

**NOTICE OF REGULAR COUNCIL MEETING
CUMMING CITY COUNCIL
January 27, 2025 – 6:00 PM
Cumming City Hall, 649 N. 44th St., Cumming, IA***

ROLL CALL

APPROVAL OF AGENDA as presented and/or amended

PUBLIC COMMENT

FY 26 BUDGET GUESTS: LIBRARY AND FIRE/EMERGENCY MANAGEMENT SERVICE

- West Des Moines Library
- Norwalk Fire/EMS

CONSENT ITEMS

- A. Minutes from the January 13, 2025, Regular Council Meeting
- B. December 2024 Financials
- C. December 2024 Sheriff's Report
- D. Motion to Approve Planning & Zoning Commission Application for Erik McDonald

BUSINESS ITEMS

- A. Discussion and possible action on the following:
 - Resolution 2025-03 to Set a Public Hearing for February 10, 2025, for the electric franchise ordinance renewal (*requires three readings at separate Council meetings unless City Council waives this requirement*):
 - With no accompanying franchise fee
 - With an accompanying franchise fee between 1% and 5%
- B. Discussion and possible action on the following:
 - Resolution 2025-04 to Set a Public Hearing for February 10, 2025, for the natural gas franchise ordinance renewal (*requires three readings at separate Council meetings unless City Council waives this requirement*):
 - With no accompanying franchise fee
 - With an accompanying franchise fee between 1% and 5%

ADJOURN INTO WORKSESSION

- A. FY 26 Budget Work Session

REPORTS:

- A. Mayor
- B. Council
- C. Attorney
- D. City Clerk
- E. City Administrator

ADJOURNMENT

UPCOMING ITEMS

FY 2026 Budget Worksessions and Budget Hearings

*The City of Cumming welcomes public participation. Onlineable to attend this meeting in person, online and phone participation are available below. For questions, please contact City Hall at 649 N 44th Street, 515-981-9214 or email at nonstot@cumming.iowa.gov

Join Zoom Meeting

<https://us02web.zoom.us/j/2382663968> Meeting ID: 238 266 3968

Council Communication: Council Meeting Items for January 27, 2025

SUBMITTED BY:

Rita Conner, City Administrator

FY 26 BUDGET GUESTS: LIBRARY AND FIRE/EMS

Our FY 26 Budget process will include visits from each of the various agencies that we contract with for city services. Each guest will provide a brief overview and take questions from Council. We are placing this at the top of the agenda to make the best use of the guests' time. Budget worksessions will be held at the conclusion of the regular Council agenda.

BUSINESS ITEMS

Mid-American Energy Company reached out to staff in late October of 2024 to discuss renewing existing franchise agreements, one of which expires in April 2025. A franchise manager attended the January 13 Council meeting to provide an overview and is available for questions.

Mid-American Energy Company provides natural gas and electric utility services to City of Cumming residents. Mid-American has franchise agreements with cities to provide these services. Through the franchise agreements, cities can collect a utility franchise fee between 1% and 5%, which is a dollar for dollar pass through from the consumer to Mid-American Energy. The funds are then given to the city to be used for stated revenue purposes. These revenue purposes are for the same things that our general tax dollars and local option sales tax dollars can pay for, which can include streets, utilities, maintenance of road right of ways, administrative costs, grounds and facilities maintenance and other municipal operations and services.

The City of Cumming currently collects no utility franchise fees. Our original franchise ordinances were enacted when cities in Iowa did not have the ability to collect franchise fees from natural gas and electric utilities, so there were no fees included in the original franchise ordinances.

Currently, electric and natural gas utility rate payers receive a bill for their electric and gas services that includes a fee for Local Option Sales Tax. With an approval of city franchise fees, the Local Option Sales Tax fee would be replaced by the franchise fee. A 1% franchise fee has no change to the consumer now paying a 1% Local Option Tax to the utility. If the Council determines that a higher fee is warranted during this review process, the consumer will see that new fee on their utility bill.

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- B. Discussion and possible action on the following:
 - Resolution 2025-04 to Set a Public Hearing for February 10, 2025, for the natural gas franchise ordinance renewal (*requires three readings at separate Council meetings unless City Council waives this requirement*):
 - With no accompanying franchise fee
 - With an accompanying franchise fee between 1% and 5%

FY 26 BUDGET WORKSESSION

- An initial budget book was provided to Mayor and Council with the regular Council meeting packet on January 13. Materials will be updated as we go.

- *How do we get the tax dollars that are then budgeted to pay for city services and projects?*
 - The amount of taxable property valuation we have as a city has been calculated by Warren County and provided to the Iowa Department of Management <https://dom.iowa.gov/local-government/city-resources>. This number allows us to calculate what tax dollars will be available to us for general fund operations. General fund operations include law enforcement, fire/EMS, library, parks & recreation, administration, legal, planning & zoning, building, code enforcement, engineering, information technology and communications.

 - Property valuations are assessed for residential, commercial, multifamily, railroad, industrial, and agricultural properties. Once assessed, this gives us the total, or the *100% valuation* of the properties in our city. The State rollback formula is then applied, which limits the amount of the property's value that can actually be taxed. For example, any residential property in our current FY 25 fiscal year budget was taxed at 43.46% of its actual value.

 - The 100% valuation, also called debt service valuation, is used in formulating any debt the City takes on, which is limited to 5% of the value of taxable property for the city. Any debt funds have been/can be used for capital projects such as streets, water, sewer, park and trail infrastructure. buildings and equipment.

- *What do we have to work with as a City for FY 26?*
 - The City's taxable valuation is shown at \$83,926,559, which demonstrates that the City grew 77.31% in taxable property. However, the Consolidated General Fund Levy (CGFL) rate provided to us by the State limits the actual collection of taxes from this growth, using 3% as a cap. This cap means the taxable valuation we have provides an estimated \$640,784 for all general fund operations listed above.

 - Our city general fund tax levy rate under the State's CGFL is \$7.63505, which will then be combined with the Council agreed debt levy for FY 26. The total tax levy rate will be finalized by Council in these budget worksessions, combining debt service and general fund levies. Our current budget, FY 25, has a combined total city tax rate of \$11.62. Other taxing entities' levies (Warren County, Norwalk School District, DMACC) are combined with the city's levy to create the consolidated tax levy, \$36.90 per \$1000 of taxable valuation, after the rollback is accounted for.

- *What are specific items for consideration for FY 26?*
 - Fire/EMS service amount and source
 - Street network, maintenance and future capital projects
 - Operations model-outsourcing or future staff, based on growth and tax changes

**OFFICIAL PUBLICATION
CITY OF CUMMING
Special Council Meeting 01/13/2025
To be Approved at 01/27/2025 Meeting**

The regular City Council Meeting of the City of Cumming was held at Cumming City Hall 649 N. 44th St. on January 13, 2025 at 6:00PM. The meeting was called to order at 6:00 P.M. by Mayor Brent Highfill. Present at Roll Call: Charlie Ochanpaugh, Mayor Pro Tem; Kathie Hungerford via Zoom, Larry “Dino” Goode, Jr. via Zoom, Thomas Cackler and Martin Squier. Motion by Cackler, seconded by Ochanpaugh to approve the agenda. Approved 5-0. RC Vote.

Public Comment:

- A. Richard Gates, 2686 Clarke St. is present with concerns relating to the width of S 44th St. He noted it is more difficult to navigate and will continue to be difficult when parking is open on both sides. Richard Gates is in favor of the Flock Safety Cameras.
- B. Josh Geisemann, 200 N 60th St, Cumming, IA, is present with concerns regarding the most recent decision by the Warren County Board of Supervisors relating to the 1-80 Concrete Business located at 2579 10th Ave. He noted that during the Board of Supervisors meeting on December 17, 2024, that people were unable to share comments via Zoom. Josh states that he felt the public was not represented during the meeting, Josh states that he had sent photos prior to the meeting, as well as Sheriff reports, these photos from the accidents and the Sheriff’s reports were not shown when public comments were permitted. He also notes that there is a requirement within the Warren County code that roads to a commercial business must be paved. This commercial business is located on a gravel road. During the Board of Supervisors meeting Supervisor Darren Heater is heard saying at the 1 hour and 16-minute mark that, “I will be voting for you (I-80 Concrete) regardless.” Supervisor Mark Snell is heard saying “I really shouldn’t be saying this” when discussing the vote. The 2nd and 3rd readings were also waived by the Supervisors. The operation (I-80 Concrete) has no site plans, no hours of operation and they can be heard working at all hours of the night. Including crushing rock at 4am.
- C. Brent Stanford, 341 N 58th Pl, Cumming, IA, provided the following email as public comment:
 - a. Hello, This is Brent Stanford at 341 N 58th Pl in Cumming. I am unable to attend the council meeting tonight but would like to enter into public comment my intent to appeal the county board of supervisors decision to rezone the neighboring property to our north as light industrial as requested by I-80 Concrete. This decision was made in mid December in front of just 3 board member’s with a vote of 2 to 1. This latest vote came after denial by the board of adjustment in a 5-0 vote as well as denial by planning and zoning in a 4-1 vote. Several comments made by the board members indicated they weren’t interested in evaluating public comment with one flat out saying “I’m going to vote for this no matter what” prior to hearing public comment. Thank you for your consideration in this matter. Sincerely, Brent Stanford

Presentation:

- A. Sheriff Joe Carico with the Warren County Sheriff’s Office provided a recap of the previous year. The Warren County Sheriff’s Office responded to 39,395 calls for service, these are calls that created a paper trail. These would not include the calls that they received to provide additional assistance. Deputies responded to 14,167 calls for service. There were roughly 1100 – 1200 bookings into the Warren County Jail. There are currently 8 deputies on duty each day, 24 hours a day. On average, they receive 38-39 calls for service per day. Transport is included in the service calls numbers. Growth has increased the number of calls they are receiving, which is expected. They currently have 20 Deputies and 1 Sheriff; they are hiring a new Deputy to replace the one who retired in July.
- B. Scott Hutchison from the Wastewater Reclamation Authority provided an overview of current and completed projects, budget projections, and how the city of Cumming interacts with the WRA.

Consent Items:

Motion made by Cackler, seconded by Squier to approve Consent Items; Minutes from December 9, 2024 Regular Council Meeting, Payment of Bills, 2024 Building Permits, Motion to Appoint Nichole Onstot as City Clerk/Finance Officer, Motion to Appoint Charlie Ochanpaugh as Mayor Pro-Tem, Motion to Appoint Charlie Ochanpaugh as Planning & Zoning Liaison, Motion to Appoint Kathie Hungerford as Park & Recreation Board Liaison, Motion to Appoint Brent Highfill as Primary Representative and Nichole Onstot as alternate to the Iowa

Communities Assurance Pool, Motion to Appoint Joe Weinman as Agent and Nichole Onstot as City Representative for the Iowa Municipal Works Compensation Association Agent and Representative, Motion to Appoint Larry Goode, Jr. as Primary Representative and Brent Highfill as alternate to the Des Moines Metropolitan Wastewater Reclamation Authority Representative, and Motion to Appoint Rita Conner as the Primary Representative for the Technical Committee and Alex Schlader as alternate for the Des Moines Wastewater Reclamation Authority Technical Committee, and Approve Casey's Tobacco License. Approved 5-0.

Payment of Bills:

Type	Date	Name	Memo	Amount
Check	12/09/2024	Waste Solutions of Iowa	Invoice 96112	-137.00
Check	12/10/2024	Combined Systems Technology	Invoice 169133	-848.09
Check	12/10/2024	Combined Systems Technology	Invoice 169230	-128.65
ACH	12/13/2024	Iowa Sign	Invoice 10793	-704.86
ACH	12/13/2024	Iowa Sign	Invoice 10845	-374.04
Check	12/16/2024	Iowa One Call	Invoice 267797	-34.20
Check	12/16/2024	Bonnie's Barricades, Inc.	Invoice 22244	-1,110.00
Check	12/16/2024	N/Warren Town & County News	Minutes 11.18.24	-94.79
ACH	12/16/2024	First Net	Invoice 287321929420	-123.81
Check	12/16/2024	Skinner Law Office PC	Invoice 37663	-2,653.75
Check	12/19/2024	DM Metro Electric	Invoice DMM24-165	-256.80
Check	12/27/2024	Bonnie's Barricades, Inc.	Invoice 22374	-2,110.00
ACH	12/27/2024	MidAmerican Energy	November Invoice	-805.91
Check	12/27/2024	Veenstra & Kimm Inc.	Invoice 41235-83	-7,808.16
ACH	01/07/2025	US Bank	Invoice 545835423	-199.70
ACH	01/07/2025	Waste Connections	December 2024	-3,721.19
ACH	01/07/2025	Wellmark Blue Cross and Blue Shield	Health Insurance - January 2025	-611.21
ACH	01/07/2025	Delta Dental of Iowa	January 2025	-87.76
Check	01/08/2025	McClure Engineering Co.	Invoice 156359	-17,540.00
Check	01/08/2025	McClure Engineering Co.	Invoice 156846	-8,688.40
Check	01/08/2025	City of Des Moines	February 2024 Invoice	-3,646.60
Check	01/08/2025	Warren County Oil	Invoice 00890	-334.51
Check	01/08/2025	Norwalk Area Chamber	2025-2026 Membership	-780.00
Check	01/08/2025	Scott Hensen	Winterizing 10.15.24	-500.00
Check	01/08/2025	Baker Group	Invoice 286761	-423.50
Total				-53,722.93

Business Items:

- A. Motion by Cackler, seconded by Ochanpaugh to approve Resolution 2025-01 Extending the Maturity Date of the City's Sewer Revenue Loan and Disbursement Agreement Anticipation Project Note. Approved 5-0. RC Vote.
- B. Motion by Ochanpaugh, seconded by Goode, Jr. to approve Resolution 2025-02 To Approve Flock Safety Camera Installation. Approved 4-1. Cackler nay. RC Vote.

Reports:

- A. Mayor Highfill provided an update regarding a new potential Planning & Zoning Board member.
- B. Councilmember Thomas Cackler had questions regarding the recurrent power outages within Cumming. City Staff will follow up with MidAmerican and report back at the next Council Meeting.
- C. No Report

D. No Report

E. Iowa Living Roadway's steering committee will be meeting on the 2nd Tuesday of each month at City Hall. The City Administrator provided a brief update regarding the sewer project in Old Town. MidAmerican Energy will be moving poles in February, should take less than a week. Easements are in progress. Planning & Zoning Commission has a meeting on January 28, 2025. They will review a site plan for a coffee shop. City Administrator Rita Conner and City Engineer Alex Schlader will meet with the site plan's engineer.

Adjourn Into Work Session FY 26 Budget

A. Motion by Ochanpaugh, seconded by Cackler to enter Work Session at 7:21PM. Approved 5-0. RC Vote.

Adjourn:

Motion by Cackler, seconded by Squier to adjourn the meeting at 8:07 PM. Approved 5-0. RC Vote.

NEXT CITY COUNCIL MEETING: January 27, 2024, at 6:00PM at City Hall

Brent Highfill, Mayor

Attest: Nichole Onstot, City Clerk

City of Cumming
Profit & Loss by Fund (Fiscal Year-to-Date)
 July through December 2024

	<u>Government...</u>	<u>Proprietary F...</u>	<u>TOTAL</u>
Ordinary Income/Expense			
Income			
A · Taxes			
A1 · Taxes Levied on Property	322,999.19		322,999.19
A2 · TIF Revenue	215,506.22		215,506.22
A5 · Other City Taxes			
4085 · Hotel-Motel Tax	13,612.74		13,612.74
4090 · Local Option Tax	29,966.86		29,966.86
Total A5 · Other City Taxes	43,579.60		43,579.60
A · Taxes - Other	708.74		708.74
Total A · Taxes	582,793.75		582,793.75
B · Licenses & Permits	50,304.72		50,304.72
C · Use of Money & Property	23,126.80		23,126.80
D · Intergovernmental	1,281,052.50		1,281,052.50
E · Charges for Services			
Landfill/Garbage	16,464.67		16,464.67
Sewer Utility	46,752.56		46,752.56
Water Utility	2,249.59		2,249.59
E · Charges for Services - Other	110,522.35	14,493.99	125,016.34
Total E · Charges for Services	175,989.17	14,493.99	190,483.16
G · Miscellaneous Revenues	686,144.02		686,144.02
H · Other Financing Sources	1,500,000.00		1,500,000.00
Total Income	4,299,410.96	14,493.99	4,313,904.95
Gross Profit	4,299,410.96	14,493.99	4,313,904.95
Expense			
100-799 · Governmental Activities			
100 · Public Safety			
110 · PoliceOperationsCrimePrevention	5,878.00		5,878.00
170 · Building Inspections	7,808.16		7,808.16
Total 100 · Public Safety	13,686.16		13,686.16

City of Cumming
Profit & Loss by Fund (Fiscal Year-to-Date)
 July through December 2024

	<u>Government...</u>	<u>Proprietary F...</u>	<u>TOTAL</u>
200 · Public Works			
210 · Roads, Bridges, Sidewalks	485,391.07		485,391.07
230 · Street Lighting	4,404.06		4,404.06
240 · Traffic Control & Safety	61.30		61.30
290 · Garbage (if not an enterprise)	26,295.22		26,295.22
Total 200 · Public Works	516,151.65		516,151.65
400 · Culture & Recreation			
410 · Library Services	9,915.00		9,915.00
430 · Parks	35,511.70		35,511.70
Total 400 · Culture & Recreation	45,426.70		45,426.70
500 · Community & EconomicDevelopment	437,358.58		437,358.58
600 · General Government			
610 · Mayor, Council & City Manager	10,780.04		10,780.04
620 · Clerk,Treasurer,FinancialAdmin	102,666.99		102,666.99
640 · Legal Services & City Attorney	21,985.25		21,985.25
650 · City Hall & General Buildings	4,184.81		4,184.81
660 · Tort Liability	10,166.00		10,166.00
699 · Other General Government	15,521.46		15,521.46
Total 600 · General Government	165,304.55		165,304.55
710 · Debt Service	2,079.50		2,079.50
750 · Capital Projects	1,196,614.02		1,196,614.02
Total 100-799 · Governmental Activities	2,376,621.16		2,376,621.16
800 · Business Type Activities			
815 · Sewer	174,037.15		174,037.15
Total 800 · Business Type Activities	174,037.15		174,037.15
Total Expense	2,550,658.31		2,550,658.31
Net Ordinary Income	1,748,752.65	14,493.99	1,763,246.64

City of Cumming
Profit & Loss by Fund (Fiscal Year-to-Date)
July through December 2024

	<u>Government...</u>	<u>Proprietary F...</u>	<u>TOTAL</u>
Other Income/Expense			
Other Expense	1,748,752.65	14,493.99	1,763,246.64
Net Other Income	-1,748,752.65	-14,493.99	-1,763,246.64
Net Income	<u> </u>	<u> </u>	<u> </u>

City of Cumming
Balance Sheet by Fund (Fiscal Year-to-Date)
 July through December 2024

	Government...	Proprietary ...	TOTAL
ASSETS			
Current Assets			
Checking/Savings	2,640,244.10	347,866.74	2,988,110.84
Accounts Receivable	108,351.21	14,493.54	122,844.75
Other Current Assets	26,962.07		26,962.07
Total Current Assets	<u>2,775,557.38</u>	<u>362,360.28</u>	<u>3,137,917.66</u>
TOTAL ASSETS	<u>2,775,557.38</u>	<u>362,360.28</u>	<u>3,137,917.66</u>
LIABILITIES & EQUITY			
Liabilities			
Current Liabilities			
Other Current Liabilities			
2120 · Accrued Payroll Taxes	10,227.27		10,227.27
Total Other Current Liabilities	<u>10,227.27</u>		<u>10,227.27</u>
Total Current Liabilities	<u>10,227.27</u>		<u>10,227.27</u>
Total Liabilities	<u>10,227.27</u>		<u>10,227.27</u>
Equity			
001-999 · Fund Balances			
001-109 · General Funds	655,343.57		655,343.57
110-199 · Special Revenue Funds	647,218.42		647,218.42
200-299 · Debt Service Funds	59,161.69		59,161.69
300-399 · Capital Projects Funds	1,403,606.43		1,403,606.43
600-799 · Enterprise and Utility Funds			
600e · Water			
Water Operating		23,677.94	23,677.94
Water Project		135,221.43	135,221.43
Total 600e · Water		<u>158,899.37</u>	<u>158,899.37</u>
610e · Sewer			
Sewer ARPA		30,278.39	30,278.39
Sewer Operating		173,257.64	173,257.64
Sewer Phase 3 Extension		-75.12	-75.12
Total 610e · Sewer		<u>203,460.91</u>	<u>203,460.91</u>
Total 600-799 · Enterprise and Utility Funds		<u>362,360.28</u>	<u>362,360.28</u>
Total 001-999 · Fund Balances	<u>2,765,330.11</u>	<u>362,360.28</u>	<u>3,127,690.39</u>
Total Equity	<u>2,765,330.11</u>	<u>362,360.28</u>	<u>3,127,690.39</u>
TOTAL LIABILITIES & EQUITY	<u>2,775,557.38</u>	<u>362,360.28</u>	<u>3,137,917.66</u>

City of Cumming

Claims Paid & Summary of Receipts (Last Month)

December 2024

Type	Date	Num	Name	Memo	Amount
0001110 - Operating Checking					
Check	12/01/2024	7762	Beem's Towing & Re...	Invoice P-4693	-150.00
Check	12/02/2024	7763	N/Warren Town & C...	AFR, Min 10.28.24, Ord 2024-01	-268.44
Check	12/02/2024	7764	Elan Financial Servic...	November Invoice	-108.30
Check	12/02/2024	7765	N/Warren Town & C...	Minutes 10.14.24	-199.84
Check	12/03/2024	ACH	US Bank	Invoice 543532386	-199.70
Check	12/03/2024	ACH	Waste Connections	November 2024	-4,221.19
Check	12/03/2024	ACH	Wellmark Blue Cross...	Health Insurance - December 2024	-790.27
Check	12/03/2024	ACH	Iowa Finance Authority	Dec 2024 Interest Payment	-1,124.45
Liability Check	12/05/2024	ACH	United States Treas...	Q4 2023 Tax + penalties/interest	-12,506.74
Liability Check	12/05/2024	ACH	IPERS	91308	-1,623.04
Check	12/05/2024	7766	Diligent GWC, LLC	Reimbursement for Rec Trail	-125,000.00
Deposit	12/05/2024			Deposit	1,500,000.00
Liability Check	12/06/2024		QuickBooks Payroll ...	Created by Payroll Service on 12/05/2024	-3,801.02
Check	12/06/2024	7767	City of Des Moines	January 2024 Invoice	-3,646.60
Check	12/06/2024	ACH	Midamerican Energy	November Invoice	-800.74
Paycheck	12/09/2024	DD1014	Onstot, Nichole	Direct Deposit	0.00
Paycheck	12/09/2024	DD1013	Conner, Rita	Direct Deposit	0.00
Liability Check	12/09/2024	ACH	United States Treas...	Adjustment Q1 24	-1,467.23
Check	12/09/2024	7768	Roger's Septic	Invoice 46866	-920.00
Check	12/09/2024	7769	Waste Solutions of I...	Invoice 96112	-137.00
Check	12/09/2024	Transfer			-374,000.00
Check	12/09/2024	Transfer			-500,000.00
Check	12/09/2024	Transfer			-626,000.00
Check	12/09/2024	ACH	Century Link	December Invoice - Autopay	-295.53
Check	12/10/2024	7770	Combined Systems ...	Invoice 169133	-848.09
Deposit	12/10/2024			Deposit	24,659.41
Deposit	12/10/2024			Deposit	708.74
Check	12/10/2024	7771	Combined Systems ...	Invoice 169230	-128.65
Check	12/10/2024	Transfer		Transfer	75,000.00
Liability Check	12/12/2024	Adj	United States Treas...	42-1124870	0.00
Liability Check	12/12/2024	Adj	Iowa Department of ...	3-02-404515	0.00
Liability Check	12/12/2024	Adj	IPERS	91308	0.00
Liability Check	12/12/2024	Adj	IPERS	91308	0.00
Liability Check	12/12/2024	Adj	IPERS	91308	0.00
Liability Check	12/12/2024	ACH	Iowa Department of ...	3-02-404515	-2.75
Check	12/13/2024	ACH	Iowa Sign	Invoice 10793	-704.86
Check	12/13/2024	ACH	Iowa Sign	Invoice 10845	-374.04
Deposit	12/13/2024			Deposit	3,253.32
Check	12/16/2024	7772	Iowa One Call	Invoice 267797	-34.20
Check	12/16/2024	7773	Bonnie's Barricades,...	Invoice 22244	-1,110.00
Check	12/16/2024	7774	N/Warren Town & C...	Minutes 11.18.24	-94.79
Check	12/16/2024	ACH	First Net	Invoice 287321929420	-123.81
Check	12/16/2024	7775	Skinner Law Office PC	Invoice 37663	-2,653.75
Check	12/16/2024	ACH	City State Bank	Interest Only Payment	-955.05
Deposit	12/17/2024			Deposit	3,190.87
Check	12/19/2024	7776	DM Metro Electric	Invoice DMM24-165	-256.80
Check	12/19/2024	Transfer		Transfer	150,000.00
Liability Check	12/20/2024		QuickBooks Payroll ...	Created by Payroll Service on 12/19/2024	-3,801.02
Paycheck	12/23/2024	DD1016	Onstot, Nichole	Direct Deposit	0.00
Paycheck	12/23/2024	DD1015	Conner, Rita	Direct Deposit	0.00
Deposit	12/26/2024			Deposit	10,533.48
Deposit	12/26/2024			Deposit	8,788.39
Check	12/27/2024	7777	Bonnie's Barricades,...	Invoice 22374	-2,110.00
Check	12/27/2024	ACH	Midamerican Energy	November Invoice	-805.91
Check	12/27/2024	7778	Veenstra & Kimm Inc.	Invoice 41235-83	-7,808.16
General Journal	12/31/2024	OP A...		Operating Account By Fund Adjustment	-1,651,936.60
General Journal	12/31/2024	OP A...		Operating Account By Fund Adjustment	11,421.70
General Journal	12/31/2024	OP A...		Operating Account By Fund Adjustment	1,728.70
General Journal	12/31/2024	OP A...		Operating Account By Fund Adjustment	3,533.73
General Journal	12/31/2024	OP A...		Operating Account By Fund Adjustment	7,900.17
General Journal	12/31/2024	OP A...		Operating Account By Fund Adjustment	-645.27
General Journal	12/31/2024	OP A...		Operating Account By Fund Adjustment	1,500,000.00
General Journal	12/31/2024	OP A...		Operating Account By Fund Adjustment	653.81
General Journal	12/31/2024	OP A...		Operating Account By Fund Adjustment	-594.00
General Journal	12/31/2024	OP A...		Operating Account By Fund Adjustment	127,937.76
Total 0001110 - Operating Checking					97,062.24
0001111 - Savings					
Deposit	12/31/2024			Interest	2.61
Total 0001111 - Savings					2.61

City of Cumming Claims Paid & Summary of Receipts (Last Month)

December 2024

Type	Date	Num	Name	Memo	Amount
0001112 - Money Market					
Check	12/09/2024	Transfer		Transfer	374,000.00
Check	12/09/2024	Transfer		Transfer	500,000.00
Check	12/09/2024	Transfer		Transfer	626,000.00
Check	12/10/2024	Transfer			-75,000.00
Check	12/19/2024	Transfer			-150,000.00
Deposit	12/31/2024			Interest	6,840.88
General Journal	12/31/2024	Acct ...		Other Balance Sheet Accounts by Fund Adjustments	-225,000.00
General Journal	12/31/2024	Acct ...		Other Balance Sheet Accounts by Fund Adjustments	225,000.00
Total 0001112 - Money Market					1,281,840.88
TOTAL					1,378,905.73

WARREN COUNTY

PHONE 515-961-1122

**OFFICE OF
JOSEPH C. CARICO, SHERIFF**

**POST OFFICE BOX 337
INDIANOLA, IOWA 50125**

**Brent Highfill, Mayor
P.O. Box 100
Cumming, IA 50061**

Mayor Highfill,

The attached report summarizes the activities in and around the community for the month of December 2024. It is compiled from Deputy's Logs and Records from the Sheriff's Office. 19 Calls For Service (CFS's) were received or initiated by Deputies for the month. They include:

PLEASE SEE ATTACHED FOR CFS INFORMATION

Six Citations and/or Warnings were written for Traffic/Parking Violations that occurred within the City of Cumming proper.

Officers spent in excess of 43 hours in the City of Cumming for the month.

Officers patrolled in excess of 240 Miles within the city limits of Cumming for the month.

If you have questions, points of concern, or additional requests from your Sheriff's Office, please contact me at 515.690.9211 or joec@warrencountvia.org

**Respectfully,
Sheriff Joseph C. Carico**

cfs by date,community (community=contract town) - WARREN COUNTY

Date	Call Type	CFS Loc Adr	Inc #	How Cleared
12/28/2024 10:28:02 PM	BUILDING / PARK CHECK	300 N BRIER LN		COMPLETED
12/28/2024 5:23:02 PM	BUILDING / PARK CHECK	4200-4299 N GREENLEE AVE		COMPLETED
12/26/2024 11:03:40 PM	TRAFFIC STOP	30TH AVE/CUMMING AVE		WARNING ISSUED
12/24/2024 11:17:58 PM	BUILDING / PARK CHECK	649 N 44TH ST		CLEARED
12/23/2024 7:18:33 PM	TRAFFIC STOP	CUMMING AVE/N 43RD		WARNING ISSUED
12/23/2024 7:09:50 PM	TRAFFIC STOP	CUMMING AVE/N 50TH		WARNING ISSUED
12/22/2024 2:07:15 PM	ACCIDENT HIT AND RUN	4125 CUMMING AVE		ACCIDENT REPORT WCSO
12/22/2024 4:00:06 AM	BROKEN DOWN VEHICLE	3000 CUMMING AVE		ASSISTED
12/20/2024 1:41:15 PM	INCOMPLETE 911	1445 20TH AVE		OTHER SEE NARRATIVE
12/2/2024 10:49:56 PM	ALARM BURGLARY	2701 CUMMING AVE		DISREGARDED
12/6/2024 10:43:45 PM	BUILDING / PARK CHECK	4200-4299 N GREENLEE AVE		CLEARED
12/7/2024 1:58:14 PM	TRAFFIC STOP	CUMMING/N 44TH		WARNING ISSUED
12/7/2024 2:11:48 PM	TRAFFIC STOP	CUMMING AVE/58TH PL		WARNING ISSUED
12/7/2024 5:51:13 PM	ANIMAL ALL BUT DOG	CUMMING AVE/15TH AVE		TURNED OVER TO STATE
12/10/2024 5:05:27 AM	TRAFFIC STOP	N 44TH/CUMMING AVE		CITATION ISSUED
12/11/2024 6:53:10 PM	WELFARE CHK	5240 CUMMING AVE		COMPLETED
12/12/2024 1:43:21 AM	SICK PERSON	644 N 43RD ST		OTHER SEE NARRATIVE
12/12/2024 9:32:21 AM	WELFARE CHK	644 N 43RD ST		DISREGARDED
12/16/2024 7:17:50 AM	BROKEN DOWN VEHICLE	CUMMING AVE N 50TH		COMPLETED
12/18/2024 9:13:37 AM	ACCIDENT PROPERTY DAMAGE	5251 CUMMING AVE		ACCIDENT REPORT WCSO

CITY OF CUMMING

APPLICATION TO SERVE ON A CITY BOARD OR COMMISSION

Name: Erik McDonald Occupation: Iowa National Guard

Address: 124 N. 43rd St.

Best phone number to reach you: (515) 971-6828

Email: sleepygsx@gmail.com

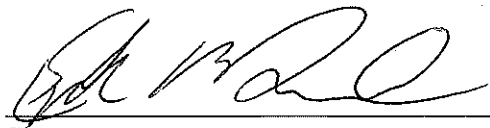
How long have you been a resident: 1 year (family owned home for multiple years)

I am interested in serving on the following Board/Commission: P & Z, park & rec

List Board/Commission you currently serve on: N/A

List Board/Commission you have served on in the past: N/A

Describe why you are interested and what knowledge and/or experience you have that would be beneficial to the community: I want to connect w/ the community, protect history & character of the town. Honestly I just love learning & helping others.



Signature

01/13/2025

Date

Please return to:

Cumming City Hall

PO Box 100

649 N 44th Street

Cumming, IA 50061

Or email: aritchie@cumming.iowa.gov

RESOLUTION NO. 2025-04

**A RESOLUTION TO SET A PUBLIC HEARING FOR THE ELECTRIC FRANCHISE
ORDINANCE RENEWAL WITH NO ACCOMPANYING FRANCHISE FEE**

WHEREAS, the City of Cumming, Iowa (hereinafter referred to as "City") has previously entered into a franchise ordinance with MidAmerican Energy Company (hereinafter referred to as "MidAmerican") for the provision of electric services; and

WHEREAS, the current ordinance is set to expire on April 15, 2025, and

WHEREAS, the City and MidAmerican have mutually agreed to renew the franchise ordinance to ensure the continued provision of reliable electric services to the residents and businesses of the City; and

WHEREAS, the renewed franchise ordinance will allow MidAmerican to utilize the City's rights-of-way for the installation, maintenance, and operation of electric infrastructure; and

WHEREAS, the City Council has determined that it is in the best interest of the City and its residents to renew the franchise ordinance with MidAmerican without an accompanying franchise fee

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

1. The City Council hereby sets a public hearing to consider the renewal of the electric ordinance with MidAmerican Energy Company without a franchise fee.
2. The public hearing shall be held on February 10, 2025, at 6:00PM at the City Hall, located at 649 N 44th St, Cumming, IA 50061.
3. The City Clerk is hereby directed to publish notice of the public hearing in accordance with applicable law.
4. This resolution shall be in full force and effect immediately upon its adoption

PASSED AND APPROVED this 27th day of January 2025.

Brent Highfill, Mayor

Attest: Nichole Onstot, City Clerk

ESOLUTION NO. 2025-03

A RESOLUTION TO SET A PUBLIC HEARING FOR THE ELECTRIC FRANCHISE ORDINANCE RENEWAL WITH ACCOMPANYING FRANCHISE FEE

WHEREAS, the City of Cumming (the "City") is authorized under Iowa Code to grant franchises for the provision of electric services within the City; and

WHEREAS, MidAmerican Energy Company ("MidAmerican") currently provides electric services to residents and businesses within the City under an existing franchise agreement; and

WHEREAS, the current ordinance is set to expire on April 15, 2025, and

WHEREAS, the City Council of Cumming (the "Council") is considering the imposition of a franchise fee on MidAmerican for the provision of electric services to generate revenue for the City; and

WHEREAS, the Council deems it necessary and appropriate to hold a public hearing to receive comments and input from the public regarding the proposed franchise fee;

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

1. **Public Hearing Scheduled:** A public hearing shall be held on the 10th day of February, 2025, at 6 p.m. in the Cumming City Hall, located at 649 N 44th St, to consider the imposition of a franchise fee on MidAmerican Energy Company for electric services.
2. **Notice of Hearing:** The City Clerk is hereby directed to publish notice of the public hearing in accordance with the requirements of Iowa Code, stating the time and place of the hearing and the purpose thereof, in a newspaper of general circulation within the City, not less than four (4) nor more than twenty (20) days before the date of the public hearing.
3. **Public Participation:** All interested persons are invited to attend the public hearing and to submit oral or written comments regarding the proposed franchise fee.
4. **Effective Date:** This resolution shall be in full force and effect immediately upon its adoption and approval.

PASSED AND APPROVED this 27th day of January, 2025.

Brent Highfill, Mayor

Attest: Nichole Onstot, City Clerk

ORDINANCE NO. 2025-01

AN ORDINANCE GRANTING TO MIDAMERICAN ENERGY COMPANY, ITS SUCCESSORS AND ASSIGNS, THE RIGHT AND NON-EXCLUSIVE FRANCHISE TO ACQUIRE, CONSTRUCT, ERECT, MAINTAIN AND OPERATE IN THE CITY OF CUMMING, IOWA, AN **ELECTRIC SYSTEM** AND COMMUNICATIONS FACILITIES AND TO FURNISH AND SELL ELECTRIC ENERGY TO THE CITY AND ITS INHABITANTS AND AUTHORIZING THE CITY TO COLLECT FRANCHISE FEES FOR A PERIOD OF 25 YEARS.

BE IT ENACTED by the City Council of the City of Cumming, Iowa:

Section 1. There is hereby granted to MidAmerican Energy Company, an Iowa corporation, (hereinafter called “Company,)” and its successors and assigns, the right and non-exclusive franchise to acquire, construct, erect, maintain and operate in the City of Cumming, Iowa, (hereinafter called the “City,)” a system for the transmission and distribution of electric energy and communications signals along, under, over and upon the streets, avenues, rights of way and alleys to serve customers within the City, and to furnish and sell electric energy to the City and its inhabitants. The Company is granted the right to exercise of powers of eminent domain, subject to City Council approval. This franchise shall be effective for a twenty-five (25) year period from and after the effective date of this ordinance.

Section 2. The rights and privileges hereby granted are subject to the restrictions and limitations of Chapter 364 of the Code of Iowa 2023 or as subsequently amended or changed.

Section 3. The Company shall have the right to erect all necessary poles and to place thereon the necessary wires, fixtures and accessories as well as to excavate and bury conduits or conductors for the distribution of electric energy and communications signals in and through the City, provided the same shall be placed in accord with this franchise and City code regulations of the City, regarding the placement of structures, facilities, accessories or other objects in the right of way, including ordinances which assign corridors or other placements to users of the right of way and requirements which may be adopted regarding separation of structures, facilities, accessories or other objects.

Section 4. The Company shall, excluding facilities located in private easements or public utility easements (whether titled in Company exclusively or in Company and other entities), in accordance with Iowa law including Company’s Tariff on file with and made effective by the Iowa Utilities Board as may subsequently be amended (“Tariff”), at its cost and expense, locate and relocate its existing installations located in, on, over or under the right-of-way of any public street, right of way or alley in the City in such a manner as the City may require for the purposes of facilitating the construction, reconstruction, maintenance or repair of the street right of way or alley. The Company shall not be required to pay any City permits as needed as a result of City required relocation. If the City

has a reasonable alternative route for the street, right of way or alley or an alternative construction method, which would not cause the relocation of Company installations or would minimize the cost or expense of relocation of Company installations, the City and Company shall work together to consider said alternative route or construction method. The City shall, in the extension or modification of streets and roads, make provision for the placement of company service lines and facilities on City-owned right of way without charge to Company. In planning for the extension or modification of streets, the City shall, to the extent practicable design such changes to limit the need for relocation of Company facilities. The City shall be responsible for surveying and staking the right-of-way for City projects that require the Company to relocate Company facilities. If requested, the City shall provide, at no cost to the Company, copies of the relocation plan and profile and cross section drawings. If vegetation and tree removals must be completed by the City as part of the City's project and are necessary whether or not utility facilities must be relocated, the City at its own cost shall be responsible for said removals. If the timing of vegetation and tree removals does not coincide with Company's facilities relocation schedule and the Company must remove vegetation and trees that are included in the City's portion of the project, the City shall either remove them or reimburse the Company for the expenses incurred to remove said materials. If project funds from a source other than the City are available to pay for the relocation of utility facilities, the City shall use its best efforts to secure said funds and provide them to the Company to compensate the Company for the costs of relocation.

Section 5. In making excavations in any streets, avenues and public places for the installation, maintenance or repair of conductor, conduits or the erection of poles and wires or other appliances, the Company shall not unreasonably obstruct the use of the streets. The Company in making such excavations shall, if required by ordinance, obtain a City permit therefore and provide City representatives with advance notice prior to the actual commencement of the work, and shall comply with all provisions and requirements of the City in its regulation of the use of City right of way in performing such work. In emergencies which require immediate excavation, the Company may proceed with the work without first applying for or obtaining the permit, provided, however, that Company shall apply for and obtain the excavation permit as soon as possible after commencing such emergency work. The Company shall comply with all provisions and requirements of the City in its regulation of the use of City right of way in performing such work. The Company shall comply with all City ordinances regarding paving cuts, placement of facilities and restoration of pavement and other public infrastructure. The Company shall replace the surface, restoring the condition as existed prior to the Company's excavation but shall not be required to improve or modify the public right of way, sidewalks or other areas in or adjacent to the Company project to a condition superior to its immediate previously existing condition. Company shall complete all repairs in a timely manner. Company agrees any replacement of road surface shall conform to current City ordinances regarding its depth and composition.

Section 6. Vacating a street, avenue, alley, public ground or public right-of-way shall not deprive the

Company of its right to operate and maintain existing facilities and their replacements on, below, above, or beneath the vacated property. Prior to the City abandoning or vacating any street, avenue, alley or public ground where the Company has electric facilities, the City shall grant the Company a utility easement for said facilities. If the City fails to grant the Company a utility easement for said facilities prior to abandoning or vacating a street, avenue, alley or public ground, the City shall at its cost and expense obtain easements for the existing Company facilities.

Section 7. The Company shall not be required to relocate, at its cost and expense, Company facilities in the public right of way that have been relocated at Company expense at the direction of the City in the previous ten (10) years.

Section 8. Pursuant to relocation of Company facilities, if the City orders or requests the Company to relocate its existing facilities or equipment in order to directly facilitate a project for the primary benefit of a commercial or private developer or other non-public entity, the City shall require the developer or non-public entity to reimburse the Company for the cost of such relocation as a precondition to relocation of its existing facilities or equipment. The Company shall not be required to relocate in order to facilitate such private project at its expense.

Section 9. The Company shall indemnify, save and hold harmless the City from any and all claims, suits, losses, damages, costs or expenses, on account of injury or damage to any person or property, to the extent caused or occasioned by the Company's negligence in construction, reconstruction, excavation, operation or maintenance of the electric facilities authorized by this franchise; provided, however, that the Company shall not be obligated to defend, indemnify and save harmless the City for any costs or damages to the extent arising from the negligence of the City, its officers, employees or agents.

Section 10. The pruning and removal of vegetation and trees shall be done in accordance with current nationally accepted safety and utility industry standards and federal and state law, rules and regulations. The Company is authorized and empowered to prune or remove at Company expense, any tree extending into any street, avenue, right of way, alley, public place or public grounds to maintain electric reliability, safety, to restore utility service and to prevent limbs, branches, or trunks from interfering with the wires and facilities of the Company. The pruning and removal of vegetation and trees shall be completed in accordance with nationally accepted safety and utility standards, NSI Z133.1-2012, American National Standard for Arboricultural Operations-Safety Requirements, and ANSI A300(part 1) – 2008 Pruning, (Revision of ANSI A300 part 1-2001) American National Standard for Tree, Shrub, and other Woody Plant Management – Standard of Practices (Pruning) or subsequent revisions to these standards, and City ordinances regarding the pruning of trees that incorporate by reference that standard.

Section 11. Upon reasonable request, the Company shall provide the City, on a project specific basis,

information indicating the horizontal location, relative to boundaries of the right of way, of all equipment which it owns or over which it has control that is located in City right of way, including documents, maps and other information in paper or electronic or other forms (“Information.”) The Company and City recognize the Information may in whole or part be considered a confidential record under state or federal law or both. Therefore, City shall not release any Information without prior consent of the Company and shall return the Information to Company upon request. City recognizes that Company claims the Information may constitute a trade secret or is otherwise protected from public disclosure by state or federal law on other grounds, and agrees to retain the Information in its non-public files. Furthermore, the City agrees that no documents, maps or other Information provided to the City by the Company shall be made available to the public or other entities if such documents or Information are exempt from disclosure under the provisions of the Freedom of Information Act, the Federal Energy Regulatory Commission Critical Energy Infrastructure requirements pursuant to 18 CFR 388.112 and 388.113, or Chapter 22 of the Code of Iowa, as such statutes and regulations may be amended from time to time.

Section 12. The Company shall construct, operate and maintain its facilities in accordance with the applicable regulations of the Iowa Utilities Board or its successors and Iowa law. During the term of this franchise, the Company shall furnish electric energy in the quantity and quality consistent with and in accordance with the applicable regulations of the Iowa Utilities Board, the Company’s tariff and made effective by the Iowa Utilities Board or its successors and Iowa law.

Section 13. There is hereby imposed upon the customers a franchise fee of one (1) percent upon the gross revenues, minus uncollectible accounts, generated from sales of electricity and distribution service, pursuant to the Tariff, by the Company within the corporate limits of the City. The franchise fee shall be remitted by the Company to the City on or before the last business day of the calendar quarter following the close of the calendar quarter in which the franchise fee is charged.

A. City agrees to modify the level of franchise fees imposed only once in any 24-month period.

B. Company will use its best efforts to commence collection of franchise fees on or before the first Company billing cycle of the first calendar month following ninety (90) days of receipt of information required of the City to implement the franchise fee, including the City’s documentation of customer classes subject to or exempted from City-imposed franchise fee.

C. City shall be solely responsible for identifying customer classes subject to or exempt from paying the City imposed franchise fee. The Company shall have no obligation to collect franchise fees from customers in annexed areas until and unless such ordinances have been provided to the Company by certified mail. The Company shall commence collecting franchise fees in the annexed areas no sooner than sixty (60) days after receiving annexation ordinances from the City.

D. Company shall not, under any circumstances be required to return or refund any franchise fees that

have been collected from customers and remitted to the City. In the event the Company is required to provide data or information in defense of the City's imposition of franchise fees or the Company is required to assist the City in identifying customers or calculating any franchise fee refunds for groups of or individual customers the City shall reimburse the Company for the expenses incurred by the Company to provide such data or information.

Section 14. The City shall not, pursuant to Chapter 480A.6 of the Code of Iowa, impose or charge right of way management fees upon the Company or fees for permits for Company construction, maintenance, repairs, excavation, pavement cutting or inspections of Company work sites and projects or related matters.

Section 15. This franchise shall apply to and bind the City and Company and their successors and assigns.

Section 16. Either City or Company ("party") may terminate this franchise if the other party shall be materially in breach of its provisions. Upon the occurrence of a material breach, the non-breaching party shall provide the breaching party with notification by certified mail specifying the alleged breach. The breaching party shall have sixty (60) days to cure the breach, unless it notifies the non-breaching party, and the parties agree upon a longer period for cure. If the breach is not cured within the cure period, the non-breaching party may terminate this franchise. A party shall not be considered to be in breach of this franchise if it has operated in compliance with state or federal law. A party shall not be considered to have breached this franchise if the alleged breach is the result of the actions of a third party or the other party.

Section 17. If any of the provisions of this franchise ordinance are for any reason declared to be illegal or void, the lawful provisions of this franchise ordinance, which are severable from said unlawful provisions, shall be and remain in full force and effect, the same as if the franchise ordinance contained no illegal or void provisions.

Section 18. To the fullest extent permitted by law, each of the parties hereto waives any right it may have to a trial by jury in respect of litigation directly or indirectly arising out of, under or in connection with this Agreement. Each party further waives any right to consolidate any action in which a jury trial has been waived with any other action in which a jury trial cannot be or has not been waived.

Section 19. This ordinance and the rights and privileges herein granted shall become effective and binding upon its approval and passage in accordance with Iowa law and the written acceptance by the Company. The City shall provide Company with an original signed and sealed copy of this ordinance within 10 days of its final passage. The Company shall file in the office of the clerk of the City, its acceptance in writing of all the terms and provisions of this ordinance. Following City Council approval, this ordinance shall be published in accordance with the Code of Iowa. The effective date of this ordinance shall be the date of publication.

Section 20. Upon the effective date of this ordinance, all prior franchises granted to the Company to furnish electric service to the City and its inhabitants are hereby repealed and all other ordinances or parts of ordinances in conflict herewith are also hereby repealed.

PASSED AND APPROVED this ____ day of _____, 2025.

CITY OF CUMMING, IOWA

By: _____
Brent Highfill, Mayor

(OFFICIAL SEAL)

ATTEST:

Nichole Onstot, City Clerk

I, Nichole Onstot, City Clerk of the City of Cumming[, Iowa, hereby certify that the above and foregoing is a true copy of Ordinance No. _____, passed by the City Council of said City at a meeting held _____, 2025, and signed by the mayor _____, 2025, and published/posted as provided by law on _____, 2025.

(OFFICIAL SEAL)

Nichole Onstot, City Clerk

ORDINANCE NO. 2000-04

AN ORDINANCE GRANTING TO MIDAMERICAN ENERGY COMPANY, ITS SUCCESSORS AND ASSIGNS, THE RIGHT AND FRANCHISE TO ACQUIRE, CONSTRUCT, ERECT, MAINTAIN AND OPERATE IN THE CITY OF CUMMING, IOWA AN ELECTRIC SYSTEM AND TO FURNISH AND SELL ELECTRIC ENERGY TO THE CITY AND ITS INHABITANTS FOR A PERIOD OF 25 YEARS.

BE IT ENACTED by the City Council of the City of Cumming, Iowa:

Section 1. There is hereby granted to MidAmerican Energy Company, an Iowa corporation, hereinafter called the "Company," and its successors and assigns, the right and franchise to acquire, construct, erect, maintain and operate in the City of Cumming, Iowa, hereinafter called the "City," a system for the transmission and distribution of electric energy along, under, over and upon the streets, avenues, alleys and public places to serve customers within and without the City, and to furnish and sell electric energy to the City and its inhabitants. This franchise shall be effective for a twenty-five (25) year period from and after the effective date of this ordinance.

Section 2. The rights and privileges hereby granted are subject to the restrictions and limitations of Chapter 364 of the Code of Iowa 1999 or as subsequently amended or changed.

Section 3. The Company shall have the right to erect all necessary poles and to place thereon the necessary wires, fixtures and accessories as well as excavate and bury conductors for the distribution of electric energy in and through the City, but all said conduits and poles shall be placed as not to interfere with the construction of any water pipes, drain or sewer, or the flow of water therefrom, which have been or may hereafter be located by authority of the City. The

Company is authorized and empowered to cut and trim at its expense, any trees extending into any street, alley, or public ground so as to prevent limbs or branches from interfering with the wires and facilities of the Company.

Section 4. The Company shall, at its cost and expense, locate and relocate its installations in, on, over or under any public street or alley in the City in such manner as the City may at any time reasonably require for the purposes of facilitating the construction, reconstruction, maintenance or repair of the street or alley or any public improvement of, in or about any such street or alley or reasonably promoting the efficient operation of any such improvement. If the City has a reasonable alternative route for the street, alley or public improvements which alternative route would not cause the relocation of the Company installations, the City shall consider selecting said alternative route. If relocation of the Company facilities could be avoided by relocating other franchisee's or facility user's equipment and facilities, and said other franchisee's or user's cost of relocation is less than the Company's, the City shall consider selecting the route which requires the other franchisees or users to relocate. If project funds from a source other than the City are available to pay for the relocation of utility facilities, the City shall use its best efforts to secure said funds and provide them to the Company to compensate the Company for the costs of relocation.

Section 5. In making excavations in any streets, avenues, alleys and public places for the excavation of conduits or the erection of poles and wires or other appliances, the Company shall not unreasonably obstruct the use of the streets, and shall replace the surface, restoring the original condition as nearly as practicable.

Section 6. The Company shall indemnify and save harmless the City from any and all claims, suits, losses, damages, costs or expenses, on account of injury or damage to any person or property, caused or occasioned in whole or in part, by the Company's negligence in construction, reconstruction, excavation, operation or maintenance of the electric facilities authorized by this franchise; provided, however, that the Company shall not be obligated to defend, indemnify and save harmless the City for any costs or damages arising from the negligence of the City, its officers, employees or agents.

Section 7. The Company shall construct, operate and maintain its facilities in accordance with the applicable regulations of the Iowa Utilities Board or its successors.

Section 8. During the term of this franchise, the Company shall furnish electric energy in the quantity and quality consistent with applicable Iowa laws and regulations.

Section 9. This ordinance and the rights and privileges herein granted shall not become effective or binding until this ordinance has been approved in accordance with Iowa law. The cost and expense of any municipal election relating to the ordinance and franchise shall be paid by the Company. Within thirty (30) days after the approval of this ordinance, the Company shall file in the office of the clerk of the City its acceptance in writing of all the terms and provisions of this ordinance.

Section 10. Upon the effective date of this ordinance, all prior electric franchises granted to the Company to furnish electric service to the City and its inhabitants are hereby repealed and all other ordinances or parts of ordinances in conflict herewith are also hereby repealed.

PASSED AND APPROVED this 10th day of January, 2000.

CITY OF CUMMING, IOWA

By: Michael Wagner

Mayor

ATTEST:

Kathie Sengerford
City Clerk

(OFFICIAL SEAL)

RESOLUTION NO. 2025-04

A RESOLUTION TO SET A PUBLIC HEARING FOR THE NATURAL GAS FRANCHISE ORDINANCE RENEWAL WITH NO ACCOMPANYING FRANCHISE FEE

WHEREAS, the City of Cumming, Iowa (hereinafter referred to as "City") has previously entered into a franchise ordinance with MidAmerican Energy Company (hereinafter referred to as "MidAmerican") for the provision of natural gas services; and

WHEREAS, the current ordinance is set to expire on December 13, 2029, and

WHEREAS, the City and MidAmerican have mutually agreed to renew the franchise ordinance to ensure the continued provision of reliable natural gas services to the residents and businesses of the City; and

WHEREAS, the renewed franchise ordinance will allow MidAmerican to utilize the City's rights-of-way for the installation, maintenance, and operation of natural gas infrastructure; and

WHEREAS, the City Council has determined that it is in the best interest of the City and its residents to renew the franchise ordinance with MidAmerican without an accompanying franchise fee

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

1. The City Council hereby sets a public hearing to consider the renewal of the natural gas ordinance with MidAmerican Energy Company without a franchise fee.
2. The public hearing shall be held on February 10, 2025, at 6:00PM at the City Hall, located at 649 N 44th St, Cumming, IA 50061.
3. The City Clerk is hereby directed to publish notice of the public hearing in accordance with applicable law.
4. This resolution shall be in full force and effect immediately upon its adoption

PASSED AND APPROVED this 27th day of January 2025.

Brent Highfill, Mayor

Attest: Nichole Onstot, City Clerk

RESOLUTION NO. 2025-04

A RESOLUTION TO SET A PUBLIC HEARING FOR THE NATURAL GAS FRANCHISE ORDINANCE RENEWAL WITH ACCOMPANYING FRANCHISE FEE

WHEREAS, the City of Cumming (the "City") is authorized under Iowa Code to grant franchises for the provision of natural gas services within the City; and

WHEREAS, MidAmerican Energy Company ("MidAmerican") currently provides natural gas services to residents and businesses within the City under an existing franchise agreement; and

WHEREAS, the current ordinance is set to expire on December 13, 2029, and

WHEREAS, the City Council of Cumming (the "Council") is considering the imposition of a franchise fee on MidAmerican for the provision of natural gas services to generate revenue for the City; and

WHEREAS, the Council deems it necessary and appropriate to hold a public hearing to receive comments and input from the public regarding the proposed franchise fee;

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

1. **Public Hearing Scheduled:** A public hearing shall be held on the 10th day of February, 2025, at 6 p.m. in the Cumming City Hall, located at 649 N 44th St, to consider the imposition of a franchise fee on MidAmerican Energy Company for natural gas services.
2. **Notice of Hearing:** The City Clerk is hereby directed to publish notice of the public hearing in accordance with the requirements of Iowa Code, stating the time and place of the hearing and the purpose thereof, in a newspaper of general circulation within the City, not less than four (4) nor more than twenty (20) days before the date of the public hearing.
3. **Public Participation:** All interested persons are invited to attend the public hearing and to submit oral or written comments regarding the proposed franchise fee.
4. **Effective Date:** This resolution shall be in full force and effect immediately upon its adoption and approval.

PASSED AND APPROVED this 27th day of January, 2025.

Brent Highfill, Mayor

Attest: Nichole Onstot, City Clerk

ORDINANCE NO. 2025-02

AN ORDINANCE GRANTING TO MIDAMERICAN ENERGY COMPANY, ITS SUCCESSORS AND ASSIGNS, THE RIGHT AND NON-EXCLUSIVE FRANCHISE TO ACQUIRE, CONSTRUCT, ERECT, MAINTAIN AND OPERATE IN THE CITY OF CUMMING, IOWA, A **NATURAL GAS SYSTEM** AND TO FURNISH AND SELL NATURAL GAS TO THE CITY AND ITS INHABITANTS AND AUTHORIZING THE CITY TO COLLECT FRANCHISE FEES FOR A PERIOD OF 25 YEARS.

BE IT ENACTED by the City Council of the City of Cumming, Iowa:

Section 1. There is hereby granted to MidAmerican Energy Company, an Iowa corporation, (hereinafter called “Company,)” and to its successors and assigns the right and non-exclusive franchise to acquire, construct, erect, maintain and operate in the City of Cumming, Iowa, (hereinafter called the “City,)” a gas distribution system, to furnish natural gas along, under and upon the right-of-way, streets, avenues, alleys and public places to serve customers within and without the City and to furnish and sell natural gas to the City and its inhabitants. For the term of this franchise, the Company is granted the right of eminent domain, the exercise of which is subject to City Council approval upon application by the Company. This franchise shall be effective for a twenty-five (25) year period from and after the effective date of this ordinance.

Section 2. The rights and privileges hereby granted are subject to the restrictions and limitations of Chapter 364 of the Code of Iowa 2023, or as subsequently amended or changed.

Section 3. Company shall have the right to excavate in any public street for the purpose of laying, relaying, repairing or extending gas pipes, mains, conduits, and other facilities provided that the same shall be so placed as not to unreasonably interfere with any above or below-ground utility services or facilities which have been or may hereafter be located by or under authority of the City.

Section 4. The Company shall, excluding facilities located in private easements or public utility easements (whether titled in Company exclusively or in Company and other entities), in accordance with Iowa law including Company’s tariff on file with and made effective by the Iowa Utilities Board as may subsequently be amended (“Tariff,”) at its cost and expense, locate and relocate its existing facilities or equipment in, on, over or under any public street or alley in the City in such a manner as the City may reasonably require for the purposes of facilitating the construction reconstruction, maintenance or repair of the street or alley. The Company shall not be required to pay any City permits as needed as a result of City required relocation. Relocation expenses for other hard surfaces, including pedestrian and non-motorized vehicle pathways, will be paid by the City. If the City has a reasonable alternative route for the street, alley or public improvements or an alternative construction method, which would not cause the relocation of the Company installations, the City shall select said alternative route, or construction method. The City shall be responsible for surveying and staking the right-of-way for City projects that require the Company to

relocate Company facilities. If requested the City shall provide, at no cost to the Company, copies of its relocation plan and profile and cross section drawings. If tree and vegetation removal must be completed by the City as part of the City's project and are necessary whether or not utility facilities must be relocated, the City at its own cost shall be responsible for said removals. If the timing of the tree/vegetation removal does not coincide with the Company facilities relocation schedule and Company must remove trees/vegetation that are included in the City's portion of the project, the City shall either remove the material at its cost or reimburse the Company for the expenses incurred to remove said vegetation or trees. If project funds from a source other than the City are available to pay for the relocation of utility facilities, the City shall attempt to secure said funds and provide them to the Company to compensate the Company for the costs of relocation.

Section 5. In making excavations in any streets, avenues, alleys and public places for the installation of gas pipes, conduits or apparatus, Company shall not unreasonably obstruct the use of the streets and shall replace the surface, restoring it to the condition as existed immediately prior to excavation. Company agrees any replacement of road surface shall conform to current City code regarding its depth and composition. The Company shall not be required to restore or modify public right of way, sidewalks or other areas in or adjacent to the Company project to a condition superior to its immediate previously existing condition or to a condition exceeding its previously existing condition to the extent any alterations are required for the City to comply with city, state or federal rules, regulations or laws.

Section 6. The City's vacating a street, avenue, alley, public ground or public right-of-way shall not deprive the Company of its right to operate and maintain existing facilities on, below, above, or beneath the vacated property. Prior to the City abandoning or vacating any street, avenue, alley or public ground where the Company has facilities in the vicinity, the City shall provide Company with not less than sixty (60) days advance notice of the city's proposed action and, upon request grant the Company a utility easement covering existing and future facilities and activities. If the City fails to grant the Company a utility easement for said facilities prior to abandoning or vacating a street, avenue, alley or public ground, the City shall at its cost and expense obtain easements for the existing Company facilities.

Section 7. The Company shall not be required to relocate, at its cost and expense, Company facilities in the public right of way that have been relocated at Company expense at the direction of the City at any time during the previous ten (10) years.

Section 8. Pursuant to relocation of Company facilities as may be required here under, if the City orders or requests the Company to relocate its existing facilities or equipment in order to directly or indirectly facilitate the project of a commercial or private developer or other non-public entity, City shall reimburse or the City shall require the developer or non-public entity to reimburse the Company for the cost of such relocation as a precondition to

relocation. The Company shall not be required to relocate in order to facilitate such private project at its expense.

Section 9. The Company shall indemnify and save harmless the City from any and all claims, suits, losses, damages, costs or expenses, on account of injury or damage to any person or property, to the extent caused or occasioned by the Company's negligence in construction, reconstruction, excavation, operation or maintenance of the natural gas facilities authorized by this franchise; provided, however, that the Company shall not be obligated to defend, indemnify and save harmless the City for any costs or damages to the extent arising from the negligence of the City, its officers, employees or agents.

Section 10. Upon reasonable request, the Company shall provide the City, on a project specific basis, information indicating the horizontal location, relative to boundaries of the right of way, of all equipment which it owns or over which it has control that is located in the public right of way, including documents, maps and other information in paper or electronic or other forms ("Information"). The Company and City recognize the Information may in whole or part be considered a confidential record under state or federal law or both. Upon receipt of a request from a third party for information concerning information about the Company's facilities within the City, the City will promptly submit same to Company. If the Company believes any of the information requested constitutes a trade secret which may otherwise be protected from public disclosure by state or federal law, or otherwise exempt from disclosure under the provisions of the Freedom of Information Act, the Federal Energy Regulatory Commission Critical Energy Infrastructure requirements pursuant to 18 CFR 388.112 and 388.113, or Chapter 22 of the Code of Iowa, as such statutes and regulations may be amended from time to time, then the Company shall provide the City with a written explanation of the basis for such assertion of confidentiality or exemption from disclosure within ten (10) days.

Section 11. The Company shall extend its mains and pipes and operate, and maintain the system in accordance with the applicable regulations of the Iowa Utilities Board or its successors and Iowa law.

Section 12. During the term of this franchise, the Company shall furnish natural gas in the quantity and quality consistent and in accordance with the applicable regulations of the Iowa Utilities Board the Company's tariff made effective by the Iowa Utilities Board or its successors and Iowa law.

Section 13. All reasonable and proper police regulations shall be adopted and enforced by the City for the protection of the facilities of the Company.

Section 14. A franchise fee of one (1) percent is imposed upon, and shall be collected from, the natural gas customers of the Company receiving service and located within the corporate limits of the City. The franchise fee shall be imposed upon the gross receipts, minus uncollectible accounts, generated from sales of natural gas and distribution service with the following conditions.

A. The franchise fee shall be remitted by the Company to the City on or before the last business day of the

calendar quarter following the close of the calendar quarter in which the franchise fee is charged.

B. City agrees to modify the level of franchise fees imposed only once in any 24-month period.

C. The Company will use its best efforts to commence collection of franchise fees on or before the first Company billing cycle of the first calendar month following ninety (90) days of receipt of information required of the City to implement the franchise fee, including the City's documentation of customer classes subject to or exempted from City-imposed franchise fee.

D. City shall be solely responsible for identifying customer classes subject to or exempt from paying the City imposed franchise fee. The Company shall have no obligation to collect franchise fees from customers in annexed areas until and unless such ordinances have been provided to the Company by certified mail. The Company shall commence collecting franchise fees in the annexed areas no sooner than sixty (60) days after receiving annexation ordinances from the City.

E. Company shall not, under any circumstances be required to return or refund any franchise fees that have been collected from customers and remitted to the City. In the event the Company is required to provide data or information in defense of the City's imposition of franchise fees or the Company is required to assist the City in identifying customers or calculating any franchise fee refunds for groups of or individual customers the City shall reimburse the Company for the expenses incurred by the Company to provide such data or information.

G. With respect to the distribution or transportation by the Company of natural gas sold to the customer by a third-party supplier of the commodity, the percentage of gross receipts shall be applied to the customer's full cost of gas delivered within the City, including all costs of acquisition, ownership, and transportation whereof, wherever incurred. In determining the amount of the fee, the Company may presume that the customer's commodity cost of gas is the same as if the gas were sold by the Company, unless a different cost is provided.

Section 15. Upon implementation of a franchise fee, the City shall not, pursuant to Chapter 480A.6 of the Code of Iowa, impose or charge Company right of way management fees for permits for Company construction, maintenance, repairs, excavation, pavement cutting or inspections of Company work sites and projects or related matters.

Section 16. Either City or Company ("party") may terminate this franchise if the other party shall be materially in breach of its provisions. Upon the occurrence of a material breach, the non-breaching party shall provide the breaching party with notification by certified mail specifying the alleged breach. The breaching party shall have sixty (60) days to cure the breach, unless it notifies the non-breaching party, and the parties agree upon a shorter or longer period for cure. If the breach is not cured within the cure period, the non-breaching party may

terminate this franchise. A party shall not be considered to be in breach of this franchise if it has operated in compliance with state or federal law. A party shall not be considered to have breached this franchise if the alleged breach is the result of the actions of a third party or the other party.

Section 17. If any section, provision, or part of this ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

Section 18. To the fullest extent permitted by law, each of the parties hereto waives any right it may have to a trial by jury in respect of litigation directly or indirectly arising out of, under or in connection with this Agreement. Each party further waives any right to consolidate any action in which a jury trial has been waived with any other action in which a jury trial cannot be or has not been waived.

Section 19. This ordinance and the rights and privileges herein granted shall become effective and binding upon its approval and passage in accordance with Iowa law and the written acceptance by the Company. The City shall provide Company with an original signed and sealed copy of this ordinance within ten (10) days of its final passage. The Company shall file in the office of the clerk of the City, its acceptance in writing of all the terms and provisions of this ordinance. Following City Council approval, this ordinance shall be published in accordance with the Code of Iowa. The effective date of this ordinance shall be the date of publication.

Section 20. Upon the effective date of this ordinance, all prior natural gas franchises granted to the Company to furnish natural gas to the City and its inhabitants are hereby repealed and all other ordinances or parts of ordinances in conflict herewith are also hereby repealed.

PASSED AND APPROVED this ___th day of _____ 2025.

CITY OF CUMMING, IOWA

By: _____

Brent Highfill, Mayor

ATTEST:

(OFFICIAL SEAL)

Nichole Onstot, City Clerk

I, Nichole Onstot, City Clerk of the City of Cumming, Iowa, hereby certify that the above and foregoing is a true copy of Ordinance No. _____, passed by the City Council of said City at a meeting held _____, 2025, and

signed by the mayor _____, 2025, and published as provided by law on _____, 2025.

DRAFT

ORDINANCE NO. 2004-10

AN ORDINANCE GRANTING TO MIDAMERICAN ENERGY COMPANY, ITS SUCCESSORS AND ASSIGNS, THE RIGHT AND FRANCHISE TO ACQUIRE, CONSTRUCT, ERECT, MAINTAIN AND OPERATE IN THE CITY OF CUMMING, IOWA, A NATURAL GAS SYSTEM AND TO FURNISH AND SELL NATURAL GAS TO THE CITY AND ITS INHABITANTS FOR A PERIOD OF 25 YEARS.

BE IT ENACTED by the City Council of the City of Cumming, Iowa:

Section 1. There is hereby granted to MidAmerican Energy Company, an Iowa corporation, hereinafter called "Company", and to its successors and assigns the right and franchise to acquire, construct, erect, maintain and operate in the City of Cumming, Iowa, hereinafter called the "City", a gas distribution system, to furnish natural gas along, under and upon the streets, avenues, alleys and public places to serve customers within and without the City and to furnish and sell natural gas to the City and its inhabitants. For the term of this franchise the Company is granted the right of eminent domain, the exercise of which is subject to City Council approval upon application by the Company. This franchise shall be effective for a twenty-five (25) year period from and after the effective date of this ordinance.

Section 2. The rights and privileges hereby granted are subject to the restrictions and limitations of Chapter 364 of the Code of Iowa 2003, or as subsequently amended or changed.

Section 3. Company shall have the right to excavate in any public street for the purpose of laying, relaying, repairing or extending gas pipes, mains, conduits, and other facilities provided that the same shall be so placed as not to interfere with the construction of any water pipes, drain or sewer or the flow of water therefrom, which have been or may hereafter be located by authority of the City.

Section 4. The Company shall, at its cost and expense, locate and relocate its installations in, on, over or under any public street or alley in the City in such manner as the City may at any time reasonably require for the purposes of facilitating the construction, reconstruction, maintenance or repair of the street or alley or any public improvement of, in or about any such street or alley or reasonably promoting the efficient operation of any such improvement. If the City has a reasonable alternative route for the street, alley or public improvements, which

alternative route would not cause the relocation of the Company installations, the City shall consider selecting said alternative route. If relocation of the Company facilities could be avoided by relocating other franchisee's or facility user's equipment and facilities, and said other franchisee's or user's cost of relocation is less than the Company's cost of relocation, the City shall consider selecting the route requires the other franchisees or users to relocate. If project funds from a source other than the City are available to pay for the relocation of utility facilities, the City shall use its best efforts to secure said funds and provide them to the Company to compensate the Company for the costs of relocation.

Section 5. In making excavations in any streets, avenues, alleys and public places for the installation of gas pipes, conduits or apparatus, Company shall not unreasonably obstruct the use of the streets and shall replace the surface, restoring the original condition as nearly as practicable.

Section 6. Company shall indemnify and save harmless City from any and all claims, suits, losses, damages, costs or expenses on account of injury or damage to any person or property, caused or occasioned, or allegedly caused or occasioned, in whole or in part, by Company's negligence in construction, reconstruction, excavation, operation or maintenance of the gas utilities authorized by this franchise, provided, however, that the Company shall not be obligated to defend, indemnify and save harmless the City for any costs or damages arising from the negligence of the City, its officers, employees or agents.

Section 7. The Company shall extend its mains and pipes and operate, and maintain the system in accordance with the applicable regulations of the Iowa Utilities Board or its successors.

Section 8. During the term of this franchise, the Company shall furnish natural gas in the quantity and quality consistent with applicable Iowa laws and regulations.

Section 9. If any section, provision, or part of this ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

Section 10. This ordinance and the rights and privileges herein granted shall become effective and binding upon its approval and passage in accordance with Iowa law and the written acceptance by the

Company. The Company shall, within (30) thirty days after the City Council approval of this ordinance, file in the office of the clerk of the City, its acceptance in writing of all the terms and provisions of this ordinance. Following City Council approval this ordinance shall be posted, as required by law, in three public places in the City of Cumming, Iowa. The effective date of this ordinance shall be the date of posting. In the event that MidAmerican Energy Company does not file its written acceptance of this ordinance within 30 days after its approval by the City Council this ordinance shall be void and of no effect.

Section 11. Upon the effective date of this ordinance, all prior gas franchises granted to Company to furnish natural gas service to the City and its inhabitants are hereby repealed and all other ordinances or parts of ordinances in conflict herewith are also hereby repealed.

PASSED AND APPROVED this 13th day of December, 2004.

CITY OF CUMMING, IOWA

By: 
Mayor

ATTEST.



City Clerk

(OFFICIAL SEAL)

Certificate of City Clerk

(Ordinance)

I, Kathie Hungerford, being the duly appointed, qualified and acting City Clerk of the City of Cumming, Iowa, do hereby certify that the foregoing is a true copy of Ordinance 2004-10, as adopted and passed by the City Council of the City of Cumming, Iowa, at a regular meeting held on December 13, 2004; that said Ordinance was on the same day signed by the Mayor and City Clerk; that said Ordinance has been recorded in the Ordinance Book of said City, as required by law; that the Ordinance Book has been signed by the Mayor and City Clerk; and that the said ordinance was posted on December 16, 2004, in three public places in the City which have been permanently designated by ordinance.



City Clerk

(OFFICIAL SEAL)

CERTIFICATE OF POSTING ORDINANCE

I, Kathie Hungerford, being the duly appointed, qualified and acting City Clerk of the City of Cumming, Iowa, do hereby certify that on December 14, 2004, I did post Natural Gas Franchise Ordinance No. 2004-10, which was passed and adopted by the Cumming City Council at its regular City Council meeting held on December 13, 2004, and the said ordinance, hereunto attached and by this reference made a part hereof, at the following three public places in said City which have been permanently designated by ordinance:

Cumming City Hall
Cumming Post Office
The Cumming Tap

(OFFICIAL SEAL)

Kathie Hungerford
City Clerk

(Attach copy of posted ordinance here.)

Total Amount Due by 02/05/25 \$155.19

A late payment charge of \$2.33 will be assessed if payment is received after 02/05/25.

Service For:

▶ **Current Charges Summary**

> Last Bill
\$152.79

> Payments and Credits
\$152.79

> New Charges
\$155.19

Payments and Credits Applied to Your Account

01/07/25	Web Payment	\$152.79
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New Charges This Month

Electric Charges	\$83.35
Gas Charges	\$71.84

See details about this bill on Page 3

▶ **You Used**



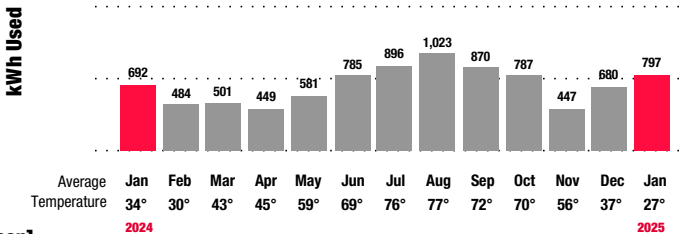
Electric Usage

	Last Year	Current
Monthly kWh Usage	692	797
Number of Days	34	34
Average Temperature	34°	27°
Average Cost per Day	\$2.20	\$2.45
Average Usage per Day	20	23



Gas Usage

	Last Year	Current
Monthly Therm Usage	82	91
Number of Days	34	34
Average Temperature	34°	27°
Average Cost per Day	\$1.91	\$2.11
Average Usage per Day	2	3



▶ [Keep]

▶ [Send]

> Account Number: 78871-41015

Total Amount Due by 02/05/25 \$155.19

For online bill payment log in to My Account at MidAmericanEnergy.com

ICF00015022074020100810



Monthly One Time

\$

My Contribution **\$2.50** **\$5** **\$10**

I want to contribute to the Renewable Advantage Program

NICHOLE K ONSTOT
1607 TIMBER RIDGE DR
NORWALK IA 50211-7517

MidAmerican Energy Company
PO Box 8020
Davenport IA 52808-8020



0100788714101590000001551900000015752000000000009



Were you unable to resolve a dispute with MidAmerican Energy? If you have a complaint that is unresolved, you may request assistance from the Iowa Utilities Commission by calling 515-725-7321 or the toll-free number, 877-565-4450, writing to 1375 E. Court Ave, Des Moines Iowa 50319-0069, or sending an email to customer@iuc.iowa.gov. You may view tariff and rate schedule information on our website at MidAmericanEnergy.com, or make arrangements to view the information at a local corporate office.



This month, warm a heart and a home by donating to MidAmerican's I CARE program. Your tax-deductible donation will stay in your community and go directly toward providing heating and weatherization assistance to low-income neighbors in need. Visit MidAmericanEnergy.com/payment-assistance to donate.



As you heat your home this winter, stay safe from potential carbon monoxide (CO) leaks that may come from gas-fueled appliances. Make sure to place a CO detector on every floor of your home to be warned early about dangerous CO levels. Find more CO safety tips at MidAmericanEnergy.com/carbon-monoxide-safety.



Start 2025 off right with savings that will pay off all season long. Visit MidAmericanEnergy.com/ee to find Instant Discounts on energy-efficient equipment that will keep you warm for the winter!



We offer a variety of ways to pay your bill! Pay online at MidAmericanEnergy.com, through our automated phone system at **800-432-4524**, by scanning the QR code on your smart device or at a MidAmerican kiosk, or by mailing your payment to us with your payment stub.

New year, same
reliable service.

We are excited to serve you in 2025!





888-427-5632

MidAmericanEnergy.com

> Date Billed: 01/14/25

> Page 3 of 3

> Account Number: 78871-41015

Total Amount Due by 02/05/25

\$155.19

A late payment charge of \$2.33 will be assessed if payment is received after 02/05/25.



Electric Charges Detail

Meter No: S64123050

34 Billing Days		
Company Reading	01/14/25	24478
Company Reading	12/11/24	23681
Total kWh		797

Rate: RS Residential Winter

Supply and Delivery

\$82.52

▶ Basic Service Charge		\$8.50
▶ Energy Charge	797 X 0.08044	\$64.11
▶ Energy Adjustment Clause	797 X 0.00755	\$6.02
▶ Transmission Cost Adjustment	797 X 0.00321	\$2.56
▶ Energy Efficiency Charge	797 X 0.00164	\$1.31
▶ Demand Response Charge	797 X 0.00102	\$0.81
▶ Income Tax Adjustment	797 X -0.00099	-\$0.79

Taxes and Fees

\$0.83

▶ 1.00% Local Option Tax		\$0.83
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Total

\$83.35



Gas Charges Detail

Meter No: SY2016246

34 Billing Days		
Company Reading	01/14/25	1733
Company Reading	12/11/24	1644
Total ccf		89
	Pressure X	0.981
	BTU Factor X	1.046

Rate: SVS Residential

Supply

\$43.01

▶ Gas Supply Charge	91 X 0.47263	\$43.01
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Delivery

\$28.12

▶ Basic Service Charge		\$10.00
▶ Meter Class 1 Charge		\$4.50
▶ Delivery Charge	91 X 0.13696	\$12.46
▶ Energy Efficiency Charge	91 X 0.01226	\$1.12
▶ Rate Case Cost Recovery Fee		\$0.04

Taxes and Fees

\$0.71

▶ 1.00% Local Option Tax		\$0.71
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Total

\$71.84



ICF00015022074020200000
NICOLE K ONSTOT

Iowa Community Franchise Fees

May 5, 2021

1. Ackley	1% (electric) and 1% (gas)
2. Akron	5% (gas)
3. Albert City	3% (electric) and 3% (gas)
4. Alburnett	1% (electric) and 1% (gas)
5. Algona	5% (electric) and 5% (gas)
6. Alleman	5% (electric) and 5% (gas)
7. Altoona	5% (electric) and 5% (gas)
8. Anamosa	2% (electric) and 2% (gas)
9. Ankeny	2% (electric) and 2% (gas)
10. Armstrong	5% (electric) and 5% (gas)
11. Arnolds Park	1% (electric) and 1% (gas)
12. Asbury	1% (electric) and 1% (gas)
13. Audubon	5% (electric) and 5% (gas)
14. Beacon	1% (electric) and 1% (gas)
15. Bellevue	5% (electric) and 5% (gas)
16. Blakesburg	1% (electric)
17. Blanchard	3% (electric)
18. Boone	1% (electric) and 1% (gas)
19. Boxholm	1% (gas)
20. Boyden	5% residential; 5% commercial; 5% industrial (electric and gas)
21. Brandon	5% (electric) and 5% (gas)
22. Calmar	3% (electric) and 3% (gas)
23. Camanche	2% (gas)
24. Carlisle	4% (electric) <i>*only applies to MidAmerican Energy customers</i>
25. Carroll	1% (electric)
26. Cedar Rapids	3% (electric) and 3% (gas)
27. Center Point	3% (electric) and 3% (gas)
28. Centerville	3% (electric) and 3% (gas)
29. Central City	5% (electric) and 5% (gas)

30. Chariton	1% (electric) and 1% (gas)
31. Cherokee	5% (electric) and 5% (gas)
32. Chillicothe	1% (electric)
33. Churdan	2% (electric)
34. Cincinnati	2% (electric) and 2% (gas)
35. Clarion	5% (electric) and 5% (gas)
36. Clinton	4% (electric) and 4% (gas)
37. Clive	5% (electric) and 5% (gas)
38. Clutier	2% (electric)
39. Coggon	1% (gas)
40. Colfax	5% (electric) and 5% (gas)
41. Collins	3% (electric) and 3% (gas)
42. Conway	1% (electric)
43. Coralville	1% (electric) and 1% (gas)
44. Council Bluffs	2% (electric) and 2% (gas)
45. Creston	1% (electric) and 1% (gas)
46. Danbury	3% (electric) and 3% (gas)
47. Decatur City	5% (electric)
48. Decorah	1% (gas) and 2% (electric) 1% (gas) and 3% (electric) *effective July 1, 2021 1% (gas) and 4% (electric) *effective July 1, 2022
49. Delhi	5% (electric) and 5% (gas)
50. Des Moines	5% (electric) and 5% (gas)
51. Dolliver	1% (electric)
52. Donnellson	4% (electric) and 4% (gas)
53. Dubuque	5% (electric) and 5% (gas)
54. Durant	5% (gas)
55. Dyersville	1% (electric) and 1% (gas)
56. Early	3% (electric) and 4% (gas)
57. Eddyville	1% (electric)

58. Eldon	2% (electric) and 2% (gas)
59. Eldora	2% (electric) and 2% (gas)
60. Elkader	5% (gas)
61. Ellston	1% (electric)
62. Ely	1% (electric) and 1% (gas)
63. Everly	1% (electric)
64. Exline	2.5% (electric)
65. Fayette	1% (electric) and 1% (gas)
66. Fonda	2% (gas)
67. Fort Atkinson	5% (electric)
68. Fruitland	1% (gas)
69. Garnavillo	3% (electric) and 3% (gas)
70. Garwin	1% (electric) and 1% (gas)
71. Glenwood	5% (electric) and 5% (gas)
72. Greenville	1% (electric)
73. Grinnell	4% (electric) and 4% (gas)
74. Griswold	3% (electric) and 3% (gas)
75. Gruver	2% (electric)
76. Hampton	5% (electric) and 5% (gas)
77. Harris	3% (electric),
78. Hartford	5% (electric) and 5% (gas)
79. Hastings	5% (electric)
80. Hawkeye	5% (electric) and 5% (gas)
81. Hazleton	1% (electric) and 1% (gas)
82. Hiawatha	3% (electric) and 3% (gas)
83. Hubbard	1% (electric) and 1% (gas)
84. Hull	5% residential; 1.5% commercial; 1.5% industrial; (electric and gas)
85. Huxley	3% (electric) and 3% (gas)
86. Independence	5% (gas)
87. Indianola	5% (electric) and 5% (gas)

88. Inwood	5% (electric and gas – residential) 3% (electric and gas – non-residential)
89. Iowa City	1% (electric) and 1% (gas)
90. Iowa Falls	2.5% (electric) and 2.5% (gas)
91. Ireton	5% (electric)
92. Keystone	1% (electric) and 1% (gas)
93. Knoxville	5% (electric) and 5% (gas)
94. Lake City	3% (electric) and 3% (gas)
95. Lakota	4% (electric) and 4% (gas)
96. Lamont	4% (gas)
97. Lansing	3% (electric)
98. Lawler	5% (electric)
99. Ledyard	5% (electric) and 5% (gas)
100. Lewis	4% (electric)
101. Libertyville	1% (electric) and 1% (gas)
102. Lincoln	1% (electric)
103. Logan	5% residential; 2% business; (electric and gas)
104. Lohrville	3% (electric) and 3% (gas)
105. Lone Rock	1% (electric) and 1% (gas)
106. Luana	1% (electric) and 1% (gas)
107. Luxemburg	1% (electric)
108. Lytton	4% (gas)
109. Madrid	1% (electric) and 1% (gas)
110. Malcom	2% (electric) and 2% (gas)
111. Mallard	1% (electric)
112. Manchester	3% (electric) and 3% (gas)
113. Marathon	5% (gas)
114. Marengo	3% (electric) and 3% (gas)
115. Marion	4% (electric)
116. Maxwell	2% (electric) and 2% (gas)

117.	Melbourne	1% (electric) and 1% (gas)
118.	Melcher-Dallas	4% (electric and gas)
119.	Melvin	5% (electric)
120.	Millersburg	1% (electric)
121.	Milton	1% (electric)
122.	Missouri Valley	1% (electric) and 1% (gas)
123.	Mitchellville	3% (electric) and 3% (gas)
124.	Monticello	3% (electric) and 3% (gas)
125.	Moravia	1% (electric) and 1% (gas)
126.	Moulton	1% (electric)
127.	Mount Vernon	5% (electric) and 5% (gas)
128.	Muscatine	2% (gas)
129.	Murray	5% (electric)
130.	Mystic	1% (electric)
131.	New Providence	1.5% (electric) and 1.5% (gas)
132.	New Vienna	1% (electric)
133.	New Virginia	3% (electric) and 3% (gas)
134.	Norway	3% (electric) and 3% (gas)
135.	Numa	1% (electric)
136.	Oakland	1% (electric)
137.	Ocheyedan	1% (electric)
138.	Oelwein	5% (electric) and 5% (gas)
139.	Ogden	1% (gas)
140.	Onslow	2% (electric)
141.	Osceola	2% (electric) and 2% (gas)
142.	Oskaloosa	3% (electric) and 3% (gas)
143.	Ossian	2% (electric) and 2% (gas)
144.	Parnell	2% (electric) and 2% (gas)
145.	Peosta	1% (electric) and 1% (gas)
146.	Perry	2% (electric) and 2% (gas)

147.	Plano	1% (electric)
148.	Pleasant Hill	5% (electric) and 5% (gas)
149.	Pleasant Plain	1% (electric)
150.	Plover	1% (electric)
151.	Prairieburg	1% (electric)
152.	Prairie City	1% (electric) and 1% (gas)
153.	Rembrandt	2% (electric) and 2% (gas)
154.	Rock Valley	5% (electric) and 5% (gas)
155.	Rolfe	1% (electric)
156.	Rossie	1% (electric)
157.	Royal	2% (electric)
158.	Russell	2% (electric)
159.	Ryan	5% (electric) and 5% (gas)
160.	Searsboro	1% (electric)
161.	Sergeant Bluff	5% (electric) 5% (gas) residential; 3% (electric and gas) non-residential
162.	Sharpsburg	1% (electric)
163.	Shenandoah	5% (electric) and 5% (gas)
164.	Sibley	3% (gas)
165.	Sigourney	2% (electric) and 2% (gas)
166.	Sioux City	5% (electric) and 5% (gas)
167.	Sioux Rapids	5% (electric) and 5% (gas)
168.	Springville	1% (electric) and 1% (gas)
169.	Somers	5% (electric)
170.	Spirit Lake	3% (electric) *effective January 1, 2021
171.	Stacyville	5% (electric) and 5% (gas)
172.	Steamboat Rock	1% (electric) and 1% (gas)
173.	St. Lucas	1% (electric)
174.	Storm Lake	5% (electric) and 5% (gas)
175.	Story City	1% (gas)

176.	Strawberry Point	2% (gas)
177.	Superior	3% (electric) *effective January 1, 2021
178.	Sutherland	3% (electric) and 3% (gas)
179.	Swea City	5% (electric) and 5% (gas)
180.	Tabor	5% (electric) and 5% (gas)
181.	Tama	1% (electric)
182.	Terril	1% (electric)
183.	Thornburg	1% (electric)
184.	Tiffin	1% (gas)
185.	Titonka	3% (electric)
186.	Toledo	1% (electric) and 1% (gas)
187.	Tripoli	1% (electric) *effective January 1, 2021
188.	Unionville	1% (electric)
189.	Van Meter	5% (electric) and 5% (gas)
190.	Victor	1% (electric) and 1% (gas)
191.	Vinton	1% (gas)
192.	Wahpeton	2% (electric)
193.	Walker	1% (electric) and 1% (gas)
194.	Waterloo	4% (electric) and 4% (gas)
195.	Waukon	3% (electric) 3% (gas)
196.	Webb	4% (electric) 5% (electric) *effective July 1, 2021
197.	Wellsburg	3% (electric) and 3% (gas)
198.	Wesley	1% (electric) and 1% (gas)
199.	West Okoboji	1% (electric) and 1% (gas)
200.	West Union	1% (electric) and 1% (gas)
201.	What Cheer	1% (electric) and 1% (gas)
202.	Whitten	2% (electric) and 2% (gas)
203.	Williamsburg	1% (electric) and 1% (gas)
204.	Williamson	1% (electric) and 1% (gas)

205. Windsor Heights 5% residential; 3% business (electric and gas)