

Agenda

Notice of Meeting

Polk City | City Council

June 8, 2020 | 6:00 pm

City Hall | Council Chambers

Due to Covid-19 Mayor and Council will meet via ZOOM

Public Meeting participation is via phone only

Call in local 515-329-8019

Toll-Free 833-329-8019

Participant Code 593054

Public can also provide comments directly to support@polkcityia.gov

***any comments received before the time of the meeting will be made a part of the public hearing**

Broadcast playback will be available at <https://polkcityia.gov/page/LiveStream>

Jason Morse | Mayor

David Dvorak | Pro Tem

City Council Members: Jeff Walters | Mandy Vogel | Ron Anderson | Rob Sarchet

1. Call to Order

2. Roll Call

3. Approval of Agenda

4. Public Comments: This is the time and place for comments for any item other than those that are a Public Hearing. If you wish to speak, please contact the City Clerk by 5pm on the date of the meeting by email at jgibbons@polkcityia.gov with your name and address for the record including the phone number you will be calling in with. The Mayor will recognize you for five minutes of comment during which time your line will be unmuted.

5. Consent Items

- a. City Council Meeting Minutes for May 26, 2020
- b. Receive and file the May 21, 2020 NCG Meeting Minutes
- c. Receive and file the June 1, 2020 Parks Commission Meeting Minutes
- d. Claims listing June 8, 2020
- e. Resolution 2020-63 Approving PA-32 Spending Policy
- f. Twelve-month Class E Liquor License with Class B Native Wine Permit, Class C Beer Permit and Sunday Sales Privileges for Casey's General Store #1144 located at 1100 S 3rd Street effective August 9, 2020
- g. Resolution 2020-64 resetting public hearing Big Creek Technology Campus Plat 3 vacation of a 50' Buffer Easement and 20' Surface Water Flowage Easement
- h. Resolution 2020-65 setting the date for the sale of General Obligation Street Improvements Bonds, Series 2020 and authorizing the use of a preliminary official statement in connection therewith
- i. Receive and file the May 2020 Library Director Report
- j. Receive and file the May 4, 2020 Library Board Meeting Minutes
- k. Receive and file the May 18, 2020 Special Board Meeting Minutes
- l. Receive and file the May 2020 Library Stats Report
- m. Resolution 2020-66 approving 28E Agreement with the Members of the Polk County Emergency Management Commission for funding of Emergency Management Administration
- n. Receive and file the Parks & Recreation Department Updates dated June 8, 2020
- o. Receive and file the May 2020 Water Department Report

6. Business Items

- a. Snetselaar & Lillskau Petitions to Rezone
 - i. Third & Final Reading of Ordinance 2020-900 rezoning 82.82 acres to R1
 - ii. Third & Final Reading of Ordinance 2020-1000 rezoning 31.86 acres to R2
 - iii. Reconsider First Reading of Ordinance 2020-1100 rezoning 14.60 acres to R2A
 - iv. Reconsider First Reading of Ordinance 2020-1200 rezoning 34.16 acres to C2
- b. Third & Final Reading of Ordinance 2020-500 amending Chapter 106 collection of solid waste
- c. Third & Final Reading of Ordinance 2020-700 amending Water Rates
- d. Third & Final Reading of Ordinance 2020-800 amending the provisions regarding Fireworks

7. Reports & Particulars

Mayor, Council, City Manager, Staff, Boards, and/or Commissions

8. Adjournment

--next meeting date June 22, 2020

MEETING MINUTES
The City of Polk City
City Council Meeting
6:00 p.m., May 26, 2020
City Hall – VIA ZOOM

Polk City, City Council held a meeting via ZOOM at 6:00 p.m., on May 26, 2020. The Agenda was posted at the City Hall office as required by law. **These tentative minutes reflect all action taken at the meeting.**

1. **Call to Order** / Mayor Morse called the meeting to order at 6:00 p.m.
2. **Roll Call** / Walters, Vogel, Anderson, Sarchet | In attendance via zoom
Dvorak | Absent
3. **Approval of Agenda**
MOTION: A motion was made by Walters and seconded by Sarchet to approve the meeting agenda
MOTION CARRIED UNANIMOUSLY
4. **Public Hearings**
 - a. Kwik Trip Development Agreement
 - i. Mayor Morse opened the Public Hearing at 6:01 p.m. on the proposed Development Agreement with Kwik Trip, Inc. City Clerk, Jenny Gibbons, said the notice was published May 15, 2020 and no comments had been received for or against the proposed agreement. City Manager, Chelsea Huisman provided a report. No one was present on the phone to be heard for or against the proposed agreement.
MOTION: A motion was made by Vogel and seconded by Sarchet to close the public hearing at 6:03 p.m.
MOTION CARRIED UNANIMOUSLY
 - ii. **MOTION:** A motion was made by Walters and seconded by Vogel to approve Resolution 2020-55 approving a Development Agreement with Kwik Trip, Inc., Authorizing Annual Appropriation Tax Increment Payments and Pledging Certain Tax Increment Revenues to the Payment of the Agreement
MOTION CARRIED UNANIMOUSLY
 - b. Waste Water Reclamation Authority (WRA)
 - i. Mayor Morse opened the Public Hearing at 6:07 p.m. on the proposed assignment and conveyance of improvements, property, and permanent easements to the Des Moines Metropolitan Wastewater Reclamation Authority. City Clerk, Jenny Gibbons, said the notice was published May 15, 2020 and no comments had been received for or against the proposal. City Attorney, Amy Beattie provided a report. No one was present on the phone to be heard for or against the proposal
MOTION: A motion was made by Sarchet and seconded by Walters to close the public hearing at 6:12 p.m.
MOTION CARRIED UNANIMOUSLY
 - ii. **MOTION:** A motion was made by Vogel and seconded by Anderson to approve Resolution 2020-56 authorizing assignment and conveyance of improvements, property, and permanent easements to the Des Moines Metropolitan Wastewater Reclamation Authority
MOTION CARRIED UNANIMOUSLY
 - c. FY 19/20 Budget Amendment
 - i. Mayor Morse opened the Public Hearing at 6:13 p.m. on the proposed FY 19/20 Budget Amendment. City Clerk, Jenny Gibbons, said the notice was published May 15, 2020 and no comments had been received for or against the amendment. City Manager, Chelsea Huisman provided a report. No one was present on the phone to be heard for or against the proposal
MOTION: A motion was made by Walters and seconded by Anderson to close the public hearing at 6:14 p.m.
MOTION CARRIED UNANIMOUSLY
 - ii. **MOTION:** A motion was made by Sarchet and seconded by Vogel to approve Resolution 2020-57 approving Budget Amendment No. 2 for FY 19/20
MOTION CARRIED UNANIMOUSLY
5. **Consent Items**
MOTION: A motion was made by Walters and seconded by Vogel to approve the consent agenda items
 - a. City Council Meeting Minutes for May 11, 2020
 - b. City Council Work Session Meeting Minutes for May 11, 2020
 - c. Receive and file the May 18, 2020 P&Z Meeting Minutes
 - d. Claims listing May 26, 2020
 - e. April 2020 Finance Report
 - f. Update City Clerk job description

- g. Resolution 2020-58 setting a public hearing on the vacation of a 50' Buffer Easement and a 20' Surface Water Flowage Easement in Big Creek Technology Campus Plat 3
- h. Receive and file the April 2020 Police Department Report
- i. Approve PA-31 Records Retention Policy
- j. Receive and file the May 2020 Parks & Recreation Department Updates
- k. Receive and file the April 2020 Fire Department Report

MOTION CARRIED UNANIMOUSLY

6. Business Items

- a. Zunkel Estates Plat 1
 - i. ***MOTION:*** A motion was made by Sarchet and seconded by Vogel to approve Resolution 2020-60 approving the Preliminary Plat and Resolution 020-61 approving the Final Plat
MOTION CARRIED UNANIMOUSLY
- b. ***MOTION:*** A motion was made by Sarchet and seconded by Walters to approve Resolution 2020-62 approving the Site Plan for P&M Apparel
MOTION CARRIED UNANIMOUSLY
- c. ***MOTION:*** A motion was made by Vogel and seconded by Sarchet to approve the second reading of Ordinance 2020-600 vacation of a portion of the Overland Flowage Easement in White Tail Ridge Plat 2
MOTION CARRIED UNANIMOUSLY
 - i. ***MOTION:*** A motion was made by Walters and seconded by Vogel to waive third reading of Ordinance 2020-600
MOTION CARRIED UNANIMOUSLY
- d. ***MOTION:*** A motion was made by Sarchet and seconded by Vogel to approve Resolution 2020-59 accepting a new Public Storm Sewer Easement on Lots 4 & 5 of White Tail Ridge Plat 2
MOTION CARRIED UNANIMOUSLY
- e. ***MOTION:*** A motion was made by Anderson and seconded by Sarchet to award the 3-year Audit Agreement with Martens & Company
MOTION CARRIED UNANIMOUSLY
- f. Prior to making a motion on Ordinance 2020-500 Council Member Sarchet asked if there was anyone on the phone that wished to speak. The following Polk City Residents addressed the Council:
 - Suzie Sosby, 304 Sweetwater Circle
 - Joel Sowieja, 1812 Robin Ct
 - Dustin Dellachiesa, 204 Maple Dr.
 Council Members Sarchet and Anderson provided comments.
MOTION: A motion was made by Sarchet and seconded by Walters to approve the second reading of Ordinance 2020-500 amending Chapter 106 concerning collection of solid waste
MOTION CARRIED UNANIMOUSLY
- g. Council Member Sarchet gave a report regarding Ordinance 2020-700. Council Member Vogel and Walters provided comments. Polk City Resident Joel Sowieja, 1812 Robin Ct addressed the Council.
MOTION: A motion was made by Walters and seconded by Anderson to approve the second reading of Ordinance 2020-700 amending water rates
MOTION CARRIED UNANIMOUSLY
- h. Polk City Resident, Andrew Denner, 1150 Hansen Pl addressed Council. City Clerk, Jenny Gibbons reiterated the Ordinance would not amend the use or display days/hours of fireworks, it would just provide better enforcement opportunities for the Police Department.
MOTION: A motion was made by Walters and seconded by Vogel to approve the second reading of Ordinance 2020-800 amending the provisions regarding Fireworks
MOTION CARRIED UNANIMOUSLY
- i. Snetselaar & Lillskau Petitions to Rezone
 - i. ***MOTION:*** A motion was made by Walters and seconded by Sarchet to approve the second reading of Ordinance 2020-900 rezoning 82.82 acres to R1
MOTION CARRIED UNANIMOUSLY
 - ii. ***MOTION:*** A motion was made by Vogel and seconded by Walters to approve the second reading of Ordinance 2020-1000 rezoning 31.86 acres to R2
MOTION CARRIED UNANIMOUSLY

7. Reports & Particulars | Mayor, Council, City Manager, Staff, Boards, and/or Commissions

- Fire Chief Mitchell thanked the community for their support at the Pancake Breakfast.
- Public Works Director Schulte provided an update from the contractor on the Street Asphalt Overlay Project.
- Council Member Walters said he feels the Council has had healthy conversations about all the changes coming to the utility bill and believes they are doing the right job moving forward with the changes and is confident everything has been done legally with notice. Walters shared a reminder to be on the look out for Poison Ivy as the weather gets nicer.

- Council Member Anderson said on a happy note he spoke with several constituents that were happy the streets are being redone and supportive of consolidated pick ups despite Walters having excellent service, these citizens support what the Council is doing and have reached out to get the facts on what is happening.
- Council Member Vogel said she knows the utility bill changes will present questions and concerns from some residents, but reassured members of the community that the council had talked through these topics at great lengths prior to the anticipation of Council meetings moving to the zoom platform. She appreciates and values the residents' feedback.
- Council Member Sarchet said as one of the no votes at the previous Council meeting regarding two parcels with proposed rezoning failing, he would like to bring these two back to the next Council meeting for reconsideration. Council Member Anderson agreed, and Council Member Walters said it is great to see this commercial area being reconsidered. Sarchet said it was good to see Parks opening in the previous weeks and looks forward to further openings. He said he enjoyed the CIP exercise and tried to be fair in grading his preferences. Sarchet said that he welcomes genuine questions and open dialogue with residents.
- Mayor Morse said the timing of all the utility changes is unfortunate given the current environment, but decisions had to be made based on what had previously been done with Council and Leadership. Mayor gave an update on the Comet Cupboard and thanked Community Members for continued support. The next food bag pick up is scheduled for Saturday June 6th. Mayor reported the Creamery has partnered with the Legion to sell Poppies for the Legion's annual fundraiser. He congratulated the Fire Department on a great job with the pancake fundraiser.
- City Manager Huisman reported on the plan in place to work on reopening facilities that include City Staff reporting back in the offices June 15th with City Hall tentatively scheduled to open July 6th. In the meantime, meetings will continue to be conducted on Zoom in June with the hope that in person meetings can begin sometime in July.

8. *Adjournment*

MOTION: A motion was made by Anderson and seconded by Walters to adjourn at 7:22 p.m.

MOTION CARRIED UNANIMOUSLY

Next Meeting Date – June 8, 2020

Jason Morse, Mayor

Attest

Jenny Gibbons, City Clerk

MEETING MINUTES
The City of Polk City
Neighborhood Citizen's Group
4:00 p.m., Thursday, May 21, 2020
City Hall | VIA ZOOM

1. **Call to Order** | *The meeting was called to order at 4:00 p.m.*
2. **Roll-Call** | Otis, Foss, Dillinger, Cathcart, Loter, Tom & Peg Hogan, were in attendance along with Council Member Vogel, City Clerk Gibbons and City Manager Huisman. Sosby joined 4:04pm
3. **Future of NCG**

City Manager, Huisman discussed the future of the NCG group.

 - a. A motion was made by Tom Hogan and seconded by Jared Foss to approve the proposed Mission Statement: *To facilitate civic engagement by providing a forum of communication and involvement between residents and the city leaders to unite our community.*
MOTION CARRIED UNANIMOUSLY
 - b. The NCG agreed to schedule further meetings the first Thursday of each new quarter at 530pm at the Community Room
 - c. The NCG agreed to staggered 2-year terms with option to extend as follows:
Term Expiring December 2020 – Suzie Sosby, Andy Cathcart, Tom Hogan, Peg Hogan
Term Expiring December 2021 – Nick Otis, Jared Foss, Ashley Dillinger, Charlotte Loter
 - d. The NCG discussed NCG boundaries and City Clerk, Jenny Gibbons will provide an updated NCG District map to the group
4. A motion was made by Dillinger and seconded by Sosby to nominate Tom Hogan as Chairperson 2020
MOTION CARRIED UNANIMOUSLY
5. A motion was made by Cathcart and seconded by Otis to nominate Ashley Dillinger as Vice Chair 2020
MOTION CARRIED UNANIMOUSLY
6. **City Update**

City Manager, Huisman reviewed the Mayor/Council Goal Setting Session Final report. Huisman reviewed the Volunteer Board Policy including requirements for gender balance. She discussed the Parks & Rec Director and plans to introduce him at a future meeting. Huisman reviewed the TIF Policy adopted by Council. Huisman reviewed the upcoming Utility Bill changes that will be effective July 1st. The NCG discussed consolidated trash, recycling charges, water rate increases and breakdown and the sewer rate increase. Council Member Vogel said the Council and Staff had been discussing all of these topics for several months, partnering with an outside firm that provided the tools to help Council make the best financial decisions possible.
7. **Reports & Particulars**

NCG Members asked for details regarding the transition on Solid Waste and staff discussed the plans and communication that would be used with the residents. NCG Members wanted to know if Curbside pickup would be rescheduled and Huisman responded with the Fall at the earliest. NCG Members also asked if the Sports Complex would open in the future and Huisman reported that ground is owned by the Army Corp of Engineers and at this time, they have not given permission to unlock the gates.
8. **Adjournment**

Next meeting – July 2, 2020 5:30pm

MEETING MINUTES
The City of Polk City
Parks Commission
6:00 p.m., Monday, June 1, 2020
City Hall

Polk City, Parks Commission held a meeting at 6:00 p.m., on June 4, 2020. The Agenda was posted at the City Hall office as required by law. **These tentative minutes reflect all action taken at the meeting.**

1. **Call to Order** | *The meeting was called to order at 6:05 p.m.*
2. **Roll Call** | Haaland, Karsjen, Motsch, Bentley, Reed, Campbell | In attendance
Delaney | Absent
3. **MOTION:** A motion was made by Motsch and seconded by Haaland to approve the February 3, 2020 Meeting Minutes
MOTION CARRIED UNANIMOUSLY
4. **Audience Items** | None
5. **Parks & Rec Director Introduction** – Jason Thraen, Parks & Rec Director, reviewed his resume and background with the Commission including his favorite ways to recreate. He shared his desire to make Polk City a better place and said he is happy to be here. Thraen discussed his thoughts on creating 12 months a year programming for Polk City and challenged the Commission Members to be ready to volunteer as different needs arise. Each of the Commission Members provided their background and what they are passionate about recreationally.
6. **COVID-19 Update**
 - a. **Summer Rec** – Thraen confirmed Summer Recreation is taking a hiatus for 2020.
 - b. **Parks** -Thraen confirmed City Parks are open except for the Sports Complex that is owned by the Army Corp and is requiring some additional precautions to be in place prior to opening.
 - c. **Playgrounds** – Thraen confirmed Playgrounds opened June 1st with the help of Fire Chief Mitchell sanitizing the equipment. Going forward the equipment will be disinfected once per week.
7. **July Parks & Rec Month** – Thraen shared his ideas on various activities he is preparing for the month of July to celebrate Parks & Rec. All ideas would have a virtual component and would be social distant compliant. He asked for input from the Commission and requested they follow the new Parks & Rec Facebook Page.
8. **Reports & Particulars** | Council Liaison, City Manager, Staff, and Commission
 - Commission Member, Bentley told Thraen she thought his ideas are great and mirror some of the things the Commission has been discussing at past meetings. She suggested he work with the different NCG members to help promote the ideas on their facebook pages as well.
 - Commission Member, Motsch suggested Thraen partner with Lakeside Church to possibly use their giant outdoor screen for future events. She said she really liked the photo ideas to get people out. Motsch also requested a City review of the trail head on Bridge Road to see if sidewalk access would be possible.
 - Commission Member, Karsjen said the next Community Visioning meeting is Thursday and he will bring up that trail connection concern.
 - City Council Member, Rob Sarchet said way finding signs are a priority of the Community Visioning group to help people find the parks and trail heads easier around town. He welcomed Karsjen as a new Commission member and Thraen as the Parks & Rec Director. He said Thraen moving to Polk City without being asked shows a lot of commitment to the community. Sarchet thanked Motsch for her volunteer work with flowers and plants on the square, especially with a stroller in tow. He joked that had he called the square project a beautification project or committee maybe he could have gotten more volunteers than just one. Sarchet discussed the Capital Improvement Plan the Council has been working on to identify and grade projects within the City in the next 5 years. Sarchet said he will share the final rankings once complete.
 - Thraen provided a public works report as pertains to parks and explained that the City is on a spending freeze so some of the projects like reroofing the bandstand, Kiwanis shelter and the bell tower on the Historical Museum had been postponed.
 - City Clerk, Jenny Gibbons provided a tree report in Ken Morse absence.
9. **Adjournment**
MOTION: A motion was made by Karsjen and seconded by Motsch to adjourn at 6:52 pm.
MOTION CARRIED UNANIMOUSLY
Next Meeting Date – Monday, July 6, 2020 at City Hall.

Attest

Jenny Gibbons, City Clerk

CLAIMS REPORT

CITY OF POLK CITY		DATED	6/8/2020
VENDOR	REFERENCE	AMOUNT	
440-PRAXAIR DISTR. INC.	OXYGEN	\$	541.84
Aladtec Inc	STAFFING SOFTWARE	\$	5,065.00
AMAZON BUSINESS	TASER HOLSTER	\$	93.31
AMERICAN HOME SERVICES	FURNACE REPAIR	\$	80.00
ARNOLD MOTOR SUPPLY	VEHICLE PARTS & SUPPLIES	\$	785.68
AT&T MOBILITY	PHONE SERVICE	\$	292.26
AUREON TECHNOLOGY	MONTHLY INTERNET/CIRCUIT	\$	1,758.37
BANLEACO	COPIER LEASE	\$	67.80
BLANK PARK ZOO FOUNDATION	SUMMER READING PROGRAM	\$	65.00
Bound Tree Medical	MEDICAL SUPPLIES	\$	351.97
BRANDY YOUNG	CHAIR YOGA PROGRAM	\$	200.00
BRICK LAW FIRM	GENERAL	\$	6,345.00
BRIDGE POINTE, LLC.	TIF	\$	27,537.43
BUSINESS PUBLICATIONS CORP	PUBLICATIONS	\$	590.27
CENTURY LINK	PHONE	\$	280.00
CHAD LEWIS	SUMMER READING PROGRAM	\$	175.00
CITY OF POLK CITY	UB ASSISTANCE - COVID 19	\$	182.50
Crystal Clear Water Co	PURCHASED WATER	\$	42.25
DES MOINES AREA COMM.COLLEGE	CONT ED HOURS - COVID UPDATES	\$	15.00
DES MOINES STAMP MFG. CO.	7 STAMPS	\$	271.00
Des Moines Water Works	PURCHASED WATER	\$	22,992.26
ESRI	SUBSCRIPTION RENEWAL	\$	2,400.00
FAREWAY	TIF	\$	14,758.26
FREEDOM FLATWORK	REMOVE/REPLACE TRAIL RAMPS	\$	4,940.00
FRIHALAGE INVESTMENTS	TIF	\$	27,259.56
GALL'S INC.	UNIFORMS	\$	365.98
GRAINGER INC.	GAS MASKS/FILTERS	\$	2,475.36
GRANGER MOTORS	REPAIRS	\$	1,651.83
GUTH LABORATORIES	DMT TUBES	\$	84.98
HOTSY CLEANING SYSTEMS INC.	5 GAL SOAP/ PARTS	\$	81.93
I.A.M.U.	CIASSO JUNE-AUGUST 2020	\$	966.75
INTERSTATE POWERSYSTEMS	REPAIR PARTS WATER PLANT	\$	791.49
Keck Energy	DIESEL FUEL	\$	624.45
KELTEK	VEHICLE COMPUTER REPLACEMENT	\$	4,865.50
KEYSTONE LABORATORIES INC.	WATER TESTING	\$	75.00
LINDSEY HUBER	TUITION REIMBURSEMENT	\$	1,000.00
LISTER INDUSTRIES	MANHOLE RISERS	\$	250.00
LYNN PEAVEY COMPANY	BLOOD/URINE COLLECTION KITS	\$	59.30
MARTIN MARIETTA AGGREGATES	ROCK AND SAND FOR MAIN REPAIRS	\$	1,211.96
MEDIACOM	INTERNET SERVICE	\$	548.70
MERCYONE NORTH PHARMACY	RX SUPPLIES	\$	165.88
METRO WASTE AUTHORITY	CURB IT RECYCLING	\$	6,475.28
NELSON AUTOMOTIVE	REPAIR PARTS	\$	371.38

Pam Witt	MILEAGE	\$ 165.30
POLK CITY COMMERCIAL CENTER	TIF	\$ 7,044.14
Polk City Dental LLC	TIF	\$ 18,447.82
POLK COUNTY HEATING & COOLING	SAND VOLLEY BALL DRAINAGE	\$ 3,200.00
POSTMASTER	POST OFFICE BOX ANNUAL FEE	\$ 98.00
RACHEL HROMATKO	COMMUNITY ROOM RENTAL REFUND	\$ 65.00
RACOM	EDACS ACCESS	\$ 671.16
Sandry Fire Supply L.L.C.	MASK DISINFECTANT	\$ 196.00
STRYKER SALES CORPORATION	4 AED BATTERIES	\$ 376.21
TOTAL QUALITY INC.	LAWNCARE	\$ 12,631.80
TRANSAMERICA LIFE INSURANCE	INSURANCE - ACCIDENT	\$ 31.92
TWELVE OAKS, LLC	TIF	\$ 47,150.00
UPHDM OCCUPATIONAL MEDICINE	ALCOHOL/DRUG SCREENING	\$ 58.00
UTILITY BILLING	DEPOSIT REFUNDS	\$ 323.22
VERIZON WIRELESS	PHONE AND DATA PLAN	\$ 17.04
Accounts Payable Total		\$ 229,027.92
GENERAL		\$ 57,073.91
ROAD USE		\$ 7,522.72
TIF		\$ 142,197.21
L.M.I		\$ 182.50
WATER		\$ 26,226.71
SEWER		\$ 1,428.09
TOTAL FUNDS		\$ 229,027.92



City of Polk City, Iowa

City Council Agenda Communication

Date: June 8, 2020 City Council Meeting
To: Mayor Jason Morse & City Council
From: Chelsea Huisman, City Manager
Subject: Spending policy

BACKGROUND: On Monday, the City Council will review a spending policy for the City of Polk City employees. The policy outlines thresholds for department heads and City Manager. This policy is an important policy for the City to have as it outlines all requirements for city officials working for the City of Polk City.

ALTERNATIVES: Do not approve the policy

FINANCIAL CONSIDERATIONS: There are no financial considerations regarding this policy. It is a policy on how department heads can spend city resources without City Council authorization. We are currently operating in this manner, but a formal policy needs to be implemented.

RECOMMENDATION: It is my recommendation that the Council adopt the Spending policy.

RESOLUTION NO. 2020-63

**A RESOLUTION ADOPTING POLICY PA-32
CITY SPENDING POLICY**

WHEREAS, the City of Polk City recognizes the need for a policy to provide guidance on how City Officials spend money without pre-authorization from the City Council; and

WHEREAS, the goal of the policy is to establish the requirements for City Personnel authorized to make purchases.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Polk City, Iowa to adopt Policy PA-32 effective June 9, 2020.

PASSED AND APPROVED, this the 8th day of June 2020.

Jason Morse, Mayor

ATTEST:

Jenny Gibbons, City Clerk

P&A – 32
CITY OF POLK CITY

City Spending Policy

Goals, Policies, Criteria and Procedure Goals: The purpose of this policy is to provide guidance on how City Officials may spend money without pre-authorization from the City Council. The City Council will approve all payments to be made at City Council meetings.

The City strives to make fiscally responsible purchases on behalf of its citizens. This policy outlines the requirements for City personnel authorized to make purchases.

Policy

Department heads may spend up to \$3,000 on department specific items and equipment within their budget. All purchases under \$1,000 will not require a purchase order to be filled out. Any purchases over \$1,000 will require a purchase order to be submitted to the individual responsible for accounts payable/receivable at City Hall. Purchase orders should all be signed by the appropriate department head prior to being submitted for payment.

The City Manager may authorize a purchase of up to \$10,000 within the City's budget. Any purchase over the amount of \$10,000 will require pre-authorization and final approval from the City Council.

Competitive Bids

To remain fiscally responsible to the City's residents, competitive bids over the amount of \$10,000 will be required. Individuals with spending authority shall make an effort to obtain more than one competitive bid. The City Council will require competitive bids be solicited up until the threshold amount set by the State of Iowa for Competitive Bidding Procedures. That amount is set each year by the State of Iowa.



Applicant License Application (LE0001958)

Name of Applicant: <u>CASEY'S MARKETING COMPANY</u>		
Name of Business (DBA): <u>CASEY'S GENERAL STORE #1144</u>		
Address of Premises: <u>1100 S 3RD ST</u>		
City <u>Polk City</u>	County: <u>Polk</u>	Zip: <u>50226</u>
Business <u>(515) 984-6021</u>		
Mailing <u>PO Box 3001</u>		
City <u>Ankeny</u>	State <u>IA</u>	Zip: <u>500218045</u>

Contact Person

Name <u>JESSICA FISHER-COMSTOCK, Store Operations</u>
Phone: <u>(515) 446-6404</u> Email <u>JESSICA.FISHER@caseys.com</u>

Classification Class E Liquor License (LE)

Term: 12 months

Effective Date: 08/09/2020

Expiration Date: 08/08/2021

Privileges:

- Class B Wine Permit
- Class C Beer Permit (Carryout Beer)
- Class E Liquor License (LE)
- Sunday Sales

Status of Business

BusinessType: <u>Publicly Traded Corporation</u>
Corporate ID Number: <u>XXXXXXXXXX</u> Federal Employer ID <u>XXXXXXXXXX</u>

Ownership

42-0935283 CASEY'S GENERAL STORES, INC.

First Name: 42-0935283 **Last Name:** CASEY'S GENERAL STORES, INC.
City: ANKENY **State:** Iowa **Zip:** 50021-804
Position: OWNER
% of Ownership: 100.00% **U.S. Citizen:** Yes

MICHAEL RICHARDSON

First Name: MICHAEL **Last Name:** RICHARDSON
City: PLEASANT HILL **State:** Iowa **Zip:** 50327
Position: PRESIDENT
% of Ownership: 0.00% **U.S. Citizen:** Yes

JULIA L. JACKOWSKI

First Name: JULIA L. **Last Name:** JACKOWSKI

City: URBANDALE **State:** Iowa **Zip:** 50322
Position: SECRETARY
% of Ownership: 0.00% **U.S. Citizen:** Yes

James Pistillo

First Name: James **Last Name:** Pistillo
City: Urbandale **State:** Iowa **Zip:** 50323
Position: Treasurer
% of Ownership: 0.00% **U.S. Citizen:** Yes

JOHN SOUPENE

First Name: JOHN **Last Name:** SOUPENE
City: ANKENY **State:** Iowa **Zip:** 50023
Position: VICE-PRESIDENT
% of Ownership: 0.00% **U.S. Citizen:** Yes

Insurance Company Information

Insurance Company: <u>Merchants Bonding Company</u>	
Policy Effective Date: <u>08/09/2020</u>	Policy Expiration <u>01/01/1900</u>
Bond Effective <u>2</u>	Dram Cancel Date:
Outdoor Service Effective	Outdoor Service Expiration
Temp Transfer Effective Date:	Temp Transfer Expiration Date:

RESOLUTION NO. 2020-64

**RESOLUTION RESETTING A PUBLIC HEARING ON THE VACATION OF A
BUFFER EASEMENT AND SURFACE WATER FLOWAGE EASEMENT IN
LOT 1 OF BIG CREEK TECHNOLOGY CAMPUS PLAT 3**

WHEREAS, a proposal has been made for the City to vacate a 50' Buffer Easement and 20' Surface Water Flowage Easement on the following described real property:

50.00' BUFFER EASEMENT VACATION

*A 50.00 FEET WIDE BUFFER EASEMENT IN LOT 1 OF BIG CREEK TECHNOLOGY CAMPUS PLAT 3, AN OFFICIAL PLAT RECORDED AT THE POLK COUNTY RECORDER'S OFFICE IN BOOK 16665, PAGE 17 AND ALSO DESCRIBED IN THE BUFFER EASEMENT RECORDED IN BOOK 16665, PAGE 49 AT THE POLK COUNTY RECORDER'S OFFICE THAT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:
THE SOUTH 50.00 FEET OF SAID LOT 1.*

20.00' SURFACE WATER FLOWAGE EASEMENT VACATION

*A 20.00 FEET WIDE SURFACE WATER FLOWAGE EASEMENT IN LOT 1 OF BIG CREEK TECHNOLOGY CAMPUS PLAT 3, AN OFFICIAL PLAT RECORDED AT THE POLK COUNTY RECORDER'S OFFICE IN BOOK 16665, PAGE 17 ALSO DESCRIBED IN THE SURFACE WATER FLOWAGE EASEMENT RECORDED IN BOOK 16665, PAGE 44 AT THE POLK COUNTY RECORDER'S OFFICE THAT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:
THE SOUTH 20.00 FEET OF SAID LOT 1.*

WHEREAS, the City Engineer has reviewed and approved said vacation based on Lot 1 of Big Creek Technology Campus Plat 3 being replatted as part of Big Creek Technology Campus Plat 4; and

WHEREAS, the Code of Iowa provides that an easement may be vacated only after notice and hearing as provided by law.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Polk City, Iowa, that a public hearing before this Council on the proposal set forth in the preamble to this Resolution is set for 6:00 p.m., on the 22nd day of June 2020. The City Clerk is directed to publish the Notice of said hearing at the time and in the manner required by law.

DATED at Polk City, Iowa, this 8th day of June 2020.

Jason Morse, Mayor

ATTEST:

Jenny Gibbons, City Clerk

MINUTES TO SET DATE FOR SALE OF
BONDS AND AUTHORIZE OFFICIAL
STATEMENT FOR BONDS

511493-2

Polk City, Iowa

June 8, 2020

The City Council of the City of Polk City, Iowa, met on June 8, 2020, at 6 o'clock p.m. VIA ZOOM.

[If the City Council is meeting electronically, please complete the following two paragraphs. Otherwise, strike through]

The City Council met electronically via zoom which was accessible at the following:

515-329-8019 code 593054

The City Council is conducting this meeting electronically due to federal and state government recommendations in response to COVID-19 pandemic conditions. Electronic access information was included in the posted agenda of this public meeting.

The meeting was called to order by the Mayor, and the roll being called, the following named Council Members were present and absent:

Present: _____

Absent: _____.

After due consideration and discussion, Council Member _____ introduced the following resolution and moved its adoption, seconded by Council Member _____. The Mayor put the question upon the adoption of said resolution, and the roll being called, the following Council Members voted:

Ayes: _____

Nays: _____.

The Mayor declared the resolution duly adopted, as hereinafter set out.

RESOLUTION NO. 2020-65

Resolution setting the date for the sale of General Obligation Street Improvement Bonds, Series 2020 and authorizing the use of a preliminary official statement in connection therewith

WHEREAS, the City of Polk City (the “City”), in Polk County, State of Iowa, pursuant to the provisions of Section 384.24A of the Code of Iowa, heretofore proposed to enter into a General Obligation Street Improvement Loan Agreement (the “Loan Agreement”) and to borrow money thereunder in a principal amount not to exceed \$2,600,000 for the purpose of paying the costs, to that extent, of constructing street and incidental sanitary sewer, water system and storm water drainage improvements; and acquiring and installing street lighting, signage and signalization, and has published notice of the proposed action and has held a hearing thereon on March 9, 2020; and

WHEREAS, a Preliminary Official Statement (the “P.O.S.”) has been prepared to facilitate the sale of \$1,750,000 General Obligation Street Improvement Bonds, Series 2020 (the “Bonds”) to be issued in evidence of the obligation of the City under the Loan Agreement, and it is now necessary to make provision for the approval of the P.O.S. and to authorize its use by PFM Financial Advisors LLC, as municipal financial advisor (the “Financial Advisor”) to the City; and

WHEREAS, it is now necessary to set the date for the sale of the Bonds and to make provision for the advertisement thereof;

NOW, THEREFORE, Be It Resolved by the City Council of the City of Polk City, Iowa, as follows:

Section 1. The City Clerk is hereby authorized to take such action as shall be deemed necessary and appropriate, with the assistance of the Financial Advisor, to prepare the P.O.S. describing the Bonds and providing for the terms and conditions of their sale, and all action heretofore taken in this regard is hereby ratified and approved.

Section 2. The use by the Financial Advisor of the P.O.S. in substantially the form as has been presented to and considered by the City Council is hereby approved, and the Financial Advisor is hereby authorized to prepare and use a final Official Statement for the Bonds substantially in the form of the P.O.S. but with such changes therein as are required to conform the same to the terms of the Bonds and the resolution, when adopted, providing for the sale and issuance of the Bonds, and the City Clerk is hereby authorized and directed to execute a final Official Statement for the Bonds, if requested by the Financial Advisor. The P.O.S. as of its date is deemed final by the City within the meaning of Rule 15(c)(2)-12 of the Securities and Exchange Commission.

Section 3. Sealed bids for the purchase of the Bonds shall be submitted, as set forth in the P.O.S., received and canvassed on behalf of the City until 10:00 o’clock a.m. on June 22, 2020, at the office of the City Clerk, at the City Hall, in the City, and the City Council shall meet on the same date at 6:00 o’clock p.m., at City Hall, Polk City, Iowa, for the purpose of considering such bids received and considering and passing a resolution providing for the award

of the Bonds, and the Financial Advisor is hereby authorized and directed to disseminate the notice of said sale, in compliance with the Internal Revenue Service regulations governing “Issue Price” determinations, such notice to minimally contain information regarding Establishment of Issue Price set forth in the “Terms of Offering” attached to the P.O.S. and to be in such form as the Financial Advisor may deem to be appropriate.

Section 4. Pursuant to Section 75.14 of the Code of Iowa, the City Council hereby authorizes the use of electronic bidding procedures for the sale of the Bonds through PARITY®, and hereby finds and determines that the PARITY® competitive bidding system will provide reasonable security and maintain the integrity of the competitive bidding process and will facilitate the delivery of bids by interested parties under the circumstances of this bond sale.

Section 5. All resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Section 6. This resolution shall be in full force and effect immediately upon its adoption and approval, as provided by law.

Passed and approved June 8, 2020.

Mayor

Attest:

City Clerk

••••

On motion and vote, the meeting adjourned.

Mayor

Attest:

City Clerk

ATTESTATION CERTIFICATE

STATE OF IOWA
POLK COUNTY
CITY OF POLK CITY

SS:

I, the undersigned, City Clerk of the City of Polk City, do hereby certify that attached hereto is a true and correct copy of all of the proceedings of the City Council relating to the fixing of a date for the sale of General Obligation Street Improvement Bonds, Series 2020 and approving a preliminary official statement for the sale of the Bonds, as referred to herein.

WITNESS MY HAND this _____ day of _____, 2020.

City Clerk

June 2, 2020

Via Email

Chelsea Huisman
City Administrator/City Hall
Polk City, Iowa

Re: General Obligation Street Improvement Bonds, Series 2020
Our File No. 511493-2

Dear Chelsea:

We have prepared and attach the necessary proceedings reflecting action to be taken at the June 8, 2020 meeting to set June 22, 2020 as the date for the sale of General Obligation Street Improvement Bonds, Series 2020 (the “Bonds”) and to authorize the use of a preliminary official statement (the “P.O.S.”) in connection therewith.

The proceedings attached include the following items:

1. Minutes of the meeting, followed by the resolution providing for the authorization of the P.O.S., setting the date for the sale of the Bonds, and authorizing distribution of a Notice of Sale.
2. Attestation Certificate with respect to the validity of the transcript.

Prior to the adoption of the resolution, you and the City Council should review the proposed P.O.S., which PFM Financial Advisors LLC is preparing, carefully for accuracy and to ensure that there are no important facts being left out of the document that might bear on potential risks to bond holders. It should be noted that, while we will review and comment on the portions of the document that are pertinent to our role as bond counsel, we have not been engaged as disclosure counsel, and we will not engage in a full due diligence process to investigate the accuracy of financial data or any bond holder risks that are unknown to us, nor will we be providing any legal opinions with respect to the documents offering the Bonds for sale. We are available to do this additional work as the City’s disclosure counsel if requested.

As soon as possible after the City Council meeting, please return one fully executed copy of all of the completed pages in these proceedings. If you have any questions, please contact Amy Bjork, Cheryl Ritter or me.

Best regards,

John P. Danos

Attachments

cc via email: Jenny Gibbons
Lindsey Huber
Jon Burmeister

Library Director's Report June 2020

Library Statistics:

- Circulation and library usage.
 - May 2020 circulation decreased by 1,682 checkouts compared to May 2019 (approximately 42%).
 - The library was completely closed to the public during the month of May due to the COVID-19 event.
 - No Adventure Passes were used.
 - Library Patrons saved \$28,151 in May by borrowing materials from the library versus purchasing them (does not include digital ebook/audiobook downloads or hotspot loans).

What's New:

- We launched our Beanstack summer reading program on May 21. We have 130 individuals signed up as of 4:30 pm today.
- We have added Chair Yoga via Zoom to our weekly programming beginning June 9.
- We are sponsoring a community scavenger hunt June 8-12. Book covers will be hung in the windows of participating businesses and participants can get the list from the library (outside, website, Facebook) starting June 8. When they turn in a completed list, they will get a small prize.
- We had several adult summer reading presenters cancel, but we are still offering 4 online programs for adults. We may add a murder mystery party via Zoom.
- All of our youth summer reading performers agreed to provide Zoom presentations or pre-recorded video presentations for us to present online.
- The library has spent nearly \$5,000 in COVID-19 related expenses since March 16.
 - Approximately \$2700 in cleaning supplies, touch-free dispensers for soap and sanitizer, and PPE.
 - Approximately \$650 in Chromebooks and equipment
 - Approximately \$1500 in extra expenses for summer reading program prizes.
- Extra tasks we have accomplished this month while the library has been closed to the public
 - Added Niche Academy tutorials to the website which has been well-received by patrons
 - Created an online appointment process for scheduling library visits
 - Continue to change spine labels for adult series to indicate series & order.
 - Cataloged levels 1-5 of ABC books by color of tub to make them easier for patrons to find. Board books are next!
 - Cataloged easy nonfiction to identify which "neighborhood" they are in to make them easier for patrons to find. (Things that Go, Manners, etc)
 - Added booklists to our online catalog to support North Polk AP English & Literature and DMACC English & Literature courses.
 - Inventory
 - Preparing and distributing craft kits to Pre-K and K-5 age groups each week.
 - Creating Facebook videos on science projects, cake pan promotions, and making masks out of tshirt sleeves
 - Updating website pages and links

POLK CITY LIBRARY BOARD MEETING NOTES
Polk City Community Library Meeting Room, 1500 W. Broadway
Monday, May 4, 2020 at 6:30 pm
Meeting held via Zoom

[Live Participation Link](https://us02web.zoom.us/j/83779786405)
(<https://us02web.zoom.us/j/83779786405>)

I. Call to Order - The meeting was called to order by President Lisa Mart at 6:33 pm.

II. Approval of the Agenda

MOTION: A motion was made by Corey Hoodjer and seconded by Angie Conley to approve Meeting Agenda.

ROLE CALL: Sara Olson, aye
Angie Conley, aye
Corey Hoodjer, aye
Lisa Mart, aye

MOTION PASSED UNANIMOUSLY.

<u>Board Members Present:</u>	Lisa Mart, Angie Conley, Sara Olson, Corey Hoodjer
<u>Board Members Absent:</u>	None
<u>Library Director Present:</u>	Jamie Noack
<u>City Council Liaison Present:</u>	Jeff Walters
<u>Guests Present:</u>	None

III. Consent Items

MOTION: A motion was made by Angie Conley and seconded by Sara Olson to approve Consent Items.

ROLE CALL: Sara Olson, aye
Angie Conley, aye
Corey Hoodjer, aye
Lisa Mart, aye

MOTION PASSED UNANIMOUSLY.

1. Approve the [April 2020 Board Minutes](#)
2. Approve the March & April 2020 Finance Reports
 - a. [History](#)
 - b. [Expenses](#)
 - c. [Revenue](#)

IV. Communication from the Public – None

V. Director's report

Library Statistics:

- Circulation and library usage.
 - April 2020 circulation decreased by 1,169 checkouts compared to April 2019 (approximately 31%).
 - The library was completely closed to the public during the month of April due to the COVID-19 event.
 - No Adventure Passes were used.
 - Library Patrons saved \$31,802 in April by borrowing materials from the library versus purchasing them (does not include digital ebook/audiobook downloads or hotspot loans).

What's New:

- Our new book drop cart has been delivered. Indoor book drop will be available when patrons can re-enter the library.
- The shelves that were ordered for the new circulation stations were not made to specifications and are being re-constructed.
- Public works has installed a plexiglass barrier at our circulation desk.
- We have been working on getting our Beanstack summer reading program created. All information needs to be to the company by May 11. We are very excited with how this is working out.
- I have reached out to Dr. Mart at North Polk to inquire about having the school share information about our summer reading program through newsletters/emails and through the lunch pickup program.
- I upgraded our Zoom account (on a monthly basis) to allow us to hold longer meetings/programs without having to join a second time.
- Through a small survey, we determined that our patrons preferred to have story time on Facebook Live rather than Zoom. We are averaging about 40 participants each Monday morning.
- Our adult programs that are meeting via Zoom average 7-8 participants.
- I will be doing staff evaluations in May. The Board should have the library director evaluation done prior to the June meeting.
- Normally in May, we should review staff job descriptions. However, this is an area I wanted to focus Board attention on this next year now that we are done with our accreditation process. Once we can return to somewhat normal operations, I will plan on presenting one job description each month for review.
- I received a quote from Proquest for offering Ancenstry.com at the library. It would cost \$1,443 per year for the subscription and would not be accessible remotely.
- **Regarding possibly adding passport services, Jamie has made contacts but**

LIBRARY -APRIL 2020 STATS SNAPSHOT	April 2019	April 2020 (COVID-19)	March 2020
Total Visitors	2,434	0	1,239
People Checking Out	438	244	394
Polk City Cardholders	374	215	351
Polk City Checkouts	3,473	1,618	3,124
Open Access Cardholders	29	15	21
Open Access Checkouts	262	196	148
Rural Cardholders	35	14	22
Rural Checkouts	296	91	173
Bridges E-book/Audiobook Checkouts	478	700	624
Outgoing ILL Books	33	4	36
Total Checkouts (incl. Bridges & Outgoing ILL)	4,542	2,609	4,105
Auto Renewals (began in September 2018)	764	NA	366
Total Checkouts (adjusted for auto-renewal)	3,778	2,609	3,739

Incoming ILL Books	33	1	22
Reserves Placed	211	1,948	1,124
Materials Added	154	107	167
Materials Withdrawn	77	8	25
New Cards Issued	8	8	15
Computer Users	134	0	26
WiFi Users (on site)-Whofi counter started end of 10/19	48	181	231
Reference Questions	137	0	35
AWE Station Usage	98	0	53
AWE Games Played	274	0	158
Adult Programs	24	12	8
Adult Program Attendance	227	60	128
Youth Programs	15	4	6
Youth Program Attendance	446	138	278
Tutoring	16	0	8
No. of Meeting Room Uses by Outside Groups	1	0	1
Patron Savings (physical materials only)	\$50,683	\$31,802	\$47,269
Blank Park Zoo Adventure Pass (\$44)	6	0	1
Science Center of Iowa Adventure Pass (\$44)	3	0	2
Living History Farms Adventure Pass (\$51)	0	0	
Botanical Gardens Adventure Pass (\$34)	1	0	2
Brenton Skating Plaza (\$46.50)	NA	NA	
Des Moines Children's Museum (\$36)	NA	0	
TOTAL ADVENTURE PASS SAVINGS	\$418	0	\$200.00
Summer Reading Signups (0-11)			
Summer Reading Signups (12-18)			
Adult Reading Participation			
Facebook Page Views (April 3-April 30)	NA	377	452
Facebook Post Reach (April 3-April30)	NA	2,497	3,968
New Facebook Page Followers (April3-April 30)	NA	18	21
New Facebook Page Likes (April 3-April 30)	NA	17	18
Website Views	NA	2,890	2,986

VI. Liaison report – Jeff Walters – no report tonight

VII. Board Education – None????

VIII. Agenda Items

1. Approve [Resolution 2020-3L](#) authorizing the expenditure of up to \$2,500 from the library trust account to pay for new book drop cart, circulation station shelves and Chromebooks to be used for circulation stations.

MOTION: A motion was made by Angie Conley and seconded by Corey Hoodjer to approve Resolution 2020-3L.

ROLE CALL: Sara Olson, aye
Angie Conley, aye
Corey Hoodjer, aye
Lisa Mart, aye

MOTION PASSED UNANIMOUSLY.

2. Approve enrollment in Enrich Iowa programs from the State Library of Iowa.

MOTION: A motion was made by Sara Olson and seconded by Angie Conley to approve enrollment in Enrich Iowa programs from the State Library of Iowa.

ROLE CALL: Sara Olson, aye
Angie Conley, aye
Corey Hoodjer, aye
Lisa Mart, aye

MOTION PASSED UNANIMOUSLY.

3. Nomination of officers for FY21 – Nominations

Lisa Mart – president
Angie Conley – secretary

4. Review [Active Shooter Policy](#)

MOTION: A motion was made by Corey Hoodjer and seconded by Sara Olson to approve Active Shooter Policy with pending changing “Shooter” to “Threat.”

ROLE CALL: Sara Olson, aye
Angie Conley, aye
Corey Hoodjer, aye
Lisa Mart, aye

MOTION PASSED UNANIMOUSLY.

5. Review [Personnel Policy](#) – reviewed; following City policy

6. Review [Criminal Background Check Policy](#) – review; following City policy

IX. Adjourn – Meeting adjourned at 6:49pm.

MOTION: A motion was made by Corey Hoodjer and seconded by Sara Olson to adjourn meeting.

ROLE CALL: Sara Olson, aye
Angie Conley, aye
Corey Hoodjer, aye
Lisa Mart, aye

MOTION PASSED UNANIMOUSLY.

Next Meeting June 6, 2020 at 6:30 PM

Mission Statement: The Polk City Community Library provides a place where all can meet, learn, and grow.

POLK CITY LIBRARY BOARD SPECIAL MEETING NOTES
Polk City Community Library Meeting Room, 1500 W. Broadway
Monday, May 11, 2020 at 5:00 pm
Meeting held via Zoom
[Live Participation Link](https://us02web.zoom.us/j/89975276906)
<https://us02web.zoom.us/j/89975276906>

I. Call to Order - The meeting was called to order by President Lisa Mart at 5:00 pm.

II. Approval of the Agenda

MOTION: A motion was made by Angie Conley and seconded by Rod Bergen to approve Meeting Agenda.

ROLE CALL: Angie Conley, aye
 Corey Hoodjer, aye
 Rod Bergren, aye
 Lisa Mart, aye

MOTION PASSED UNANIMOUSLY.

<u>Board Members Present:</u>	Lisa Mart, Angie Conley, Corey Hoodjer, Rod Bergren
<u>Board Members Absent:</u>	Sara Olson
<u>Library Director Present:</u>	Jamie Noack
<u>City Council Liaison Present:</u>	None
<u>Guests Present:</u>	None

III. Agenda Items

1. Determine terms and conditions of contract proposal with the City of Elkhart for contracting library services for FY21.
 - a. Elkhart would like to pursue a contract for their residents within Polk County; they currently contract with Cambridge and pay \$1,900/year for services; approximately \$2.11 per capita.
 - b. The City of Polk City funds the Polk City Community Library at approximately \$50.33 per capita (approximately 5,000 residents per FY18 data)
 - c. Jamie – concern about hot spot, Adventure Pass use is her biggest concern
 - i. We are not able to increase Adventure Passes; only allowed 2 and these are used frequently
 - ii. Many times, all 10 hot spots are checked out; may need to purchase 10 additional hot spots if they would be used by Elkhart residents. (10 is minimum amount to purchase)
 - iii. Calculated amount of additional “consumable” expenses with approximately 20% increased use (using 900 as approximate Elkhart population in 2020) would be roughly \$13,120 or \$14.57 per capita. This is the minimum Jamie believes it would cost to break even.
 - iv. 16 Elkhart residents have an Open Access account with PCCL – which is limited to physical materials, books on CD, etc, but not Bridges, hot spots, Adventure Pass, etc.
 - v. Jamie stated she spoke with Jeff Walters, who said that the fee must be equitable to what Polk City residents pay, or we would be selling ourselves short.
 - vi. Jamie consulted with Jeff Walters, City liaison to the Library, Chelsea Huisman, city administrator, Maryann Mori, consultant at the State Library, and Scott Dermont, who oversees contracting cities for the State Library.
 - vii. This needs to be into the State by June 5th.
 - d. Discussion included these options:
 - i. Respond stating more research needs to be done and have Elkhart re-request the contract services earlier in the year if still interested.

1. If PCCL offered a contract and another town/city requested contracting services, PCCL would need to offer the same contract, so making sure the right amount of funding is important.
 2. This would allow more time to determine if additional resources (i.e. hot spots) would be needed.
- ii. Respond with a contract proposal including named services and excluding other services.
1. Physical materials – these are available via Open Access.
 2. Bridges – this is a service that would increase cost as the PCCL pays for this service based on population.
 3. Hot spots – may need to purchase an additional 10 hot spots. Elkhart is part of the same school district. If there are any delays in starting school in the fall and online learning is implemented, providing hot spots to Elkhart residents would be a service to the North Polk community.
 4. Adventure Passes – these are frequently used by Polk City residents and PCCL is not able to purchase additional passes; passes are limited to 2 per library. The businesses that are part of the Pass have set that cap.
 5. Per Jamie, adding all services excluding Adventure Pass, \$14.57 per capita is the minimum amount for a break-even.
- iii. Respond with a contract proposal to include all services PCCL offers Polk City residents.
1. Concerns about Polk City residents being able to check out hot spots, Adventure Passes with the potential increased interest in these items.
 2. Polk City funds PCCL approximately \$50.33 per capita
 3. “B” sized cities (which is Elkhart’s classification) fund libraries approximately \$41 per capita.
 4. Polk City has an approximate population of 5,000, and estimated Elkhart population to be 900; this would increase the number of people with full access to PCCL by approximately 20%.

MOTION: Motion to propose contract to the City of Elkhart for library services at a per capita rate of \$15.00 to include library materials, Bridges, and hot spots, and to exclude access to Adventure Pass made by Angie Conley and seconded by Corey Hoodjer.

ROLE CALL: Angie Conley, aye
 Corey Hoodjer, aye
 Rod Bergren, aye
 Lisa Mart, aye

MOTION PASSED UNANIMOUSLY.

IV. Adjourn – Meeting adjourned at 5:30 pm.

MOTION: A motion was made by Rod Berge and seconded by Angie Conley to adjourn meeting.

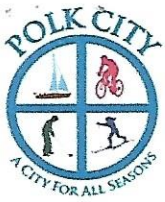
ROLE CALL: Angie Conley, aye
 Corey Hoodjer, aye
 Rod Bergren, aye
 Lisa Mart, aye

MOTION PASSED UNANIMOUSLY.

Next Meeting June 1, 2020 at 6:30 PM

Mission Statement: The Polk City Community Library provides a place where all can meet, learn, and grow.

LIBRARY -May 2020 STATS SNAPSHOT	May 2019	May 2020 (COVID-19)	April 2020 (COVID-19)
Total Visitors	2,445	0	0
People Checking Out	433	231	244
Polk City Cardholders	375	192	215
Polk City Checkouts	3,644	1,210	1,618
Open Access Cardholders	25	19	15
Open Access Checkouts	261	178	196
Rural Cardholders	33	20	14
Rural Checkouts	392	174	91
Bridges E-book/Audiobook Checkouts	505	758	700
Outgoing ILL Books	29	0	4
Total Checkouts (incl. Bridges & Outgoing ILL)	4,831	2,320	2,609
Auto Renewals (began in September 2018)	829	0	NA
Total Checkouts (adjusted for auto-renewal)	4,002	2,320	2,609
Incoming ILL Books	40	0	1
Reserves Placed	224	1,561	1,948
Materials Added	146	32	107
Materials Withdrawn	471	19	8
New Cards Issued	20	7	8
Computer Users	97	0	0
WiFi Users (on site)-Whofi counter started end of 10/19	39	163	181
Reference Questions	159	0	0
AWE Station Usage	110	0	0
AWE Games Played	290	0	0
Adult Programs	22	14	12
Adult Program Attendance	190	92	60
Youth Programs	22	3	4
Youth Program Attendance	952-SRP outreach	150	138
Tutoring	16	0	0
No. of Meeting Room Uses by Outside Groups	3	0	0
Patron Savings (physical materials only)	\$51,670	\$28,151	\$31,802
Blank Park Zoo Adventure Pass (\$44)	5	0	0
Science Center of Iowa Adventure Pass (\$44)	3	0	0
Living History Farms Adventure Pass (\$51)	1	0	0
Botanical Gardens Adventure Pass (\$34)	1	0	0
Brenton Skating Plaza (\$46.50)		0	NA
Des Moines Children's Museum (\$36)	3	0	0
TOTAL ADVENTURE PASS SAVINGS	\$545	0	0
Summer Reading Signups (0-11)			
Summer Reading Signups (12-18)			
Adult Reading Participation			
Facebook Page Views (May 4-May 31)	NA	272	377
Facebook Post Reach (May 4-May 31)	NA	2,843	2,497
New Facebook Page Followers(May 4-May 31)	NA	13	18
New Facebook Page Likes (May 4-May 31)	NA	10	17
Website Views	NA	2,510	2,890



City of Polk City, Iowa City Council Agenda Communication

Date: June 8, 2020
To: Mayor & City Council
From: Jim Mitchell – Fire Chief
Subject: Polk County Emergency Management 28E Agreement

BACKGROUND: The City of Polk City has historically maintained a 28E agreement with Polk County Emergency Management Agency for planning, administration, coordination, training and support for emergency management services.

ALTERNATIVES: N/A

FINANCIAL CONSIDERATIONS: This 28E agreement shall fund the Commission administration on the basis of a \$0.50 per capita annual allocation, according to the most recent population estimates provided by the Des Moines Metropolitan Planning Organization (MPO). These populations and the corresponding annual allocations are presented on Attachment 1 of the attached agreement. Total fee is \$2,240.50 for the City of Polk City.

RECOMMENDATION: It is my recommendation to maintain this 28E agreement with Polk County Emergency Management Commission. The administrative services provided by this organization has been outstanding.

**28E AGREEMENT
MEMBERS OF THE POLK COUNTY EMERGENCY
MANAGEMENT COMMISSION
FOR FUNDING OF EMERGENCY MANAGEMENT ADMINISTRATION**

This Agreement by and among Members of the Polk County Emergency Management Commission for Funding of Emergency Management Administration (“Agreement”) is entered into on the date last executed by the parties.

Whereas, pursuant to Iowa Code §29C.9 there is established in each county an emergency management commission to provide direction for delivery of the emergency management services of planning, administration, coordination, training and support for local governments and their departments; and

Whereas, pursuant to Iowa Code §29C.9 the Polk County Emergency Management Commission (“Commission”) does exist and operate, being composed of duly-appointed representatives of the following governmental entities: the City of Alleman, the City of Altoona, the City of Ankeny, the City of Bondurant, the City of Clive, the City of Des Moines, the City of Elkhart, the City of Grimes, the City of Johnston, the City of Mitchellville, the City of Pleasant Hill, the City of Polk City, the City of Runnells, the City of Urbandale, the City of West Des Moines, the City of Windsor Heights, the County of Polk; and

Whereas, pursuant to Iowa Code §29C.17 the budget of the Commission may be funded all or in part by a per capita allocation funded from city and county general funds; and

Whereas, it is the intent and desire of the Commission and its Members to fund administration of the Commission through an annual per capita allocation funded from city and county general funds.

It is hereby agreed by and among the members of the Commission as follows:

1. **28E Agreement.** This agreement is entered into pursuant to the provisions of Chapter 28E of the Code of Iowa.
2. **No Entity.** No separate, legal or administrative entity is created by this Agreement. No real property will be acquired in the performance of this Agreement.
3. **Administration.** The Chairperson of the Commission, or the Chairperson’s designee, shall administer performance of this Agreement.

4. **Term.** The term of this Agreement shall be three years from the effective date, and will specifically include assessments in budget years FY2020/21, FY2021/22, and FY2022/23.
5. **Termination.** This Agreement may be terminated at a regular meeting or at a special meeting called for such purpose, by an affirmative vote of representatives from Member governmental entities whose combined population is not less than two-thirds (2/3) of the total population within Polk County as presented on Attachment 1, which vote must be ratified by resolution of the governing bodies of Member governmental entities whose combined population is not less than two-thirds (2/3) of the total population within Polk County as presented on Attachment 1.
6. **Assessment.** Each Member shall fund Commission administration on the basis of a \$0.50 per capita annual allocation, according to the most recent population estimates provided by the Des Moines Area Metropolitan Planning Organization (MPO). These populations and the corresponding annual allocations are presented on Attachment 1, which is incorporated herein. Annual assessments are due and payable in the office of the Commission by December 31 of each year during the term of the Agreement.
7. **Execution of Agreement.** Member governmental entities shall approve this Agreement by resolution or motion of their respective council or board, which shall authorize execution of the Agreement. The executed Agreement will then be filed in the offices of the Iowa Secretary of State and the Recorder of Polk County by Polk County, in accordance with Chapter 28E of the Code of Iowa. The Agreement shall become effective when recorded in the Polk County Recorder's Office and shall remain in effect unless terminated as provided herein. This is the entire Agreement among the parties and may be amended only upon an affirmative vote of representatives from Member governmental entities whose combined population is not less than two-thirds (2/3) of the total population within Polk County as presented on Attachment 1, which vote must be ratified by resolution of the governing bodies of Member governmental entities whose combined population is not less than two-thirds (2/3) of the total population within Polk County as presented on Attachment 1. The laws of the State of Iowa apply to this Agreement.

ATTACHMENT 1

Polk County Emergency Management Commission Most Recent Population Estimates Provided by the Des Moines Area MPO

Jurisdiction	Estimated Population in Polk County ¹	Assessment Amount
Alleman	383	\$191.50
Altoona	17,936	\$8,968.00
Ankeny	59,152	\$29,576.00
Bondurant	5,826	\$2,913.00
Clive	11,773	\$5,886.50
Des Moines	215,785	\$107,892.50
Elkhart	813	\$406.50
Grimes	11,930	\$5,965.00
Johnston	20,767	\$10,383.50
Mitchellville	2,279	\$1,139.50
Pleasant Hill	9,736	\$4,868.00
Polk City	4,481	\$2,240.50
Polk County (unincorp)	28,659	\$14,329.50
Runnells	515	\$257.50
Urbandale	33,185	\$16,592.50
West Des Moines	45,526	\$22,763.00
Windsor Heights	4,990	\$2,495.00
Balance ²	538	\$0
Total	474,274	\$236,868.00

¹ ACS-5 Year 2018 Population Estimate (2014-2018) - U.S. Census Bureau (provided by Des Moines Area MPO)

²Balance of population within incorporated areas of Polk County (Carlisle, Granger, Norwalk and Sheldahl) but not members of the Polk County Emergency Management Commission

**28E AGREEMENT
FOR FUNDING OF EMERGENCY MANAGEMENT ADMINISTRATION**

Whereas, pursuant to Iowa Code §29C.9 there is established in each county an emergency management commission to provide direction for delivery of the emergency management services of planning, administration, coordination, training and support for local governments and their departments; and

Whereas, pursuant to Iowa Code §29C.9 the Polk County Emergency Management Commission (“Commission”) does exist and operate, being composed of duly-appointed representatives of the following governmental entities: the City of Alleman, the City of Altoona, the City of Ankeny, the City of Bondurant, the City of Clive, the City of Des Moines, the City of Elkhart, the City of Grimes, the City of Johnston, the City of Mitchellville, the City of Pleasant Hill, the City of Polk City, the City of Runnells, the City of Urbandale, the City of West Des Moines, the City of Windsor Heights, the County of Polk; and

Whereas, pursuant to Iowa Code §29C.17 the budget of the Commission may be funded all or in part by a per capita allocation funded from city and county general funds; and

Whereas, it is the intent and desire of the Polk County Emergency Management Commission and its Members to fund administration of the Commission through an annual per capita allocation funded from city and county general funds.

NOW, THEREFORE,

BE IT RESOLVED that the City of Polk City has caused this Agreement to be executed on the day, month and year indicated below.

ADOPTED this _____ day of _____, 2020.

CITY OF POLK CITY

IN WITNESS WHEREOF, the City of Polk City has caused this Agreement to be executed by its duly authorized officers on the day and year indicated below.

By:

Attest:

Mayor

City Clerk

Date:_____

Date:_____

RESOLUTION NO. 2020-66

**APPROVING
28E AGREEMENT
FOR FUNDING OF EMERGENCY MANAGEMENT ADMINISTRATION**

WHEREAS, pursuant to Iowa Code §29C.9 there is established in each county an emergency management commission to provide direction for delivery of the emergency management services of planning, administration, coordination, training and support for local governments and their departments; and

WHEREAS, pursuant to Iowa Code §29C.9 the Polk County Emergency Management Commission (“Commission”) does exist and operate, being composed of duly-appointed representatives of the following governmental entities: the City of Alleman, the City of Altoona, the City of Ankeny, the City of Bondurant, the City of Clive, the City of Des Moines, the City of Elkhart, the City of Grimes, the City of Johnston, the City of Mitchellville, the City of Pleasant Hill, the City of Polk City, the City of Runnells, the City of Urbandale, the City of West Des Moines, the City of Windsor Heights, the County of Polk; and

WHEREAS, on a periodic three (3) year basis a renewal 28E Agreement for funding of the Polk County Emergency Management is circulated for member governments to execute; and

WHEREAS, pursuant to Iowa Code §29C.17 the budget of the Commission may be funded all or in part by a per capita allocation funded from city and county general funds; and

WHEREAS, it is the intent and desire of the Polk County Emergency Management Commission and its Members to fund administration of the Commission through an annual per capita allocation funded from city and county general funds in the amount of \$0.50 per capita based on a population estimate of 4,481 for Polk City as provided by Des Moines Area MPO

NOW, THEREFORE, BE IT RESOLVED that the City of Polk City has caused this three (3) year Renewal Agreement to be executed on the day and year indicated below and recognizes the allocation of \$0.50 per capita.

PASSED AND APPROVED this 8th day of June 2020.

Jason Morse, Mayor

ATTEST:

Jenny Gibbons, City Clerk

**28E AGREEMENT
MEMBERS OF THE POLK COUNTY EMERGENCY
MANAGEMENT COMMISSION
FOR FUNDING OF EMERGENCY MANAGEMENT ADMINISTRATION**

This Agreement by and among Members of the Polk County Emergency Management Commission for Funding of Emergency Management Administration (“Agreement”) is entered into on the date last executed by the parties.

Whereas, pursuant to Iowa Code §29C.9 there is established in each county an emergency management commission to provide direction for delivery of the emergency management services of planning, administration, coordination, training and support for local governments and their departments; and

Whereas, pursuant to Iowa Code §29C.9 the Polk County Emergency Management Commission (“Commission”) does exist and operate, being composed of duly-appointed representatives of the following governmental entities: the City of Alleman, the City of Altoona, the City of Ankeny, the City of Bondurant, the City of Clive, the City of Des Moines, the City of Elkhart, the City of Grimes, the City of Johnston, the City of Mitchellville, the City of Pleasant Hill, the City of Polk City, the City of Runnells, the City of Urbandale, the City of West Des Moines, the City of Windsor Heights, the County of Polk; and

Whereas, pursuant to Iowa Code §29C.17 the budget of the Commission may be funded all or in part by a per capita allocation funded from city and county general funds; and

Whereas, it is the intent and desire of the Commission and its Members to fund administration of the Commission through an annual per capita allocation funded from city and county general funds.

It is hereby agreed by and among the members of the Commission as follows:

1. **28E Agreement.** This agreement is entered into pursuant to the provisions of Chapter 28E of the Code of Iowa.
2. **No Entity.** No separate, legal or administrative entity is created by this Agreement. No real property will be acquired in the performance of this Agreement.
3. **Administration.** The Chairperson of the Commission, or the Chairperson’s designee, shall administer performance of this Agreement.

4. **Term.** The term of this Agreement shall be three years from the effective date, and will specifically include assessments in budget years FY2020/21, FY2021/22, and FY2022/23.
5. **Termination.** This Agreement may be terminated at a regular meeting or at a special meeting called for such purpose, by an affirmative vote of representatives from Member governmental entities whose combined population is not less than two-thirds (2/3) of the total population within Polk County as presented on Attachment 1, which vote must be ratified by resolution of the governing bodies of Member governmental entities whose combined population is not less than two-thirds (2/3) of the total population within Polk County as presented on Attachment 1.
6. **Assessment.** Each Member shall fund Commission administration on the basis of a \$0.50 per capita annual allocation, according to the most recent population estimates provided by the Des Moines Area Metropolitan Planning Organization (MPO). These populations and the corresponding annual allocations are presented on Attachment 1, which is incorporated herein. Annual assessments are due and payable in the office of the Commission by December 31 of each year during the term of the Agreement.
7. **Execution of Agreement.** Member governmental entities shall approve this Agreement by resolution or motion of their respective council or board, which shall authorize execution of the Agreement. The executed Agreement will then be filed in the offices of the Iowa Secretary of State and the Recorder of Polk County by Polk County, in accordance with Chapter 28E of the Code of Iowa. The Agreement shall become effective when recorded in the Polk County Recorder's Office and shall remain in effect unless terminated as provided herein. This is the entire Agreement among the parties and may be amended only upon an affirmative vote of representatives from Member governmental entities whose combined population is not less than two-thirds (2/3) of the total population within Polk County as presented on Attachment 1, which vote must be ratified by resolution of the governing bodies of Member governmental entities whose combined population is not less than two-thirds (2/3) of the total population within Polk County as presented on Attachment 1. The laws of the State of Iowa apply to this Agreement.

ATTACHMENT 1

Polk County Emergency Management Commission Most Recent Population Estimates Provided by the Des Moines Area MPO

Jurisdiction	Estimated Population in Polk County ¹	Assessment Amount
Alleman	383	\$191.50
Altoona	17,936	\$8,968.00
Ankeny	59,152	\$29,576.00
Bondurant	5,826	\$2,913.00
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Des Moines	215,785	\$107,892.50
Elkhart	813	\$406.50
Grimes	11,930	\$5,965.00
Johnston	20,767	\$10,383.50
Mitchellville	2,279	\$1,139.50
Pleasant Hill	9,736	\$4,868.00
Polk City	4,481	\$2,240.50
Polk County (unincorp)	28,659	\$14,329.50
Runnells	515	\$257.50
Urbandale	33,185	\$16,592.50
West Des Moines	45,526	\$22,763.00
Windsor Heights	4,990	\$2,495.00
Balance ²	538	\$0
Total	474,274	\$236,868.00

¹ ACS-5 Year 2018 Population Estimate (2014-2018) - U.S. Census Bureau (provided by Des Moines Area MPO)

²Balance of population within incorporated areas of Polk County (Carlisle, Granger, Norwalk and Sheldahl) but not members of the Polk County Emergency Management Commission

**28E AGREEMENT
FOR FUNDING OF EMERGENCY MANAGEMENT ADMINISTRATION**

Whereas, pursuant to Iowa Code §29C.9 there is established in each county an emergency management commission to provide direction for delivery of the emergency management services of planning, administration, coordination, training and support for local governments and their departments; and

Whereas, pursuant to Iowa Code §29C.9 the Polk County Emergency Management Commission (“Commission”) does exist and operate, being composed of duly-appointed representatives of the following governmental entities: the City of Alleman, the City of Altoona, the City of Ankeny, the City of Bondurant, the City of Clive, the City of Des Moines, the City of Elkhart, the City of Grimes, the City of Johnston, the City of Mitchellville, the City of Pleasant Hill, the City of Polk City, the City of Runnells, the City of Urbandale, the City of West Des Moines, the City of Windsor Heights, the County of Polk; and

Whereas, pursuant to Iowa Code §29C.17 the budget of the Commission may be funded all or in part by a per capita allocation funded from city and county general funds; and

Whereas, it is the intent and desire of the Polk County Emergency Management Commission and its Members to fund administration of the Commission through an annual per capita allocation funded from city and county general funds.

NOW, THEREFORE,

BE IT RESOLVED that the City of Alleman has caused this Agreement to be executed on the day, month and year indicated below.

ADOPTED this _____ day of _____, 2020.

CITY OF ALLEMAN

IN WITNESS WHEREOF, the City of Alleman has caused this Agreement to be executed by its duly authorized officers on the day and year indicated below.

By:

Attest:

Mayor

City Clerk

Date: _____

Date: _____

**28E AGREEMENT
FOR FUNDING OF EMERGENCY MANAGEMENT ADMINISTRATION**

Whereas, pursuant to Iowa Code §29C.9 there is established in each county an emergency management commission to provide direction for delivery of the emergency management services of planning, administration, coordination, training and support for local governments and their departments; and

Whereas, pursuant to Iowa Code §29C.9 the Polk County Emergency Management Commission (“Commission”) does exist and operate, being composed of duly-appointed representatives of the following governmental entities: the City of Alleman, the City of Altoona, the City of Ankeny, the City of Bondurant, the City of Clive, the City of Des Moines, the City of Elkhart, the City of Grimes, the City of Johnston, the City of Mitchellville, the City of Pleasant Hill, the City of Polk City, the City of Runnells, the City of Urbandale, the City of West Des Moines, the City of Windsor Heights, the County of Polk; and

Whereas, pursuant to Iowa Code §29C.17 the budget of the Commission may be funded all or in part by a per capita allocation funded from city and county general funds; and

Whereas, it is the intent and desire of the Polk County Emergency Management Commission and its Members to fund administration of the Commission through an annual per capita allocation funded from city and county general funds.

NOW, THEREFORE,

BE IT RESOLVED that the City of Altoona has caused this Agreement to be executed on the day, month and year indicated below.

ADOPTED this _____ day of _____, 2020.

CITY OF ALTOONA

IN WITNESS WHEREOF, the City of Altoona has caused this Agreement to be executed by its duly authorized officers on the day and year indicated below.

By:

Attest:

Mayor

City Clerk

Date: _____

Date: _____

**28E AGREEMENT
FOR FUNDING OF EMERGENCY MANAGEMENT ADMINISTRATION**

Whereas, pursuant to Iowa Code §29C.9 there is established in each county an emergency management commission to provide direction for delivery of the emergency management services of planning, administration, coordination, training and support for local governments and their departments; and

Whereas, pursuant to Iowa Code §29C.9 the Polk County Emergency Management Commission (“Commission”) does exist and operate, being composed of duly-appointed representatives of the following governmental entities: the City of Alleman, the City of Altoona, the City of Ankeny, the City of Bondurant, the City of Clive, the City of Des Moines, the City of Elkhart, the City of Grimes, the City of Johnston, the City of Mitchellville, the City of Pleasant Hill, the City of Polk City, the City of Runnells, the City of Urbandale, the City of West Des Moines, the City of Windsor Heights, the County of Polk; and

Whereas, pursuant to Iowa Code §29C.17 the budget of the Commission may be funded all or in part by a per capita allocation funded from city and county general funds; and

Whereas, it is the intent and desire of the Polk County Emergency Management Commission and its Members to fund administration of the Commission through an annual per capita allocation funded from city and county general funds.

NOW, THEREFORE,

BE IT RESOLVED that the City of Ankeny has caused this Agreement to be executed on the day, month and year indicated below.

ADOPTED this _____ day of _____, 2020.

CITY OF ANKENY

IN WITNESS WHEREOF, the City of Ankeny has caused this Agreement to be executed by its duly authorized officers on the day and year indicated below.

By:

Attest:

Mayor

City Clerk

Date: _____

Date: _____

**28E AGREEMENT
FOR FUNDING OF EMERGENCY MANAGEMENT ADMINISTRATION**

Whereas, pursuant to Iowa Code §29C.9 there is established in each county an emergency management commission to provide direction for delivery of the emergency management services of planning, administration, coordination, training and support for local governments and their departments; and

Whereas, pursuant to Iowa Code §29C.9 the Polk County Emergency Management Commission (“Commission”) does exist and operate, being composed of duly-appointed representatives of the following governmental entities: the City of Alleman, the City of Altoona, the City of Ankeny, the City of Bondurant, the City of Clive, the City of Des Moines, the City of Elkhart, the City of Grimes, the City of Johnston, the City of Mitchellville, the City of Pleasant Hill, the City of Polk City, the City of Runnells, the City of Urbandale, the City of West Des Moines, the City of Windsor Heights, the County of Polk; and

Whereas, pursuant to Iowa Code §29C.17 the budget of the Commission may be funded all or in part by a per capita allocation funded from city and county general funds; and

Whereas, it is the intent and desire of the Polk County Emergency Management Commission and its Members to fund administration of the Commission through an annual per capita allocation funded from city and county general funds.

NOW, THEREFORE,

BE IT RESOLVED that the City of Bondurant has caused this Agreement to be executed on the day, month and year indicated below.

ADOPTED this _____ day of _____, 2020.

CITY OF BONDURANT

IN WITNESS WHEREOF, the City of Bondurant has caused this Agreement to be executed by its duly authorized officers on the day and year indicated below.

By:

Attest:

Mayor

City Clerk

Date: _____

Date: _____

**28E AGREEMENT
FOR FUNDING OF EMERGENCY MANAGEMENT ADMINISTRATION**

Whereas, pursuant to Iowa Code §29C.9 there is established in each county an emergency management commission to provide direction for delivery of the emergency management services of planning, administration, coordination, training and support for local governments and their departments; and

Whereas, pursuant to Iowa Code §29C.9 the Polk County Emergency Management Commission (“Commission”) does exist and operate, being composed of duly-appointed representatives of the following governmental entities: the City of Alleman, the City of Altoona, the City of Ankeny, the City of Bondurant, the City of Clive, the City of Des Moines, the City of Elkhart, the City of Grimes, the City of Johnston, the City of Mitchellville, the City of Pleasant Hill, the City of Polk City, the City of Runnells, the City of Urbandale, the City of West Des Moines, the City of Windsor Heights, the County of Polk; and

Whereas, pursuant to Iowa Code §29C.17 the budget of the Commission may be funded all or in part by a per capita allocation funded from city and county general funds; and

Whereas, it is the intent and desire of the Polk County Emergency Management Commission and its Members to fund administration of the Commission through an annual per capita allocation funded from city and county general funds.

NOW, THEREFORE,

BE IT RESOLVED that the City of Clive has caused this Agreement to be executed on the day, month and year indicated below.

ADOPTED this _____ day of _____, 2020.

CITY OF CLIVE

IN WITNESS WHEREOF, the City of Clive has caused this Agreement to be executed by its duly authorized officers on the day and year indicated below.

By:

Attest:

Mayor

City Clerk

Date: _____

Date: _____

**28E AGREEMENT
FOR FUNDING OF EMERGENCY MANAGEMENT ADMINISTRATION**

Whereas, pursuant to Iowa Code §29C.9 there is established in each county an emergency management commission to provide direction for delivery of the emergency management services of planning, administration, coordination, training and support for local governments and their departments; and

Whereas, pursuant to Iowa Code §29C.9 the Polk County Emergency Management Commission (“Commission”) does exist and operate, being composed of duly-appointed representatives of the following governmental entities: the City of Alleman, the City of Altoona, the City of Ankeny, the City of Bondurant, the City of Clive, the City of Des Moines, the City of Elkhart, the City of Grimes, the City of Johnston, the City of Mitchellville, the City of Pleasant Hill, the City of Polk City, the City of Runnells, the City of Urbandale, the City of West Des Moines, the City of Windsor Heights, the County of Polk; and

Whereas, pursuant to Iowa Code §29C.17 the budget of the Commission may be funded all or in part by a per capita allocation funded from city and county general funds; and

Whereas, it is the intent and desire of the Polk County Emergency Management Commission and its Members to fund administration of the Commission through an annual per capita allocation funded from city and county general funds.

NOW, THEREFORE,

BE IT RESOLVED that the City of Des Moines has caused this Agreement to be executed on the day, month and year indicated below.

ADOPTED this _____ day of _____, 2020.

CITY OF DES MOINES

IN WITNESS WHEREOF, the City of Des Moines has caused this Agreement to be executed by its duly authorized officers on the day and year indicated below.

By:

Attest:

Mayor

City Clerk

Date: _____

Date: _____

**28E AGREEMENT
FOR FUNDING OF EMERGENCY MANAGEMENT ADMINISTRATION**

Whereas, pursuant to Iowa Code §29C.9 there is established in each county an emergency management commission to provide direction for delivery of the emergency management services of planning, administration, coordination, training and support for local governments and their departments; and

Whereas, pursuant to Iowa Code §29C.9 the Polk County Emergency Management Commission (“Commission”) does exist and operate, being composed of duly-appointed representatives of the following governmental entities: the City of Alleman, the City of Altoona, the City of Ankeny, the City of Bondurant, the City of Clive, the City of Des Moines, the City of Elkhart, the City of Grimes, the City of Johnston, the City of Mitchellville, the City of Pleasant Hill, the City of Polk City, the City of Runnells, the City of Urbandale, the City of West Des Moines, the City of Windsor Heights, the County of Polk; and

Whereas, pursuant to Iowa Code §29C.17 the budget of the Commission may be funded all or in part by a per capita allocation funded from city and county general funds; and

Whereas, it is the intent and desire of the Polk County Emergency Management Commission and its Members to fund administration of the Commission through an annual per capita allocation funded from city and county general funds.

NOW, THEREFORE,

BE IT RESOLVED that the City of Elkhart has caused this Agreement to be executed on the day, month and year indicated below.

ADOPTED this _____ day of _____, 2020.

CITY OF ELKHART

IN WITNESS WHEREOF, the City of Elkhart has caused this Agreement to be executed by its duly authorized officers on the day and year indicated below.

By:

Attest:

Mayor

City Clerk

Date: _____

Date: _____

**28E AGREEMENT
FOR FUNDING OF EMERGENCY MANAGEMENT ADMINISTRATION**

Whereas, pursuant to Iowa Code §29C.9 there is established in each county an emergency management commission to provide direction for delivery of the emergency management services of planning, administration, coordination, training and support for local governments and their departments; and

Whereas, pursuant to Iowa Code §29C.9 the Polk County Emergency Management Commission (“Commission”) does exist and operate, being composed of duly-appointed representatives of the following governmental entities: the City of Alleman, the City of Altoona, the City of Ankeny, the City of Bondurant, the City of Clive, the City of Des Moines, the City of Elkhart, the City of Grimes, the City of Johnston, the City of Mitchellville, the City of Pleasant Hill, the City of Polk City, the City of Runnells, the City of Urbandale, the City of West Des Moines, the City of Windsor Heights, the County of Polk; and

Whereas, pursuant to Iowa Code §29C.17 the budget of the Commission may be funded all or in part by a per capita allocation funded from city and county general funds; and

Whereas, it is the intent and desire of the Polk County Emergency Management Commission and its Members to fund administration of the Commission through an annual per capita allocation funded from city and county general funds.

NOW, THEREFORE,

BE IT RESOLVED that the City of Grimes has caused this Agreement to be executed on the day, month and year indicated below.

ADOPTED this _____ day of _____, 2020.

CITY OF GRIMES

IN WITNESS WHEREOF, the City of Grimes has caused this Agreement to be executed by its duly authorized officers on the day and year indicated below.

By:

Attest:

Mayor

City Clerk

Date: _____

Date: _____

**28E AGREEMENT
FOR FUNDING OF EMERGENCY MANAGEMENT ADMINISTRATION**

Whereas, pursuant to Iowa Code §29C.9 there is established in each county an emergency management commission to provide direction for delivery of the emergency management services of planning, administration, coordination, training and support for local governments and their departments; and

Whereas, pursuant to Iowa Code §29C.9 the Polk County Emergency Management Commission (“Commission”) does exist and operate, being composed of duly-appointed representatives of the following governmental entities: the City of Alleman, the City of Altoona, the City of Ankeny, the City of Bondurant, the City of Clive, the City of Des Moines, the City of Elkhart, the City of Grimes, the City of Johnston, the City of Mitchellville, the City of Pleasant Hill, the City of Polk City, the City of Runnells, the City of Urbandale, the City of West Des Moines, the City of Windsor Heights, the County of Polk; and

Whereas, pursuant to Iowa Code §29C.17 the budget of the Commission may be funded all or in part by a per capita allocation funded from city and county general funds; and

Whereas, it is the intent and desire of the Polk County Emergency Management Commission and its Members to fund administration of the Commission through an annual per capita allocation funded from city and county general funds.

NOW, THEREFORE,

BE IT RESOLVED that the City of Johnston has caused this Agreement to be executed on the day, month and year indicated below.

ADOPTED this _____ day of _____, 2020.

CITY OF JOHNSTON

IN WITNESS WHEREOF, the City of Johnston has caused this Agreement to be executed by its duly authorized officers on the day and year indicated below.

By:

Attest:

Mayor

City Clerk

Date: _____

Date: _____

**28E AGREEMENT
FOR FUNDING OF EMERGENCY MANAGEMENT ADMINISTRATION**

Whereas, pursuant to Iowa Code §29C.9 there is established in each county an emergency management commission to provide direction for delivery of the emergency management services of planning, administration, coordination, training and support for local governments and their departments; and

Whereas, pursuant to Iowa Code §29C.9 the Polk County Emergency Management Commission (“Commission”) does exist and operate, being composed of duly-appointed representatives of the following governmental entities: the City of Alleman, the City of Altoona, the City of Ankeny, the City of Bondurant, the City of Clive, the City of Des Moines, the City of Elkhart, the City of Grimes, the City of Johnston, the City of Mitchellville, the City of Pleasant Hill, the City of Polk City, the City of Runnells, the City of Urbandale, the City of West Des Moines, the City of Windsor Heights, the County of Polk; and

Whereas, pursuant to Iowa Code §29C.17 the budget of the Commission may be funded all or in part by a per capita allocation funded from city and county general funds; and

Whereas, it is the intent and desire of the Polk County Emergency Management Commission and its Members to fund administration of the Commission through an annual per capita allocation funded from city and county general funds.

NOW, THEREFORE,

BE IT RESOLVED that the City of Mitchellville has caused this Agreement to be executed on the day, month and year indicated below.

ADOPTED this _____ day of _____, 2020.

CITY OF MITCHELLVILLE

IN WITNESS WHEREOF, the City of Mitchellville has caused this Agreement to be executed by its duly authorized officers on the day and year indicated below.

By:

Attest:

Mayor

City Clerk

Date: _____

Date: _____

**28E AGREEMENT
FOR FUNDING OF EMERGENCY MANAGEMENT ADMINISTRATION**

Whereas, pursuant to Iowa Code §29C.9 there is established in each county an emergency management commission to provide direction for delivery of the emergency management services of planning, administration, coordination, training and support for local governments and their departments; and

Whereas, pursuant to Iowa Code §29C.9 the Polk County Emergency Management Commission (“Commission”) does exist and operate, being composed of duly-appointed representatives of the following governmental entities: the City of Alleman, the City of Altoona, the City of Ankeny, the City of Bondurant, the City of Clive, the City of Des Moines, the City of Elkhart, the City of Grimes, the City of Johnston, the City of Mitchellville, the City of Pleasant Hill, the City of Polk City, the City of Runnells, the City of Urbandale, the City of West Des Moines, the City of Windsor Heights, the County of Polk; and

Whereas, pursuant to Iowa Code §29C.17 the budget of the Commission may be funded all or in part by a per capita allocation funded from city and county general funds; and

Whereas, it is the intent and desire of the Polk County Emergency Management Commission and its Members to fund administration of the Commission through an annual per capita allocation funded from city and county general funds.

NOW, THEREFORE,

BE IT RESOLVED that the City of Pleasant Hill has caused this Agreement to be executed on the day, month and year indicated below.

ADOPTED this _____ day of _____, 2020.

CITY OF PLEASANT HILL

IN WITNESS WHEREOF, the City of Pleasant Hill has caused this Agreement to be executed by its duly authorized officers on the day and year indicated below.

By:

Attest:

Mayor

City Clerk

Date: _____

Date: _____

**28E AGREEMENT
FOR FUNDING OF EMERGENCY MANAGEMENT ADMINISTRATION**

Whereas, pursuant to Iowa Code §29C.9 there is established in each county an emergency management commission to provide direction for delivery of the emergency management services of planning, administration, coordination, training and support for local governments and their departments; and

Whereas, pursuant to Iowa Code §29C.9 the Polk County Emergency Management Commission (“Commission”) does exist and operate, being composed of duly-appointed representatives of the following governmental entities: the City of Alleman, the City of Altoona, the City of Ankeny, the City of Bondurant, the City of Clive, the City of Des Moines, the City of Elkhart, the City of Grimes, the City of Johnston, the City of Mitchellville, the City of Pleasant Hill, the City of Polk City, the City of Runnells, the City of Urbandale, the City of West Des Moines, the City of Windsor Heights, the County of Polk; and

Whereas, pursuant to Iowa Code §29C.17 the budget of the Commission may be funded all or in part by a per capita allocation funded from city and county general funds; and

Whereas, it is the intent and desire of the Polk County Emergency Management Commission and its Members to fund administration of the Commission through an annual per capita allocation funded from city and county general funds.

NOW, THEREFORE,

BE IT RESOLVED that the City of Polk City has caused this Agreement to be executed on the day, month and year indicated below.

ADOPTED this _____ day of _____, 2020.

CITY OF POLK CITY

IN WITNESS WHEREOF, the City of Polk City has caused this Agreement to be executed by its duly authorized officers on the day and year indicated below.

By:

Attest:

Mayor

City Clerk

Date: _____

Date: _____

**28E AGREEMENT
FOR FUNDING OF EMERGENCY MANAGEMENT ADMINISTRATION**

Whereas, pursuant to Iowa Code §29C.9 there is established in each county an emergency management commission to provide direction for delivery of the emergency management services of planning, administration, coordination, training and support for local governments and their departments; and

Whereas, pursuant to Iowa Code §29C.9 the Polk County Emergency Management Commission (“Commission”) does exist and operate, being composed of duly-appointed representatives of the following governmental entities: the City of Alleman, the City of Altoona, the City of Ankeny, the City of Bondurant, the City of Clive, the City of Des Moines, the City of Elkhart, the City of Grimes, the City of Johnston, the City of Mitchellville, the City of Pleasant Hill, the City of Polk City, the City of Runnells, the City of Urbandale, the City of West Des Moines, the City of Windsor Heights, the County of Polk; and

Whereas, pursuant to Iowa Code §29C.17 the budget of the Commission may be funded all or in part by a per capita allocation funded from city and county general funds; and

Whereas, it is the intent and desire of the Polk County Emergency Management Commission and its Members to fund administration of the Commission through an annual per capita allocation funded from city and county general funds.

NOW, THEREFORE,

BE IT RESOLVED that the County of Polk has caused this Agreement to be executed on the day, month and year indicated below.

ADOPTED this _____ day of _____, 2020.

COUNTY OF POLK

IN WITNESS WHEREOF, the County of Polk has caused this Agreement to be executed by its duly authorized officers on the day and year indicated below.

By:

Attest:

Mayor

City Clerk

Date: _____

Date: _____

**28E AGREEMENT
FOR FUNDING OF EMERGENCY MANAGEMENT ADMINISTRATION**

Whereas, pursuant to Iowa Code §29C.9 there is established in each county an emergency management commission to provide direction for delivery of the emergency management services of planning, administration, coordination, training and support for local governments and their departments; and

Whereas, pursuant to Iowa Code §29C.9 the Polk County Emergency Management Commission (“Commission”) does exist and operate, being composed of duly-appointed representatives of the following governmental entities: the City of Alleman, the City of Altoona, the City of Ankeny, the City of Bondurant, the City of Clive, the City of Des Moines, the City of Elkhart, the City of Grimes, the City of Johnston, the City of Mitchellville, the City of Pleasant Hill, the City of Polk City, the City of Runnells, the City of Urbandale, the City of West Des Moines, the City of Windsor Heights, the County of Polk; and

Whereas, pursuant to Iowa Code §29C.17 the budget of the Commission may be funded all or in part by a per capita allocation funded from city and county general funds; and

Whereas, it is the intent and desire of the Polk County Emergency Management Commission and its Members to fund administration of the Commission through an annual per capita allocation funded from city and county general funds.

NOW, THEREFORE,

BE IT RESOLVED that the City of Runnells has caused this Agreement to be executed on the day, month and year indicated below.

ADOPTED this _____ day of _____, 2020.

CITY OF RUNNELLS

IN WITNESS WHEREOF, the City of Runnels has caused this Agreement to be executed by its duly authorized officers on the day and year indicated below.

By:

Attest:

Mayor

City Clerk

Date: _____

Date: _____

**28E AGREEMENT
FOR FUNDING OF EMERGENCY MANAGEMENT ADMINISTRATION**

Whereas, pursuant to Iowa Code §29C.9 there is established in each county an emergency management commission to provide direction for delivery of the emergency management services of planning, administration, coordination, training and support for local governments and their departments; and

Whereas, pursuant to Iowa Code §29C.9 the Polk County Emergency Management Commission (“Commission”) does exist and operate, being composed of duly-appointed representatives of the following governmental entities: the City of Alleman, the City of Altoona, the City of Ankeny, the City of Bondurant, the City of Clive, the City of Des Moines, the City of Elkhart, the City of Grimes, the City of Johnston, the City of Mitchellville, the City of Pleasant Hill, the City of Polk City, the City of Runnells, the City of Urbandale, the City of West Des Moines, the City of Windsor Heights, the County of Polk; and

Whereas, pursuant to Iowa Code §29C.17 the budget of the Commission may be funded all or in part by a per capita allocation funded from city and county general funds; and

Whereas, it is the intent and desire of the Polk County Emergency Management Commission and its Members to fund administration of the Commission through an annual per capita allocation funded from city and county general funds.

NOW, THEREFORE,

BE IT RESOLVED that the City of Urbandale has caused this Agreement to be executed on the day, month and year indicated below.

ADOPTED this _____ day of _____, 2020.

CITY OF URBANDALE

IN WITNESS WHEREOF, the City of Urbandale has caused this Agreement to be executed by its duly authorized officers on the day and year indicated below.

By:

Attest:

Mayor

City Clerk

Date: _____

Date: _____

**28E AGREEMENT
FOR FUNDING OF EMERGENCY MANAGEMENT ADMINISTRATION**

Whereas, pursuant to Iowa Code §29C.9 there is established in each county an emergency management commission to provide direction for delivery of the emergency management services of planning, administration, coordination, training and support for local governments and their departments; and

Whereas, pursuant to Iowa Code §29C.9 the Polk County Emergency Management Commission (“Commission”) does exist and operate, being composed of duly-appointed representatives of the following governmental entities: the City of Alleman, the City of Altoona, the City of Ankeny, the City of Bondurant, the City of Clive, the City of Des Moines, the City of Elkhart, the City of Grimes, the City of Johnston, the City of Mitchellville, the City of Pleasant Hill, the City of Polk City, the City of Runnells, the City of Urbandale, the City of West Des Moines, the City of Windsor Heights, the County of Polk; and

Whereas, pursuant to Iowa Code §29C.17 the budget of the Commission may be funded all or in part by a per capita allocation funded from city and county general funds; and

Whereas, it is the intent and desire of the Polk County Emergency Management Commission and its Members to fund administration of the Commission through an annual per capita allocation funded from city and county general funds.

NOW, THEREFORE,

BE IT RESOLVED that the City of West Des Moines has caused this Agreement to be executed on the day, month and year indicated below.

ADOPTED this _____ day of _____, 2020.

CITY OF WEST DES MOINES

IN WITNESS WHEREOF, the City of West Des Moines has caused this Agreement to be executed by its duly authorized officers on the day and year indicated below.

By:

Attest:

Mayor

City Clerk

Date: _____

Date: _____

**28E AGREEMENT
FOR FUNDING OF EMERGENCY MANAGEMENT ADMINISTRATION**

Whereas, pursuant to Iowa Code §29C.9 there is established in each county an emergency management commission to provide direction for delivery of the emergency management services of planning, administration, coordination, training and support for local governments and their departments; and

Whereas, pursuant to Iowa Code §29C.9 the Polk County Emergency Management Commission (“Commission”) does exist and operate, being composed of duly-appointed representatives of the following governmental entities: the City of Alleman, the City of Altoona, the City of Ankeny, the City of Bondurant, the City of Clive, the City of Des Moines, the City of Elkhart, the City of Grimes, the City of Johnston, the City of Mitchellville, the City of Pleasant Hill, the City of Polk City, the City of Runnells, the City of Urbandale, the City of West Des Moines, the City of Windsor Heights, the County of Polk; and

Whereas, pursuant to Iowa Code §29C.17 the budget of the Commission may be funded all or in part by a per capita allocation funded from city and county general funds; and

Whereas, it is the intent and desire of the Polk County Emergency Management Commission and its Members to fund administration of the Commission through an annual per capita allocation funded from city and county general funds.

NOW, THEREFORE,

BE IT RESOLVED that the City of Windsor Heights has caused this Agreement to be executed on the day, month and year indicated below.

ADOPTED this _____ day of _____, 2020.

CITY OF WINDSOR HEIGHTS

IN WITNESS WHEREOF, the City of Windsor Heights has caused this Agreement to be executed by its duly authorized officers on the day and year indicated below.

By:

Attest:

Mayor

City Clerk

Date: _____

Date: _____



City of Polk City, Iowa

City Council Agenda Communication

Date: June 8, 2020 City Council Meeting
To: Mayor & City Council
From: Jason Thraen, Parks & Recreation Director

Subject: **Parks & Recreation Department Updates**

1. Parks and playgrounds have reopened as of June 1, 2020
 - All amenities (basketball hoops, volleyball net, etc.) have been replaced.
 - Recommended guidelines for use have been posted at all parks.
 - Playgrounds will be disinfected weekly. Duration of this measure is TBD.
 - As of June 3, 2020, the sports complex remains closed. A best practices document in response to COVID-19 is being developed in conjunction with existing user groups.

2. July is National Parks and Recreation month. Trying to provide a few appropriate programs/events with the help of the Parks Commission.
 - Photo Scavenger Hunt (Parks & Recreation awareness)
 - Photo Contest (Parks & Recreation in action)
 - Movies in the Park (possible under current emergency proclamation parameters)

Polk City Water Department

Monthly Report

Month May

Year 2020

Total Water Pumped 20,553,200 Gallons
Monthly Daily Avg 663004 Gallons

Testing Results

- **SDWA Bacteriological Coliform Analysis** Absent University Hygienic Lab.
Fecal Coliform Analysis- Sample incubated 35c for 48 hrs then examine for gas production. Gas production verifies presence of fecal coliform organisms.
- **Fluoride Analysis** .7 University Hygienic Lab.
A fluoride concentration of approx. 1mg/l in drinking water effectively reduces dental caries without harmful effects on health. MCL for fluoride is 4.0 mg/l.
Fluoride at Plant- Monthly Average .96 mg/l Polk City Lab.
Fluoride in System- Monthly Average .75 mg/l Polk City Lab.
- **Chlorine Free At Plant- Monthly Average** 1.17 mg/l Polk City Lab.
Chlorine Total at plant- Monthly Average 2.67 mg/l Polk City Lab.
Chlorine Free in System- Monthly Average .75 mg/l Polk City Lab.
Chlorine Total in System- Monthly Average .92 mg/l Polk City Lab.
Chlorine requirement is the quantity of chlorine that must be added to H₂O to achieve complete disinfection of pathogens and protozoa. Chlorine residuals will vary widely depending on organic loading. We also use chlorine to oxidize iron prior to filtration.
- **Iron Raw Water- Monthly Average** 6.59 mg/l Polk City Lab.
Iron Finish Water- Monthly Average .04 mg/l Polk City Lab.
Iron System Water- Monthly Average .03 mg/l Polk City Lab.
Iron occurs in rocks and minerals in the earth's crust. It's the 4th most abundant element respectively. Iron has no effect on human health; its main objection is aesthetics. Concentrations of Iron in finish H₂O should be between 0.03-0.06mg/l.
- **Manganese Raw Water- Monthly Average** .30 mg/l Polk City Lab.
Manganese Finish Water- Monthly Average .22 mg/l Polk City Lab.
Manganese System Water- Monthly Average .07 mg/l Polk City Lab.
Manganese also occurs in rocks and the earth's crust. It is the 7th most abundant element. Manganese is extremely difficult to remove. Concentrations of Manganese in finish H₂O should not exceed 0.05mg/l or black staining of plumbing fixtures may occur. No effect on human health.
- **pH Raw Water Monthly Average** 8.1 mg/l Polk City Lab.
pH Finish Water-Monthly Average 8.2 mg/l Polk City Lab.
pH System Water- Monthly Average 8.6 mg/l Polk City Lab.
pH scale ranges from 0-14 with 7 being considered neutral. Below 7 becomes corrosive to plumbing, above 7 tends to deposit minerals in plumbing. We add caustic soda to maintain proper pH, which should range between 7.5-7.9 in finish water.

Total Tests Performed- Polk City Lab _____

Total Hours to perform tests _____

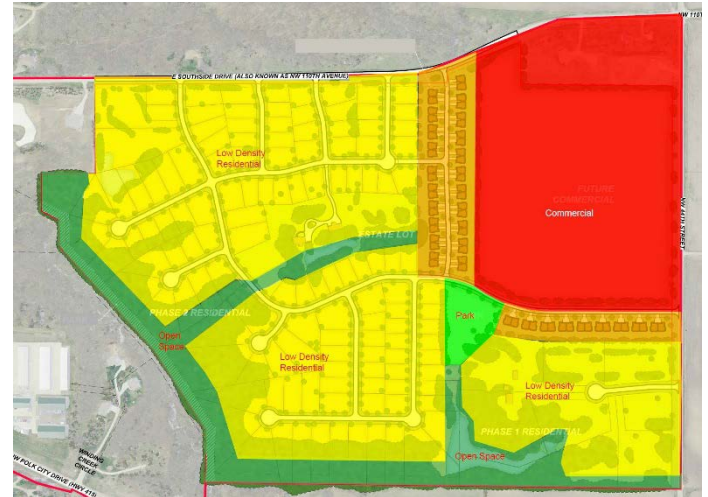
REZONING PETITION REVIEW

Date: June 3, 2020
Subject Property: Snetselaar & Lillskau property

Prepared by: Kathleen Connor
Project No.: 119.1106.01

GENERAL INFORMATION:

The co-applicants, Andy Snetselaar and Genevieve Lillskau, have together submitted four (4) *Petitions to Rezone* the subject properties from A-1 to a mixture of C-2 Commercial, R-1 Single Family Detached Residential, R-2 One- and Two-family Residential, and R-2A Townhome Residential. The petitions have been signed by Andy Snetselaar and by Genevieve Lillskau. Mr. Snetselaar owns the property previously platted as the 92.12-acre Lot 3 of Red Cedar Prairie Plat 1. Ms. Lillskau owns the remainder of the property, the north 48.91 acres of which was platted as Outlot X of White Pine Prairie Plat 2 and the south 17.77 acres remains unplatted.



The public hearing for all four rezonings was held on May 11, 2020.

COMPREHENSIVE PLAN:

The proposed rezoning is in conformance with Polk City's 2016 Comprehensive Plan which was amended by City Council on May 11, 2020. As depicted above the Future Land Use Plan designates showing commercial, medium density residential, low density residential, and park/open space uses on the Snetselaar and Lillskau properties.

CONCEPT PLANS:

No formal approval of overall concept plan, entitled "Exhibit A" is required. The developer has provided a revised concept plan to illustrate the general character of the development and the relationships between adjoining land uses. The Concept Plan does not have sufficient detail, such as a grading plan, to provide a complete review at this time, nor is it required for rezoning approval. Issues such as the size and location of the park, trail connectivity, detention requirements, and the phasing of streets, will be resolved at the time of preliminary platting.

To provide a better sense of scale for the proposed 32.5-acre C-2 commercial area, the developer has also provided a sample commercial development to illustrate an example of the number and size of buildings could potentially be developed in this commercial area. We understand the developer has since provided other optional commercial concepts for consideration.

COMMERCIAL REZONING CONSIDERATIONS:

Given the concerns expressed at the public hearing, City Council may wish to provide for buffers and transitional uses between the proposed commercial property and the three existing residences located at the southwest corner of NW 44th Street/E. Southside Drive, while still meeting the intent of the 2016 Comprehensive Plan, City Council should consider the following:

1. Use Restrictions.

In a very similar situation in Crossroads at the Lakes, the proposed commercial area abutted three existing residential properties in Pine Ridge Estates. City Council approved the C-2 (R) commercial rezoning on June 16, 2016, however permitted uses on the south 250 feet of the commercial property were limited to uses that are more reasonably compatible with adjacent residential uses; uses such as restaurants and bars were excluded. Ordinance 2016-2000 restricted uses to only allow Business and Professional Offices; Medical Offices and Health Clinics; Studios such as music, photographic, dance, and fitness centers provided they are less than 6,000 square feet in size; and Education – Child Care, including daycare centers and pre-schools; although this list could be amended for the Lillskau property. City Council may want to consider similar use restrictions on the area surrounding the existing three residences at the southeast corner of NW 44th Street/ E. Southside Drive.

2. Building Size.

The proposed C-2 property has 32.49 acres of developable ground. If City Council has a concern regarding construction of big box stores in this area, the property could be rezoned to C-2(R) with a restriction on the size of any one building that could be built. Such restrictions should apply whether the building is owned and/or occupied by one tenant or by multiple tenants. Big box stores are generally considered to be larger than 100,000 square feet in size, but we have attached a list of various existing buildings in the area, along with their respective sizes, so Council can determine if the 100,000 square feet, maximum, is appropriate or if a different restriction would better serve the commercial area as a whole. Council may want to consider that Ankeny's current Comprehensive Plan shows community commercial uses on the east side of NW 44th Street. (Per Ankeny's plan, Community Commercial is designed for retail/entertainment uses, typically consisting of large box stores and multiple-tenant shopping centers on sites 20-acres or larger.)

3. Buffers.

While the Crossroads C-2 (R) commercial did not require a buffer, other than the 30 foot wide buffer required by code, City Council may want to consider requiring a wider buffer due to the much larger size of the commercial area (32 acres for Lillskau vs. 4 acres on 3 lots in Crossroads.) It is reasonable to consider requiring a 50 feet wide buffer easement with Type "C" screening which is the buffer requirement for manufacturing uses that abut residential uses. Type "C" screen is opaque from the ground to a height of at least 6 feet, with intermittent visual obstructions to a height of at least 20 feet, and

may be composed of a wall, fence, landscaped earthen berm, planted vegetation. Per Code, the 50' wide Type "C" buffer must be installed with the initial phase of development of any portion of the C-2 commercial property.

RECOMMENDATION REGARDING THE PROPOSED REZONINGS:

City Council may proceed with one of the following options regarding the four proposed rezonings at their meeting:

- B. Approve the applicant's request to rezone portions of their property to C-2, R-1, R-2, and R-2A as presented.
- C. Deny the applicant's request to rezone portions of their property to C-2, R-1, R-2, and R-2A as presented.
- D. Approve the applicant's request to rezone portions of their property to C-2 (Restricted), R-1, R-2, and R-2A, subject to certain restrictions on the C-2 property that are agreed to by the applicant. These restrictions may amended as desired by Council prior to adoption and may include, but are not limited to:
 - 1. That the permitted uses on the northeasterly 250 feet of the C-2 commercial property, encircling Lots 1 and 2 of White Pine Prairie Plat 1, shall be restricted to Business and Professional Offices; Medical Offices and Health Clinics; Studios such as music, photographic, dance, and fitness centers provided they are less than 6,000 square feet in size; and Education – Child Care, including daycare centers and pre-schools.
 - 2. That the size of any building on the C-2 commercial property shall be no larger than 100,000 square feet, whether the building is occupied by one owner/tenant or by multiple owners/tenants.
 - 3. That a 50 feet wide buffer easement be provided on the commercial property surrounding Lots 1 and 2 of White Pine Prairie Plat 1 to provide a buffer for the properties currently owned by Greenwell, Mulder, and Irlmeier. Said buffer shall comply with Type "C" screening that is opaque from the ground to a height of at least 6 feet, with intermittent visual obstructions to a height of at least 20 feet, and may be composed of a wall, fence, landscaped earthen berm, planted vegetation as approved by City Council on a Preliminary Plat or Site Plan. Said buffer shall be installed with the initial phase of development of any portion of the C-2 commercial property.
 - 4. Other such stipulations City Council may require, provided the property owners agree to said restrictions.

Comparitive Building Sizes

Polk City & Ankeny, Iowa

<u>Building</u>	<u>Location</u>	<u>Building Size</u> (Sq feet)	<u>Parcel Size</u> (Acres)
Target	1235 SE Delaware, Ankeny	174,602	15.5
Menards	2525 SE Delaware, Ankeny	165,000	17.0
Home Depot	2335 SE Delaware, Ankeny	105,689	14.6
Hy-Vee	1710 SW Oralabor, Ankeny	95,000	13.4
Kohl's space only in strip center	1935 SE Delaware, Ankeny	87,471	7.4
Goodwill/AutoZone strip center	NE cor NE 5th/N Ankeny Blvd, Ankeny	75,250	7.2
Fletcher strip center (old Dahl's)	1802 N Ankeny Blvd, Ankeny	67,703	6.0
Fitness World/Simpson (2 story)	1450 SW Vintage Prkwy, Ankeny	67,486 (both floors)	1.3
Sportsman's Warehouse	921 SE Oralabor Rd, Ankeny	49,677	5.8
Fareway (Ankeny)	109 SE Oralabor Rd, Ankeny	36,638	3.9
Old Chicago L-shape strip	2732 SE Delaware, Ankeny	35,161	3.7
Panera/Sleep#/HuHot strip	2310 SE Delaware, Ankeny	32,060	3.2
Ace / Crossfit strip	7170 NW 28 th St., Ankeny	24,720	3.0
Fareway (Polk City)	1101 S 5th St, Polk City	19,180	2.0
Walgreen's	2702 SE Delaware, Ankeny	14,406	1.9
Columbus Junction (old Subway)	South corner N 3rd / Bluff St, Polk City	13,000	0.6
Bridge Point stip center	NW corner Bridge Rd/S 3rd, Polk City	11,400	1.9

ORDINANCE NO. 2020-900

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF POLK CITY, IOWA, BY REZONING 82.82 ACRES LOCATED ALONG NW44TH STREET, POLK CITY, IOWA, KNOWN AS SNETSELAAR & LILLSKAU PROPERTY FROM ZONING CLASSIFICATION OF A-1, AGRICULTURAL TO R-1 SINGLE FAMILY DETACHED RESIDENTIAL

WHEREAS, on the 20th day of April 2020, the Planning and Zoning Commission of the City of Polk City, Iowa, recommended to the City Council that the property legally described as:

That part of Lot 3, RED CEDAR PRAIRIE PLAT 1, an official plat, located in Polk City, Polk County, Iowa; and that part of Outlot X, WHITE PINE PRAIRIE PLAT 1, an official plat, located in Polk City, Polk County, Iowa; and that part of the South 601.5 feet of the East Half of the Northeast Quarter of Section 07, Township 80 North, Range 24 West of the 5th P.M., Polk County, Iowa, and more particularly described as follows:

Beginning at the southeast corner of Lot 2, of said RED CEDAR PRAIRIE PLAT 1; thence North 00 degrees 13 minutes West, a distance of 533 feet; thence North 89 degrees 39 minutes East, a distance of 748 feet; thence South 00 degrees 14 minutes East, a distance of 313 feet; thence South 09 degrees 02 minutes East, a distance of 205 feet; thence South 27 degrees 12 minutes East, a distance of 63 feet; thence South 08 degrees 39 minutes East, a distance of 155 feet; thence North 78 degrees 13 minutes East, a distance of 77 feet; thence North 89 degrees 46 minutes East, a distance of 191 feet; thence North 74 degrees 46 minutes East, a distance of 186 feet; thence North 04 degrees 01 minute West, a distance of 155 feet; thence northeasterly 40 feet along a curve to the right, not tangent to the last described line, having a radius of 370 feet, a delta angle of 06 degrees 12 minutes and a chord distance of 40 feet which bears North 85 degrees 59 minutes East; thence South 04 degrees 01 minute East, not tangent to the last described curve, a distance of 147 feet; thence North 85 degrees 03 minutes East, a distance of 84 feet; thence North 89 degrees 46 minutes East, a distance of 85 feet; thence South 87 degrees 19 minutes East, a distance of 306 feet; thence South 00 degrees 34 minutes West, a distance of 268 feet; thence South 83 degrees 28 minutes West, a distance of 186 feet; thence South 77 degrees 55 minutes West, a distance of 113 feet; thence South 66 degrees 45 minutes West, a distance of 412 feet; thence North 72 degrees 30 minutes West, a distance of 56 feet; thence South 38 degrees 06 minutes West, a distance of 170 feet; thence southeasterly 275 feet along a curve to the left, not tangent to the last described line, having a radius of 250 feet, a delta angle of 62 degrees 55 minutes and a chord distance of 261 feet which bears South 83 degrees 22 minutes East; thence South 16 degrees 46 minutes East, not tangent to the last described curve, a distance of 134 feet; thence South 00 degrees 34 minutes West, a distance of 493 feet; thence South 89 degrees 26 minutes East, a distance of 520 feet; thence North 00 degrees 34 minutes East, a distance of 48 feet; thence South 89 degrees 26 minutes East, a distance of 258 feet; thence North 00 degrees 34 minutes East, a distance of 425 feet; thence South 89 degrees 26 minutes East, a distance of 186 feet; thence South 82 degrees 50 minutes East, a distance of 280 feet; thence South 89 degrees 50 minutes East, a distance of 763 feet; thence South 00 degrees 10 minutes West, a distance of 819 feet; thence North 89 degrees 14 minutes West, a distance of 1321 feet; thence North 89 degrees 10 minutes West, a distance of 1322 feet; thence North 00 degrees 48 minutes East, a distance of 290 feet; thence North 33 degrees 02 minutes West, a distance of 532 feet; thence North 42 degrees 22 minutes West, a distance of 389 feet; thence North 42 degrees 25 minutes West, a distance of 390 feet; thence North 00 degrees 29 minutes West, a distance of 146 feet; thence North 62 degrees 11 minutes West, a distance of 112 feet; thence North 00 degrees 13 minutes West, a distance of 208 feet; thence North 89 degrees 48 minutes East, a distance of 300 feet, to the Point of Beginning.

Containing 82.82 acres, including 1.32. acres of road right-of-way.

be considered for rezoning 82.22 acres from Agricultural (A-1) to Single Family Detached Residential (R-1); and

WHEREAS, after due notice and hearing as provided by law, the City Council now deems it reasonable and appropriate to rezone said property.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF POLK CITY, IOWA:

Section 1: That the Municipal Code of the City of Polk City, Iowa, be and is hereby amended by rezoning the property described above from Agricultural (A-1) to Single Family Detached Residential (R-1).

Section 2: All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 3: This ordinance shall be in full force and effect after its passage, approval and publication as provided by law.

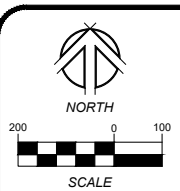
PASSED AND APPROVED this _____ of _____ 2020.

Jason Morse, Mayor

ATTEST:

Jenny Gibbons, City Clerk

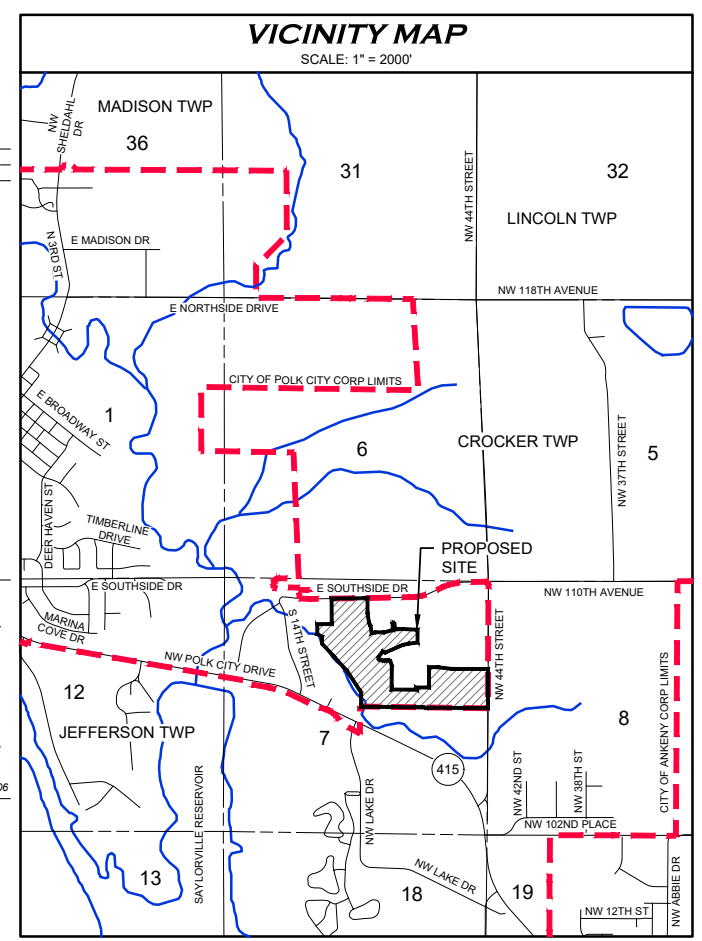
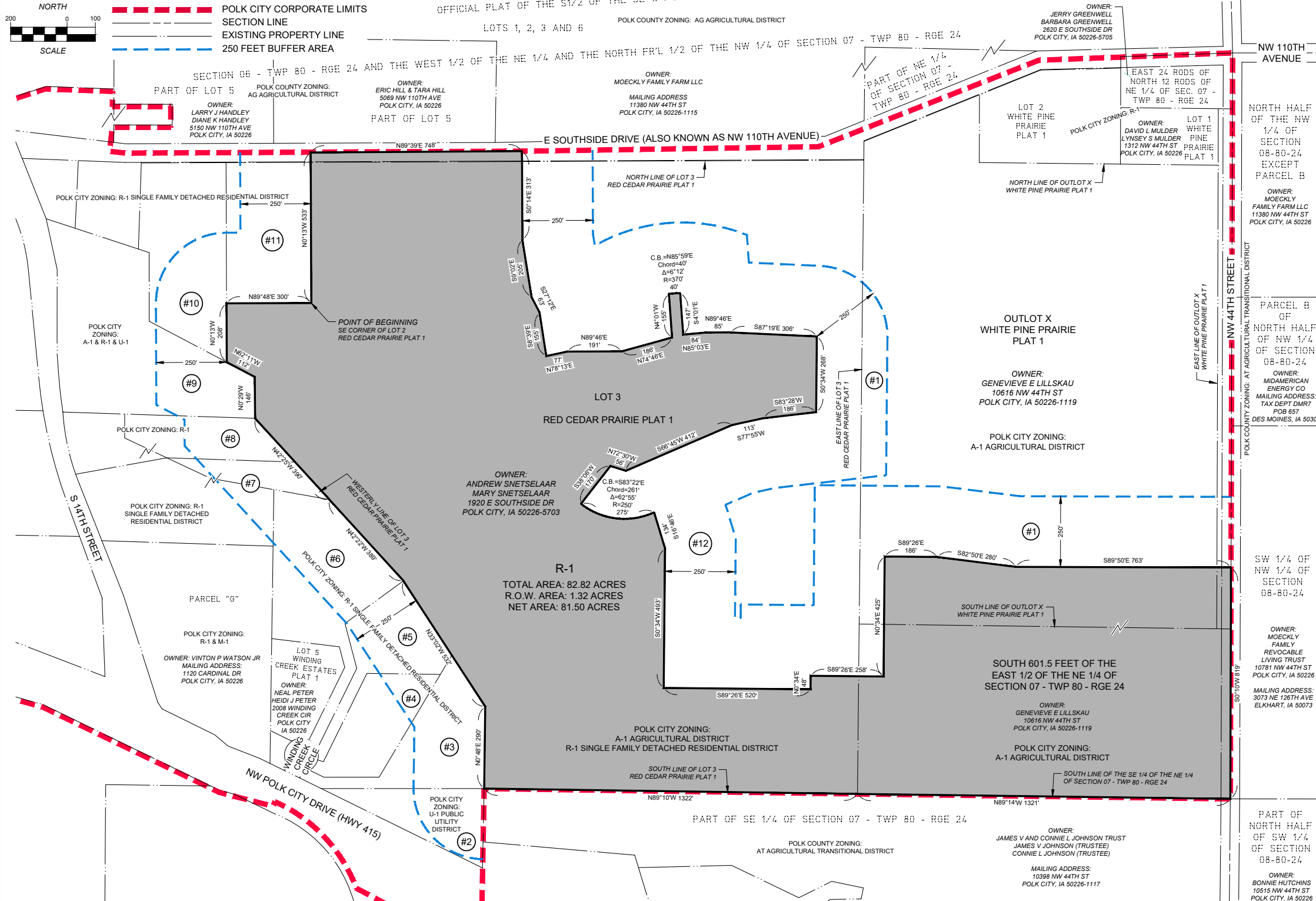
First Reading:
Second Reading:
Third Reading:
Date of Publication by posting



LEGEND

- SUBJECT COMP PLAN & RE-ZONING AREA
- POLK CITY CORPORATE LIMITS
- SECTION LINE
- EXISTING PROPERTY LINE
- 250 FEET BUFFER AREA

OFFICIAL PLAT OF THE S1/2 OF THE SE 1/4 EXCEPT 7A IN THE NE CORNER OF THE SAME AND THE SE 1/4 OF THE SW 1/4 OF TOWNSHIP 80 - RANGE 24



ADJACENT PROPERTY OWNERS

PROPERTY #	PROPERTY OWNER	PROPERTY DESCRIPTION	ACRES WITHIN 250 FT BUFFER	% WITHIN 250 FT BUFFER
#1	GENEVIEVE E LILLSKAU	OUTLOT X WHITE PINE PRAIRIE PLAT 1 & SOUTH 601.5' OF EAST 1/2 OF NE 1/4 OF SECTION 07-80-24	9.42	19.47%
#2	CITY OF POLK CITY	PART OF SW 1/4 OF SECTION 07-80-24	1.11	0%
#3	JANSCO FARMS INC	LOT 1 WINDING CREEK ESTATES PLAT 1	2.13	4.41%
#4	TEDRIC G & SHAUNA R JANSEN	LOT 2 WINDING CREEK ESTATES PLAT 1	0.43	0.88%
#5	MATHEW G COOK & LAURA M COOK	LOT 3 WINDING CREEK ESTATES PLAT 1	1.69	3.49%
#6	NATHAN BURGOD & AMANDA BURGOD	LOT 4 WINDING CREEK ESTATES PLAT 1	2.64	5.46%
#7	JOHN D ALLEN & ROSEMARY ALLEN	LOT 6 WINDING CREEK ESTATES PLAT 1 & PARCEL I	1.25	2.58%
#8	DANIEL S PETERSEN	LOT 7 WINDING CREEK ESTATES PLAT 1 & PARCEL H	1.09	2.25%
#9	USA SAYLORVILLE DAM	SAYLORVILLE TRACT #248	1.84	0%
#10	DOUGLAS A LAYTON & MARLA K LAYTON	LOT 1 RED CEDAR PRAIRIE PLAT 1	1.94	4.01%
#11	RANDALL S KEYS & VICTORIA KEYS	LOT 2 RED CEDAR PRAIRIE PLAT 1	3.15	6.50%
#12	ANDREW & MARY SNETSELAAR	LOT 3 RED CEDAR PRAIRIE PLAT 1	24.65	50.95%

PROPOSED ZONING: R-1 SINGLE FAMILY DETACHED RESIDENTIAL DISTRICT DESCRIPTION

THAT PART OF LOT 3, RED CEDAR PRAIRIE PLAT 1, AN OFFICIAL PLAT, LOCATED IN POLK CITY, POLK COUNTY, IOWA; AND THAT PART OF OUTLOT X, WHITE PINE PRAIRIE PLAT 1, AN OFFICIAL PLAT, LOCATED IN POLK CITY, POLK COUNTY, IOWA; AND THAT PART OF THE SOUTH 601.5 FEET OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 07, TOWNSHIP 80 NORTH, RANGE 24 WEST OF THE 5TH P.M., POLK COUNTY, IOWA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 2, OF SAID RED CEDAR PRAIRIE PLAT 1; THENCE NORTH 00 DEGREES 13 MINUTES WEST, A DISTANCE OF 533 FEET; THENCE NORTH 89 DEGREES 39 MINUTES EAST, A DISTANCE OF 748 FEET; THENCE SOUTH 00 DEGREES 14 MINUTES EAST, A DISTANCE OF 313 FEET; THENCE SOUTH 09 DEGREES 02 MINUTES EAST, A DISTANCE OF 205 FEET; THENCE SOUTH 27 DEGREES 12 MINUTES EAST, A DISTANCE OF 63 FEET; THENCE SOUTH 08 DEGREES 39 MINUTES EAST, A DISTANCE OF 155 FEET; THENCE NORTH 78 DEGREES 13 MINUTES EAST, A DISTANCE OF 77 FEET; THENCE NORTH 89 DEGREES 46 MINUTES EAST, A DISTANCE OF 191 FEET; THENCE NORTH 74 DEGREES 46 MINUTES EAST, A DISTANCE OF 186 FEET; THENCE NORTH 04 DEGREES 01 MINUTE WEST, A DISTANCE OF 155 FEET; THENCE NORTHEASTERLY 40 FEET ALONG A CURVE TO THE RIGHT, NOT TANGENT TO THE LAST DESCRIBED LINE, HAVING A RADIUS OF 370 FEET, A DELTA ANGLE OF 06 DEGREES 12 MINUTES AND A CHORD DISTANCE OF 40 FEET WHICH BEARS NORTH 85 DEGREES 59 MINUTES EAST; THENCE SOUTH 04 DEGREES 01 MINUTE EAST, NOT TANGENT TO THE LAST DESCRIBED CURVE, A DISTANCE OF 147 FEET; THENCE NORTH 85 DEGREES 03 MINUTES EAST, A DISTANCE OF 84 FEET; THENCE NORTH 89 DEGREES 46 MINUTES EAST, A DISTANCE OF 85 FEET; THENCE SOUTH 87 DEGREES 19 MINUTES EAST, A DISTANCE OF 306 FEET; THENCE SOUTH 00 DEGREES 34 MINUTES WEST, A DISTANCE OF 268 FEET; THENCE SOUTH 83 DEGREES 28 MINUTES WEST, A DISTANCE OF 186 FEET; THENCE SOUTH 77 DEGREES 55 MINUTES WEST, A DISTANCE OF 113 FEET; THENCE SOUTH 66 DEGREES 45 MINUTES WEST, A DISTANCE OF 412 FEET; THENCE NORTH 72 DEGREES 30 MINUTES WEST, A DISTANCE OF 56 FEET; THENCE SOUTH 38 DEGREES 06 MINUTES WEST, A DISTANCE OF 170 FEET; THENCE SOUTHEASTERLY 275 FEET ALONG A CURVE TO THE LEFT, NOT TANGENT TO THE LAST DESCRIBED LINE, HAVING A RADIUS OF 250 FEET, A DELTA ANGLE OF 62 DEGREES 55 MINUTES AND A CHORD DISTANCE OF 261 FEET WHICH BEARS SOUTH 83 DEGREES 22 MINUTES EAST; THENCE SOUTH 16 DEGREES 46 MINUTES EAST, NOT TANGENT TO THE LAST DESCRIBED CURVE, A DISTANCE OF 134 FEET; THENCE SOUTH 00 DEGREES 34 MINUTES WEST, A DISTANCE OF 493 FEET; THENCE SOUTH 89 DEGREES 26 MINUTES EAST, A DISTANCE OF 520 FEET; THENCE NORTH 00 DEGREES 34 MINUTES EAST, A DISTANCE OF 48 FEET; THENCE SOUTH 89 DEGREES 26 MINUTES EAST, A DISTANCE OF 258 FEET; THENCE NORTH 00 DEGREES 34 MINUTES EAST, A DISTANCE OF 425 FEET; THENCE SOUTH 89 DEGREES 26 MINUTES EAST, A DISTANCE OF 186 FEET; THENCE SOUTH 82 DEGREES 50 MINUTES EAST, A DISTANCE OF 280 FEET; THENCE SOUTH 89 DEGREES 50 MINUTES EAST, A DISTANCE OF 763 FEET; THENCE SOUTH 00 DEGREES 10 MINUTES WEST, A DISTANCE OF 819 FEET; THENCE NORTH 89 DEGREES 14 MINUTES WEST, A DISTANCE OF 1321 FEET; THENCE NORTH 89 DEGREES 10 MINUTES WEST, A DISTANCE OF 290 FEET; THENCE NORTH 33 DEGREES 02 MINUTES WEST, A DISTANCE OF 532 FEET; THENCE NORTH 42 DEGREES 22 MINUTES WEST, A DISTANCE OF 389 FEET; THENCE NORTH 42 DEGREES 25 MINUTES WEST, A DISTANCE OF 390 FEET; THENCE NORTH 00 DEGREES 29 MINUTES WEST, A DISTANCE OF 146 FEET; THENCE NORTH 62 DEGREES 11 MINUTES WEST, A DISTANCE OF 112 FEET; THENCE NORTH 00 DEGREES 13 MINUTES WEST, A DISTANCE OF 208 FEET; THENCE NORTH 89 DEGREES 48 MINUTES EAST, A DISTANCE OF 300 FEET, TO THE POINT OF BEGINNING. CONTAINING 82.82 ACRES, INCLUDING 1.32 ACRES OF ROAD RIGHT-OF-WAY.

OWNER / DEVELOPER

ANDREW SNETSELAAR
 MARY SNETSELAAR
 1920 E SOUTHSIDE DRIVE
 POLK CITY, IA 50226

GENEVIEVE E LILLSKAU
 10616 NW 44TH STREET
 POLK CITY, IA 50226

ZONING NOTES

- EXISTING ZONING: A-1 AGRICULTURAL DISTRICT & R-1 SINGLE FAMILY DETACHED RESIDENTIAL DISTRICT
- PROPOSED ZONING: R-1 SINGLE FAMILY DETACHED RESIDENTIAL DISTRICT

1250 SW STATE STREET, SUITE A
 ANKENY, IOWA 50023-2556
 (515) 965-0123 phone - (515) 965-5322 fax
 Civil Engineering - Land Surveying
 Landscape Architecture

NILLES ASSOCIATES

REVISIONS:

- 1/20/20 - CITY REVIEW COMMENTS
- 2/10/20 - CITY REVIEW COMMENTS
- 3/10/20 - REVISE ZONING BOUNDARIES
- 4/10/20 - REVISE ZONING BOUNDARIES
- 5/10/20 - REVISE ZONING BOUNDARIES
- 6/10/20 - REVISE ZONING BOUNDARIES
- 7/10/20 - REVISE ZONING BOUNDARIES

NOTICE: NILLES ASSOCIATES, INC. WAIVES ANY AND ALL LIABILITY FOR DAMAGES OF ANY KIND, INCLUDING REASONABLE ATTORNEY'S FEES, ARISING FROM THE USE OF THESE PLANS, SPECIFICATIONS, AND CALCULATIONS, WHETHER CAUSED BY NEGLIGENCE OR OTHERWISE, IN CONNECTION WITH THESE PLANS, SPECIFICATIONS, AND CALCULATIONS, AND ANY AND ALL DAMAGES OF ANY KIND, INCLUDING REASONABLE ATTORNEY'S FEES, ARISING FROM THE USE OF THESE PLANS, SPECIFICATIONS, AND CALCULATIONS, AND ANY AND ALL DAMAGES OF ANY KIND, INCLUDING REASONABLE ATTORNEY'S FEES, ARISING FROM THE USE OF THESE PLANS, SPECIFICATIONS, AND CALCULATIONS.

SNETSLEAAR & LILLESKAU PROPERTY
 POLK CITY, IOWA

PROPOSED ZONING EXHIBIT: R-1

PROJECT NAME:	19137
DATE:	11/22/19
DRAWN BY:	TJH
CHECKED BY:	RJS
SHEET SIZE:	22" X 34"
SHEET TITLE:	RZ-R1
SHEET NO.:	1/1

ORDINANCE NO. 2020-1000

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF POLK CITY, IOWA, BY REZONING 31.86 ACRES LOCATED ALONG NW44TH STREET, POLK CITY, IOWA, KNOWN AS SNETSELAAR & LILLSKAU PROPERTY FROM ZONING CLASSIFICATION OF A-1, AGRICULTURAL TO R-2, ONE AND TWO-FAMILY RESIDENTIAL DISTRICT

WHEREAS, on the 20th day of April 2020, the Planning and Zoning Commission of the City of Polk City, Iowa, recommended to the City Council that the property legally described as:

That part of Lot 3, RED CEDAR PRAIRIE PLAT 1, an official plat, located in Polk City, Polk County, Iowa; and that part of Outlot X, WHITE PINE PRAIRIE PLAT 1, an official plat, located in Polk City, Polk County, Iowa; and that part of the South 601.5 feet of the East Half of the Northeast Quarter of Section 07, Township 80 North, Range 24 West of the 5th P.M., Polk County, Iowa, and more particularly described as follows:

Commencing at the southeast corner of said Lot 3; thence North 00 degrees 34 minutes East, a distance of 842 feet, to the first Point of Beginning; thence North 00 degrees 34 minutes East, a distance of 311 feet; thence northwesterly 87 feet along a curve to the left, not tangent to the last described line, having a radius of 600 feet, a delta angle of 08 degrees 16 minutes and a chord distance of 86 feet which bears North 85 degrees 18 minutes West; thence North 89 degrees 26 minutes West, tangent to the last described curve, a distance of 74 feet; thence North 00 degrees 34 minutes East, a distance of 191 feet; thence South 83 degrees 28 minutes West, a distance of 186 feet; thence South 77 degrees 55 minutes West, a distance of 113 feet; thence South 66 degrees 45 minutes West, a distance of 412 feet; thence North 72 degrees 30 minutes West, a distance of 56 feet; thence South 38 degrees 06 minutes West, a distance of 170 feet; thence southeasterly 275 feet along a curve to the left, not tangent to the last described line, having a radius of 250 feet, a delta angle of 62 degrees 55 minutes and a chord distance of 261 feet which bears South 83 degrees 22 minutes East; thence South 16 degrees 46 minutes East, not tangent to the last described curve, a distance of 134 feet; thence South 00 degrees 34 minutes West, a distance of 493 feet; thence South 89 degrees 26 minutes East, a distance of 520 feet; thence North 00 degrees 34 minutes East, a distance of 48 feet; thence South 89 degrees 26 minutes East, a distance of 258 feet; thence North 00 degrees 34 minutes East, a distance of 425 feet; thence North 89 degrees 26 minutes West, a distance of 88 feet, to the first Point of Beginning.

AND

That part of Lot 3, RED CEDAR PRAIRIE PLAT 1, an official plat, located in Polk City, Polk County, Iowa, and more particularly described as follows:

Commencing at the southeast corner of said Lot 3; thence North 00 degrees 34 minutes East, a distance of 842 feet; thence North 00 degrees 34 minutes East, a distance of 311 feet; thence northwesterly 87 feet along a curve to the left, not tangent to the last described line, having a radius of 600 feet, a delta angle of 08 degrees 16 minutes and a chord distance of 86 feet which bears North 85 degrees 18 minutes West; thence North 89 degrees 26 minutes West, tangent to the last described curve, a distance of 74 feet; thence North 00 degrees 34 minutes East, a distance of 459 feet, to the second Point of Beginning; thence North 00 degrees 34 minutes East, a distance of 672 feet; thence South 89 degrees 06 minutes West, a distance of 1051 feet; thence South 00 degrees 14 minutes East, a distance of 312 feet; thence South 09 degrees 02 minutes East, a distance of 205 feet; thence South 27 degrees 12 minutes East, a distance of 63 feet; thence South 08 degrees 39 minutes East, a distance of 155 feet; thence North 78 degrees 13 minutes East, a distance of 77 feet; thence North 89 degrees 46 minutes East, a distance of 191 feet; thence North 74 degrees 46 minutes East, a distance of 186 feet; thence North 04 degrees 01 minute West, a distance of 155 feet; thence northeasterly 40 feet along a curve to the right, not tangent to the last described line, having a radius of 370 feet, a delta angle of 06 degrees 12 minutes and a chord distance of 40 feet which bears North 85 degrees 59 minutes East; thence South 04 degrees 01 minute East, not tangent to the last described curve, a distance of 147 feet; thence North 85 degrees 03 minutes East, a distance of

84 feet; thence North 89 degrees 46 minutes East, a distance of 85 feet; thence South 87 degrees 19 minutes East, a distance of 306 feet, to the Point of Beginning.

Containing 31.86 acres, including 1.02 acres of road right-of-way.

be considered for rezoning 31.86 acres from Agricultural (A-1) to One and Two-Family Residential District(R-2); and

WHEREAS, after due notice and hearing as provided by law, the City Council now deems it reasonable and appropriate to rezone said property.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF POLK CITY, IOWA:

Section 1: That the Municipal Code of the City of Polk City, Iowa, be and is hereby amended by rezoning the property described above from Agricultural (A-1) to One and Two-Family Residential District (R-2).

Section 2: All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 3: This ordinance shall be in full force and effect after its passage, approval and publication as provided by law.

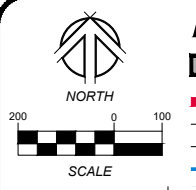
PASSED AND APPROVED this _____ of _____ 2020.

Jason Morse, Mayor

ATTEST:

Jenny Gibbons, City Clerk

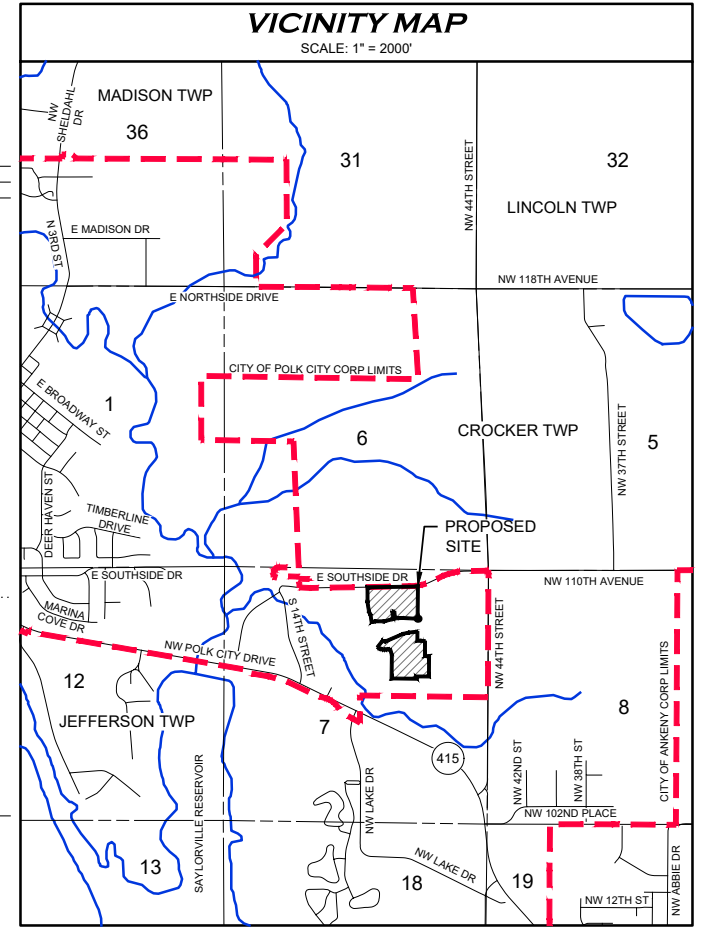
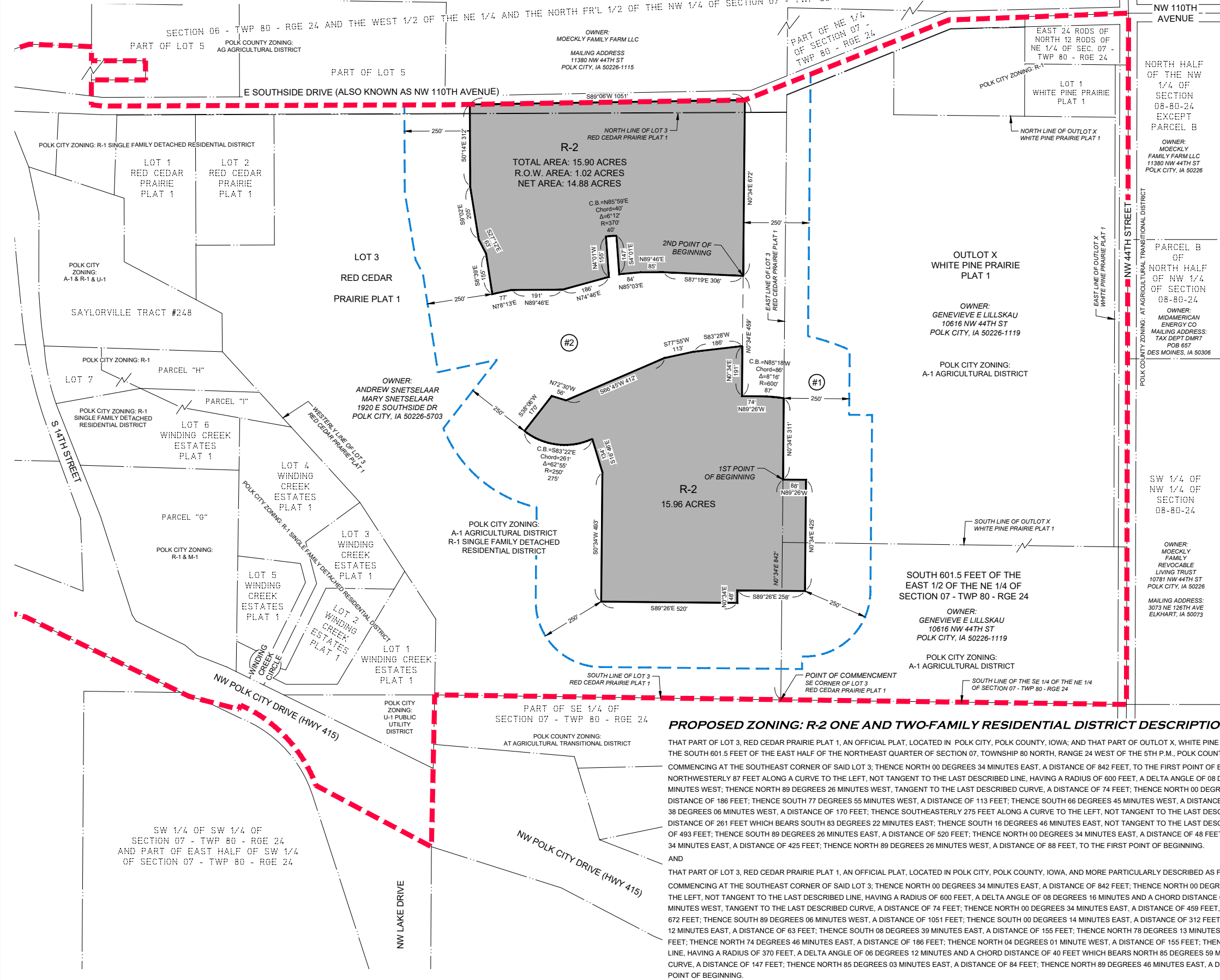
First Reading:
Second Reading:
Third Reading:
Date of Publication by posting



LEGEND

- SUBJECT COMP PLAN & RE-ZONING AREA
- POLK CITY CORPORATE LIMITS
- SECTION LINE
- EXISTING PROPERTY LINE
- 250 FEET BUFFER AREA

OFFICIAL PLAT OF THE S1/2 OF THE SE 1/4 EXCEPT 7A IN THE NE CORNER OF THE SAME AND THE SE 1/4 OF THE SW 1/4 OF SECTION 07 - TWP 80 - RGE 24
 POLK COUNTY ZONING: AG AGRICULTURAL DISTRICT
 LOTS 1, 2, 3 AND 6



ADJACENT PROPERTY OWNERS

PROPERTY #	PROPERTY OWNER	PROPERTY DESCRIPTION	ACRES WITHIN 250 FT BUFFER	% WITHIN 250 FT BUFFER
#1	GENEVIEVE E LILLSKAU	OUTLOT X WHITE PINE PRAIRIE PLAT 1 & THE SOUTH 601.5 FEET OF THE EAST 1/2 OF THE NE 1/4 OF SECTION 07 - TWP 80 - RGE 24	9.670	25.03%
#2	ANDREW & MARY SNETSELAAR	LOT 3 RED CEDAR PRAIRIE PLAT 1	28.959	74.97%

OWNER / DEVELOPER
 ANDREW SNETSELAAR
 MARY SNETSELAAR
 1920 E SOUTHSIDE DRIVE
 POLK CITY, IA 50226

ZONING NOTES

- EXISTING ZONING : A-1 AGRICULTURAL DISTRICT & R-1 SINGLE FAMILY DETACHED RESIDENTIAL DISTRICT
- PROPOSED ZONING: R-2 ONE AND TWO-FAMILY RESIDENTIAL DISTRICT

GENEVIEVE E LILLSKAU
 10616 NW 44TH STREET
 POLK CITY, IA 50226

PROPOSED ZONING: R-2 ONE AND TWO-FAMILY RESIDENTIAL DISTRICT DESCRIPTION

THAT PART OF LOT 3, RED CEDAR PRAIRIE PLAT 1, AN OFFICIAL PLAT, LOCATED IN POLK CITY, POLK COUNTY, IOWA; AND THAT PART OF OUTLOT X, WHITE PINE PRAIRIE PLAT 1, AN OFFICIAL PLAT, LOCATED IN POLK CITY, POLK COUNTY, IOWA; AND THAT PART OF THE SOUTH 601.5 FEET OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 07, TOWNSHIP 80 NORTH, RANGE 24 WEST OF THE 5TH P.M., POLK COUNTY, IOWA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 3; THENCE NORTH 00 DEGREES 34 MINUTES EAST, A DISTANCE OF 842 FEET, TO THE FIRST POINT OF BEGINNING; THENCE NORTH 00 DEGREES 34 MINUTES EAST, A DISTANCE OF 311 FEET; THENCE NORTHWESTERLY 87 FEET ALONG A CURVE TO THE LEFT, NOT TANGENT TO THE LAST DESCRIBED LINE, HAVING A RADIUS OF 800 FEET, A DELTA ANGLE OF 08 DEGREES 16 MINUTES AND A CHORD DISTANCE OF 86 FEET WHICH BEARS NORTH 85 DEGREES 18 MINUTES WEST; THENCE NORTH 89 DEGREES 26 MINUTES WEST, TANGENT TO THE LAST DESCRIBED CURVE, A DISTANCE OF 74 FEET; THENCE NORTH 00 DEGREES 34 MINUTES EAST, A DISTANCE OF 191 FEET; THENCE SOUTH 83 DEGREES 28 MINUTES WEST, A DISTANCE OF 186 FEET; THENCE SOUTH 77 DEGREES 55 MINUTES WEST, A DISTANCE OF 113 FEET; THENCE SOUTH 66 DEGREES 45 MINUTES WEST, A DISTANCE OF 412 FEET; THENCE NORTH 72 DEGREES 30 MINUTES WEST, A DISTANCE OF 56 FEET; THENCE SOUTH 38 DEGREES 06 MINUTES WEST, A DISTANCE OF 170 FEET; THENCE SOUTHEASTERLY 275 FEET ALONG A CURVE TO THE LEFT, NOT TANGENT TO THE LAST DESCRIBED LINE, HAVING A RADIUS OF 250 FEET, A DELTA ANGLE OF 62 DEGREES 55 MINUTES AND A CHORD DISTANCE OF 261 FEET WHICH BEARS SOUTH 83 DEGREES 22 MINUTES EAST; THENCE SOUTH 16 DEGREES 46 MINUTES EAST, NOT TANGENT TO THE LAST DESCRIBED CURVE, A DISTANCE OF 134 FEET; THENCE SOUTH 00 DEGREES 34 MINUTES WEST, A DISTANCE OF 493 FEET; THENCE SOUTH 89 DEGREES 26 MINUTES EAST, A DISTANCE OF 520 FEET; THENCE NORTH 00 DEGREES 34 MINUTES EAST, A DISTANCE OF 48 FEET; THENCE SOUTH 89 DEGREES 26 MINUTES EAST, A DISTANCE OF 258 FEET; THENCE NORTH 00 DEGREES 34 MINUTES EAST, A DISTANCE OF 425 FEET; THENCE NORTH 89 DEGREES 26 MINUTES WEST, A DISTANCE OF 88 FEET, TO THE FIRST POINT OF BEGINNING.

AND
 THAT PART OF LOT 3, RED CEDAR PRAIRIE PLAT 1, AN OFFICIAL PLAT, LOCATED IN POLK CITY, POLK COUNTY, IOWA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 3; THENCE NORTH 00 DEGREES 34 MINUTES EAST, A DISTANCE OF 842 FEET; THENCE NORTH 00 DEGREES 34 MINUTES EAST, A DISTANCE OF 311 FEET; THENCE NORTHWESTERLY 87 FEET ALONG A CURVE TO THE LEFT, NOT TANGENT TO THE LAST DESCRIBED LINE, HAVING A RADIUS OF 800 FEET, A DELTA ANGLE OF 08 DEGREES 16 MINUTES AND A CHORD DISTANCE OF 86 FEET WHICH BEARS NORTH 85 DEGREES 18 MINUTES WEST; THENCE NORTH 89 DEGREES 26 MINUTES WEST, TANGENT TO THE LAST DESCRIBED CURVE, A DISTANCE OF 74 FEET; THENCE NORTH 00 DEGREES 34 MINUTES EAST, A DISTANCE OF 459 FEET, TO THE SECOND POINT OF BEGINNING; THENCE NORTH 00 DEGREES 34 MINUTES EAST, A DISTANCE OF 672 FEET; THENCE SOUTH 89 DEGREES 06 MINUTES WEST, A DISTANCE OF 1051 FEET; THENCE SOUTH 00 DEGREES 14 MINUTES EAST, A DISTANCE OF 312 FEET; THENCE SOUTH 09 DEGREES 02 MINUTES EAST, A DISTANCE OF 205 FEET; THENCE SOUTH 27 DEGREES 12 MINUTES EAST, A DISTANCE OF 63 FEET; THENCE SOUTH 08 DEGREES 39 MINUTES EAST, A DISTANCE OF 155 FEET; THENCE NORTH 78 DEGREES 13 MINUTES EAST, A DISTANCE OF 77 FEET; THENCE NORTH 89 DEGREES 46 MINUTES EAST, A DISTANCE OF 191 FEET; THENCE NORTH 74 DEGREES 46 MINUTES EAST, A DISTANCE OF 186 FEET; THENCE NORTH 04 DEGREES 01 MINUTE WEST, A DISTANCE OF 155 FEET; THENCE NORTHEASTERLY 40 FEET ALONG A CURVE TO THE RIGHT, NOT TANGENT TO THE LAST DESCRIBED LINE, HAVING A RADIUS OF 370 FEET, A DELTA ANGLE OF 06 DEGREES 12 MINUTES AND A CHORD DISTANCE OF 40 FEET WHICH BEARS NORTH 85 DEGREES 59 MINUTES EAST; THENCE SOUTH 04 DEGREES 01 MINUTE EAST, NOT TANGENT TO THE LAST DESCRIBED CURVE, A DISTANCE OF 147 FEET; THENCE NORTH 85 DEGREES 03 MINUTES EAST, A DISTANCE OF 84 FEET; THENCE NORTH 89 DEGREES 46 MINUTES EAST, A DISTANCE OF 85 FEET; THENCE SOUTH 87 DEGREES 19 MINUTES EAST, A DISTANCE OF 306 FEET, TO THE POINT OF BEGINNING.

CONTAINING 31.86 ACRES, INCLUDING 1.02 ACRES OF ROAD RIGHT-OF-WAY.

1250 SW STATE STREET, SUITE A
 ANKENY, IOWA 50023-2555
 (515) 965-0123 phone - (515) 965-5322 fax
 Civil Engineering - Land Surveying
 Landscape Architecture

NILLES ASSOCIATES

REVISIONS:

- 1) 02/02/20 - CITY REVIEW COMMENTS
- 2) 02/02/20 - REVISE ZONING BOUNDARIES
- 3) 04/02/20 - REVISE ZONING BOUNDARIES
- 4) 04/02/20 - REVISE ZONING BOUNDARIES
- 5) 04/02/20 - REVISE ZONING BOUNDARIES
- 6) 04/02/20 - REVISE ZONING BOUNDARIES
- 7) 04/02/20 - REVISE ZONING BOUNDARIES

NOTICE: NILLES ASSOCIATES, INC. WAIVES ANY AND ALL LIABILITY FOR ANY AND ALL DAMAGES WHICH MAY BE INCURRED BY ANY PARTY FOLLOWING THESE PLANS, SPECIFICATIONS AND CONDITIONS. THE USER OF THESE PLANS ASSUMES ALL RESPONSIBILITY FOR PROBLEMS WHICH ARE OF A NATURE OR CHARACTER NOT FORESEEN BY THE ENGINEER OR ARCHITECT. THE USER OF THESE PLANS ASSUMES ALL RESPONSIBILITY FOR PROBLEMS WHICH ARE OF A NATURE OR CHARACTER NOT FORESEEN BY THE ENGINEER OR ARCHITECT. THE USER OF THESE PLANS ASSUMES ALL RESPONSIBILITY FOR PROBLEMS WHICH ARE OF A NATURE OR CHARACTER NOT FORESEEN BY THE ENGINEER OR ARCHITECT.

PROJECT NAME: SNETSELAAR & LILLSKAU PROPERTY
 POLK CITY, IOWA

PROPOSED ZONING EXHIBIT: R-2

PROJECT NAME:	19137
DATE:	11/22/19
DRAWN BY:	TJH
CHECKED BY:	RJS
SHEET SIZE:	22" X 34"
SHEET TITLE:	RZ-R2
SHEET NO.:	1/1

ORDINANCE NO. 2020-1000

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF POLK CITY, IOWA, BY REZONING 31.86 ACRES LOCATED ALONG NW44TH STREET, POLK CITY, IOWA, KNOWN AS SNETSELAAR & LILLSKAU PROPERTY FROM ZONING CLASSIFICATION OF A-1, AGRICULTURAL TO R-2, ONE AND TWO-FAMILY RESIDENTIAL DISTRICT

WHEREAS, on the 20th day of April 2020, the Planning and Zoning Commission of the City of Polk City, Iowa, recommended to the City Council that the property legally described as:

That part of Lot 3, RED CEDAR PRAIRIE PLAT 1, an official plat, located in Polk City, Polk County, Iowa; and that part of Outlot X, WHITE PINE PRAIRIE PLAT 1, an official plat, located in Polk City, Polk County, Iowa; and that part of the South 601.5 feet of the East Half of the Northeast Quarter of Section 07, Township 80 North, Range 24 West of the 5th P.M., Polk County, Iowa, and more particularly described as follows:

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AND

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84 feet; thence North 89 degrees 46 minutes East, a distance of 85 feet; thence South 87 degrees 19 minutes East, a distance of 306 feet, to the Point of Beginning.

Containing 31.86 acres, including 1.02 acres of road right-of-way.

be considered for rezoning 31.86 acres from Agricultural (A-1) to One and Two-Family Residential District(R-2); and

WHEREAS, after due notice and hearing as provided by law, the City Council now deems it reasonable and appropriate to rezone said property.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF POLK CITY, IOWA:

Section 1: That the Municipal Code of the City of Polk City, Iowa, be and is hereby amended by rezoning the property described above from Agricultural (A-1) to One and Two-Family Residential District (R-2).

Section 2: All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 3: This ordinance shall be in full force and effect after its passage, approval and publication as provided by law.

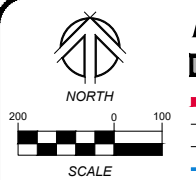
PASSED AND APPROVED this _____ of _____ 2020.

Jason Morse, Mayor

ATTEST:

Jenny Gibbons, City Clerk

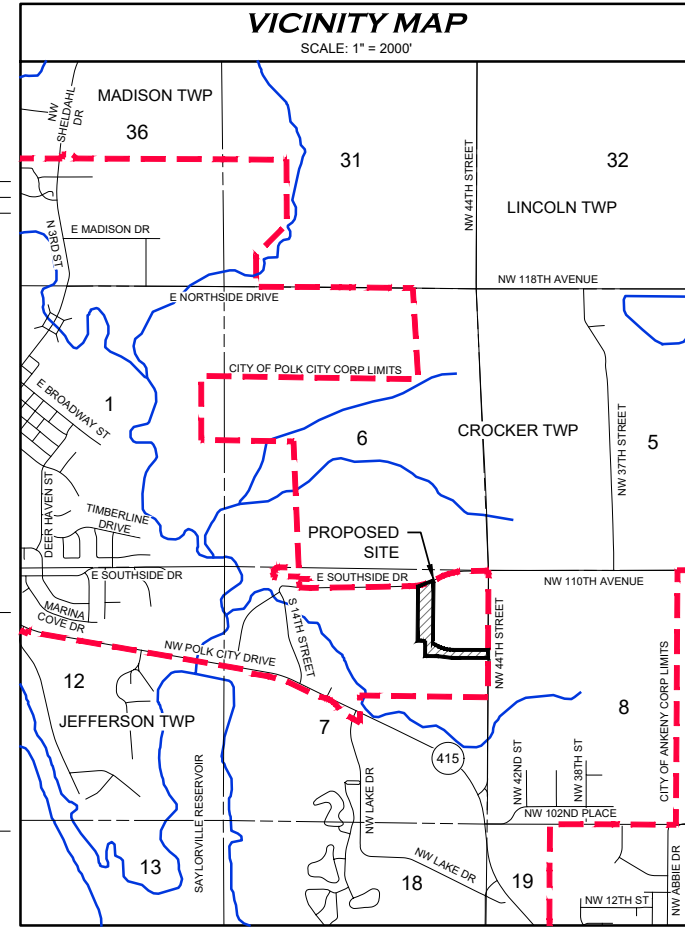
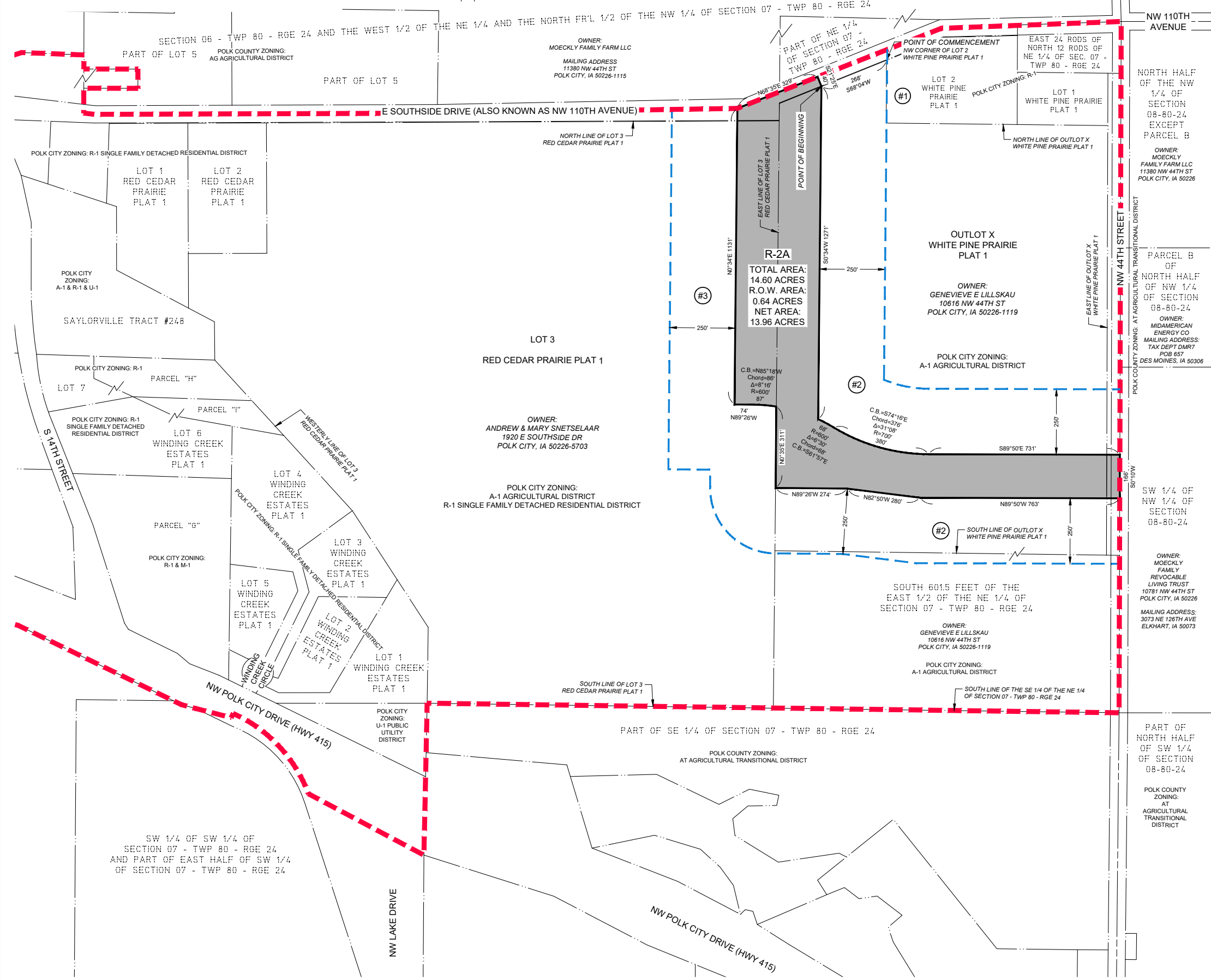
First Reading:
Second Reading:
Third Reading:
Date of Publication by posting



LEGEND

- SUBJECT COMP PLAN & RE-ZONING AREA
- POLK CITY CORPORATE LIMITS
- SECTION LINE
- EXISTING PROPERTY LINE
- 250 FEET BUFFER AREA

OFFICIAL PLAT OF THE S1/2 OF THE SE 1/4 EXCEPT 7A IN THE NE CORNER OF THE SAME AND THE SE 1/4 OF THE SW 1/4 OF SECTION 07 - TWP 80 - RGE 24
 LOTS 1, 2, 3 AND 6 POLK COUNTY ZONING: AG AGRICULTURAL DISTRICT



ADJACENT PROPERTY OWNERS

PROPERTY #	PROPERTY OWNER	PROPERTY DESCRIPTION	ACRES WITHIN 250 FT BUFFER	% WITHIN 250 FT BUFFER
#1	PHILIP R & KELLY D IRLMEIER	LOT 2 WHITE PINE PRAIRIE PLAT 1	0.01	0.02%
#2	GENEVIEVE E LILLSKAU	OUTLOT X WHITE PINE PRAIRIE PLAT 1 & SOUTH 601.5 FEET OF THE EAST 1/2 OF THE NE 1/4 OF SECTION 07 - TWP 80 - RGE 24	20.10	66.62%
#3	ANDREW & MARY SNETSELAAR	LOT 3 RED CEDAR PRAIRIE PLAT 1	10.07	33.36%

OWNER / DEVELOPER
 GENEVIEVE E LILLSKAU
 10616 NW 44TH STREET
 POLK CITY, IA 50226

ZONING NOTES

- EXISTING ZONING: A-1 AGRICULTURAL DISTRICT
- PROPOSED ZONING: R-2A TOWNHOME RESIDENTIAL DISTRICT

PROPOSED ZONING: R-2A TOWNHOME RESIDENTIAL DISTRICT DESCRIPTION

THAT PART OF OUTLOT X, WHITE PINE PRAIRIE PLAT 1, AN OFFICIAL PLAT, LOCATED IN POLK CITY, POLK COUNTY, IOWA; AND THAT PART OF LOT 3, RED CEDAR PRAIRIE PLAT 1, AN OFFICIAL PLAT, LOCATED IN POLK CITY, POLK COUNTY, IOWA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 2, SAID WHITE PINE PRAIRIE PLAT 1; THENCE SOUTH 68 DEGREES 04 MINUTES WEST, A DISTANCE OF 268 FEET, TO THE POINT OF BEGINNING; THENCE SOUTH 00 DEGREES 34 MINUTES WEST, A DISTANCE OF 1271 FEET; THENCE SOUTHEASTERLY 68 FEET ALONG A CURVE TO THE RIGHT, NOT TANGENT TO THE LAST DESCRIBED LINE, HAVING A RADIUS OF 600 FEET, A DELTA ANGLE OF 06 DEGREES 30 MINUTES AND A CHORD DISTANCE OF 68 FEET WHICH BEARS SOUTH 61 DEGREES 57 MINUTES EAST; THENCE SOUTHEASTERLY 380 FEET ALONG A REVERSE CURVE TO THE LEFT, TANGENT TO THE LAST DESCRIBED CURVE, HAVING A RADIUS OF 700 FEET, A DELTA ANGLE OF 31 DEGREES 08 MINUTES AND A CHORD DISTANCE OF 376 FEET WHICH BEARS SOUTH 74 DEGREES 16 MINUTES EAST; THENCE SOUTH 89 DEGREES 50 MINUTES EAST, TANGENT TO THE LAST DESCRIBED CURVE, A DISTANCE OF 731 FEET; THENCE SOUTH 00 DEGREES 10 MINUTES WEST, A DISTANCE OF 166 FEET; THENCE NORTH 89 DEGREES 50 MINUTES WEST, A DISTANCE OF 763 FEET; THENCE NORTH 82 DEGREES 50 MINUTES WEST, A DISTANCE OF 280 FEET; THENCE NORTH 89 DEGREES 26 MINUTES WEST, A DISTANCE OF 274 FEET; THENCE NORTH 00 DEGREES 35 MINUTES EAST, A DISTANCE OF 311 FEET; THENCE NORTHWESTERLY 87 FEET ALONG A CURVE TO THE LEFT, NOT TANGENT TO THE LAST DESCRIBED LINE, HAVING A RADIUS OF 600 FEET, A DELTA ANGLE OF 08 DEGREES 16 MINUTES AND A CHORD DISTANCE OF 86 FEET WHICH BEARS NORTH 85 DEGREES 18 MINUTES WEST; THENCE NORTH 89 DEGREES 26 MINUTES WEST, TANGENT TO THE LAST DESCRIBED CURVE, A DISTANCE OF 74 FEET; THENCE NORTH 00 DEGREES 34 MINUTES WEST, A DISTANCE OF 1131 FEET; THENCE NORTH 68 DEGREES 35 MINUTES EAST, A DISTANCE OF 329 FEET; THENCE SOUTH 21 DEGREES 25 MINUTES EAST, A DISTANCE OF 40 FEET, TO THE POINT OF BEGINNING.

CONTAINING 14.60 ACRES, INCLUDING 0.64 ACRES OF ROAD RIGHT-OF-WAY.

1250 SW STATE STREET, SUITE A
 ANKENY, IOWA 50023-2555
 (515) 965-0123 phone - (515) 965-5322 fax
NILLES ASSOCIATES
 Civil Engineering - Land Surveying
 Landscape Architecture

- REVISIONS:**
- 1) 02/02/20 - CITY REVIEW COMMENTS
 - 2) 02/02/20 - CITY REVIEW COMMENTS
 - 3) 04/02/20 - REVISE ZONING BOUNDARIES
 - 4) 04/02/20 - REVISE ZONING BOUNDARIES
 - 5) 04/02/20 - REVISE ZONING BOUNDARIES
 - 6) 04/02/20 - REVISE ZONING BOUNDARIES
 - 7) 04/02/20 - REVISE ZONING BOUNDARIES

NOTICE: NILLES ASSOCIATES, INC. WAIVES ANY AND ALL LIABILITY FOR DAMAGES OF ANY KIND OR NATURE, INCLUDING REASONABLE ATTORNEY'S FEES, ARISING FROM THE USE OF THESE PLANS, SPECIFICATIONS AND SCHEDULES, WHETHER SUCH DAMAGES BE CAUSED BY NEGLIGENCE OR OTHERWISE, AND THAT THE USER OF THESE PLANS, SPECIFICATIONS AND SCHEDULES SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND GUIDANCE WITH RESPECT TO ANY TERMS, CONDITIONS AND RESTRICTIONS APPLICABLE TO ANY PROJECTS WHICH ARE REFERENCED HEREIN.

SNETSELAAR & LILLESKAU PROPERTY
 POLK CITY, IOWA

PROPOSED ZONING EXHIBIT: R-2A

PROJECT NAME: SNETSELAAR & LILLESKAU PROPERTY, POLK CITY, IOWA

DESCRIPTION: PROPOSED ZONING EXHIBIT: R-2A

NAI NO:	19137
DATE:	11/22/19
DRAWN BY:	TJH
CHECKED BY:	RJS
SHEET SIZE:	22" X 34"
SHEET TITLE:	RZ-R2A
SHEET NO.:	1/1

ORDINANCE NO. 2020-1200

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF POLK CITY, IOWA, BY REZONING 34.16 ACRES LOCATED ALONG NW44TH STREET, POLK CITY, IOWA, KNOWN AS SNETSELAAR & LILLSKAU PROPERTY FROM ZONING CLASSIFICATION OF A-1, AGRICULTURAL TO C-2, COMMERCIAL DISTRICT

WHEREAS, on the 20th day of April 2020, the Planning and Zoning Commission of the City of Polk City, Iowa, recommended to the City Council that the property legally described as:

That part of Outlot X, WHITE PINE PRAIRIE PLAT 1, an official plat, located in Polk City, Polk County, Iowa, and more particularly described as follows:

Beginning at the southwest corner of Lot 2, of said WHITE PINE PRAIRIE PLAT 1; thence South 89 degrees 21 minutes East, a distance of 896 feet; thence South 00 degrees 10 minutes West, a distance of 1257 feet; thence North 89 degrees 50 minutes West, a distance of 731 feet; thence northwesterly 380 feet along a curve to the right, tangent to the last described line, having a radius of 700 feet, a delta angle of 31 degrees 08 minutes and a chord distance of 376 feet which bears North 74 degrees 16 minutes West; thence northwesterly 68 feet along a reverse curve to the left, tangent to the last described curve, having a radius of 600 feet, a delta angle of 06 degrees 30 minutes and a chord distance of 68 feet which bears North 61 degrees 57 minutes West; thence North 00 degrees 34 minutes East, not tangent to the last described curve, a distance of 1271 feet; thence North 68 degrees 35 minutes East, a distance of 252 feet; thence South 21 degrees 25 minutes East, a distance of 37 feet; thence South 00 degrees 10 minutes West, a distance of 240 feet, to the Point of Beginning. Containing 34.16 acres, including 1.67 acres of road right-of-way.

be considered for rezoning 34.16 acres from Agricultural (A-1) to Commercial District (C-2); and

WHEREAS, after due notice and hearing as provided by law, the City Council now deems it reasonable and appropriate to rezone said property.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF POLK CITY, IOWA:

Section 1: That the Municipal Code of the City of Polk City, Iowa, be and is hereby amended by rezoning the property described above from Agricultural (A-1) to Commercial District (C-2).

Section 2: All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 3: This ordinance shall be in full force and effect after its passage, approval and publication as provided by law.

PASSED AND APPROVED this _____ of _____ 2020.

Jason Morse, Mayor

ATTEST:

Jenny Gibbons, City Clerk

First Reading:
Second Reading:
Third Reading:
Date of Publication by posting



NORTH

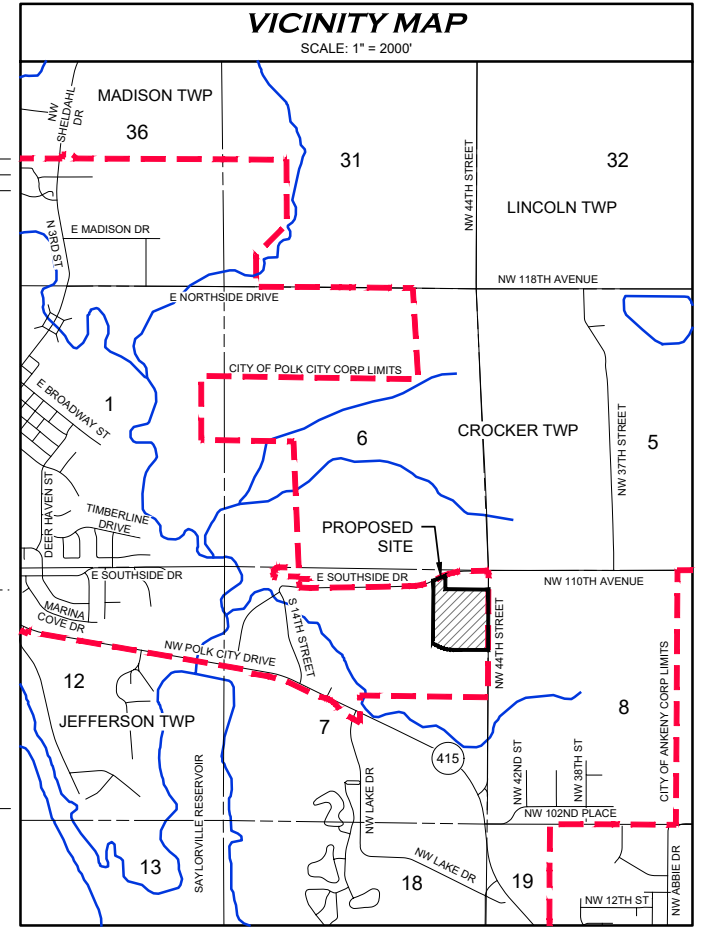
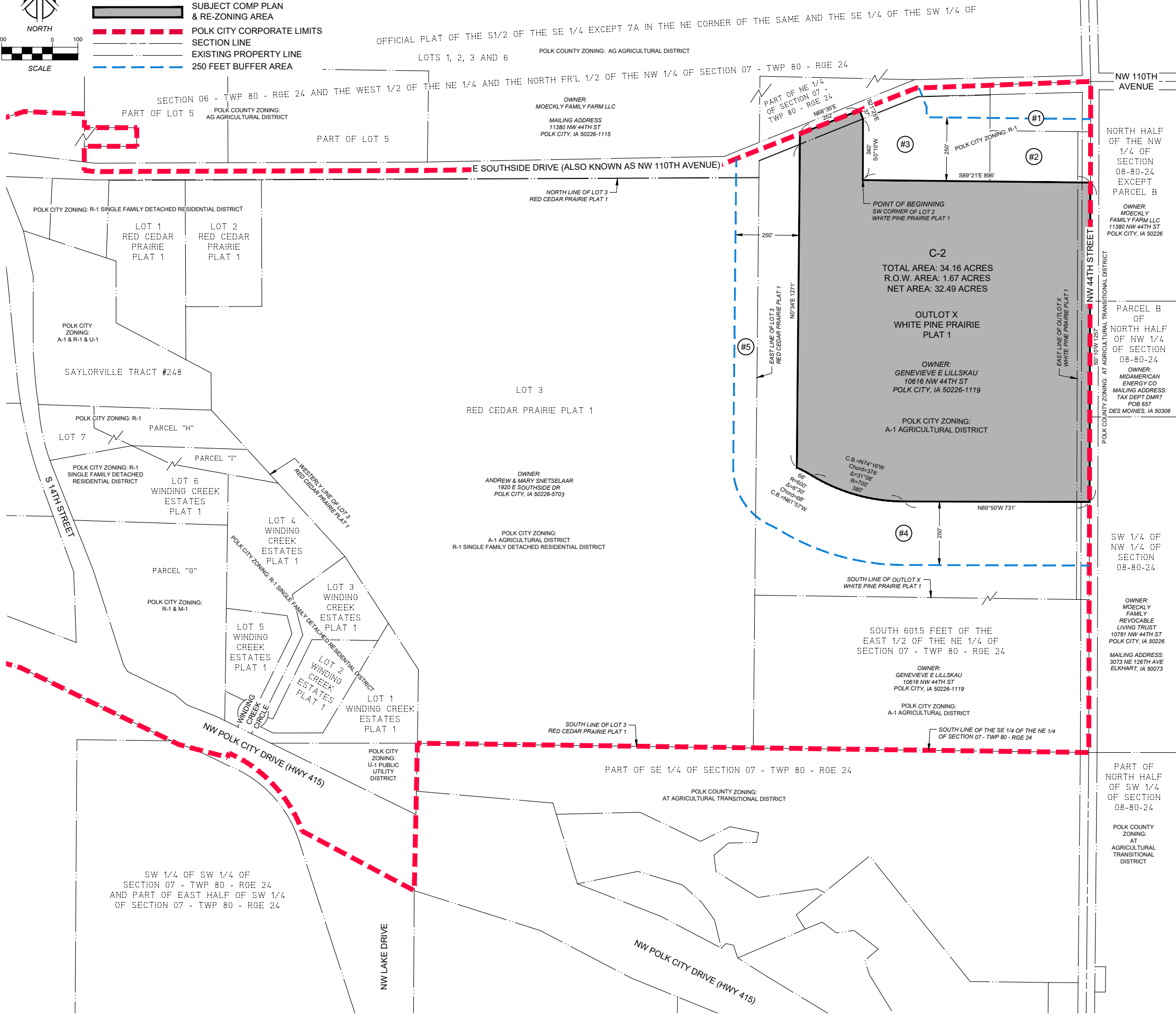
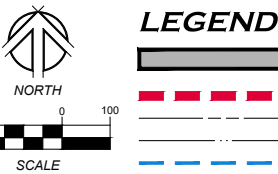


SCALE



***COMMERCIAL AREA SHOWN AS AN EXAMPLE ONLY. NOT INTENDED TO BE PROPOSED DEVELOPMENT.
IMAGE: SW 3RD ST & W BRIDGE RD, POLK CITY**

COMMERCIAL EXAMPLE 1



ADJACENT PROPERTY OWNERS

PROPERTY #	PROPERTY OWNER	PROPERTY DESCRIPTION	ACRES WITHIN 250 FT BUFFER	% WITHIN 250 FT BUFFER
#1	JERRY & BARBARA GREENWELL	EAST 24 RODS OF NORTH 12 RODS OF NE 1/4 OF SECTION 07 - TWP 80 - RGE 24	0.42	2.13%
#2	DAVID L & LYNSEY S MULDER	LOT 1 WHITE PINE PRAIRIE PLAT 1	1.59	8.10%
#3	PHILIP R & KELLY D IRLMEIER	LOT 2 WHITE PINE PRAIRIE PLAT 1	3.10	15.79%
#4	GENEVIEVE E LILLSKAU	OUTLOT X WHITE PINE PRAIRIE PLAT 1	11.88	60.60%
#5	ANDREW & MARY SNETSLAAR	LOT 3 RED CEDAR PRAIRIE PLAT 1	2.63	13.39%

OWNER / DEVELOPER
 GENEVIEVE E LILLSKAU
 10616 NW 44TH STREET
 POLK CITY, IA 50226

ZONING NOTES

- EXISTING ZONING : A-1 AGRICULTURAL DISTRICT
- PROPOSED ZONING: C-2 COMMERCIAL DISTRICT

PROPOSED ZONING: C-2 COMMERCIAL DISTRICT DESCRIPTION

THAT PART OF OUTLOT X, WHITE PINE PRAIRIE PLAT 1, AN OFFICIAL PLAT, LOCATED IN POLK COUNTY, IOWA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 2, OF SAID WHITE PINE PRAIRIE PLAT 1; THENCE SOUTH 89 DEGREES 21 MINUTES EAST, A DISTANCE OF 896 FEET; THENCE SOUTH 00 DEGREES 10 MINUTES WEST, A DISTANCE OF 1257 FEET; THENCE NORTH 89 DEGREES 50 MINUTES WEST, A DISTANCE OF 731 FEET; THENCE NORTHWESTERLY 380 FEET ALONG A CURVE TO THE RIGHT, TANGENT TO THE LAST DESCRIBED LINE, HAVING A RADIUS OF 700 FEET, A DELTA ANGLE OF 31 DEGREES 08 MINUTES AND A CHORD DISTANCE OF 376 FEET WHICH BEARS NORTH 74 DEGREES 16 MINUTES WEST; THENCE NORTHWESTERLY 68 FEET ALONG A REVERSE CURVE TO THE LEFT, TANGENT TO THE LAST DESCRIBED CURVE, HAVING A RADIUS OF 600 FEET, A DELTA ANGLE OF 06 DEGREES 30 MINUTES AND A CHORD DISTANCE OF 68 FEET WHICH BEARS NORTH 61 DEGREES 57 MINUTES WEST; THENCE NORTH 00 DEGREES 34 MINUTES EAST, NOT TANGENT TO THE LAST DESCRIBED CURVE, A DISTANCE OF 1271 FEET; THENCE NORTH 68 DEGREES 35 MINUTES EAST, A DISTANCE OF 252 FEET; THENCE SOUTH 21 DEGREES 25 MINUTES EAST, A DISTANCE OF 37 FEET; THENCE SOUTH 00 DEGREES 10 MINUTES WEST, A DISTANCE OF 240 FEET, TO THE POINT OF BEGINNING.

CONTAINING 34.16 ACRES, INCLUDING 1.67 ACRES OF ROAD RIGHT-OF-WAY.

1250 SW STATE STREET, SUITE A
 ANKENY, IOWA 50023-2555
 (515) 965-0123 phone - (515) 965-5322 fax
 Civil Engineering - Land Surveying
 Landscape Architecture

NILLES ASSOCIATES

REVISIONS:

- 1/20/20 - CITY REVIEW COMMENTS
- 2/10/20 - REVISE ZONING BOUNDARIES
- 3/10/20 - REVISE ZONING BOUNDARIES
- 4/10/20 - REVISE ZONING BOUNDARIES
- 5/10/20 - REVISE ZONING BOUNDARIES
- 7/10/20 - REVISE ZONING BOUNDARIES

NOTICE: NILLES ASSOCIATES, INC. WAIVES ANY LIABILITY FOR ANY ERRORS OR OMISSIONS IN THESE PLANS. IDENTIFICATION AND CORRECTION OF THESE PLANS IS THE RESPONSIBILITY OF THE CLIENT. FOR PROBLEMS WHICH ARE NOT IDENTIFIED OR CORRECTED BY THE CLIENT, NILLES ASSOCIATES, INC. SHALL NOT BE RESPONSIBLE. THESE PLANS ARE TO BE USED IN CONJUNCTION WITH THE ZONING ORDINANCES OF THE CITY OF ANKENY, IOWA.

PROJECT NAME: SNETSLAAR & LILLSKAU PROPERTY
 POLK CITY, IOWA

DESCRIPTION: PROPOSED ZONING EXHIBIT: C-2

PROJECT NO: 19137

DATE: 11/22/19

DRAWN BY: TJH

CHECKED BY: RJS

SHEET SIZE: 22" X 34"

SHEET TITLE: RZ-C2

SHEET NO: 1/1



City of Polk City, Iowa

City Council Agenda Communication

Date: June 8, 2020 City Council Meeting
To: Mayor Jason Morse & City Council
From: Chelsea Huisman, City Manager

Subject: Amending collection of solid waste ordinance

BACKGROUND: On Monday, the Council will have the third and final reading amending the City's solid waste Ordinance. This Ordinance amends that a single hauler will be authorized by the City to collect solid waste from residential premises (hauler is subject to our Memorandum with MWA), and also states that collection of payment for solid waste will be added to the City utility bill.

ALTERNATIVES: Do not approve the final reading of the ordinance.

FINANCIAL CONSIDERATIONS: There are long-term financial considerations regarding our streets by reducing the number of trucks on our residential streets.

RECOMMENDATION: It is my recommendation that the Council approve the third reading of the collection of solid waste ordinance.

CITY OF POLK CITY, IOWA

ORDINANCE NO. 2020-500

AN ORDINANCE AMENDING THE CITY CODE OF POLK CITY, IOWA, REVISING CHAPTER 106 CONCERNING COLLECTION OF SOLID WASTE.

***Purpose.** The purpose of this Ordinance is to revise the means for the collection of solid waste.*

BE IT ORDAINED by the City Council of the City of Polk City, Iowa as follows:

Section 1. The current Chapter 106 is hereby deleted and there is hereby enacted the following new Chapter 106 of the City of Polk City Municipal Code:

106.1 COLLECTION SERVICE.

The collection and transportation of solid waste within the city shall be performed in accordance to the provisions of this code or the regulations of the Polk County board of health or of any other appropriate government agency. A single collector shall be authorized by the city to collect solid waste from residential premises, a single collector shall be authorized by the city to collect yard waste from residential premises and a single collector shall be authorized by the city to collect recyclable material from residential premises as set forth in this code.

106.2 COLLECTION VEHICLES.

Vehicles or containers used for the collection and transportation of garbage and similar putrescible waste or solid waste containing such materials shall be leakproof, durable and of easily cleanable construction. They shall be cleaned to prevent nuisances, pollution or insect breeding and shall be maintained in good repair so as to prevent leaking of oil or hydraulic fluid onto the city streets.

106.3 LOADING.

Vehicles or containers used for the collection and transportation of any solid waste shall be loaded and moved in such a manner that the contents will not fall, leak, or spill therefrom, and shall be covered to prevent blowing or loss of material. Where spillage does occur, the material shall be picked up immediately by the collector or transporter and returned to the vehicle or container and the area properly cleaned.

106.4 FREQUENCY OF COLLECTION.

All solid waste, yard waste and recyclable materials shall be collected, on the same day, by the respective authorized collectors, from residential premises at least once each week on a schedule approved by the council, and from commercial, industrial and institutional premises as frequently as may be necessary, but not less than once each week. Collection shall not begin before seven o'clock (7:00) A.M. or continue after seven o'clock (7:00) P.M. on the same day. Yard waste shall be collected between March 15 and November 30.

106.5 BULKY RUBBISH.

Bulky rubbish which is too large or heavy to be collected in the normal manner of other solid waste may be collected by the authorized single residential collector.

106.6 YARD WASTE COLLECTION.

The single collector authorized by the city to collect yard waste from residential premises shall haul the yard waste to a compost site approved by the city and shall keep an accurate accounting of the amount of such yard waste. The collector shall submit a monthly written report to the city detailing the amount of such yard waste that has been collected and delivered for composting during the reporting year. No collector shall mix yard waste and solid waste together. Any hauler who delivers for disposal yard waste and solid waste mixed together shall be subject to penalty(s) as provided in section 8-5A-14 of this chapter.

106.7 RIGHT OF ENTRY.

Collectors are hereby authorized to enter upon private property for the purpose of collecting solid waste, yard waste or recyclable material therefrom as required by this article; however, the authorized single collector shall not enter dwelling units or other residential buildings.

106.8 UNIFORM COLLECTION FROM RESIDENTIAL PREMISES.

The collection of solid waste and recyclable material from residential premises and the maintenance of the availability of such service, whether or not the service is used regularly or at all by the occupant of the residential premises, are hereby declared a benefit to such premises at least equal to the monthly charge specified for the service. Such charge shall be paid whether the occupant uses the residential premises solid waste and recyclable material collection service or not. Nothing herein is to be construed so as to prevent the owner from transporting solid waste or yard waste accumulating upon premises owned, occupied or used by such owner, provided such refuse is disposed of at city approved composting stations or neighborhood collection sites in accordance with policies established by the composting station.

106.9 CONTAINER SIZE AND CHARGES FOR RESIDENTIAL PREMISES.

Container size and charges for solid waste collection and disposal from residential premises shall be fixed and determined by the council. Such container size and charges may from time to time be amended by the council by resolution. A copy of the resolution setting forth the currently effective size and charges shall be kept on file in the office of the city clerk and be open to inspection during regular business hours.

106.10 BILLING FOR SERVICE TO RESIDENTIAL PREMISES.

Billing and payment for the collection of residential solid waste shall be in accordance with the following:

- A. Fee Charged: A fee shall be charged to each dwelling unit each month for the collection of residential solid waste, which fee shall include the fee paid to the collector authorized to collect solid waste from residential premises, and the costs of the city for performing the billing service. The fee to be charged to each dwelling unit shall be established from time to time. Each dwelling unit shall receive one waste container for solid waste. If a

resident requests a second waste container, a second monthly fee will be charged to the resident. For yard waste, a resident must purchase Compost It! stickers to be attached to each bag of yard waste or each bundle of brush set out for collection. A sticker shall also be purchased each season by each resident participating in the premium yard waste collection program.

- B. Bills Issued: The clerk shall prepare and issue bills for the collection of residential solid waste each month. The fee for the collection of residential solid waste shall be included on the bill sent by the clerk to each dwelling unit for water service and sewer service, as a combined service account.
- C. Bills Payable: Bills for the collection of solid waste shall be due and payable at the office of the clerk by the date set out in it. If a bill for the combined service account is not paid in full, the amount paid shall be applied pro rata to the amount billed for water service and for sewer service, and for the collection of residential solid waste.
- D. Late Payment Penalty: Bills not paid when due shall be considered delinquent. A late payment penalty of ten percent (10%) of the amount due shall be added to each delinquent bill.
- E. Returned Checks: A fee, as set forth in the fee schedule established by the city council of the city of Clive, shall be charged for all checks not honored by the bank on which the checks are written.

106.11 SERVICE DISCONTINUED.

Collection of residential solid waste shall be discontinued in accordance with the following:

- A. Notice: Within five (5) days following the date that bills for water service and the collection of residential solid waste are due and payable, the clerk shall send a written notice to each delinquent customer that water service, sewer service and the collection of residential solid waste and recyclable material may be discontinued if payment, including late payment charges, is not received within ten (10) days from the date the notice is mailed. The notice shall afford the customer the opportunity to request a hearing before the city clerk prior to the discontinuance of service. Such written notice shall be sent by first class mail. If the customer is a tenant and if the owner or landlord of the property has made written request for notice, the written notice sent to the customer shall also be given to the owner or landlord.
- B. Service Discontinued: If payment for all of the services billed by the city on the combined service account is not received within ten (10) days following the date the written notice is sent to the customer and payment arrangements have not been made pursuant to a hearing before the city clerk, the supply of water to the customer may be shut off and collection of solid waste and recyclable material may be discontinued for nonpayment.

106.12 LIEN FOR NONPAYMENT.

- A. Responsibility For Payment: The owner of the premises served and any lessee or tenant thereof shall be jointly and severally liable for fees for the collection of residential solid waste for the premises. Fees for the collection of residential solid waste, if not paid as provided by this article, shall constitute a lien upon the premises served and may be certified in the same manner as property taxes.
- B. Lien Notice: A lien for delinquent fees for the collection of residential solid waste material shall not be certified to the county treasurer unless prior written notice of intent to certify a lien is given to the customer. If the customer is a tenant and if the owner or landlord of the property has made a written request for notice, the notice shall also be given to the owner or landlord. The notice shall be sent to the appropriate persons by ordinary mail not less than thirty (30) days prior to certification of the lien to the county treasurer.

106.13 PENALTY.

Any person violating any provisions of this article shall be subject to a civil penalty as set forth in the schedule of civil penalties in this code. Each day that a municipal infraction occurs and/or is permitted to exist constitutes a separate offense.

Section 2. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 3. This ordinance shall be in full force and effect after passage, approval and publication as provided by law.

PASSED AND ADOPTED by the City Council of Polk City, Iowa on this _____ day of _____, 2020.

Jason Morse, Mayor

ATTEST:

Jenny Gibbons, City Clerk



City of Polk City, Iowa City Council Agenda Communication

Date: June 8, 2020 City Council Meeting
To: Mayor Jason Morse & City Council
From: Chelsea Huisman, City Manager
Subject: Water Rate Ordinance

BACKGROUND: On Monday, the Council will have the third and final reading of the water rate Ordinance with the new proposed rates which will go into effect for the July utility bills. We discussed this need with PFM at the City's work session on April 27th. Below is the current rate structure and the new proposed rate structure:

CURRENT RATE STRUCTURE

Availability Fee (includes first 1,000 gal.): \$13.71
Usage charge per 1,000 gallons: \$5.50
Irrigation per 1,000 gallons: \$7.18

PROPOSED STRUCTURE

Availability Fee: \$8.80
Usage Charge per 1,000 gallons: \$5.89
Irrigation per 1,000 gallons: \$10.05

For the purpose of better simplifying the bills, we are no longer going to include the first 1,000 gallons in the availability fee-therefore the availability fee is being reduced as you can see and all usage will be spelled out separately. This seemed to be a difficult communication piece between staff and the residents because the water availability fee included the first 1,000 gallons, but the sewer availability fee did not. We have worked with PFM to ensure this rate structure matches our cash flows and it does. I recognize this seems confusing and we are giving a lot of new information to people, but these changes do need to happen to make communication easier to our residents. Beginning July 1st this is the breakdown you will see on the City Utility bill:

Water Availability Fee:
Water Usage:
Sewer Availability Fee:
Sewer Usage:
Recycling:
Solid Waste:
Tax:

The overall water rate increases for both the availability fee and usage charge per 1,000 gallons is 7%. Irrigation is increasing by 40%. The City Council requested that a larger increase be passed onto the irrigation customers instead of the lower end users since the irrigation is what drives our peak costs with DMWW.

ALTERNATIVES: Do not approve the water rate increases.

FINANCIAL CONSIDERATIONS: The City needs to increase water rates so that we are not operating negatively next fiscal year. We are passing on a 7% increase to our users for water, and 40% onto irrigation users. Irrigation users can take a number of steps to reduce irrigation by educating themselves and we are prepared to assist those people as it is a overall benefit to the City to purchase less water.

RECOMMENDATION: It is my recommendation that the Council approve the final reading of the water rate Ordinance. This Ordinance will take effect with the next bill cycle.

ORDINANCE NO. 2020-700

**AN ORDINANCE AMENDING CHAPTER 92, WATER RATES, SECTION 92.02,
RATES FOR SERVICE**

BE IT ORDAINED By the City Council of the City of Polk City, Iowa, that:

Section 1. Chapter 92, of the Polk City Code of Ordinances; Water Rates, Section 92.02, Rates for Service is hereby amended by deleting the section and inserting the following: 92.02 Water Service. Service shall be furnished at the following monthly rates and classification within the City:

1. Domestic rate is the water used for human consumption and needs of a particular location.

<u>Gallons Used per Month</u>	<u>Rate</u>
Service Availability Charge	\$8.80 (minimum bill)
Usage Charge	\$5.89 per 1,000 gallons

2. Irrigation/Garden rate is the water used for irrigation/garden purposes and these water uses are billed on a separate meter from the domestic meter.

<u>Gallons Used per Month</u>	<u>Rate</u>
All usage/1000 gallons	\$10.05(minimum bill)

Section 2. The new water rates will start with meter reads in the month of June 2020, payable in July 2020.

Section 3. All Ordinances or parts of any Ordinance in conflict with the provisions of this Ordinance are hereby repealed to the extent of the conflict.

Section 4. This Ordinance shall be in full force and effect after its passage, approval and publication as provided by law.

PASSED AND APPROVED this ____ day of _____ 2020.

Jason Morse, Mayor

ATTEST:

Jenny Gibbons, City Clerk

First Reading:

Second Reading:

Third Reading:

Date Adopted:

Date of Publication by posting:



City of Polk City, Iowa

City Council Agenda Communication

Date: February 5, 2020
To: Mayor & City Council
From: Chief Jeremy Siepker
Subject: City Code 41.11 FIREWORKS

BACKGROUND: The current City Code 41.11 FIREWORKS outlines definitions of the various types of fireworks (Consumer, First-Class, and Second-Class) and the regulations that were set allowing fireworks to be used. Since this ordinance has taken effect the Police Department continually deals with people within the city limits that will use fireworks outside of the parameters set in Code Section 41.11(2) and (3) causing distress to others in the community. Enforcement of this is very difficult unless the violation is witness by Police or a violator admits to Police that they were in violation.

Adding the proposed section 41.11(4) Owner/Occupancy Responsibility and the proposed 41.11(5) Penalty sections will allow Police to more effectively enforce the Fireworks Ordinance. The proposed changes would place responsibility on those in control of the property where the violation occurs, in addition to the violator, and attach a scheduled fine for the violation to better deter behavior.

ALTERNATIVES: Keep the current Fireworks code section as it currently stands.

FINANCIAL CONSIDERATIONS: N/A

RECOMMENDATION: It is my recommendation that the Council adopt the proposed sections 41.11(4) and 41.11(5) to the current Fireworks City Ordinance.

ORDINANCE NO. 2020-800

**AN ORDINANCE AMENDING THE PROVISIONS OF THE ORDINANCE
REGRDING FIREWORKS USE**

BE IT ORDAINED by the City Council of the City of Polk City, Iowa, that:

Section 1. That section 41.11 FIREWORKS be and is hereby amended to include the underlined language:

4. Owner/Occupancy Responsibility.

A. No person or responsible party shall allow, permit, or otherwise consent to the display of consumer or display fireworks on the private property or an adjacent public way if such possession or display is in violation of this chapter.

B. A person or responsible party with control of the private property shall be presumed to have consented to the display of fireworks on the property or adjacent way if law enforcement or fire officials observe and document the existence of the remnants of unlawful fireworks on the premises indicative of the use or display of such fireworks.

C. a. For purposes of this section, **RESPONSIBLE PARTY** includes, but is not limited to:

- i. The person(s) who owns, rents, leases, or otherwise has possession of the residence or other private property; and
- ii. The person(s) in immediate control of the residence or other private property; and
- iii. The person(s) who organizes, supervises, sponsors, conducts, allows controls, or controls access to the illegal discharge or illegal storage of fireworks.

b. If the residence or other private property is rented or leased, the landlord or lessor is not covered by this section unless they fall within the category of persons described under division (C)(a) or (b) of this definition. A landlord or lessor can only be held responsible under division (C)(a) of this definition if he or she has knowledge that fireworks are being unlawfully discharged or stored on the property.

D. Any person or responsible party who violates the restrictions in division (A) or (B) above will be guilty of a municipal infraction and subject to a civil penalty of \$250 for each offense.

5. PENALTY. All violations of any provision(s) of Section 41.11 are hereby declared simple misdemeanors punishable by a fine of at least \$250 plus surcharge and court costs and/or municipal infractions punishable by a penalty as listed in this Code of Ordinances. Violations may be prosecuted as either a misdemeanor criminal offense or a municipal infraction at the sole discretion of the fire official or peace officer. Violations of this chapter shall be reported to the State Fire Marshal.

Section 2. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 3. This ordinance shall be in full force and effect after passage, approval and publication as provided by law.

PASSED AND ADOPTED BY THE CITY COUNCIL OF POLK CITY, IOWA
on this _____ day of _____ 2020.

Jason Morse, Mayor

ATTEST:

Jenny Gibbons, City Clerk

First Reading:

Second Reading:

Third Reading:

Date Adopted:

Date of Publication by posting: