



**IMU Board of Trustees of the
Electric, Water and Communications Utilities
April 26, 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 April 26, 2021.
 - B. April 12, 2021 Minutes.
5. Electric Utility Informational Items
6. Water Utility Informational Items
7. Communications Utility Informational Items
8. Combined Electric, Water and Communications Utilities Action Items
 - A. Resolution approving Employment Agreement with Christopher DesPlanques as General Manager.
 - B. Approval of the Public Purpose Policy.
9. Combined Electric, Water and Communications Utilities Informational Items

10. 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.

11. Adjourn

IMU Regular Downstairs
Meeting Date: 04/26/2021

4. A.

Information

Subject

Claims for April 26, 2021.

Information

Attachments

Claims

AP Check Preview

Date Range: All Dates

Indianola Municipal Utilities

Thursday, April 22, 2021

3:55:31 PM

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-Check Global - VEND-1194										
4/23/2021	Pre-Employment check	Net 30	34.50	0.00	15.00	34.50	34.50	59-0640278	BL-5302	
							34.50	34.50		
AUTOMATIC SYSTEMS CO. - VEND-51495										
4/9/2021	SMC-Flex 150 solid state controller, labor and	Open Terms	12,027.79	0.00	0.00	12,027.79	12,027.79	36661 S	BL-5310	
							12,027.79	12,027.79		
Bankers Trust Company - VEND-1003										
5/6/2021	1st Qtr Investment Management Fees	Net 30	1,845.60	0.00	15.00	1,845.60	1,845.60	210406-295611	BL-5368	
							1,845.60	1,845.60		
Bear Communications - VEND-1098										
4/27/2021	Service installs	Net 30	4,642.04	0.00	15.00	4,642.04	4,642.04	20210403	BL-5361	
4/20/2021	Service installs	Net 30	13,604.50	0.00	15.00	13,604.50	13,604.50	20210327	BL-5287	
							18,246.54	18,246.54		
Big Ten Network - VEND-1096										
4/30/2021	BTN	Net 30	1,746.00	0.00	15.00	1,746.00	1,746.00	55507	BL-5329	
							1,746.00	1,746.00		
Border States Industries Inc - VEND-1070										
5/20/2021	CTs	Net 30	691.43	0.00	15.00	691.43	691.43	921923904	BL-5365	
							691.43	691.43		
Calix Inc - VEND-1028										
4/28/2021	ONT - 844G-1	Net 30	28,950.77	0.00	15.00	28,950.77	28,950.77	256061	BL-5335	
5/20/2021	AXOS Framework	Net 30	3,300.00	0.00	15.00	3,300.00	3,300.00	4021946	BL-5369	
							32,250.77	32,250.77		
Cedar Falls Utilities - VEND-1045 - BL-5321										
5/5/2021	Fiber to 5g & wholesale	Net 30	6,700.00	0.00	15.00	6,700.00	6,700.00	Fiber to 5g & wholesale	BL-5321	
							6,700.00	6,700.00		
Cintas Corporation - VEND-1007										
5/12/2021	First aid supplies	Net 30	72.04	0.00	15.00	72.04	72.04	5058306590	BL-5289	
							72.04	72.04		

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Indianola Municipal Utilities

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City Of Indianola - VEND-1008 - BL-5284										
	5/9/2021	1st Qtr 21 Franchise Fees	Net 30	13,028.38	0.00	15.00	13,028.38	13,028.38	1st Qtr 21 Franchise Fees	BL-5284
							13,028.38	13,028.38		
Connect Des Moines LLC - VEND-1030										
	5/15/2021	Shared rack	Net 30	5,685.00	0.00	15.00	5,685.00	5,685.00	26258	BL-5322
							5,685.00	5,685.00		
CROSSROADS MOBILE MAINTENANCE - VEND-102507										
	4/14/2021	Unit 31 repairs	Open Terms	702.19	0.00	0.00	702.19	702.19	203S2182	BL-5298
							702.19	702.19		
Des Moines Register Media - VEND-1010										
	4/30/2021	Board of trustee minutes	Net 30	832.97	0.00	15.00	832.97	832.97	0003777832	BL-5345
							832.97	832.97		
Dust Pros Janitorial - VEND-1011										
	5/19/2021	0421 Cleaning-Util Svcs	Net 30	749.00	0.00	15.00	749.00	749.00	2352	BL-5315
	5/19/2021	Cleaning supplies-EL	Net 30	172.27	0.00	15.00	172.27	172.27	2356	BL-5356
	5/19/2021	0421 Cleaning-EL	Net 30	984.40	0.00	15.00	984.40	984.40	2355	BL-5357
	5/15/2021	Strip and re wax floor - WA treatment plant	Net 30	180.00	0.00	15.00	180.00	180.00	2351	BL-5309
	5/19/2021	Cleaning supplies-Fiber	Net 30	68.48	0.00	15.00	68.48	68.48	2354	BL-5323
	5/19/2021	0421 Cleaning-Fiber	Net 30	856.00	0.00	15.00	856.00	856.00	2353	BL-5324
							3,010.15	3,010.15		
ECHO Group, Inc - VEND-1061										
	5/13/2021	1" PVC - 10' STICK	Net 30	238.84	0.00	15.00	238.84	238.84	S8930413.001	BL-5370
	5/8/2021	1/2" PVC COUPLER & 1" PVC - 10' STICK	Net 30	167.89	0.00	15.00	167.89	167.89	S8926142.001	BL-5373
							406.73	406.73		
Fox Sports Midwest - VEND-1097										
	4/24/2021	EXP Basic	Net 30	4,361.12	0.00	15.00	4,361.12	4,361.12	S61404	BL-5325
							4,361.12	4,361.12		
Genesis Environmental Solutions - VEND-1219										
	5/21/2021	Turbine fuel tank inspections	Net 30	32,360.00	0.00	15.00	32,360.00	32,360.00	66617	BL-5355
							32,360.00	32,360.00		
GRAYMONT WESTERN LIME INC - VEND-101387										

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	4/16/2021	High calcium quicklime	Open Terms	4,620.67	0.00	0.00	4,620.67	4,620.67	165827	BL-5352
							4,620.67	4,620.67		
Hearst Television Inc - VEND-1131										
	5/19/2021	KCCI	Net 30	5,228.32	0.00	15.00	5,228.32	5,228.32	379390	BL-5330
							5,228.32	5,228.32		
Independent Advocate - VEND-1136										
	5/3/2021	Digital advertising	Net 30	200.00	0.00	15.00	200.00	200.00	730	BL-5282
							200.00	200.00		
INDIANOLA MECHANICAL LLC - VEND-5633										
	4/8/2021	Service call, checked furnace	Open Terms	105.66	0.00	0.00	105.66	105.66	2021040707347970	BL-5286
							105.66	105.66		
Insight Direct USA, Inc - VEND-1133										
	5/13/2021	Infoblox premium maintenance, technical supp	Net 30	4,274.68	0.00	15.00	4,274.68	4,274.68	919061461	BL-5366
							4,274.68	4,274.68		
Iowa Association Of Municipal Utilities - VEND-1014										
	5/15/2021	Apprenticeship program fees	Net 30	1,200.00	0.00	15.00	1,200.00	1,200.00	23839	BL-5307
							1,200.00	1,200.00		
Iowa Dept Of Revenue - VEND-1117										
	5/19/2021	Sales Tax Billed 040121	Net 30	36,250.36	0.00	15.00	36,250.36	36,250.36		BL-5316
							36,250.36	36,250.36		
Iowa One Call - VEND-1015										
	5/14/2021	Locates	Net 30	466.20	0.00	15.00	466.20	466.20	230122	BL-5344
	5/14/2021	Locates	Net 30	471.60	0.00	15.00	471.60	471.60	230555	BL-5350
	5/14/2021	Locates	Net 30	250.20	0.00	15.00	250.20	250.20	230554	BL-5362
							1,188.00	1,188.00		
Iowa Utilities Board - VEND-1016										
	5/9/2021	Q1 Dual Party Relay Service	Net 30	63.05	0.00	15.00	63.05	63.05	Dual Party Relay Service	BL-5347
							63.05	63.05		
IOWA WORKFORCE DEVELOPMENT - VEND-25050										
	4/16/2021	Employee Benefits	Open Terms	512.00	0.00	0.00	512.00	512.00	103662	BL-5371

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							512.00	512.00		
Kimball Construction - VEND-1146										
5/14/2021	0421 Vaults	Net 30	3,920.00	0.00	15.00	3,920.00	3,920.00			BL-5367
							3,920.00	3,920.00		
Mahaska Communications Group - VEND-1017										
5/1/2021	0421 T1 Transport	Net 30	165.00	0.00	15.00	165.00	165.00	0421 T1 Transport		BL-5280
							165.00	165.00		
Marquee Sports Network - VEND-1165										
5/19/2021	0321 Expanded Basic	Net 30	2,628.20	0.00	15.00	2,628.20	2,628.20	0321 Expanded Basic		BL-5328
							2,628.20	2,628.20		
McCoy Hardware Inc - VEND-1035										
5/10/2021	Muriatic acid and roach bait	Net 30	41.80	0.00	15.00	41.80	41.80	A488075		BL-5291
							41.80	41.80		
Mid American Energy Co - VEND-1018										
5/16/2021	Gas-Muni plt substation	Net 30	10.10	0.00	15.00	10.10	10.10	511518087		BL-5358
							10.10	10.10		
Midwest Alarm Services - VEND-1116										
5/14/2021	Service call-Turbine plant	Net 30	192.00	0.00	15.00	192.00	192.00	347857		BL-5363
							192.00	192.00		
MUNICIPAL ENERGY AGENCY OF NEBRASKA - VEND-35805										
4/30/2021	Purchased power - Mar 21	Net 30	733,311.46	0.00	15.00	733,311.46	733,311.46	301791		BL-5303
							733,311.46	733,311.46		
MUNICIPAL SUPPLY INC - VEND-35810										
4/15/2021	1" NL Meter Coup 2 5/8" Long	Open Terms	1,296.00	0.00	0.00	1,296.00	1,296.00	0793234-IN		BL-5308
4/9/2021	1 1/2" C2 Omni chamber 1000G	Open Terms	985.00	0.00	0.00	985.00	985.00	0792697-IN		BL-5312
4/8/2021	1 1/2" C2 Omni comp mtr 1000g	Open Terms	1,377.00	0.00	0.00	1,377.00	1,377.00	0792421-IN		BL-5314
							3,658.00	3,658.00		
National Cable Television Cooperative, Inc. - VEND-1095										
5/15/2021	0321 Cable	Net 30	41,462.65	0.00	15.00	41,462.65	41,462.65	21031028		BL-5305
							41,462.65	41,462.65		

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Nexstar Broadcasting, Inc - VEND-1092										
	5/19/2021	WHO	Net 30	5,021.10	0.00	15.00	5,021.10	5,021.10	378833	BL-5332
	4/30/2021	News Nation	Net 30	294.88	0.00	15.00	294.88	294.88	378178	BL-5333
							5,315.98	5,315.98		
Norwalk Ready Mix Concrete, Inc. - VEND-1119										
	5/2/2021	Concrete-Lineshop	Net 30	1,680.00	0.00	15.00	1,680.00	1,680.00	274926	BL-5336
	5/5/2021	Concrete-Lineshop	Net 30	1,207.50	0.00	15.00	1,207.50	1,207.50	275112	BL-5337
	5/6/2021	Concrete-Lineshop	Net 30	690.00	0.00	15.00	690.00	690.00	275256	BL-5338
	5/1/2021	M-4 Limstone	Net 30	460.50	0.00	15.00	460.50	460.50	274767	BL-5311
							4,038.00	4,038.00		
O'REILLY AUTO PARTS - VEND-40157										
	4/12/2021	Pwr Rtd Belt	Open Terms	10.54	0.00	0.00	10.54	10.54	0337-211717	BL-5290
							10.54	10.54		
Pella Printing Co, Inc - VEND-1062										
	5/14/2021	Door hanger perfed paper	Net 30	271.00	0.00	15.00	271.00	271.00	61364	BL-5343
							271.00	271.00		
Power & Tel - VEND-1037										
	5/2/2021	Fiber drop 200' & 300'	Net 30	6,047.03	0.00	15.00	6,047.03	6,047.03	7080176-02	BL-5334
							6,047.03	6,047.03		
SHRED IT USA - VEND-103010										
	4/8/2021	Shred service	Open Terms	64.39	0.00	0.00	64.39	64.39	8181805774	BL-5288
							64.39	64.39		
SKARSHAUG TESTING LABORATORY INC - VEND-50410										
	4/7/2021	Primary gloves testing	Open Terms	264.46	0.00	0.00	264.46	264.46	250950	BL-5296
	4/8/2021	Secondary gloves testing	Open Terms	183.64	0.00	0.00	183.64	183.64	250985	BL-5297
							448.10	448.10		
STERNQUIST CONST. INC. - VEND-50360										
	4/16/2021	1.5" Down-crushed concrete	Open Terms	818.74	0.00	0.00	818.74	818.74	844	BL-5349
							818.74	818.74		
Strahan Construction - VEND-1141 - BL-5171										
	4/1/2021	Credit Refund	Net 30	8.48	0.00	0.00	8.48	8.48	00016496-1	BL-5171

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							8.48	8.48		
T & R ELEC SUPPLY CO - VEND-52010										
4/11/2021	50 KVA Transformer	Open Terms	795.00	0.00	0.00	795.00	795.00	162292	BL-5364	
							795.00	795.00		
T & R SERVICE COMPANY - VEND-52009										
4/13/2021	High voltage capacitor disposal	Open Terms	754.00	0.00	0.00	754.00	754.00	81642	BL-5342	
							754.00	754.00		
TEGNA - VEND-1148										
4/30/2021	WOI & KCWI	Net 30	6,017.35	0.00	15.00	6,017.35	6,017.35	380460	BL-5331	
							6,017.35	6,017.35		
TRUCK EQUIPMENT INC - VEND-53754										
4/10/2021	Clear lense and labor	Open Terms	201.90	0.00	0.00	201.90	201.90	302596	BL-5281	
							201.90	201.90		
United States Treasury - VEND-1138										
4/30/2021	Q1 2021 Fed Excise Tax	Net 30	1,309.16	0.00	15.00	1,309.16	1,309.16	Q1 2021 Fed Excise Tax	BL-5295	
							1,309.16	1,309.16		
VAN WERT INC - VEND-101069										
3/25/2021	Neptune 5/8" X 3/4" Mach Pit Meter	Open Terms	263.47	0.00	0.00	263.47	263.47	228315	BL-5313	
							263.47	263.47		
VEENSTRA & KIMM - VEND-57600										
4/22/2021	Professional services - Engineer and Drafter	Open Terms	2,081.00	0.00	0.00	2,081.00	2,081.00	285104-3	BL-5351	
							2,081.00	2,081.00		
VERIZON WIRELESS - VEND-3535										
3/29/2021	Hot spots	Open Terms	360.09	0.00	0.00	360.09	360.09	9876606958	BL-5304	
							360.09	360.09		
VESSCO INC - VEND-57620										
4/8/2021	Head 0.5 Acrylic HV	Open Terms	391.84	0.00	0.00	391.84	391.84	83049	BL-5353	
							391.84	391.84		
Warren County 911 - VEND-1132										

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	5/9/2021	1st Qtr 2021 E911 Fees	Net 30	2,094.53	0.00	15.00	2,094.53	2,094.53	1st Qtr 2021 E911 Fees	BL-5283
							2,094.53	2,094.53		
WESCO - VEND-60220										
	4/3/2021	Transmission Insulator	Open Terms	206.08	0.00	0.00	206.08	206.08	669925	BL-5300
	4/13/2021	Trunnion Clamp	Open Terms	291.69	0.00	0.00	291.69	291.69	679946	BL-5301
	4/15/2021	URD Cap stand	Open Terms	302.15	0.00	0.00	302.15	302.15	683625	BL-5339
	4/13/2021	Locate Flags	Open Terms	770.40	0.00	0.00	770.40	770.40	679947	BL-5340
							1,570.32	1,570.32		
Wilbur Thompson Sr - VEND-1141 - BL-5173										
	4/1/2021	Credit Refund	Net 30	101.26	0.00	0.00	101.26	101.26	00005223-9	BL-5173
							101.26	101.26		
Wisconsin Independent Network, LLC - VEND-1067										
	3/3/2021	0321 Ethernet and Internet	Net 30	4,838.00	0.00	15.00	4,838.00	4,838.00	WIN009075	BL-5348
							4,838.00	4,838.00		
YMCA Of Greater Des Moines - VEND-1169										
	5/1/2021	0421 Employee wellness	Net 30	25.00	0.00	15.00	25.00	25.00	CPD012625	BL-5354
							25.00	25.00		
Check Count: 59				Totals:			\$1,010,858.34	\$1,010,858.34		

IMU Regular Downstairs
Meeting Date: 04/26/2021

4. B.

Information

Subject

April 12, 2021 Minutes.

Information

Attachments

Minutes

BOARD OF TRUSTEE MINUTES – REGULAR SESSION – April 12, 2021

The Board of Trustees met in regular session at 5:30 p.m. on April 12, 2021, in the City Hall Council Chambers. Chairperson Adam Voigts called the meeting to order and on roll call the following members were present: Lesley Forbush, Deb Richardson, Adam Voigts, and Lori Smith. Absent: Mike Rozga.

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

- Claims list for March 29 and April 12, 2021.
- Minutes from March 22, 2021.

Chris Des Planques, General Manager, explained the need to restock diesel fuel due to using it in February. Richardson moved to approve purchasing diesel fuel in an amount not to exceed \$150,000., and in an amount not to exceed \$2.10/gallon and Smith seconded the motion. Question was called for and on voice vote the Chairperson declared the motion carried unanimously.

Staff reported there has been changes to the Streetscape Project which affect the timing of the electric underground conversion project. Mike Metcalf, Electric Superintendent, recommended the Board approve the resolution changing the bid letting and public hearing dates to allow for time to meet with the City's contractor to determine timing of the project. Resolution 2021-011 setting public hearings on proposed plans, specifications, form of contract and estimate of costs and letting dates for the Downtown Underground Conversion project was introduced on a motion by Richardson and seconded by Smith. On roll call, the vote was AYES: Forbush, Richardson, Voigts, and Smith. NAYS: None. Whereupon the Chairperson declared the motion carried unanimously.

Metcalf reported his staff is busy with spring and summer projects.

It was moved by Smith and seconded by Richardson to authorize Warren Water to serve an IMU customer. Question was called for and on voice vote the Chairperson declared the motion carried unanimously.

A water waiver request from the Memorial Building Commission was introduced on a motion by Richardson and seconded by Smith. Question was called for and on voice vote the Chairperson declared the motion carried unanimously.

Water Superintendent Lou Elbert reported the Water Department has been working on the East Iowa Avenue paving project.

Telecommunications Superintendent Kurt Ripperger stated the proposed telecommunication rate changes primarily affect bundle packages.

Chairperson Voigts opened the public hearing on the proposed telecommunication rate changes. No public comments were offered.

Richardson moved and Smith seconded to approve Resolution 2021-012 approving telecommunication rate changes for residential customers. On roll call, the vote was AYES: Forbush, Richardson, Voigts, and Smith. NAYS: None. Whereupon the Chairperson declared the motion carried unanimously.

Resolution 2021-013 approving telecommunication rate changes for commercial customers was introduced on a motion by Richardson and seconded by Smith. On roll call, the vote was AYES: Forbush, Richardson, Voigts, and Smith. NAYS: None. Whereupon the Chairperson declared the motion carried unanimously.

Ripperger reported his department has a 10% increase in installations over the prior month.

Richardson introduced Resolution 2021-014 declaring an official intent under Treasury Regulation 1.150-2 to issue debt to reimburse the Municipal Utilities for certain original expenditures paid in connection with specified projects and moved for its adoption. Smith seconded the motion. In discussion, it was noted that the specified projects are intended to be paid from fund balances, but this resolution allows borrowing should the need arise. On roll call, the vote was AYES: Forbush, Richardson, Voigts, and Smith. NAYS: None. Whereupon the Chairperson declared the motion carried unanimously.

It was moved by Smith and seconded by Richardson to approve Resolution 2021-015 declaring an official intent under Treasury Regulation 1.150-2 to issue debt to reimburse the Municipal Utilities for certain original expenditures paid in connection with specified projects. On roll call, the vote was AYES: Forbush, Richardson, Voigts, and Smith. NAYS: None. Whereupon the Chairperson declared the motion carried unanimously.

In combined informational items, Des Planques stated a new CSR was hired, and reported on MEAN.

Richardson moved at 6:27 pm to 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. Smith seconded the motion. On roll call, the vote was AYES: Forbush, Richardson, Voigts, and Smith. NAYS: None. Whereupon the Chairperson declared the motion carried unanimously.

It was moved by Richardson and seconded by Smith at 6:41 pm to exit closed session. On roll call, the vote was AYES: Forbush, Richardson, Voigts, and Smith. NAYS: None. Whereupon the Chairperson declared the motion carried unanimously.

Smith moved at 6:43 pm to enter into closed session in accordance with Iowa Code Section 21.5(1)(j) to discuss the purchase or sale of particular real estate only where premature disclosure could be reasonable expected to increase the price the governmental body would have to pay for that property or reduce the price the governmental body would receive for that property. Richardson seconded the motion. On roll call, the vote was AYES: Forbush, Richardson, Voigts, and Smith. NAYS: None. Whereupon the Chairperson declared the motion carried unanimously.

It was moved by Richardson and seconded by Smith at 6:54 pm to exit closed session. On roll call, the vote was AYES: Forbush, Richardson, Voigts, and Smith. NAYS: None. Whereupon the Chairperson declared the motion carried unanimously.

No action was taken on items discussed in closed session.

Meeting adjourned at 6:54 pm on a motion by Smith and seconded by Richardson.

\s\ Jackie Raffety, Deputy City Clerk

IMU Regular Downstairs

8. A.

Meeting Date: 04/26/2021

Information

Subject

Resolution approving Employment Agreement with Christopher DesPlanques as General Manager.

Information

Roll call is in order.

Attachments

Resolution Approving Agreement

Employment Agreement

Exhibit A

Indianola Municipal Utilities
RESOLUTION NO. 2021-_____

**RESOLUTION APPROVING EMPLOYMENT AGREEMENT
WITH CHRISTOPHER DESPLANQUES AS GENERAL MANAGER**

WHEREAS, the Indianola Municipal Utilities Board of Trustees desires to continue employment of Christopher DesPlanques as General Manager of Indianola Municipal Utilities; and

WHEREAS, Indianola Municipal Utilities desires to revise certain benefits, employment conditions and working conditions of the General Manager; and

WHEREAS, the Board believes it is in the best interests of Indianola Municipal Utilities to enter into an Employment Agreement with Christopher DesPlanques in the form attached.

NOW, THEREFORE, IT IS HEREBY RESOLVED that the Employment Agreement in the form attached is hereby approved and the Chair of the Board of Trustees is hereby authorized to execute said Agreement on behalf of Indianola Municipal Utilities.

DATED this 26th day of April 2021.

Adam Voigts, Chair

ATTEST:

Jackie Raffety, Deputy City Clerk

EMPLOYMENT AGREEMENT

THIS AGREEMENT, made and entered into this 26th day of April, 2021 by and between Indianola Municipal Utilities, hereinafter called "Employer" or "IMU", and Christopher G. DesPlanques hereinafter called "Employee", both of whom understand as follows:

WITNESSETH:

WHEREAS, the Indianola Municipal Utilities Board of Trustees, hereinafter called "Trustees", desires to continue to employ Employee as General Manager of Indianola Municipal Utilities; and

WHEREAS, Employer desires to revise certain benefits, employment conditions and working conditions of said Employee; and

WHEREAS, Employer desires to (1) retain the services of Employee and to provide inducement for him to remain in such employment, (2) continue to make possible full work productivity by assuring Employee's morale and peace of mind with respect to future security, (3) continue to act as a deterrent against malfeasance or dishonesty for personal gain on the part of Employee, and (4) continue to provide a just means for terminating Employee's services at such time as he may be unable to fully discharge his duties or when Employer may otherwise desire to terminate his employment; and

WHEREAS, Employee desires to continue his employment as General Manager of Indianola Municipal Utilities.

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the parties agree as follows:

Section 1. Duties.

Employer hereby agrees to continue to employ Employee as General Manager of Indianola Municipal Utilities to perform the functions and duties of the General Manager and to perform other legally permissible and proper duties and functions as the Trustees shall from time to time assign.

Section 2. Term.

A. Nothing in this Agreement shall prevent, limit or otherwise interfere with the right of the Trustees to terminate the services of Employee at any time.

B. Nothing in this Agreement shall prevent, limit or otherwise interfere with the right of the Employee to resign at any time from his position with Employer, subject only to the provisions set forth in Section 3 of this Agreement.

Section 3. Termination.

The Employee shall give Employer thirty (30) days' notice in advance, unless the parties otherwise agree to voluntary resignation. For the purpose of this agreement, termination shall occur when:

- A. If the Board of Trustees votes to terminate the Employee.
- B. If the Employer, citizens or legislature acts to amend any provisions of the Indianola, Iowa City Code pertaining to the role, powers, duties, authority, responsibilities of the Employee's position and/or that substantially changes the form of government, the Employee shall have the right to declare that such amendments constitute termination.
- C. If the Employer reduces the base salary, compensation or any other financial benefit of the Employee, unless it is applied in no greater percentage than the average reduction of all department heads, such action shall constitute a breach of this agreement and will be regarded as a termination.
- D. If the Employee resigns following an offer to accept resignation, whether formal or informal, by the Employer as representative of the majority of the governing body that the Employee resign, then the Employee may declare a termination as of the date of the suggestion.

Beyond that required under Federal, State or Local Law, Employer shall defend, hold harmless and indemnify Employee against any tort, professional liability claim or demand or other legal action, whether groundless or otherwise, arising out of an alleged act or omission occurring within the scope of Employee's employment or duties, unless the act or omission involved negligent, willful and/or wanton conduct. Legal representation, provided by Employer for Employee, shall extend until a final determination of the legal action including any appeals brought by either party. Employee recognizes that Employer shall have the right to compromise, adjust and settle claims against Employee for which Employee is entitled to indemnification. Further, Employer agrees to pay all reasonable litigation expenses of Employee throughout the pendency of any litigation to which the Employee is a party, witness or advisor to the Employer. Such expense payments may continue beyond Employee's service to the Employer as long as litigation is pending.

Section 4. Salary and Benefits.

Employee's annual base salary and other benefits are set forth in Exhibit A. Employer may increase said base salary and/or other benefits of Employee in such amounts and to such extent as the Trustees may determine that it is desirable to do so on the basis of an annual review of said Employee made at the same time as similar consideration is given other employees generally. Any

increase to base salary and/or other benefits of Employee shall be through an amendment of Exhibit A.

Section 5. Residency.

Employee has established residency in the City of Indianola and agrees to maintain residency in the City of Indianola for the duration of this agreement.

Section 6. Performance Evaluation.

A. Trustees shall review and evaluate the performance of the Employee annually. Said review and evaluation shall be done in accordance with specific criteria developed jointly by Employer and Employee. Said criteria may be added to or deleted from as Employer may from time-to-time determine, in consultation with the Employee. Any change in compensation based on the evaluation shall occur at the beginning of the next fiscal year (*i.e.*, July 1st).

B. Annually, Employer and Employee shall define such goals and performance objectives which they determine necessary for the proper operating of IMU and in the attainment of the Trustees' policy objectives and shall further establish a relative priority among those various goals and objectives to be reduced to writing. The goals and objectives shall generally be attainable within the time limitations as specified and the annual operating and capital budgets and appropriations.

C. In effecting the provisions of this Section, Employer and the Employee mutually agree to abide by the provisions of applicable law.

Section 7. Outside Activities.

Employee shall not engage in non-employee-connected business without the prior approval of the Trustees.

Section 8. Dues and Subscriptions.

Employer agrees to budget and to pay for the professional dues and subscriptions of Employee necessary for his continuation and full participation in national, regional, state and local associations and organizations necessary and desirable for his continued professional participation, growth and advancement, and for the good of the Employer.

Section 9. Professional Development.

A. Employer agrees to budget and to pay the travel and subsistence expenses of Employee for professional and official travel, meetings and occasions adequate to continue the professional development of Employee and to adequately pursue necessary official and other functions for Employer.

B. Employer also agrees to budget and to pay for travel and subsistence expenses of Employee for professional licensing, short courses, institutes and seminars that are necessary for his professional development and for the good of the Employer.

Section 10. Other Terms and Conditions of Employment.

A. Employer, in consultation with the Employee, shall fix any such other terms and conditions of employment, as it may determine from time-to-time, relating to the performance of Employee, provided such terms and conditions are not inconsistent with or in conflict with the provisions of this Agreement, IMU charter, or any other law.

B. All provisions of the City Code, Personnel Policies and other regulations and rules of the Employer relating to vacation and personal leave, retirement and pension system contributions, holidays and other fringe benefits and working conditions as they now exist or hereafter may be amended, also shall apply to the Employee as they would to other employees of Employer, in addition to said benefits enumerated specifically for the benefit of Employee.

Section 11. General Provisions.

A. The text herein shall constitute the entire agreement of the parties.

B. This Agreement shall be binding upon and inure to the benefit of heirs at law and executors of Employee.

C. If any provision contained in this Agreement is held invalid or unenforceable, the remainder of this Agreement shall be deemed severable and shall remain in full force and effect.

IN WITNESS WHEREOF, Indianola Municipal Utilities has caused this Agreement to be signed and executed in its behalf by the Board of Trustees and Christopher G. DesPlanques has signed and executed this Agreement, in duplicate, the day and year first above written.

Indianola Municipal Utilities

Christopher G. DesPlanques

By: _____
Adam Voigts, Chair

By: _____
_____, Secretary

EXHIBIT A TO EMPLOYMENT AGREEMENT

THIS EXHIBIT A TO EMPLOYMENT AGREEMENT, made and entered into this 24th day of September 2019 by and between Indianola Municipal Utilities, hereinafter called “Employer” or “IMU”, and Christopher G. DesPlanques, hereinafter called “Employee”, both of whom understand that this Exhibit A sets for the base salary and benefits that employee shall receive under Employee’s Employment Agreement from the date of this amendment though either the termination of said Agreement/Exhibit A or the execution of an amended Agreement/Exhibit A. The base salary and benefits are as follows:

Section 1: Effective September 24, 2019, the Employee shall receive an annual base salary of \$115,000. Effective September 24, 2020, the Employee shall receive an annual base salary of \$118,450. Effective July 1, 2021, the Employee shall receive an annual base salary of \$122,004. The salary is payable in installments at the same time as other employees of the Employer are paid. If applicable, backpay shall be provided for any pay owed Employee based on the aforementioned effective dates.

Section 2: The Employee will begin employment with accruing five (5) hours of vacation per pay period and a bank of one-hundred twenty (120) hours of vacation.

Section 3: The Employee will be granted the same number of holidays as other IMU employees to include eight (8) hours of personal time upon hire to be used prior to December 31, 2019 and sixteen hours (16) of personal time per calendar year according to policy.

Section 4: The Employee shall earn sick leave at the rate other employees earn sick leave, 3.7 hours biweekly, until the maximum amount allowed is reached. All other provisions of the sick leave policy will apply to the Employee.

Section 5: Employee shall be entitled to all other benefits provided to the employees of IMU as described in the Personnel Management Guide.

Section 6: To compensate the Employee for business travel, Employer will pay Employee \$200 a month in car allowance for all travel in the Indianola and Des Moines area. All other mileage will be reimbursed at the rate specified under the Personnel Management Guide.

Section 7: Employee agrees to execute all necessary agreements provided by the International City/County Management Association Retirement Corporation (ICMA-RC) for Employee’s continued participation in said ICMA-RC retirement plan and Employer agrees to pay an amount of \$300 per month plus up to \$75 in matched funds per month into the ICMA-RC on Employee’s behalf, and to transfer ownership to succeeding employers upon Employee’s resignation or discharge. Effective beginning July 2021, Employer agrees to pay an amount of \$600 per month plus up to \$75 in matched funds per month into the ICMA-RC on employee’s behalf. This provision may be reviewed by Employer each fiscal year.

Section 8: Employer agrees to pay the Employee \$75.00 per month in cell phone allowance. Employer recognizes that certain expenses of a non-personal and generally job-affiliated nature are incurred by Employee, and hereby agrees to reimburse or to pay said general expenses (and the Finance Manager is hereby authorized to disburse such monies upon receipt of duly-executed expense or petty cash vouchers, receipts, statements or personal affidavits).

Section 9: Employer shall not at any time during the time of this Agreement reduce the salary, compensation or other financial benefits of Employee, except to the degree of such a reduction across-the-board for all employees of the Employer.

Section 10: Trustees shall review and evaluate the performance of the Employee annually with any change in compensation based on the evaluation to occur the start of the next fiscal year (i.e., July 1st).

IN WITNESS WHEREOF, Indianola Municipal Utilities has caused this Exhibit A to be signed and executed in its behalf by the Board of Trustees and Christopher G. DesPlanques has signed and executed this Exhibit A, in duplicate, the day and year first above written.

Indianola Municipal Utilities

Christopher G. DesPlanques

By: _____
Adam Voigts, Chair

By: _____
_____, Secretary

Information

Subject

Approval of the Public Purpose Policy.

Information

The Board is asked to consider approval of the IMU Expenditures for Public Purposes Policy. Simple motion is in order.

The Public Purposes Policy document designates expenditures which serve a legitimate public purpose in the recruitment of personnel, improving staff morale and cooperation, and in building a commitment to the Utility, thus assisting in furthering a successful culture.

Attachments

Policy Document

IMU Expenditures for Public Purposes Policy

1. **PURPOSE:** The IMU Board of Trustees recognizes and supports the principle that Utility funds are to be expended only for legitimate public purposes and not for private personal gain. The IMU Board of Trustees, therefore, believes it is important to designate those expenditures which serve as legitimate public purpose.
2. **POLICY:** The IMU Board of Trustees believes that the expenditures listed below serve a legitimate public purpose in the recruitment of personnel, improving staff morale and cooperation, and in building a commitment to the Utility, thus assisting in furthering our successful culture:
 - a. **Employee Recruitment:** The expenditure of funds for food and drink for the recruitment of the General Manager and department head employees as deemed necessary by the General Manager or Director of Finance.
 - b. **Employee Training:** The expenditure of funds for refreshments for the training of employees. This expenditure will be approved by the department head of the department holding the training and will be paid by funds of the same department as allocated for training. It will be the determination of the General Manager or Director of Finance if such expenditure is considered excessive and will take such corrective action as deemed necessary.
 - c. **Professional Development:** Meals during staff development meetings, committee meetings, and meetings hosted by the Utility with the costs of the meals to the Utility not to exceed \$15 per attendee. This is to promote a more efficient use of time when events extend through mealtimes.
 - d. **Sustenance Supplies:** The expenditure of funds for sustenance supplies, including, coffee, coffee creamer, coffee filters, sweetener, paper products including plates, cups, and utensils, paper towels or napkins, and any products deemed necessary by the General Manager or Director of Finance falling under the term “sustenance”. The expenditure will be made by the department for which the supplies will be utilized.
 - e. **Promotional Items:** The expenditure of funds for promotional material for IMU departments and activities, for such items as stress relievers, pencil, pens, and coasters. The annual expenditure on such items for each department shall not be more than \$1000.
 - f. **Employee Recognition Events:** The expenditure of funds for employee recognition events authorized by the IMU Board of Trustees, either by a one-time approval or through the annual budgeting process, (i.e. annual awards banquet,

employee retirement, or end of service by a Trustee).

- g.** Employee Recognition Mementos: The expenditure of funds for employee recognition mementos for every five years of service to the Utility, employee retirement, or end of service by a Trustee.
- h.** Funeral or Get-Well Flowers/Memorials: The expenditure of flowers or other items not exceeding the amount of \$100 for employees or family members in the case of death or extended hospitalization as approved by the General Manager.
- i.** Customer Appreciation Events: The expenditure of funds for customer appreciation events that are open to the community at large and provide an element of goodwill and engagement with the citizens of Indianola.

At no time will public funds be spent on alcoholic beverages.

IMU Regular Downstairs

10. A.

Meeting Date: 04/26/2021

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.

Attachments

No file(s) attached.
