



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

January 22, 2026

2:30 PM

IMU Boardroom

Agenda

- 1. Call to Order**
- 2. Roll Call**
- 3. Public Comment**
- 4. Electric Utility Action Items**
  - A. Resolution Approving Litigation Involving Indianola Municipal Utilities
- 5. Other Business**
- 6. Adjourn**



# MEMORANDUM

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

**From:**

**Date:** January 22, 2026

**Subject:** Resolution Approving Litigation Involving Indianola Municipal Utilities

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**Recommendation:**

- Attachments:**
1. IMU Resolution Authorizing Litigation
  2. Res 2026-013 Litigation - IMU Turbine

Indianola Municipal Utilities  
**RESOLUTION NO 2026-\_\_\_\_\_**

**A RESOLUTION APPROVING LITIGATION INVOLVING INDIANOLA MUNICIPAL UTILITIES**

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**WHEREAS**, on or about January 28, 2024, a turbine-driven generator (“Machinery”) controlled and used by Indianola Municipal Utilities (“IMU”) was damaged and resulted in physical damage and loss of use; and

**WHEREAS**, by Indianola City Code §25.07(2), title to all property utilized by IMU must be in the name of the City; and

**WHEREAS**, the Machinery was covered by an insurance policy issued by Insurer, The Cincinnati Insurance Company (“Insurer”), policy number ENP 068 87 00, effective July 1, 2023 to July 1, 2026, in which the City was the insured; and

**WHEREAS**, IMU properly notified the Insurer about the loss and submitted a claim for coverage as required by the Policy; and

**WHEREAS**, Insurer denied the coverage by letter dated September 26, 2024; and

**WHEREAS**, IMU believes the denial was wrongful and has engaged their own special legal counsel; and

**WHEREAS**, the City of Indianola, Iowa must be included in the lawsuit as the Machinery was titled in the City’s name and the City was the insured under the policy; and

**WHEREAS**, all costs and expenses of the litigation will be incurred and paid by IMU.

**NOW, THEREFORE, BE IT RESOLVED** by the IMU Board of Trustees of the City of Indianola City, Iowa, as follows:

1. IMU BOT has been authorized by The City Resolution 2026- 013 on Jan 19<sup>th</sup> 2026 to file a lawsuit against The Cincinnati Insurance Company, under policy number ENP 068 87 00, effective July 1, 2023 to July 1, 2026, for loss of the turbine-driven generator; provided that all costs and expenses of such litigation are incurred and paid by Indianola Municipal Utilities.
2. The General Manager and Board Secretary are authorized to sign any documentation necessary to initiate the litigation.

**PASSED AND APPROVED** this \_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
Dom Selgrade, Board Chairperson

ATTEST:

\_\_\_\_\_  
Monica Thompson, Board Secretary

City of Indianola  
**RESOLUTION NO. 2026-013**

**A RESOLUTION TO AUTHORIZE LITIGATION  
INVOLVING INDIANOLA MUNICIPAL UTILITIES**

**WHEREAS**, on or about January 28, 2024, a turbine-driven generator (“Machinery”) controlled and used by Indianola Municipal Utilities (“IMU”) was damaged and resulted in physical damage and loss of use; and

**WHEREAS**, by Indianola City Code §25.07(2), title to all property utilized by IMU must be in the name of the City; and

**WHEREAS**, the Machinery was covered by an insurance policy issued by Insurer, The Cincinnati Insurance Company (“Insurer”), policy number ENP 068 87 00, effective July 1, 2023 to July 1, 2026, in which the City was the insured; and

**WHEREAS**, IMU properly notified the Insurer about the loss and submitted a claim for coverage as required by the Policy; and

**WHEREAS**, Insurer denied the coverage by letter dated September 26, 2024; and

**WHEREAS**, IMU believes the denial was wrongful and has engaged their own legal counsel to initiate a wrongful denial lawsuit; and

**WHEREAS**, the City of Indianola, Iowa must be included in the lawsuit as the Machinery was titled in the City’s name and the City was the insured under the policy; and

**WHEREAS**, all costs and expenses of the litigation will be incurred and paid by IMU.

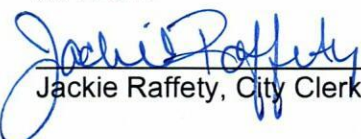
**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Indianola City, Iowa, as follows:

1. The City authorizes the filing of a lawsuit against The Cincinnati Insurance Company, under policy number ENP 068 87 00, effective July 1, 2023 to July 1, 2026, for loss of the turbine-driven generator; provided that all costs and expenses of such litigation are incurred and paid by Indianola Municipal Utilities.
2. The City Manager and City Clerk are authorized to sign any documentation necessary to initiate the litigation.

**PASSED AND APPROVED** this 19<sup>th</sup> day of January, 2026.

  
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Steve Richardson, Mayor

ATTEST:

  
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Jackie Raffety, City Clerk