/2/2021	Maintenance Fee	Net 30	11,520.00	0.00	15.00	11,520.00	11,520.00	53740 & 53739	BL-5006
							11,520.00	11,520.00		
Innovative Systems - VEND-1048 - BL-5007										
	4/2/2021	Software	Net 30	10,915.56	0.00	15.00	10,915.56	10,915.56	53739 & 53740	BL-5007
							10,915.56	10,915.56		
Interstate Power Systems Inc - VEND-1033										
	3/24/2021	Service call	Net 30	1,482.80	0.00	15.00	1,482.80	1,482.80	R012075548	BL-4926
	3/24/2021	Service call	Net 30	1,577.30	0.00	15.00	1,577.30	1,577.30	R012075548:01	BL-4954
							3,060.10	3,060.10		
Iowa Association Of Municipal Utilities - VEND-1014										
	3/17/2021	Apprenticeship program fees	Net 30	1,200.00	0.00	15.00	1,200.00	1,200.00	23533	BL-4937
							1,200.00	1,200.00		
Iowa One Call - VEND-1015										
	3/21/2021	Locates	Net 30	123.30	0.00	15.00	123.30	123.30	229632	BL-4947

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	3/21/2021	Locates	Net 30	243.00	0.00	15.00	243.00	243.00	229633	BL-4921
	3/21/2021	Locates	Net 30	228.60	0.00	15.00	228.60	228.60	229406	BL-4984
							594.90	594.90		
Iowa Utilities Board - VEND-1016										
	3/17/2021	IUB labor	Net 30	54.75	0.00	15.00	54.75	54.75	52569	BL-4936
							54.75	54.75		
JV TRUCKING LLC - VEND-102429										
	2/17/2021	3/4 Class A rock	Open Terms	2,196.48	0.00	0.00	2,196.48	2,196.48	5045	BL-4980
							2,196.48	2,196.48		
KNIA/KRLS - VEND-1090										
	3/30/2021	:30 Spot	Net 30	550.80	0.00	15.00	550.80	550.80	21020487	BL-4951
							550.80	550.80		
Kurt Gocken - VEND-1023										
	3/31/2021	0321 Mobile Device	Net 30	75.00	0.00	15.00	75.00	75.00	0321 Mobile Device	BL-4997
							75.00	75.00		
Kurt Ripperger - VEND-1025										
	3/31/2021	0321 Mobile Device	Net 30	75.00	0.00	15.00	75.00	75.00	0321 Mobile Device	BL-4998
							75.00	75.00		
LONGER, CHRIS - VEND-34025										
	3/2/2021	0321 Mobile Device	Open Terms	75.00	0.00	0.00	75.00	75.00	0321 Mobile Device	BL-5001
							75.00	75.00		
Mahaska Communications Group - VEND-1017										
	3/3/2021	0221 T1 Transport	Net 30	165.00	0.00	15.00	165.00	165.00	0221 T1 Transport	BL-4925
							165.00	165.00		
Marvin Judkins - VEND-1141 - BL-4913										
	3/2/2021	Credit Refund	Net 30	23.81	0.00	0.00	23.81	23.81	00041226-8	BL-4913
							23.81	23.81		
McCoy Hardware Inc - VEND-1035										
	3/20/2021	Box, plate and cover	Net 30	14.64	0.00	15.00	14.64	14.64	A480639	BL-4918

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Indianola Municipal Utilities

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							14.64	14.64		
METCALF, MIKE - VEND-34230										
3/2/2021	0321 Mobile Device	Open Terms	75.00	0.00	0.00	75.00	75.00	0321 Mobile Device	BL-5002	
							75.00	75.00		
Mid American Energy Co - VEND-1018										
3/24/2021	Gas-111 S Buxton	Net 30	932.83	0.00	15.00	932.83	932.83	509463542	BL-4908	
3/25/2021	Gas-210 W 2nd	Net 30	90.18	0.00	15.00	90.18	90.18	509546607	BL-4909	
3/25/2021	Gas-1300 E Iowa Bldg B	Net 30	27.39	0.00	15.00	27.39	27.39	509498880	BL-4910	
3/21/2021	Gas-Municipal Plt	Net 30	9.09	0.00	15.00	9.09	9.09	509396054	BL-4911	
3/25/2021	Gas-1300 E Iowa Blvd A	Net 30	594.33	0.00	15.00	594.33	594.33	509508977	BL-4912	
3/27/2021	Gas-111 S Buxton Muni plant	Net 30	12.13	0.00	15.00	12.13	12.13	509630670	BL-4953	
3/25/2021	Gas-111 S B	Net 30	518.37	0.00	15.00	518.37	518.37	509525981	BL-4955	
							2,184.32	2,184.32		
MILLER ELECTRIC SERVICES - VEND-34642										
2/26/2021	Work on lime slaker motor	Open Terms	3,538.57	0.00	0.00	3,538.57	3,538.57	16424	BL-4904	
							3,538.57	3,538.57		
National Cable Television Cooperative, Inc. - VEND-1095										
4/1/2021	Power cord	Net 30	174.22	0.00	15.00	174.22	174.22	SI-682160	BL-4933	
							174.22	174.22		
O'REILLY AUTO PARTS - VEND-40157										
2/26/2021	Oil	Open Terms	48.47	0.00	0.00	48.47	48.47	0337-200136	BL-4903	
							48.47	48.47		
Power & Tel - VEND-1037										
3/7/2021	Jumpers	Net 30	11,256.08	0.00	15.00	11,256.08	11,256.08	7144218-00	BL-4934	
3/18/2021	FIBER DROP - 750'	Net 30	344.66	0.00	15.00	344.66	344.66	7070407-02	BL-4949	
							11,600.74	11,600.74		
Prolmage Sign & Lighting - VEND-1150										
3/20/2021	Business cards	Net 30	52.00	0.00	15.00	52.00	52.00	3371	BL-4930	
							52.00	52.00		
Skye McBroom - VEND-1026										
3/31/2021	0321 Mobile Device	Net 30	75.00	0.00	15.00	75.00	75.00	0321 Mobile Device	BL-4999	

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							75.00	75.00		
T & R ELEC SUPPLY CO - VEND-52010										
2/7/2021	Repair 1-Phase transformer	Open Terms	695.00	0.00	0.00	695.00	695.00	161495	BL-4967	
							695.00	695.00		
T.R.M. DISPOSAL LLC - VEND-101016										
2/25/2021	0321 Trash	Open Terms	40.00	0.00	0.00	40.00	40.00	19103	BL-4915	
							40.00	40.00		
U.S. Cellular - VEND-1104										
3/14/2021	0221 Cel Phone	Net 30	613.76	0.00	15.00	613.76	613.76	0422791795	BL-4922	
							613.76	613.76		
Unite Private Networks - VEND-1054										
3/31/2021	Dark fiber	Net 30	3,147.05	0.00	15.00	3,147.05	3,147.05	SI-21-005826	BL-4950	
							3,147.05	3,147.05		
VEENSTRA & KIMM - VEND-57600										
2/19/2021	0221 Constuction Permit	Open Terms	109.00	0.00	0.00	109.00	109.00	0221 Constuction Permit	BL-4981	
2/20/2021	0121 Technician	Open Terms	1,073.00	0.00	0.00	1,073.00	1,073.00	0121 Technician	BL-4905	
2/20/2021	0121 Engineer	Open Terms	2,274.84	0.00	0.00	2,274.84	2,274.84	0121 Engineer	BL-4906	
2/20/2021	Professional personnel	Open Terms	12,502.96	0.00	0.00	12,502.96	12,502.96	4	BL-4907	
							15,959.80	15,959.80		
VERMEER SALES & SERVICE - VEND-57608										
2/11/2021	Trencher parts	Open Terms	273.00	0.00	0.00	273.00	273.00	01173490	BL-4963	
							273.00	273.00		
VISION METERING LLC - VEND-103244										
2/13/2021	9S and 2S Solar Meters	Open Terms	818.00	0.00	0.00	818.00	818.00	196931	BL-4964	
							818.00	818.00		
WARREN COUNTY OIL - VEND-59860										
2/23/2021	Oil sample kits	Open Terms	36.38	0.00	0.00	36.38	36.38	0000591	BL-4965	
							36.38	36.38		
Waste Management - VEND-1086										
3/26/2021	4 Yard dumpster	Net 30	61.51	0.00	15.00	61.51	61.51	6810912-0516-8	BL-4952	

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							61.51	61.51		
WESCO - VEND-60220										
	2/17/2021	6 Term Meter Peds For 4S Meters	Open Terms	921.70	0.00	0.00	921.70	921.70	602757	BL-4960
	2/24/2021	Andax	Open Terms	379.29	0.00	0.00	379.29	379.29	612833	BL-4961
	3/3/2021	10' Crossarms and #2 Copper Wire	Open Terms	672.92	0.00	0.00	672.92	672.92	624225	BL-4993
	2/27/2021	Meter Disconnect Boots	Open Terms	26.19	0.00	0.00	26.19	26.19	618944	BL-4994
							2,000.10	2,000.10		
Wiegert Disposal Inc - VEND-1081										
	3/31/2021	0221 Dumpster Service	Net 30	110.00	0.00	15.00	110.00	110.00	0221 Dumpster Service	BL-4974
							110.00	110.00		
Wisconsin Independent Network, LLC - VEND-1067										
	4/2/2021	Ethernet and Internet	Net 30	4,838.00	0.00	15.00	4,838.00	4,838.00	WIN009548	BL-4972
							4,838.00	4,838.00		
Check Count: 65				Totals:			\$294,216.83	\$294,216.83		

IMU Regular Downstairs
Meeting Date: 03/08/2021

4. B.

Information

Subject

February 22, 2021 Minutes.

Information

Fiscal Impact

Attachments

Minutes

BOARD OF TRUSTEE MINUTES – REGULAR SESSION – February 22, 2021

The Board of Trustees met in regular session at 5:30 p.m. on February 22, 2021, in the City Hall Council Chambers. Chairperson Adam Voigts called the meeting to order and on roll call the following members were present: Deb Richardson, Adam Voigts, Mike Rozga and Lori Smith. Absent: Lesley Forbush.

The consent agenda consisting of the following was approved on a motion by Rozga and seconded by Richardson. Question was called for and on voice vote the Chairperson declared the motion carried unanimously.

- Claims list for February 22, 2021.
- Minutes from February 8, 2021.

Mike Metcalf, Electric Superintendent explained the work his staff did to avoid rolling blackouts due to extreme cold.

Lou Elbert, Water Superintendent, stated the 2021 GMC Sierra is budgeted for Fiscal Year 22. Resolution 2021-03 authorizing the purchase of a 2021 GMC Sierra 1500 pickup for the Water Department was introduced on a motion by Richardson and seconded by Smith. On roll call, the vote was AYES: Richardson, Voigts, Rozga and Smith. NAYS: None. Whereupon the Chairperson declared the motion carried unanimously.

Elbert reported that the North 8th Street water main keeps failing and should be replaced. Smith moved and Rozga seconded to approve Resolution 2021-04 ordering construction of certain public improvements and fixing a date for hearing and taking of bids for the North 8th Street Water Main Improvements. On roll call, the vote was AYES: Richardson, Voigts, Rozga and Smith. NAYS: None. Whereupon the Chairperson declared the motion carried unanimously.

Elbert also reported that staff has been working on broken water mains; helping customers with frozen water meters; and working with Simpson on fire main issues.

Kurt Ripperger, Telecommunications Superintendent, reported staff is meeting fiber installation goals.

General Manager Chris Des Planques reviewed fund projections for Fiscal Year 22 and compared them to Fiscal Year 21 as part of the budget presentation.

This being the time and place for a public hearing on the matter of the Fiscal Year 22 budget, Chairperson Voigts called for public comments. Pam Pepper, 308 North 16th Street, asked if there were any projected rate increases. Des Planques stated no increases are forecasted into the budget. Staff will work with consultants on rate recommendations; rate related discussions could occur in October. Fiber may see a rate change in video services in April or May. Board Member Voigts stated rate increases are not included in budgets and that the electric underground conversion project is a big project and the Board needs to have strategic discussions to decide if a rate increase needs to occur. No other comments were offered, and the Deputy Clerk reported no written comments were filed.

Rozga introduced Resolution 2021-05 adopting the annual budget for Fiscal Year ending June 30, 2022 and moved for its adoption. Richardson seconded the motion. On roll call, the vote was AYES: Richardson, Voigts, Rozga and Smith. NAYS: None. Whereupon the Chairperson declared the motion carried unanimously.

In other business, Des Planques thanked staff for their work during the cold snap. Board Member Rozga asked if anyone had attended the City's contractor's breakfast. Metcalf stated he had attended and reported the Square Streetscape, development areas and a rental inspection program were discussed.

Meeting adjourned at 6:23 pm on a motion by Richardson and seconded by Rozga.

Adam Voigts, Chairperson

ATTEST:

Jackie Raffety, Deputy City Clerk

Information

Subject

Resolution approving an intergovernmental agreement between Indianola Municipal Utilities and City of Pella Telecommunications Utility providing for joint ownership and use of certain facilities and related matters.

Information

Roll call is in order.

Fiscal Impact

Attachments

Resolution Approving Agreement
Agreement

INDIANOLA MUNICIPAL UTILITIES
RESOLUTION NO. 2021-

**RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN INDIANOLA
MUNICIPAL UTILITIES AND CITY OF PELLA TELECOMMUNICATIONS UTILITY PROVIDING
FOR JOINT OWNERSHIP AND USE OF CERTAIN FACILITIES AND RELATED MATTERS**

WHEREAS, the purpose of the attached agreement is to provide for the joint ownership, management, control and maintenance of Broadband Antennas and Transcoder Equipment located at the Hillcrest Water Tower, 909 E. Hillcrest Dr. in Indianola, Iowa (the “Hillcrest Headend”); and

WHEREAS, the agreement makes available certain other shared services, equipment, appliances and appurtenances for the joint benefit of the parties; and

WHEREAS, the agreement includes a fee structure and payments that will be reviewed annually.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Indianola Municipal Utilities, Iowa, that the agreement between Indianola Municipal Utilities and City of Pella Municipal Telecommunications Utility is hereby approved.

APPROVED this 8th day of March 2021.

Adam Voigts, Chair

ATTEST:

Jackie Raffety, Deputy City Clerk

**AGREEMENT UNDER IOWA CODE CHAPTER 28E BETWEEN
INDIANOLA MUNICIPAL UTILITIES AND CITY OF PELLA
TELECOMMUNICATIONS UTILITY PROVIDING FOR JOINT
OWNERSHIP AND USE OF CERTAIN FACILITIES AND RELATED
MATTERS**

BE IT REMEMBERED that for the mutual promises, covenants and considerations herein contained and pursuant to Iowa Code Chapter 28E, Indianola Municipal Utilities (“IMU”) and City of Pella Telecommunications Utility (“Pella”), both are municipal utilities in good standing, organized, operating and existing under Iowa Code Chapter 388, have entered into the following agreement, to wit:

1. The purpose of this Agreement is to provide for the joint ownership, management, control and maintenance of Broadband Antennas and Transcoder Equipment located at the Hillcrest Water Tower, 909 E. Hillcrest Dr. in Indianola, Iowa (the “Hillcrest Headend”) and make available certain other shared services, equipment, appliances and appurtenances for the joint benefit of the parties. This Agreement does not include programming contracts. The parties’ joint ownership under this Agreement is as tenants in common with a separate individual ownership in each party.

2. IMU has installed broadband antennas and transcoder equipment at the Hillcrest Headend, including from time to time, needed software, licensing and hardware.

3. Pella understands that IMU has utilized and incorporated some prior existing video infrastructure equipment, antennas, receivers and other apparatus at the Hillcrest Headend.

4. In order to facilitate and provide for services under this Agreement, each party agrees to construct at its own expense a fiber link to points agreed (“Meet Points”). Maintenance and repair of each party’s fiber will be performed by the respective party.

5. IMU will provide the employees (“Network Engineers”) required to operate and maintain the broadband antennas and transcoder equipment located at the Hillcrest Headend. The Network Engineers will be employees of IMU and shall not have any separate authorization under this Agreement. Each party to this Agreement shall be invoiced annually by IMU for their proportionate share of the annual cost for maintenance and upgrades performed by the Network Engineers. All parties shall pay the invoice within 30 days of receipt. The percentage of payments are provided upon Schedule A attached hereto and shall be subject to modification under paragraph 8.

6. Capital and other financial arrangements and undertaking shall, except as specifically provided herein, be memorialized by separate agreement of the parties.

7. IMU will administer this Agreement and the operation and maintenance of the broadband antennas and equipment including all existing infrastructure equipment identified in paragraph 3. IMU will be solely responsible for all decisions regarding maintenance and operation. The cost of all needed replacement or repair parts, including software and software updates, improvements or contracted outside labor fees, and an annual fee as set out on Schedule A to recover the salary and benefits expense incurred in calculating and billing each parties' ownership cost, will be divided in the same manner as capital contributions. These cost may be provided by separate agreement as provided by paragraph 6 hereof or as subsequently adjusted under paragraph 8 of this Agreement. The cost shall be paid by all parties and any new or additional party or parties to IMU upon presentation of an invoice reflecting the proper percentage division of actual cost only within 30 days of receipt. This cost sharing arrangement will be applicable only to the extent the maintenance and operation expenses are necessary for the benefit of all parties to this Agreement.

8. In November of each year, commencing November 2021, all parties to this Agreement shall each designate a representative who shall meet at IMU headquarters or by conference call to review and adjust the allocation of costs and updated technologies applicable under this Agreement. Cost allocations as adjusted will be effective January 1, 2022 and January 1 after each said meeting thereafter. Cost allocations will be based on the percentage of properties in the members' service area compared to the total number of properties in the service areas of all participating utilities as defined in Schedule A. Estimates on Schedule A are informational and not limitations; the distribution formulas in Schedule A are binding on the parties. Schedule A may be amended as a part of the process described in this paragraph.

If by ten days after the meeting in November wherein the reallocation is discussed, the parties are unable to agree on reallocation under this paragraph, then the parties agree to mediate all outstanding disputes. Mediation shall be scheduled upon the written notice of any member to all other members. If after notice the parties cannot agree upon a mediator, the mediator shall be chosen by the Chief District Court Judge presiding over the District that includes Warren County. If sixty days after appointment of a mediator the parties have not resolved their dispute or dispute then the parties shall select an arbitrator under Iowa Code chapter 679A, if they are unable to agree on an arbitrator within 30 days, then any party may petition the district court for appointment of an arbitrator. The arbitrator will hold the hearing and make a decision within 90 days of selection or appointment. The parties shall accept or reject the decision of the arbitration within ten days of receipt. If the parties accept (or fail to reject) the arbitrator's decision within the time allowed, the decision shall be final and binding upon all parties on all matters in dispute. If any party rejects the arbitrator's decision, then one hundred eighty days thereafter this Agreement shall terminate as provided in paragraph 14.

9. Additional parties may join under this Agreement by agreeing to its terms with the consent of the governing body of all other members. New members will make an initial contribution to capital based on the percentage of properties in the new members' service area compared to the total number of properties in the service areas of all participating utilities as defined in Schedule A.

New or additional parties may be required to construct at their own expense a fiber link to IMU's designated meet point and provide equipment, appliances or appurtenances necessary to light the fiber link. Maintenance and repair of each party's fiber will be performed by the respective party.

All additional contributions of capital from new members shall be distributed to the pre-existing members as their interests appear in this Agreement.

10. Additional parties may become owners of the shared broadband antennas and equipment from these additional parties will be shared among the current members based on their percentage of contributions.

12. No separate legal or administrative entity is created by this Agreement.

13. Parties hereto shall not engage in joint financing but shall each be separately responsible for financing their costs and expenses under this Agreement.

14. This Agreement shall be effective on March 1, 2021 and continue in effect until July 1, 2025, and thereafter shall continue for periods of three years unless any party provides the others with notice of its intent to terminate, at least 1 year prior to the next termination date, in which event this Agreement shall terminate on the next anniversary date.

If upon any termination date there are more than two parties to this Agreement and not all parties give notice of termination any party giving notice of termination will be given, within 180 days of termination, their then share of the depreciated net value of their share of the joint assets shall be as last determined under paragraph 8.

Upon final expiration of this Agreement, all joint assets shall be liquidated and the proceeds from such liquidation shall be distributed to the then parties to this Agreement based upon their percentage of ownership as it appears on the date of termination as last determined under paragraph 8. IMU shall have the right of first refusal to retain all joint assets in its physical possession upon payment of the proceeds to the other parties in accordance with their percentage of ownership. Should final termination of the Agreement occur prior to or on the initial termination date of June 30, 2025 without a renewal term, each party shall be compensated for their proportionate share of

the existing video infrastructure equipment, dishes, receivers and other apparatus for which a party paid an initial fee.

In the event that any member utility, or the assets of any member utility are sold, leased or otherwise transferred, or any member is dissolved or discontinued, the member with assets that are being sold, leased, otherwise transferred, dissolved or discontinued shall forfeit its share of the net value of any assets as last determined under paragraph 8 above. As to such member, this Agreement terminates upon the date of such member's assets being sold, leased or otherwise transferred, dissolved or discontinued.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be duly executed on the day and year set forth below.

INDIANOLA MUNICIPAL UTILITIES

, Board Chair

ATTEST:

, Board Secretary

Date

CITY OF PELLA TELECOMMUNICATIONS UTILITY

, Board Chair

, Secretary to the Board

Date

SCHEDULE A
Fee Structure and Payments

Item	Fee Structure		Fees	Year
Hillcrest Headend Equipment	Indianola	59.34%	\$75,524.30	2018
	Pella	40.66%		
Annual Headend Support	Indianola	59.34%		2021
	Pella	40.66%		
Cisco Switch Support			\$345 (estimated)	
INCA Support			\$3,010 (estimated)	
Engineer Support (30 hours)			\$2,400	

IMU Regular Downstairs

7. B.

Meeting Date: 03/08/2021

Information

Subject

Set a public hearing for proposed telecommunication rate changes for April 12, 2021 at 5:30 pm in the City Hall Council Chambers.

Information

Simple motion is in order.

Fiscal Impact

Attachments

Public Hearing Notice

NOTICE OF PUBLIC HEARING

TO THE PUBLIC:

YOU ARE HEREBY NOTIFIED that the Indianola Municipal Utilities Board of Trustees has under consideration a resolution setting the communications rates. The proposed increases would be in effect May 1, 2021.

The actual proposed resolution is now on file and open to public inspection in the office of the General Manager , 210 W 2nd Avenue and Trustee Clerk, 110 N. First Street, Indianola, Iowa, (961-9410). For exact details you should carefully review the resolutions now on file in the General Manager's office or the Trustee Clerk's office.

YOU ARE FURTHER NOTIFIED that this matter has been set down for hearing and consideration at a public hearing before the Board of Trustees of the Indianola Municipal Utilities on April 12, 2021 at 5:30 P.M., in the Council Chambers of the Municipal Building in Indianola, Iowa. This Notice is published by order of the Board of Trustees of the Indianola Municipal Utilities, Indianola, Iowa.

Jackie Raffety, Trustee Clerk

Information

Subject

Consider approval of utility accounts to be written off and to use any customary collection method, including submission to the state offset program, and to charge any applicable collection fees.

Information

Attached are uncollected electric, water and telecommunication billing amounts from September 2019 - December 2020 that will be written off. The amount for each utility is listed below:

- Electric: \$94,423.05
- Water: \$10,258.90
- Telecommunications: \$21,030.59

Simple motion is in order.

Fiscal Impact

Attachments

Offset Amounts

January 2021

(Billed from September 2019 to December 2020)

Electric Billed	\$16,785,955.26	
Electric Writeoffs	\$94,423.05	0.56%
Water Billed	\$2,601,697.48	
Water Writeoffs	\$10,258.90	0.39%
Telecom Billed	\$3,403,730.18	
Telecom Writeoffs	\$21,030.59	0.62%

Total # of accounts wrote off - 299

<u>Service</u>	<u>Total Dollar Amount</u>
Admin Fee Telecom	\$ 267.51
Electric	94,423.05
Internet	8,973.36
Misc.	5.72
Phone	417.38
Video	11,366.62
Water	10,258.90
Grand Total	\$ 125,712.54

Information

Subject

Enter into closed session in accordance with Iowa Code Section 388.9(1) to discuss marketing and pricing strategies and proprietary information of the telecommunications division whose competitive position will be harmed by public disclosure that is not required of potential or actual competitors and no public purpose is served by such disclosure.

Information

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

Fiscal Impact

Attachments

No file(s) attached.
