

Agenda

Notice of Meeting

Polk City | City Council

December 14, 2020 | 6:00 pm

City Hall | Electronic Meeting

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://www.youtube.com/c/polkcityiagovchannel>

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 November 23, 2020
- b. Receive and file Parks Commission Meeting Minutes for December 7, 2020
- c. Claims listing December 14, 2020
- d. Receive and file the November 2020 Water Report
- e. Board and Commission reappointments:
 - Dixie Bequeaith, Board of Adjustments, term ending 12/31/2025
 - Doug Sires, Planning & Zoning, term ending 12/31/2025
 - Deanna Triplett, Planning & Zoning, term ending 12/31/2025
- f. Resolution 2020-137 approving the Polk County Joint E911 Service Board Appointments
- g. Resolution 2020-138 appointing a Representative and alternate Representative to the Polk County Emergency Management Commission
- h. Resolution 2020-139 appointing Polk City's Representatives on the Des Moines Metropolitan Wastewater Reclamation Authority (WRA) Board
- i. Resolution 2020-140 appointing Polk City's representatives on the Des Moines Metropolitan Planning Organization (MPO)

- j. Resolution 2020-141 appointing Polk City's representatives on the Metro Waste Authority (MWA) Board of Directors
- k. Pay increase for Chelsea Huisman, City Manager to an annual salary amount of \$120,000 effective back to anniversary date of September 16, 2020
- l. Pay increase for Jenny Gibbons, City Clerk/Treasurer to \$32.03 per hour effective January 1, 2021
- m. Receive and file the FY19/20 Annual Audit Report
- n. Resolution 2020-142 approving PA-43 approving Refund Policy for Programs and Facility Rentals
- o. Receive and file the November 2020 Parks & Recreation Department Report
- p. Pay increase for the following firefighters that have obtained the Paramedic level certification
 - Nathan Reis, part-time rate to \$18.70 per hour and paid on call rate to \$15.84
 - Cory Brooks, part-time rate to \$18.13 per hour and paid on call rate to \$15.84
- q. Set date for 2021 City-Wide Clean-Up event
 - Appliance and Tire drop-off Thursday May 20 and Friday May 21
 - Curbside pick-up Saturday, May 22

6. Business Items

- a. Resolution 2020-143 Ordering Construction of Certain Public Improvements, Fixing Dates for Public Hearing and Taking of Bids for 2021 Street Repair Project
- b. Resolution 2020-144 approving Pay App No 5 in the amount of \$4,479.25 for the 2019 Street Repair Project
- c. Resolution 2020-145 approving Cooperative Public Service Agreement with Polk County for 2021 joint jurisdictional Street Improvement Projects
- d. Resolution 2020-146 approving Cooperative Public Service Agreement with Polk County for Animal Control Services
- e. Resolution 2020-147 approving a termination of agreement with Big Creek Development, L.C.
- f. Snyder & Associates Inc. invoice for October Engineering Services in the amount of \$29,199.25
- g. Second Reading of Ordinance 2020-1900 amending the Subdivision Ordinance
 - *Optional:* Waive the third reading
- h. Second Reading of Ordinance 2020-2000 adding a Grading Ordinance
 - *Optional:* Waive the third reading
- i. Second Reading of Ordinance 2020-2100 adding Stormwater Utility Fee
 - *Optional:* Waive the third Reading

7. Reports & Particulars

Mayor Designations for 2021

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

8. Adjournment

--next meeting date January 11, 2021

MEETING MINUTES
The City of Polk City
City Council Meeting
6:00 p.m., November 23, 2020
City Hall – VIA ZOOM

Polk City, City Council held a meeting via ZOOM at 6:00 p.m., on November 23, 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, Dvorak, Anderson, Sarchet | In attendance via zoom
Mayor Morse recognized the passing of former Council Member Dan Lane with 16 seconds of silence, one for each year he served Polk City.
3. **Approval of Agenda**
MOTION: A motion was made by Anderson and seconded by Dvorak to approve the meeting agenda
MOTION CARRIED UNANIMOUSLY
4. **Presentation** | Polk County Supervisor Brownell provided an update regarding COVID-19 positivity cases in Polk County and throughout Iowa including hospitalization accumulations and new case stats.
5. **Presentation** | Go Polk City Executive Director, Al Lorenzen provided a review of 2020 including the challenges and highlights. Lorenzen said he appreciates the relationship with City Staff and Mayor and Council, and he said the partnership with the City is even more valuable and they are excited to assist as the community continues to thrive. Go Polk City requested \$75,000 in funding for 2021 activities.
6. **Public Comments** | **NONE**
7. **Consent Items**
MOTION: A motion was made by Walters and seconded by Sarchet to approve the consent agenda items.
 - a. City Council Meeting Minutes for November 9, 2020
 - b. City Council Work Session Meeting Minutes for November 9, 2020
 - c. Claims listing November 23, 2020
 - d. October 2020 Finance Report
 - e. Annual Finance Report FY 19.20
 - f. Appoint Nicolas Otis to the vacant Parks Commission term ending 12/31/22
 - g. Resolution 2020-135 accepting the Public Improvements for Big Creek Valley (BCV) Plat 2
 - h. Receive and file the October 2020 Police Department Report
 - i. Receive and file the October 2020 Fire Department Report
 - j. Set reduced hours of 7 a.m. to 5 p.m. for the Brush Drop-off and Recycling Area from November 1st to April 1st annually, effective January 1, 2021**MOTION CARRIED UNANIMOUSLY**
8. **Business Items**
 - a. **MOTION:** A motion was made by Dvorak and seconded by Walters to approve Resolution 2020-136 approving Pay App No. 5 (final – retainage release) for the East Grimes Street and Deer Haven Street Intersection Repairs Project in the amount of \$4,266.59
MOTION CARRIED UNANIMOUSLY
 - b. **MOTION:** A motion was made by Sarchet and seconded by Dvorak to award the Regional Park Master Plan contract to Confluence for an amount not to exceed \$35,000
MOTION CARRIED UNANIMOUSLY
 - c. **MOTION:** A motion was made by Anderson and seconded by Walters to approve the First Reading of Ordinance 2020-1900 amending the Subdivision Ordinance
MOTION CARRIED UNANIMOUSLY
 - d. **MOTION:** A motion was made by Walters and seconded by Dvoark to approve the First Reading of Ordinance 2020-2000 adding a Grading Ordinance
MOTION CARRIED UNANIMOUSLY
 - e. **MOTION:** A motion was made by Walters and seconded by Vogel to approve the First Reading of Ordinance 2020-2100 adding a Stormwater Utility Fee
MOTION CARRIED UNANIMOUSLY

f. City Manager Huisman initiated an open conversation with Mayor and Council regarding the Neighborhood Citizens Group. She said the group currently meets quarterly to discuss various topics and then delivers a message to their Facebook groups. Huisman said the NCG has a good group of people and sees it as a pipeline to fill boards and commissions in the future, but the current concept is not working as it stands. She said other communities have a Citizen Academy that meets with City Departments over the course of a year to involve and engage participation from residents without the aspect of social media. Council members discussed their thoughts and requested a future work session with the current NCG members to discuss further.

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

- Mayor Morse shared former Council Member, Dan Lane's obituary and said a celebration of life will be held later in the Spring. He said he was shocked to hear of Lane's passing and shared his condolences for the family. Mayor thanked Supervisor Brownell for sharing the COVID stats and echoed his comments on frequent hand washing, social distancing, and mask up in public.
- Council Member Dvorak shared his sympathies to Dan's family.
- Council Member Sarchet said he appreciated Dan's passion for Polk City and his service all those years.
- Council Member Walters said he learned a few things from Dan, like being prepared for the meetings and asking questions to get clarification.
- Council Member Vogel shared her sympathies and thanked Dan for his years of service and the memories he left behind. She thanked the School Board for their time in making the best decisions for the kids in the district to keep everyone safe and learning.
- Parks & Recreation Director Thraen reminded everyone that Friday December 4th will be the Light Up Polk City event and it will be live streamed followed by a parade throughout town. He thanked all the City Departments for their involvement in bringing smiles around town.
- Police Chief Siepker reported the body cameras have been installed and fully rolled out.

10. **MOTION:** A motion was made by Walters and seconded by Vogel at 7:20 p.m. to enter into Closed Session under Code of Iowa; Chapter 21 Official Meetings open to Public; **section 5 Closed session;** sub paragraph 1.i. to evaluate the professional competency of an individual whose appointment, hiring, performance, or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session
MOTION CARRIED UNANIMOUSLY

11. *(AFTER CLOSED SESSION ENDED AT 7:57 p.m.)* No action taken on closed session item

12. **Adjournment**

MOTION: A motion was made by Walters and seconded by Anderson to adjourn at 7:57 p.m.
MOTION CARRIED UNANIMOUSLY

Next Meeting Date – December 14, 2020

Attest

Jenny Gibbons, City Clerk

Jason Morse, Mayor

MEETING MINUTES
The City of Polk City
Parks Commission
6:00 p.m., Monday, December 7, 2020
City Hall

Polk City, Parks Commission held a meeting at 6:00 p.m., on December 7, 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 6:03 p.m.*
2. **Roll Call** | Bentley, Motsch, Karsjen, Reed, Delaney, Otis | In attendance
Haaland | Absent
3. Nick Otis introduced himself to the Commission
4. ***MOTION:*** A motion was made by Reed and seconded by Delaney to approve the November 2, 2020 Meeting Minutes
MOTION CARRIED UNANIMOUSLY
5. **Audience Items** | None
6. Jeffrey L. Bruce & Company representative, Eric Doll provided information regarding his firm's involvement with the Community Visioning Group. He shared some of the other projects he has worked on in other cities and said he looks forward to seeing some of the projects in the Community Visioning design concepts to develop in the future.
7. ***MOTION:*** A motion was made by Reed and seconded by Karsjen to recommend Council approve a Rental Facility and Program Refund Policy
MOTION CARRIED UNANIMOUSLY
8. Parks & Rec Director Thraen provided an update on the Regional Park Master Plan. He reported that 4 outstanding proposals were received and after interviews with the RFP committee, Confluence out of Des Moines was awarded the contract. The next steps will include Confluence team interviewing City leadership and working with the recreational organizations. The process is estimated to take six months to complete the Master Plan. Confluence and staff will work on grant opportunities and fundraising to develop a flag-ship park as fiscally responsible as possible. Thraen will email the Commission copies of Confluence proposal. He also shared that their recent Master Plan's include Pleasant Hill and Waukee.
9. ***MOTION:*** A motion was made by Delaney and seconded by Reed to nominate Delaney as Chairperson for 2021
MOTION CARRIED UNANIMOUSLY
10. ***MOTION:*** A motion was made by Reed and seconded by Karsjen to nominate Karsjen as Vice-Chair for 2021
MOTION CARRIED UNANIMOUSLY
11. ***MOTION:*** A motion was made by Delaney and seconded by Reed to nominate Reed as Secretary for 2021
MOTION CARRIED UNANIMOUSLY
12. **Reports & Particulars** | Council Liaison, City Manager, Staff, and Commission
 - Council Member Sarchet welcomed Nick Otis to the Commission. He said this is the last Parks meeting he'll be attending as the Commission will have a new Liaison beginning in January. He thanked all of the Commission members for their continued willingness to volunteer and appreciates their various backgrounds and expertise. Sarchet said he has received unanimously positive feedback regarding the Square Lighting and parade and thanked Thraen for his continued efforts in making lemonade out of the lemon 2020 has been. He

encouraged the Commission Members to stay engaged throughout the Parks Master Plan development and with Thraen as additional programing can be added. The Commission thanked Sarchet for his time spent with Parks over the past year. They said they appreciated feeling connected to him and seeing his excitement to be there.

- Commission Member Karsjen said Community Visioning will be holding an implementation/planning meeting December 17th at 7pm, either in person at Luana or via electronic means.
- Parks and Rec Director Thraen reported that Public Works has finished winter prep of the parks including aeration and overseeding of green spaces. He said most of the parks related Derecho damage repairs and replacements are completed. Thraen said he is working with Ken Morse, Tree Board and Arbor League representative to apply for the Trees Please Grant from MidAmerican, and he will work with him on the certification for Tree City USA. Thraen said he is thrilled with the positive feedback from the Light Up Polk City event and thanked Brigett with her efforts on the Chamber side rounding up volunteers. He also thanked City Staff for their help with the route and traffic control. Thraen reported the Kiwanis Club is donating \$3000 for a picnic table at Kiwanis Park first part of 2021. Thraen told Motsch he is sorry to see her leave the Commission and thanked Sarchet for his participation with the Commission in 2020.

13. MOTION: A motion was made by Delaney and seconded by Motsch to adjourn at 6:50 pm

MOTION CARRIED UNANIMOUSLY

Next Meeting Date –January 4, 2021

Attest: _____
Jenny Gibbons, City Clerk

CLAIMS REPORT		
CITY OF POLK CITY	DATED	12/14/2020
VENDOR	REFERENCE	AMOUNT
440-PRAXAIR DISTR. INC.	OXYGEN	\$ 205.12
515 ROOFING & CONSTRUCTION LLC	LIBRARY ROOF REPLACEMENT	\$ 18,550.00
ACCUJET LLC	SEWER CAMERA - STIPPICH STREET	\$ 600.26
AMAZON BUSINESS	LETTERS TO SANTA	\$ 34.95
AMES FORD	2021 F-SERIES SD	\$ 36,537.84
AMILIA TECHNOLOGIES USA	SMART REC SOFTWARE ONBOARDING	\$ 500.00
ANKENY HARDWARE	KEYS	\$ 98.77
ARDICK EQUIPMENT CO.	SIGNS	\$ 22.00
ARNOLD MOTOR SUPPLY	VEHICLE PARTS & SUPPLIES	\$ 103.38
ATHELBERT HARDING PLLC	MEDICAL DIRECTOR FEES	\$ 500.00
AUREON TECHNOLOGY	TECH SERVICES	\$ 1,094.95
BAKER & TAYLOR	LIBRARY BOOKS	\$ 251.99
BOOT BARN	SAFETY BOOTS	\$ 681.41
Bound Tree Medical	MEDICAL SUPPLIES	\$ 1,057.38
BRAINFUSE ONLINE INSTRUCTION	DATABASE	\$ 234.30
BRANDY YOUNG	PROGRAMMING	\$ 215.00
BRICK LAW FIRM	GENERAL	\$ 4,125.00
BRIDGE POINTE, LLC.	TIF PAYMENT	\$ 26,645.48
Calhoun-Burns & Associates Inc	BRIDGE INSPECTION	\$ 475.00
CAPITAL SANITARY SUPPLY	CLEANING SUPPLIES	\$ 816.31
CAROL THORNBURG	GYM MEMBERSHIP 50% REIMBURSEMT	\$ 163.48
Central Pump & Motor	REPAIR/REPLACE OMNISITE DIALER	\$ 4,431.34
CENTRAL SALT, LLC	BULK ROAD SALT	\$ 10,084.51
CENTURY LINK	PHONE SERVICE	\$ 1,006.60
CHR TIRE AND AUTO	VEHICLE REPAIRS	\$ 1,804.50
CITY LAUNDERING	SHOP MEDICINE CABINET SUPPLIES	\$ 310.00
CITY OF DES MOINES	WRA HOOK-UP	\$ 29,428.50
CITY OF POLK CITY	UB ASSISTANCE	\$ 827.87
CLEANING CONNECTION INC	DECEMBER JANITORIAL SERVICES	\$ 927.58
CONFLUENCE	REGIONAL PARK MASTER PLAN	\$ 1,440.00
Controlled Access of the Midwest	PUSH BUTTON LIBRARY RECEPTION	\$ 3,084.00
COPY SYSTEMS INC.	COPIER CONTRACT	\$ 200.93
Crystal Clear Water Co	PURCHASED WATER	\$ 42.50
CYCLONE PEST MANAGEMENT	PEST MANAGEMENT	\$ 194.00
D & K PRODUCTS	OVERSEED FIELDS	\$ 587.50
DES MOINES STAMP MFG. CO.	STAMP	\$ 36.40
Des Moines Water Works	PURCHASED WATER	\$ 16,179.02
DOCTORS NOW WALK IN CARE	COVID TESTING	\$ 2,200.00
FAREWAY	TIF PAYMENT	\$ 18,756.86
Ferguson Waterworks	EQUIPMENT REPAIRS	\$ 8,131.51
FIRST BANK CARD	CITY CREDIT CARD	\$ 5,235.40
GENERAL FIRE & SAFETY	FIRE EXTINGUISHER SERVICE	\$ 104.75
GNA TRUCKING LLC	TRUCKING SERVICES	\$ 1,397.85

GRANGER MOTORS	ENGINE REPAIRS #29 - K9 UNIT	\$ 1,702.91
Gurnsey Electric Co	POWER MODULE WORK - WELL #4	\$ 2,876.92
HACH COMPANY	PH TEST KIT	\$ 667.95
HAWKINS INC	CHEMICAL PUMP REPAIRS	\$ 278.00
I.M.W.C.A.	WORKERS COMP INSURANCE	\$ 5,421.00
IMFOA	JENNY GIBBONS APPLICATION FEE	\$ 125.00
INTERSTATE ALL BATTERY CENTER	BARRICADE REPAIRS	\$ 179.04
KANSAS CITY LIFE INS. CO	DECEMBER 2020 LIFE INSURANCE	\$ 1,009.91
KELTEK	POLICE BODY CAMERAS	\$ 14,176.91
KEYSTONE LABORATORIES INC.	WATER TESTING	\$ 89.00
KIMBALL MIDWEST	RESTOCK ITEMS	\$ 1,190.68
LUANA SAVINGS BANK	TIF PAYMENT	\$ 36,620.46
MARTENS & COMPANY, CPA, LLP	AUDIT SERVICES 7/2019-6/2020	\$ 10,800.00
MARTIN MARIETTA AGGREGATES	ROCK	\$ 356.08
MATT ASWEGAN	GYM MEMBERSHIP REIMBURSEMENT	\$ 200.00
MEDIACOM	INTERNET SERVICE	\$ 70.39
MEDIX OCCUPATN HEALTH -ORCA PC	NEW HIRE PHYSICAL	\$ 613.50
METRO WASTE AUTHORITY	CONTRACT MANAGEMENT	\$ 89,017.92
MICROMARKETING, LLC	BOOKS ON CD	\$ 267.23
MID COUNTRY MACHINERY INC	DOZER RENTAL-BEHIND SHOP WORK	\$ 2,861.00
MIDAMERICAN ENERGY	ELECTRIC CHARGES	\$ 8,619.83
MIDWEST OFFICE TECHNOLOGY	COPIER RENTAL	\$ 129.80
MMIT BUSINESS SOLUTIONS GROUP	COPIER LEASE/OVERAGE	\$ 119.47
MUNICIPAL SUPPLY CO.	LOCATE FLAGS	\$ 22.00
NAGLE SIGNS	DERECHO DAMAGE SIGN REPAIR	\$ 4,500.00
NELSON AUTOMOTIVE	REPAIR HEADLIGHT #21 K9	\$ 9.00
OFFICE OF AUDITOR OF STATE	FILING FEE FOR FY19/20 AUDIT	\$ 425.00
OMNISITE	UPDATE AUTO DIALERS	\$ 320.57
ONESOURCE	BACKGROUND CHECK - 2	\$ 84.00
OVERDRIVE INC	DIGITAL AUDIOBOOKS	\$ 567.98
P & M APPAREL	NEW EMPLOYEE GEAR	\$ 1,105.80
PCC AMBULANCE BILLING	AMBULANCE FEE SERVICE	\$ 505.13
POLK CITY COMMERCIAL CENTER	TIF PAYMENT	\$ 7,392.41
Polk City Dental LLC	TIF PAYMENT	\$ 19,509.65
POLK COUNTY TREASURER	PRORATED TAX PAYABLE 2021/2022	\$ 3,010.24
PREMIER PLUMBING, INC.	RENTAL REPAIR - 214 S 3RD	\$ 836.35
Quick Supply Co	STAPLES - DECORATIONS	\$ 44.00
RACOM	EDACS ACCESS	\$ 671.16
Safe Building Comp. & Tech	BUILDING INSPECTIONS	\$ 10,403.08
Safety Kleen Systems Inc	REMOVE OLD OIL	\$ 618.82
Sandry Fire Supply L.L.C.	SERVICE EXTRICATION TOOLS/SCBA	\$ 1,195.09
SCHOLASTIC	PROGRAM PRIZES	\$ 274.80
SERVICEMASTER BY RICE	DISINFECT STATION	\$ 3,585.97
SHIVE-HATTERY	CITY FACILITIES MASTER PLAN	\$ 3,956.82
Smith's Sewer Service	ROOSEVELT SEWER WORK	\$ 471.25
Speck Enterprises	STREET SWEEPING	\$ 8,075.00
STRYKER SALES CORPORATION	PULSE OX CABLE	\$ 1,104.50

TELEFLEX FUNDING LLC	IO NEEDLES	\$ 1,115.50
Titan Machinery	ENDLOADER REPAIR NEW SEAT	\$ 2,392.80
Toyne Inc	TAIL LIGHT 451	\$ 56.14
TWELVE OAKS, LLC	TIF PAYMENT	\$ 47,150.00
UNITED HEALTHCARE	HEALTH INSURANCE	\$ 26,971.35
VENDNOVATION	VENDING MACHINE SOFTWARE	\$ 1,200.00
VERIZON WIRELESS	PHONE AND DATA PLAN	\$ 34.08
WEX	FUEL FOR FIRE, POLICE, PUBLIC WORKS	\$ 2,592.74
Accounts Payable Total		\$ 526,918.47
GENERAL		\$ 91,680.26
ROAD USE		\$ 25,879.08
TIF		\$ 153,217.23
L.M.I		\$ 4,593.47
CAPITAL IMPROVEMENTS		\$ 40,084.54
WATER		\$ 76,322.37
SEWER		\$ 46,123.60
SOLID WASTE/RECYCLING		\$ 89,017.92
TOTAL FUNDS		\$ 526,918.47

Polk City Water Department

Monthly Report

Month Nov.

Year 2020

Total Water Pumped 14,231,040 Gallons

Monthly Daily Avg 474368 Gallons

Testing Results

- **SDWA Bacteriological Coliform Analysis** Abmont 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 .79 mg/l Polk City Lab.
Fluoride in System- Monthly Average .75 mg/l Polk City Lab.
- **Chlorine Free At Plant- Monthly Average** 1.81 mg/l Polk City Lab.
Chlorine Total at plant- Monthly Average 2.99 mg/l Polk City Lab.
Chlorine Free in System- Monthly Average .89 mg/l Polk City Lab.
Chlorine Total in System- Monthly Average 1.00 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** 6.48 mg/l Polk City Lab.
Iron Finish Water- Monthly Average .07 mg/l Polk City Lab.
Iron System Water- Monthly Average .05 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** .34 mg/l Polk City Lab.
Manganese Finish Water- Monthly Average .22 mg/l Polk City Lab.
Manganese System Water- Monthly Average .09 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** 8.3 mg/l Polk City Lab.
pH Finish Water-Monthly Average 8.5 mg/l Polk City Lab.
pH System Water- Monthly Average 8.5 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 _____



CITY OF POLK CITY

VOLUNTEER BOARDS & COMMISSIONS APPLICATION

The City of Polk City has a variety of volunteer opportunities on boards and commissions for the following purposes:

- advise the City Council*
- hear and make decisions on appeals and variances*
- assist in the planning of parks, recreational programs, land use and zoning, and operations*
- assist in the promotion of educational, cultural, economic and general welfare of the public*
- assist in the promotion of performing and fine arts programming*
- assist with management of library services*

All board and commission members must be Polk City Residents. Applicants are appointed by the Mayor and confirmed by the City Council. Terms for the boards and commissions vary and are established by the Municipal Code. All meetings of the boards and commissions are open to the public and agendas are prepared and available for public viewing.

For more information, contact the City Clerk's Office by phone at 515-984-6233 or e-mail support@polkcityia.gov.

APPLICANT INFORMATION

Last Name <i>Tr. PLETT</i>	First <i>Deanna</i>	MI
Street Address <i>1005 Tradition Dr</i>	City/State <i>Polk City, IA</i>	Zip <i>50224</i>
Employer Name <i>State of Iowa</i>	Job Title <i>Exec Officer</i>	Length of residency in Polk City <i>14+</i>

Please check the following Board or Commission you are interested in serving:

<input type="radio"/> Library Board of Trustees	<input checked="" type="radio"/> Planning and Zoning Commission
<input type="radio"/> Park Commission	<input type="radio"/> Board of Adjustment
<input type="radio"/> Tree Board	<input type="radio"/> Other (please specify) _____

What knowledge and/or understanding of the Board/Commission do you have?

I have had the pleasure of serving on the PNZ board for over 10 years. It is an important role that has taken years to appreciate the code, rules + impact we have.

Please check the following areas of knowledge and/or expertise you possess:

Financial Management <input checked="" type="checkbox"/>	Land Use Planning <input checked="" type="checkbox"/>
Community Groups <input checked="" type="checkbox"/>	Engineering
Conflict Resolution <input checked="" type="checkbox"/>	Other:

What education, experiences or activities qualify you for this volunteer position?

The last 10 years has been quite an education in and of itself on the importance of the PNZ commission. I would like to continue to use that knowledge to make Polk City a great place to live + do business.

Why do you wish to serve on the Board or Commission?

Serving on the commission as a volunteer member allows me to give back to my community. I love Polk City & appreciate the important role PNZ plays in our city's success.

Please indicate

	yes	no
Would you be able to attend regularly scheduled meetings?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Do you sell, contract or furnish supplies, material or labor to the City?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Have you ever been employed by the City?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Do you have any relatives working for the City?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

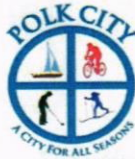
References

Name Rob Sarchet - PC City Council
Name Dennis Dietz - PNZ Chairman
Name Audrey Bell - 1605 Orchard Ln; 515.314.9286

Thank you for your interest in volunteering with the City of Polk City.

If not selected, your application will be retained for one year. This application is a public document and as such can be viewed, reproduced or distributed to the public.

In applying for appointment, you understand the City Council may make inquiries in the community pertinent to your appointment.



**CITY OF POLK CITY
VOLUNTEER BOARDS & COMMISSIONS APPLICATION**

The City of Polk City has a variety of volunteer opportunities on boards and commissions for the following purposes:

- advise the City Council*
- hear and make decisions on appeals and variances*
- assist in the planning of parks, recreational programs, land use and zoning, and operations*
- assist in the promotion of educational, cultural, economic and general welfare of the public*
- assist in the promotion of performing and fine arts programming*
- assist with management of library services*

All board and commission members must be Polk City Residents. Applicants are appointed by the Mayor and confirmed by the City Council. Terms for the boards and commissions vary and are established by the Municipal Code. All meetings of the boards and commissions are open to the public and agendas are prepared and available for public viewing.

For more information, contact the City Clerk's Office by phone at 515-984-6233 or e-mail support@polkcityia.gov.

APPLICANT INFORMATION

Last Name Bequeaith	First Dixie	MI L
Street Address 1316 Bel Aire Rd; PO 421	City/State Polk City, IA	Zip 50226
Employer Name Retired	Job Title	Length of residency in Polk City 47 yrs.

Please check the following Board or Commission you are interested in serving:

<input type="radio"/> Library Board of Trustees	<input type="radio"/> Planning and Zoning Commission
<input type="radio"/> Park Commission	<input checked="" type="radio"/> Board of Adjustment
<input type="radio"/> Tree Board	<input type="radio"/> Other (please specify) _____

What knowledge and/or understanding of the Board/Commission do you have?

I have served on this board over 25 yrs.

Please check the following areas of knowledge and/or expertise you possess:

<input checked="" type="checkbox"/> Financial Management	Land Use Planning
<input checked="" type="checkbox"/> Community Groups	Engineering
<input checked="" type="checkbox"/> Conflict Resolution	Other:

What education, experiences or activities qualify you for this volunteer position?

**NP Board of Education - 12 yrs.
Chaired Foundation to build the current library.
Coordinate NP Comet Cupboard Laboratory/X-Ray Supervisor at Mercy West Medical Clinic before retiring.**

Why do you wish to serve on the Board or Commission?

I would like to continue serving on the Board of Adjustment.

Please indicate

	yes	no
Would you be able to attend regularly scheduled meetings?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Do you sell, contract or furnish supplies, material or labor to the City?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Have you ever been employed by the City?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Do you have any relatives working for the City?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

References

Name Jason Morse
Name Pastor Melody Webb
Name Brigett Devos

Thank you for your interest in volunteering with the City of Polk City.

If not selected, your application will be retained for one year. This application is a public document and as such can be viewed, reproduced or distributed to the public.

In applying for appointment, you understand the City Council may make inquiries in the community pertinent to your appointment.



**CITY OF POLK CITY
VOLUNTEER BOARDS & COMMISSIONS APPLICATION**

The City of Polk City has a variety of volunteer opportunities on boards and commissions for the following purposes:

- advise the City Council*
- hear and make decisions on appeals and variances*
- assist in the planning of parks, recreational programs, land use and zoning, and operations*
- assist in the promotion of educational, cultural, economic and general welfare of the public*
- assist in the promotion of performing and fine arts programming*
- assist with management of library services*

All board and commission members must be Polk City Residents. Applicants are appointed by the Mayor and confirmed by the City Council. Terms for the boards and commissions vary and are established by the Municipal Code. All meetings of the boards and commissions are open to the public and agendas are prepared and available for public viewing.

For more information, contact the City Clerk's Office by phone at 515-984-6233 or e-mail support@polkcityia.gov.

APPLICANT INFORMATION

Last Name SIRES	First DOUGLAS	MI R
Street Address 1201 OAKWOOD DR.	City/State POLK CITY, IOWA	Zip 50226
Employer Name SIRES ARCHITECTS	Job Title PRESIDENT	Length of residency in Polk City 15 YEARS

Please check the following Board or Commission you are interested in serving:

<input type="radio"/> Library Board of Trustees	<input checked="" type="radio"/> Planning and Zoning Commission
<input type="radio"/> Park Commission	<input type="radio"/> Board of Adjustment
<input type="radio"/> Tree Board	<input type="radio"/> Other (please specify) _____

What knowledge and/or understanding of the Board/Commission do you have?

20 YEARS ON JOHNSTON P&Z
14 YEARS ON POLK CITY P&Z

Please check the following areas of knowledge and/or expertise you possess:

Financial Management <input checked="" type="checkbox"/>	Land Use Planning <input checked="" type="checkbox"/>
Community Groups <input checked="" type="checkbox"/>	Engineering <input checked="" type="checkbox"/>
Conflict Resolution <input checked="" type="checkbox"/>	Other: PRESIDENT & BOARD - AIA IOWA PAST

What education, experiences or activities qualify you for this volunteer position?

BA WARTBURG COLLEGE 1968 - BUSINESS & ECONOMICS
BA IOWA STATE UNIVERSITY 1971 - COLLEGE OF ENGINEERING

M ARCHITECTURE IOWA STATE UNIVERSITY 1973 COLLEGE OF DESIGN
PROFESSIONAL LICENSES IN IOWA AND FLORIDA
50 YEARS PROFESSIONAL BUILDING & SITE EXPERIENCE

Why do you wish to serve on the Board or Commission?

CONTINUE MY SERVICE TO OUR COMMUNITY
USING MY PROFESSIONAL EXPERTISE AND
CONCERN FOR A BETTER CITY AND RESIDENCE

Please indicate

	yes	no
Would you be able to attend regularly scheduled meetings?	X	
Do you sell, contract or furnish supplies, material or labor to the City?		X
Have you ever been employed by the City?		X
Do you have any relatives working for the City?		X

References

Name	JIM NOVAK, AIA 319-393-9334
Name	TIM JOHNSTON, OLP 515-777-9391
Name	LARRY WELDER 515-490-2628

Thank you for your interest in volunteering with the City of Polk City.

If not selected, your application will be retained for one year. This application is a public document and as such can be viewed, reproduced or distributed to the public.

In applying for appointment, you understand the City Council may make inquiries in the community pertinent to your appointment.

RESOLUTION NO. 2020-137

A RESOLUTION APPROVING THE POLK COUNTY JOINT E911 SERVICE BOARD APPOINTMENT OF THE CITY OF POLK CITY REPRESENTATIVE AND ALTERNATE

WHEREAS, pursuant to Iowa Code 34A there is established in each county a Joint 911 Service Board to provide enhanced 911 emergency telephone communication systems and other emergency 911 notification devices to further the public interest and protect the health, safety, and welfare of the people of Polk County, Iowa; and

WHEREAS, the E911 Service Board shall be a joint undertaking of Polk County and each of the political subdivisions having a public safety agency serving territory within the county E911 service area; and

WHEREAS, the commission members shall be the operations liaison officers between their jurisdiction and the commission; and

WHEREAS, the Iowa Administrative Code Section 605, Chapter 10.3 states that under E911 Service Board, ‘The joint E911 service board shall annually submit a listing of members, to include the political subdivision they represent and, if applicable, the associated 28E agreement, to the E911 program manager. A copy of the list shall be submitted within 30 days of adoption of the operating budget for the ensuing fiscal year and shall be on the prescribed form provided by the E911 program manager’; and

WHEREAS, all political subdivisions are being requested to verify their Polk County E911 service member designee and their contact information.

NOW, THEREFORE, BE IT RESOLVED, that the City Council for the City of Polk City hereby appoints Jeremy Siepker, Police Chief, as the City of Polk City’s representative on the Polk County E911 Service Board; and Jim Mitchell, Fire Chief as the Alternate Representative for a term beginning on the 1st day of January 2021 and continuing until the 31st day of December 2021; and,

BE IT FURTHER RESOLVED that the City of Polk City will submit this Adoption Resolution to the Polk County E911 Service Board to enable this resolution’s approval.

PASSED AND APPROVED this 14th day of December 2020.

Jason Morse, Mayor

ATTEST:

Jenny Gibbons, City Clerk

RESOLUTION NO. 2020-138

**RESOLUTION TO APPOINT A MEMBER AND ALTERNATE MEMBERS TO THE POLK COUNTY
EMERGENCY MANAGEMENT COMMISSION**

WHEREAS, the county boards of supervisors and city councils in each county shall cooperate with the Iowa Homeland Security and Emergency Management Department to establish a local emergency management commission to carry out the provisions Iowa Code Chapter 29C; and

WHEREAS, the commission shall be composed of a member of the Board of Supervisors, the Sheriff, and the Mayor from each city within the county; and

WHEREAS, a commission member may designate an alternate to represent the designated entity; and

WHEREAS, for any activity related to approval or amendment of the Commission's budget as addressed in section 29C.17, subsection 2, or chapter 24 of the Code of Iowa, participation shall be by a commission member or a designated alternate that is an elected official from the same designated entity; and

WHEREAS, the commission members shall be the operations liaison officers between their jurisdiction and the commission; and

WHEREAS, the commission shall meet regularly to determine the mission of its agency and program and provide direction for the delivery of the emergency management services of planning, administration, coordination, training, and support for local governments and their departments; and

WHEREAS, the commission shall coordinate emergency services in the event of a disaster.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of Polk City, Iowa appoints Jason Morse, Mayor of Polk City, Iowa as the Emergency Management Commission Member; and

BE IT FURTHER RESOLVED that Dave Dvorak, Council Member be appointed as an Alternate Elected Member; and

BE IT FURTHER RESOLVED that Jim Mitchell, Polk City Fire Chief and Jeremy Siepker, Polk City Police Chief, be appointed as an Alternate Non-Elected Appointed Members; and

BE IT FURTHER RESOLVED that the Member and/or Alternate Member(s) attend the Commission meetings on behalf of the City of Polk City, Iowa.

PASSED AND APPROVED this 14th day of December 2020.

Jason Morse, Mayor

ATTEST:

Jenny Gibbons, City Clerk

RESOLUTION NO. 2020-139

RESOLUTION APPOINTING POLK CITY'S REPRESENTATIVES ON THE DES MOINES METROPOLITAN WASTEWATER RECLAMATION AUTHORITY BOARD (WRA)

WHEREAS, the City of Polk City is a member of the Des Moines Metropolitan Wastewater Reclamation Authority Board (WRA); and,

WHEREAS, the term of the City's present representatives will expire; and,

WHEREAS, the agreement sets forth the process for the appointment of a primary and an alternate to serve on the WRA.

NOW THEREFORE BE IT RESOLVED by the City Council of Polk City that the City Council of Polk City, Iowa appoints Chelsea Huisman, City Manager of Polk City, Iowa, as Primary Representative and Jason Morse, Mayor of Polk City, Iowa as an alternative representative for a term beginning on the 1st day of January 2021 and continuing until the 31st day of December 2021.

PASSED AND APPROVED this 14th day of December 2020.

Jason Morse, Mayor

Attest:

Jenny Gibbons, City Clerk

RESOLUTION NO. 2020-140

RESOLUTION APPOINTING POLK CITY'S REPRESENTATIVES TO THE DES MOINES AREA METROPOLITAN PLANNING ORGANIZATION (MPO)

WHEREAS, the City of Polk City is a member of the Des Moines Area Metropolitan Planning Organization (MPO), as organized under Iowa Code Chapter 28E; and,

WHEREAS, the term of the City's present representatives will expire; and,

WHEREAS, the agreement sets forth the process for the appointment of a primary and an alternate to serve on the MPO and a primary and an alternate to serve on the MPO Transportation Technical Committee (TTC).

NOW THEREFORE BE IT RESOLVED, that the City Council of Polk City, Iowa appoints Jeff Walters of Polk City, Iowa as a primary representative for the MPO and Jason Morse, Mayor of Polk City, Iowa as an alternate representative for a term beginning on the 1st day of January 2021 and continuing until the 31st day of December 2021; and,

FURTHER BE IT RESOLVED, that the City Council of Polk City, Iowa appoints Chelsea Huisman, City Manager of Polk City, Iowa as a primary representative for the MPO TTC and Jenny Gibbons, City Clerk/Treasurer of Polk City, Iowa, as an alternative representative for a term beginning on the 1st day of January 2021 and continuing until the 31st day of December 2021.

PASSED AND APPROVED this 14th day of December 2020.

Jason Morse, Mayor

Attest:

Jenny Gibbons, City Clerk

RESOLUTION NO. 2020-141

**RESOLUTION APPOINTING POLK CITY'S REPRESENTATIVES ON THE METRO
WASTE AUTHORITY (MWA) BOARD OF DIRECTORS**

WHEREAS, the City of Polk City is a member of the Metro Waste Authority's Board of Directors; and,

WHEREAS, the term of the City's present representatives will expire; and,

WHEREAS, the agreement sets forth the process for the appointment of a primary and an alternate to serve on the Metro Waste Authority's Board of Directors.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF POLK CITY that the City Council of Polk City, Iowa appoints Rob Sarchet, City Council Member as primary representative on the Metro Waste Authority's Board of Directors and Jeff Walters as an alternate representative for a term beginning on the 1st day of January 2021 and continuing until the 31st day of December 2021.

PASSED AND APPROVED this 14th day of December 2020.

Jason Morse, Mayor

Attest:

Jenny Gibbons, City Clerk

CITY OF POLK CITY
INDEPENDENT AUDITOR'S REPORTS
BASIC FINANCIAL STATEMENTS
SUPPLEMENTARY AND OTHER INFORMATION
SCHEDULE OF FINDINGS

June 30, 2020

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CITY OF POLK CITY

OFFICIALS

<u>Name</u>	<u>Title</u>	<u>Term Expires</u>
Jason Morse.....	Mayor.....	January 1, 2022
Ronald Anderson.....	Mayor Pro-Tem/Council Member.....	January 1, 2024
Jeff Walters.....	Council Member.....	January 1, 2022
David Dvorak.....	Council Member.....	January 1, 2024
Mandy Vogel.....	Council Member.....	January 1, 2022
Robert Sarchet.....	Council Member.....	January 1, 2024
Chelsea Huisman.....	City Manager.....	Started 9-23-19 Indefinite
Donald Sandor.....	Interim City Administrator.....	Ended 9-10-19
Lindsey Huber.....	Finance Director.....	Ended 4-17-20
Jenny Gibbons.....	City Clerk.....	Indefinite
Brick Gentry, et al, P.C.....	City Attorney.....	Indefinite

City of Polk City



MARTENS & COMPANY, CPA, LLP

CERTIFIED PUBLIC ACCOUNTANTS

4949 Pleasant Street, Suite 104

West Des Moines, Iowa 50266

(515)-223-4841

FAX: (515)-223-0851

Independent Auditor's Report

To the Honorable Mayor and
Members of the City Council:

Report on the Financial Statements

We have audited the accompanying financial statements of the governmental activities, the business type activities, each major fund and the aggregate remaining fund information of the City of Polk City, Iowa, (City) as of and for the year ended June 30, 2020, and the related Notes to the Financial Statements, which collectively comprise the City's basic financial statements listed in the table of contents.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with the cash basis of accounting described in Note 1. This includes determining the cash basis of accounting is an acceptable basis for the preparation of the financial statements in the circumstances. This includes the design, implementation and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express opinions on these financial statements based on our audit. We conducted our audit in accordance with U.S. generally accepted auditing standards and the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgement, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the City's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Opinions

Basis of Adverse Opinion on Aggregate Discretely Presented Component Units

The financial statements referred to above do not include financial data for the City's legally separate component units. Accounting principles applicable to the cash basis of accounting require financial data for these component units to be reported with the financial data of the City's primary government unless the City also issues financial statements

for the financial reporting entity that include the financial data for its component units. The City has not issued such reporting entity financial statements. The amounts by which this departure would affect the receipts, disbursements and the cash basis balances of the aggregate discretely presented component units have not been determined.

Adverse Opinion on Aggregate Discretely Component Units

In our opinion, because of the significance of the matter described in the “Basis for Adverse Opinion on Aggregate Discretely Presented Component Units” paragraph, the financial statements referred to above do not present fairly the financial position of the aggregate discretely presented component units of the City as of June 30, 2020, or the changes in financial position for the year ended in conformity with the basis of accounting described in Note 1.

Unmodified Opinions

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective cash basis financial position of the governmental activities, the business type activities, each major fund and the aggregate remaining fund information of the City of Polk City as of June 30, 2020, and the respective changes in its cash basis financial position for the year then ended in accordance with the basis of accounting described in Note 1.

Basis of Accounting

As discussed in Note 1, these financial statements were prepared on the basis of cash receipts and disbursements, which is a basis of accounting other than U.S. generally accepted accounting principles. Our opinions are not modified with respect to this matter.

Other Matters

Supplementary and Other Information

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the City of Polk City’s basic financial statements. The financial statements for the five years ended June 30, 2019 (which are not presented herein) were audited by another auditor who expressed unmodified opinions on the financial statements of the governmental activities, the business type activities, each major fund and the aggregate remaining fund information which were prepared on the basis of cash receipts and disbursements. An adverse opinion was expressed on the financial statements of the aggregate discretely presented component units due to the omission of the legally separate component units. The financial statements for the year ended June 30, 2014 (which are not presented herein) were audited by another auditor who expressed modified opinions on the financial statements of the governmental activities, the business type activities, each major fund and the aggregate remaining fund information which were prepared on the basis of cash receipts and disbursements. An adverse opinion was expressed on the financial statements of the aggregate discretely presented component units due to the omission of the legally separate component units. The financial statements for the three years ended June 30, 2013 (which are not presented herein) were audited by another auditor who expressed unmodified opinions on those financial statements which were prepared on the basis of cash receipts and disbursements. The supplementary information included in Schedule 1 through 4 is presented for purposes of additional analysis and is not a required part of the basic financial statements.

The supplementary information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with U.S. generally accepted auditing standards. In our opinion, the supplementary information is fairly stated in all material respects in relation to the basic financial statements taken as a whole.

The other information, Management’s Discussion and Analysis, the Budgetary Comparison Information, the Schedule

of the City's Proportionate Share of the Net Pension Liability and the Schedule of City Contributions on pages 8 through 13 and 40 through 46 has not been subjected to the auditing procedures applied in the audit of the basic financial statements and, accordingly, we do not express an opinion or provide any assurance on it.

Other Reporting Required by Government Auditing Standards

In accordance with Government Auditing Standards, we have also issued our report dated November 19, 2020 on our consideration of the City of Polk City's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing and not to provide an opinion on the effectiveness of the City's internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with Government Auditing Standards in considering the City of Polk City's internal control over financial reporting and compliance.

Martens + Company, CPA, LLP

West Des Moines, Iowa
November 19, 2020

MANAGEMENT'S DISCUSSION AND ANALYSIS

The City of Polk City provides this Management's Discussion and Analysis of its financial statements. This narrative overview and analysis of the financial activities is for the fiscal year ended June 30, 2020. We encourage readers to consider this information in conjunction with the City's financial statements, which follow.

2020 FINANCIAL HIGHLIGHTS

- Receipts of the City's governmental activities decreased approximately 39.6%, or approximately \$3,453,000 from fiscal year 2019. Note proceeds decreased approximately \$2,944,000, from fiscal year 2019 to fiscal year 2020.
- Disbursements of the City's governmental activities decreased approximately 19.1%, or approximately \$1,301,000, from fiscal year 2019 to fiscal year 2020. General government and capital projects decreased approximately \$461,000 and \$704,000, respectively.
- The City's total cash basis net position increased by 5.7% or approximately \$557,000, in fiscal year June 30, 2019 to June 30, 2020. Of this amount, the cash basis net position of the governmental activities increased approximately \$323,000 and the cash basis net position of the business type activities increased approximately \$235,000.

USING THIS ANNUAL REPORT

The annual report consists of a series of financial statements and other information, as follows:

Management's Discussion and Analysis introduces the basic financial statements and provides an analytical overview of the City's financial activities.

The Government-wide Financial Statement consists of a Cash Basis Statement of Activities and Net Position. This statement provides information about the activities of the City as a whole and presents an overall view of the City's finances.

The Fund Financial Statements tell how governmental services were financed in the short term as well as what remains for future spending. Fund financial statements report the City's operations in more detail than the government-wide financial statement by providing information about the most significant funds.

Notes to the Financial Statements provide additional information essential to a full understanding of the data provided in the basic financial statements.

Other Information further explains and supports the financial statements with a comparison of the City's budget for the year and the City's proportionate share of the net pension liability and related contributions.

Supplementary Information provides detailed information about the nonmajor governmental funds and the City's indebtedness.

BASIS OF ACCOUNTING

The City maintains its financial records on the basis of cash receipts and disbursements and the financial statements of the City are prepared on that basis. The cash basis of accounting does not give effect to accounts receivable, accounts payable and accrued items. Accordingly, the financial statements do not present financial position and results of operations of the funds in accordance with U.S. generally accepted accounting principles.

Therefore, when reviewing the financial information and discussion within this annual report, readers should keep in mind the limitations resulting from the use of the cash basis of accounting.

REPORTING THE CITY'S FINANCIAL ACTIVITIES

Government-wide Financial Statement

One of the most important questions asked about the City's finances is, "Is the City as a whole better off or worse off as a result of the year's activities?" The Cash Basis Statement of Activities and Net Position reports information which helps answer this question.

The Cash Basis Statement of Activities and Net Position presents the City's net position. Over time, increases or decreases in the City's net position may serve as a useful indicator of whether the financial position of the City is improving or deteriorating.

The Cash Basis Statement of Activities and Net Position is divided into two kinds of activities:

- Governmental Activities include public safety, public works, health and social services, culture and recreation, community and economic development, general government, debt service and capital projects. Property tax and state and federal grants finance most of these activities.
- Business Type Activities include the waterworks and sewer system. These activities are financed primarily by user charges.

Fund Financial Statements

The City has two kinds of funds:

1) Governmental funds account for most of the City's basic services. These focus on how money flows into and out of those funds and the balances at year-end that are available for spending. The governmental funds include: 1) the General Fund, 2) the Special Revenue Funds, such as Road Use Tax, Employee Benefits, and the Urban Renewal Tax Increment Fund 3) the Capital Projects Fund and 4) the Debt Service Fund. The governmental fund financial statements provide a detailed, short-term view of the City's general government operations and the basic services it provides. Governmental fund information helps determine whether there are more or fewer financial resources that can be spent in the near future to finance the City's programs.

The required financial statement for governmental funds is a Statement of Cash Receipts, Disbursements and Changes in Cash Balances.

2) Proprietary funds account for the City's Enterprise Funds. Enterprise Funds are used to report business type activities. The City maintains two Enterprise Funds to provide separate information for the Water and Sewer Funds, considered to be major funds of the City.

The required financial statement for proprietary funds are a Statement of Cash Receipts, Disbursements and Changes in Cash Balances.

GOVERNMENT-WIDE FINANCIAL ANALYSIS

Net position may serve over time as a useful indicator of financial position. The City's cash balance for governmental activities increased from a year ago, increasing from approximately, \$8.379 million to approximately \$8.702 million. The analysis that follows focuses on the changes in cash basis net position of governmental activities.

Changes in Cash Basis Net Position of Governmental Activities (Expressed in Thousands)

	Year ended June 30,	
	2020	2019
Receipts:		
Program receipts:		
Charges for services	\$ 551	\$ 544
Operating grants, contributions and restricted interest	540	545
Capital grants, contributions and restricted interest	140	-
General receipts:		
Property tax	2,450	2,239
Tax increment financing	428	342
Hotel motel tax	52	27
Other city tax	13	18
Local option sales tax	835	1,754
Commercial/industrial tax replacement	17	16
Unrestricted interest on investments	126	118
Rent	89	88
Good faith deposit	18	-
Note proceeds	-	2,962
Sale of capital assets	-	59
Total receipts	<u>5,259</u>	<u>8,712</u>
Disbursements:		
Public safety	1,962	1,944
Public works	581	634
Health and social services	-	4
Culture and recreation	622	802
Community and economic development	282	234
General government	658	1,119
Debt service	341	306
Capital projects	<u>1,050</u>	<u>1,754</u>
Total disbursements	<u>5,496</u>	<u>6,797</u>
Change in cash basis net position before transfers	(237)	1,915
Transfers, net	<u>560</u>	<u>560</u>
Change in cash basis net position	323	2,475
Cash basis net position beginning of year	<u>8,379</u>	<u>5,904</u>
Cash basis net position end of year	<u>\$ 8,702</u>	<u>\$ 8,379</u>

The City's total receipts for governmental activities decreased 39.6%, or approximately \$3,453,000 from fiscal year 2019. The total cost of all programs and services decreased approximately \$1,301,000 or 19.1%. The decrease in receipts was primarily the result of a decrease in note proceeds. The decrease in program costs was the result of a decrease in general government and capital project costs in fiscal year 2020.

The City increased the property tax dollar request for fiscal year 2019. Property tax receipts increased by approximately \$211,000 in fiscal year 2020. Based on increases in total assessed valuation, and an increase in the levy

rate property tax receipts are budgeted to increase an additional \$397,000 next year.

The cost of all governmental activities this year was approximately \$5.496 million compared to approximately \$6.797 million last year. However, as shown in the Statement of Activities and Net Position on pages 16-17, the amount taxpayers ultimately financed for these activities was approximately \$4.265 million because some of the cost was paid by those directly benefited from the programs (approximately \$551,000) or by other governments and organizations that subsidized certain programs with grants, contributions and restricted interest (approximately \$680,000). The City paid for the remaining “public benefit” portion of governmental activities with property tax (some of which could only be used for certain programs) and with other receipts, such as interest, local option sales tax and miscellaneous receipts. Overall, the City’s governmental activities program receipts, including intergovernmental aid and fees for service, increased in fiscal year 2020 from approximately \$1,089,000 to approximately \$1,231,000, principally due to increased capital grants, contributions and restricted interest in fiscal year 2020 compared to fiscal year 2019.

Changes in Cash Basis Net Position of Business Type Activities
(Expressed in Thousands)

	Year ended June 30,	
	2020	2019
Receipts:		
Program receipts:		
Charges for service:		
Water	\$ 1,076	\$ 992
Sewer	1,350	1,325
Operating grants, contributions and restricted interest	64	57
Total receipts	2,490	2,374
Disbursements:		
Water	899	699
Sewer	796	608
Total disbursements	1,695	1,307
Change in cash basis net position before transfers	795	1,067
Transfers, net	(560)	(560)
Change in cash basis net position	235	507
Cash basis net position beginning of year	1,477	970
Cash basis net position end of year	\$ 1,712	\$ 1,477

Total business type activities receipts for the fiscal year were approximately \$2.490 million compared to approximately \$2.374 million last year. This increase was due primarily to an increase in charges for service receipts from fiscal year 2019. The cash balance increased approximately \$235,000 from the prior year due to an increase in receipts. Total disbursements for the fiscal year increased 29.69% to approximately \$1,695,000.

INDIVIDUAL MAJOR GOVERNMENTAL FUND ANALYSIS

As the City of Polk City completed the year, its governmental funds reported a combined fund balance of \$8,701,746, an increase of \$322,895 above last year’s total of \$8,378,851. The following are the major reasons for the changes in fund balances of the major funds from the prior year.

- The General Fund cash balance increased \$25,413 from the prior year to \$4,311,906. The City is attempting to maintain the General Fund on status quo basis from year to year.

- The Special Revenue, Low-Moderate Income Fund cash balance increased \$54,410 from the prior year to \$1,630,616. The monies in this fund can only be spent on low to moderate income activities. The City is currently reviewing options in order to spend the monies in this fund.
- The Capital Projects cash balance increased by \$107,246 to \$2,345,707. The City’s major capital project costs are paid from this fund. The balance in this fund consists of unspent bond monies, which will be used to reimburse the Des Moines Water Works for construction activities related to the increased water availability to the City of Polk City.

INDIVIDUAL MAJOR BUSINESS TYPE FUND ANALYSIS

- The Enterprise, Water Fund cash balance increased by \$234,706 to \$874,753. This increase was due to an increase in user rates and an increase in demand.
- The Enterprise, Sewer Fund cash balance decreased by \$483 to \$836,930. This decrease was due to increased in user costs of operations.

BUDGETARY HIGHLIGHTS

During the course of the year, the City amended its budget two times.

The City’s receipts were \$582,417 more than budgeted. This was primarily due to the City receiving more charges for service receipts and other city tax than anticipated.

The City’s disbursements were \$1,296,968 less than the budget. Disbursements in the capital projects and business-type activities functions were \$537,218 and \$316,564 less than amended budget.

The original budget for 2020 was approved by the City Council on March 11, 2019, and later amended on January 13, 2020 and on May 26, 2020. The budget amendments were necessitated due to an increase in capital project costs and other costs.

DEBT ADMINISTRATION

At June 30, 2020, the City had \$3,959,915 in bonds and other long-term debt outstanding, compared to \$4,100,000 last year, as shown below.

	Outstanding Debt at Year-End (Expressed in Thousands)	
	June 30	
	2020	2019
General Obligation Capital Loan Notes	\$3,897,500	\$4,100,000
Capital Lease	62,415	-
	<u>\$3,959,915</u>	<u>\$ 4,100,00</u>

Debt decreased due to the repayment of existing obligations.

The Constitution of the State of Iowa limits the amount of general obligation debt cities can issue to 5% of the assessed value of all taxable property within the City’s corporate limits. The City’s outstanding general obligation debt of \$4,322,243 (including \$362,328 of development and rebate agreements) is significantly below its constitutional debt limit of \$22,758,214. Additional information about the City’s long-term debt is presented in Note 6 to the financial statements.

ECONOMIC FACTORS AND NEXT YEAR'S BUDGET AND RATES

Polk City's elected and appointed officials and citizens will consider many factors when setting the fiscal year 2021 budget, tax rates, and fees charged for various City activities. A major consideration will be street upgrades and improving quality of life through the economic development, acquiring park land, and finding alternatives for outdoor recreation.

These factors all contributed when adopting the fiscal year 2021 budget. The total budgeted revenue for fiscal year 2021 is \$8,058,924. This revenue includes Governmental Activities and Business Type Activities, which includes the Water and Sewer departments. Budgeted expenditures for fiscal year 2021 is \$8,484,159. \$6,344,030 is budgeted for Governmental activity expenditures and \$2,140,129 is for Business Type expenditures. Steps implemented by the City, including the careful utilization of Local Option Sales Tax receipts, increasing certain fees, transferring costs across funds and reducing the costs of the delivery of services allowed the City to maintain positive fund balances for the fiscal year 2021 budget. The property tax rate of \$10.39272, for the fiscal year ending June 30, 2021, is up from \$9.91227 for the fiscal year 2020 rate.

CONTACTING THE CITY'S FINANCIAL MANAGEMENT

This financial report is designed to provide our citizens, taxpayers, customers and creditors with a general overview of the City's finances and to show the City's accountability for the money it receives. If you have questions about this report or need additional financial information, contact Jenny Gibbons, City Clerk/Treasurer of Polk City, 112 3rd Street, P.O. Box 426, Polk City, IA 50266 or email jgibbons@polkcityia.gov.

Basic Financial Statements

City of Polk City

CITY OF POLK CITY

Cash Basis Statement of Activities and Net Position

As of and for the year ended June 30, 2020

	Disbursements	Program Receipts		
		Charges for Service	Operating Grants Contributions and Restricted Interest	Capital Grants Contributions and Restricted Interest
Functions/Programs:				
Governmental activities:				
Public safety	\$ 1,961,617	\$ 544,821	\$ 52,492	\$ -
Public works	580,809	-	439,394	-
Culture and recreation	621,853	1,863	35,382	-
Community and economic development	282,348	-	4,348	-
General government	658,273	4,213	8,653	-
Debt service	340,880	-	-	-
Capital projects	1,050,297	-	-	140,157
Total governmental activities	<u>5,496,077</u>	<u>550,897</u>	<u>540,269</u>	<u>140,157</u>
Business type activities:				
Water	899,190	1,075,335	58,561	-
Sewer	796,057	1,350,090	5,277	-
Total business type activities	<u>1,695,247</u>	<u>2,425,425</u>	<u>63,838</u>	<u>-</u>
Total	<u>\$ 7,191,324</u>	<u>\$2,976,322</u>	<u>\$604,107</u>	<u>\$ 140,157</u>

General Receipts and Transfers:

Property and other city tax levied for:
 General purposes
 Debt service
Tax increment financing
Hotel motel tax
Other city tax
Local option sales tax
Commercial/industrial tax replacement
Unrestricted interest on investments
Rent
Good faith deposit
Miscellaneous
Transfers

Total general receipts and transfers

Change in cash basis net position

Cash basis net position beginning of year

Cash basis net position end of year

Cash Basis Net Position

Restricted:
 Expendable:
 Streets
 Urban renewal purposes
 Debt service
 Capital projects
 Customer meter deposits
 Other purposes
Unrestricted

Total cash basis net position

See notes to financial statements.

Net (Disbursements) Receipts and Changes in Cash Basis Net Position		
Governmental Activities	Business Type Activities	Total
\$ (1,364,304)	\$ -	\$ (1,364,304)
(141,415)	-	(141,415)
(584,608)	-	(584,608)
(278,000)	-	(278,000)
(645,407)	-	(645,407)
(340,880)	-	(340,880)
(910,140)	-	(910,140)
(4,264,754)	-	(4,264,754)
-	234,706	234,706
-	559,310	559,310
-	794,016	794,016
(4,264,754)	794,016	(3,470,738)
2,095,576	-	2,095,576
354,862	-	354,862
427,583	-	427,583
52,167	-	52,167
12,961	-	12,961
834,867	-	834,867
16,853	-	16,853
126,267	-	126,267
88,988	-	88,988
17,500	-	17,500
232	-	232
559,793	(559,793)	-
4,587,649	(559,793)	4,027,856
322,895	234,223	557,118
8,378,851	1,477,460	9,856,311
\$8,701,746	\$1,711,683	\$10,413,429
\$ 131,935	\$ -	\$ 131,935
233,068	-	233,068
30,314	-	30,314
2,345,707	-	2,345,707
-	43,567	43,567
1,648,816	-	1,648,816
4,311,906	1,668,116	5,980,022
\$8,701,746	\$1,711,683	\$10,413,429

CITY OF POLK CITY

Statement of Cash Receipts, Disbursements and Changes in Cash Balances
Governmental Funds

As of and for the year ended June 30, 2020

	<u>Special Revenue</u>			
	General	Low- Moderate Income	Capital Projects	Nonmajor
Receipts:				
Property tax	\$ 2,095,576	\$ -	\$ -	\$ 354,863
Tax increment financing	-	20,507	-	427,583
Other city tax	899,995	-	-	-
Licenses and permits	196,088	-	-	-
Uses of money and property	217,830	-	-	-
Intergovernmental	48,712	4,348	50,157	439,344
Charges for service	354,808	-	-	-
Miscellaneous	41,119	-	90,000	749
Total receipts	<u>3,854,128</u>	<u>24,855</u>	<u>140,157</u>	<u>1,222,539</u>
Disbursements:				
Operating:				
Public safety	1,960,261	-	-	1,356
Public works	150,209	-	-	430,600
Culture and recreation	619,879	-	-	1,974
Community and economic development	-	8,374	-	273,974
General government	658,273	-	-	-
Debt service	-	-	-	340,880
Capital projects	-	-	1,050,297	-
Total disbursements	<u>3,388,622</u>	<u>8,374</u>	<u>1,050,297</u>	<u>1,048,784</u>
Excess (deficiency) of receipts over (under) disbursements	<u>465,506</u>	<u>16,481</u>	<u>(910,140)</u>	<u>173,755</u>
Other financing sources (uses):				
Goof faith deposit	-	-	17,500	-
Transfers in	-	37,929	999,886	-
Transfers out	(440,093)	-	-	(37,929)
Total other financing sources (uses)	<u>(440,093)</u>	<u>37,929</u>	<u>1,017,386</u>	<u>(37,929)</u>
Change in cash balances	25,413	54,410	107,246	135,826
Cash balances beginning of year	<u>4,286,493</u>	<u>1,576,206</u>	<u>2,238,461</u>	<u>277,691</u>
Cash balances end of year	<u>\$4,311,906</u>	<u>\$1,630,616</u>	<u>\$2,345,707</u>	<u>\$ 413,517</u>
Cash Basis Fund Balances				
Restricted for:				
Streets	\$ -	\$ -	\$ -	\$ 131,935
Urban renewal purposes	-	-	-	233,068
Debt service	-	-	-	30,314
Capital projects	-	-	2,345,707	-
Other purposes	-	1,630,616	-	18,200
Unassigned	<u>4,311,906</u>	<u>-</u>	<u>-</u>	<u>-</u>
Total cash basis fund balances	<u>\$4,311,906</u>	<u>\$1,630,616</u>	<u>\$2,345,707</u>	<u>\$ 413,517</u>

See notes to financial statements.

Total
 \$ 2,450,439
 448,090
 899,995
 196,088
 222,178
 538,213
 354,808
 131,868
5,241,679

1,961,617
 580,809
 621,853
 282,348
 658,273
 340,880
1,050,297
5,496,077

(254,398)

17,500
 1,037,815
(478,022)
577,293

322,895

8,378,851

\$8,701,746

\$ 131,935
 233,068
 30,314
 2,345,707
 1,648,816
4,311,906

\$8,701,746

CITY OF POLK CITY

Statement of Cash Receipts, Disbursements and
Changes in Cash Balances
Proprietary Funds

As of and for the year ended June 30, 2020

	Enterprise		
	Water	Sewer	Total
Operating receipts:			
Charges for service	\$1,075,335	\$1,350,090	\$2,425,425
Miscellaneous	58,561	5,277	63,838
Total operating receipts	1,133,896	1,355,367	2,489,263
Operating disbursements:			
Business type activities:	858,976	796,057	1,655,033
Total operating disbursements	858,976	796,057	1,655,033
Excess of operating receipts over operating disbursements	274,920	559,310	834,230
Non-operating receipts (disbursements):			
Capital projects	(40,214)	-	(40,214)
Net non-operating receipts (disbursements)	(40,214)	-	(40,214)
Excess of receipts over disbursements	234,706	559,310	794,016
Transfers out	-	(559,793)	(559,793)
Change in cash balances	234,706	(483)	234,223
Cash balances beginning of year	640,047	837,413	1,477,460
Cash balances end of year	\$ 874,753	\$ 836,930	\$1,711,683
Cash Basis Fund Balances			
Restricted for customer meter deposits	\$ 43,567	\$ -	\$ 43,567
Unrestricted	831,186	836,930	1,668,116
Total cash basis fund balances	\$ 874,753	\$ 836,930	\$1,711,683

See notes to financial statements.

CITY OF POLK CITY

Notes to Financial Statements

June 30, 2020

(1) **Summary of Significant Accounting Policies**

The City of Polk City (City) is a political subdivision of the State of Iowa located in Polk County. It was first incorporated in 1875 and operates under the Home Rule provisions of the Constitution of Iowa. The City operates under the Mayor-Council form of government with the Mayor and Council Members elected on a non-partisan basis. The City provides numerous services to citizens including public safety, public works, health and social services, culture and recreation, community and economic development and general government services. The City also provides water and sewer utilities for its citizens.

A. Reporting Entity

Except as discussed below, for financial reporting purposes, the City has included all funds, organizations, agencies, boards, commissions and authorities. The City has also considered all potential component units for which it is financially accountable, and other organizations for which the nature and significance of their relationship with the City are such that exclusion would cause the City's financial statements to be misleading or incomplete. The Governmental Accounting Standards Board has set forth criteria to be considered in determining financial accountability. These criteria include appointing a voting majority of an organization's governing body, and (1) the ability of the City to impose its will on that organization or (2) the potential for the organization to provide specific benefits to, or impose specific financial burdens on the City.

These financial statements present the City (the primary government) and exclude the City's component units. The component units discussed below are not included in the City's reporting entity although their operational or financial relationships with City are significant.

Excluded Component Units

The Polk City Firefighters Association was established under Chapter 504 of the Code of Iowa, is legally separate from the City, but has potential to provide specific benefits to or impose specific financial burdens on the City. The purpose of the Polk city Firefighters Association is to support the activities of the Polk City, Iowa fire department.

The Friends of the Polk City Community Library was established under Chapter 504 of the Code of Iowa, is legally separate from the City, but has the potential to provide specific benefits to or impose specific financial burdens on the City. The purpose of the Polk City Community Library is to support the activities of the Polk City, Iowa library.

Pursuant to Chapter 501B of the Code of Iowa, the Polk City Police Officers Association (Police Association) is an unincorporated nonprofit association. The Police Association exists for the support of the City's Police Department. In accordance with criteria set forth by the Governmental Accounting Standards Board, the Police Association meets the definition of a component unit which should be discretely presented. Based on these criteria, the Police Association is legally separate from the City but is intertwined with the City it is, in substance, the same as the City.

The above entities have not been audited and, accordingly, these component units have not been presented in the accompanying primary government audited financial statements.

CITY OF POLK CITY

Notes to Financial Statements - Continued

June 30, 2020

(1) Summary of Significant Accounting Policies - Continued

Jointly Governed Organizations

In 1998, the City joined with fifteen cities and counties to perpetuate the Des Moines Area Metropolitan Planning Organization (Organization) to plan and coordinate the transportation activities for the metropolitan area. The Organization's Board consists of a representative from the governing body of each member city. The members make contributions toward the budget of the Organization.

In 1969, the City, in conjunction with seventeen other cities, created the Metro Waste Authority (the Authority). The Authority Board consists of an elected representative of the governing body of each participating governmental jurisdiction. The purpose of this joint governmental body is to provide for the economical disposal of all solid waste produced or generated by the jurisdictions and private contractors.

The City participates in several jointly governed organizations that provide goods or services to the citizenry of the City but do not meet the criteria for a joint venture since there is no ongoing financial interest or responsibility by the participating governments. City officials are members of or appoint representatives to the following Boards: Polk County Assessor's Conference Board, Joint/County Municipal Disaster Services and Emergency Planning Administration for Polk County, E911 Joint Service Board, Central Iowa Regional Drinking Water Commission, BRAVO, the Polk City Development Corporation and the Greater Des Moines Convention and Visitor's Bureau.

Joint Venture

The City also participates in the Des Moines Metropolitan Wastewater Reclamation Authority (WRA). The WRA, a joint venture, was developed as a result of an agreement between the City of Des Moines and surrounding municipalities. See Note 5.

B. Basis of Presentation

Government-wide Financial Statement - The Cash Basis Statement of Activities and Net Position reports information on all of the nonfiduciary activities of the City. For the most part, the effect of interfund activity has been removed from this statement. Governmental activities, which are supported by tax and intergovernmental revenues, are reported separately from business type activities, which rely to a significant extent on fees and charges for service.

The Cash Basis Statement of Activities and Net Position presents the City's nonfiduciary net position. Net position is reported in the following categories:

Expendable restricted net position results when constraints placed on the use of cash balances are either externally imposed or are imposed by law through constitutional provisions or enabling legislation.

Unrestricted net position consists of cash balances not meeting the definition of the preceding categories. Unrestricted net position is often subject to constraints imposed by management which can be removed or modified.

CITY OF POLK CITY

Notes to Financial Statements - Continued

June 30, 2020

(1) Summary of Significant Accounting Policies - Continued

B. Basis of Presentation - Continued

The Cash Basis Statement of Activities and Net Position demonstrates the degree to which the direct disbursements of a given function are offset by program receipts. Direct disbursements are those clearly identifiable with a specific function. Program receipts include 1) charges to customers or applicants who purchase, use or directly benefit from goods, services, or privileges provided by a given function and 2) grants, contributions, and interest on investments restricted to meeting the operational or capital requirements of a particular function. Property tax and other items not properly included among program receipts are reported instead as general receipts.

Fund Financial Statements - Separate financial statements are provided for governmental funds, proprietary funds and the fiduciary fund. Major individual governmental funds and major individual enterprise funds are reported as separate columns in the fund financial statements. All remaining governmental funds are aggregated and reported as nonmajor governmental funds.

The City reports the following major governmental funds:

The General Fund is the general operating fund of the City. All general tax receipts from general and emergency levies and other receipts not allocated by law or contractual agreement to some other fund are accounted for in this fund. From the fund are paid the general operating disbursements, the fixed charges and the capital improvement costs that are not paid from other funds.

The Special Revenue, Low-Moderate Income Fund is used to account for low to moderate income monies, and for the related monies spent on the low to moderate income program in the City.

The Capital Projects Fund is used to account for all resources used in the acquisition and construction of capital facilities.

The City reports the following major proprietary funds:

The Enterprise, Water Fund accounts for the operation and maintenance of the City's water system.

The Enterprise, Sewer Fund accounts for the operation and maintenance of the City's wastewater treatment and sanitary sewer system.

CITY OF POLK CITY

Notes to Financial Statements - Continued

June 30, 2020

(1) Summary of Significant Accounting Policies - Continued

C. Measurement Focus and Basis of Accounting

The City maintains its financial records on the basis of cash receipts and disbursements and the financial statements of the City are prepared on that basis. The cash basis of accounting does not give effect to accounts receivable, accounts payable and accrued items. Accordingly, the financial statements do not present financial position and results of operations of the funds in accordance with U.S. generally accepted accounting principles.

Under the terms of grant agreements, the City funds certain programs by a combination of specific cost-reimbursement grants, categorical block grants and general receipts. Thus, when program disbursements are paid, there are both restricted and unrestricted cash basis net position available to finance the program. It is the City's policy to first apply cost-reimbursement grant resources to such programs, followed by categorical block grants and then by general receipts.

When a disbursement in governmental funds can be paid using either restricted or unrestricted resources, the City's policy is generally to first apply the disbursement toward restricted fund balance and then to less-restrictive classifications - committed, assigned and then unassigned fund balances.

Proprietary funds distinguish operating receipts and disbursements from non-operating items. Operating receipts and disbursements generally result from providing services and producing and delivering goods in connection with a proprietary fund's principal ongoing operations. All receipts and disbursements not meeting this definition are reported as non-operating receipts and disbursements.

D. Property Taxes and Governmental Cash Basis Fund Balances

The following accounting policies are followed in preparing the financial statements:

Property tax revenues recognized in these funds become due and collectible in September and March of the current fiscal year with a 1½ % per month penalty for delinquent payments; is based on January 1, 2018 assessed property valuations; is for the tax accrual period July 1, 2019 through June 30, 2020 and reflects tax asking contained in the budget certified to the City Council in March 2019.

In the governmental fund financial statements, cash basis fund balances are classified as follows:

Restricted - Amounts restricted to specific purposes when constraints placed on the use of the resources are either externally imposed by creditors, grantors or state or federal laws or are imposed by law through constitutional provisions or enabling legislation.

Unassigned - All amounts not included in the preceding classifications.

E. Budgets and Budgetary Accounting

The budgetary comparison and related disclosures are reported as Other Information.

CITY OF POLK CITY

Notes to Financial Statements - Continued

June 30, 2020

(2) **Cash and Pooled Investments**

The City's deposits in banks at June 30, 2020 were entirely covered by federal depository insurance or by the State Sinking Fund in accordance with Chapter 12C of the Code of Iowa. This chapter provides for additional assessments against the depositories to insure there will be no loss of public funds.

The City is authorized by statute to invest public funds in obligations of the United States government, its agencies and instrumentalities; certificates of deposit or other evidences of deposit at federally insured depository institutions approved by the City Council; prime eligible bankers acceptances; certain high rated commercial paper; perfected repurchase agreements; certain registered open-end management investment companies; certain joint investment trusts; and warrants or improvement certificates of a drainage district.

The City had investments in the Iowa Public Agency Investment Trust which are valued at an amortized cost of \$4. There were no limitations or restrictions on withdrawals for the IPAIT investments. The City's investment in the Iowa Public Agency Investment Trust is unrated.

Interest rate risk - The City's investment policy limits the investment of operating funds (funds expected to be expended in the current budget year or within 15 months of receipt) to instruments that mature within 397 days. Funds not identified as operating funds may be invested in investments with maturities longer than 397 days, but the maturities shall be consistent with the needs and use of the City.

(3) **Public Service Agreement**

The City has entered into a contract with Polk County for a joint public service agreement. During the year ended June 30, 2020, the City paid \$559,793 to Polk County in relation to this agreement. Based on the payment schedule, as of June 30, 2020, the City is expected to pay Polk County an additional \$11,730,390 through fiscal year 2042 for this agreement.

(4) **Installment Contract**

The City has entered into an installment contract with the Iowa Department of Transportation (DOT) for the construction of turn lanes on Highway 415. The agreement is for \$391,585. The agreement is non-interest bearing and calls for four annual installments of \$97,896 beginning in fiscal year 2019. The City made a payment of \$97,896 to the DOT in fiscal year 2020. Balance on the contract at June 30, 2020 was \$195,792.

(5) **Joint Venture and Commitments**

The city is a participating community in the Des Moines Metropolitan Wastewater Reclamation Authority (WRA) joint venture. This joint venture provides primary and secondary treatment of sewer flows for the participating communities. The Amended and Restated Agreement for the Des Moines Metropolitan Wastewater Reclamation Authority (WRA) was effective on July 1, 2004, with the second amended and restated agreement becoming effective on June 11, 2014. This agreement amended and restated the previous Integrated Community Area (I.C.A.) Agreement to provide continued operation, improvements and expansion. The WRA Agreement established the WRA as a separate legal entity with its own Board, creates an independent governance structure, establishes an independent bonding authority for the WRA and provides framework for additional communities to participate.

CITY OF POLK CITY

Notes to Financial Statements - Continued

June 30, 2020

(5) Joint Venture and Commitments - Continued

Annually, the WRA establishes an allocation to all participating communities based on operations, maintenance, debt service and reserve requirements. Allocation are based on wastewater reclamation facility flows and are adjusted prospectively for differences in budgeted flows and actual flows.

The City retains an ongoing financial responsibility to the WRA since it is obligated in some manner for the debts of the joint venture through annual allocation. Although the debt of the WRA is to be paid solely and only from WRA revenues, the participating communities in the joint venture cannot withdraw from the joint venture while any of the bonds issued during the time the communities were a participating community are still outstanding. The WRA Sewer Revenue Bonds Series 2013B and 2015E include provisions that place the WRA debt service requirements on the same parity and rank as other debts of the participating communities.

The WRA Sewer Revenue Bonds Series 2015E, and 2013 Bonds were issued for capital expansion. The WRA Agreement requires the debt service on these bonds to be allocated to the participating communities based on the WRA flows of the core communities and expansion communities of each calendar year. As of June 30, 2020, the Series 2015E and 2013B bonds had a balance of \$71,775,000 and the City of Polk City estimated future allocation based on the WRA flows is currently \$635,653 or 0.89%. The State Revolving Loans are to be paid by the participating communities based on the existing allocations under the prior I.C.A. agreement. As of June 30, 2020 the state revolving loans had a balance of \$344,358,376 and the City of Polk City’s estimated future allocation based on the WRA flows is currently \$2,834,957 or 0.82%.

The WRA Agreement does not provide the determination of an equity interest for the participating communities. Withdrawing from the joint venture is a forfeit of all reversionary interest and no compensation will be paid. The City retains a reversionary interest percentage in the net position of the WRA redeemable only in the event the WRA is dissolved. Since there is no specific and measurable equity interest in the WRA agreement, no investment in the joint venture has been reported by the City. During the year ended June 30, 2020, the City paid the WRA \$308,120 for operations, maintenance, equipment replacements and debt service payments.

The WRA issues separate financial statements that may be obtained at 3000 Vandalia Road, Des Moines, Iowa 50317-1346.

(6) Bonds and Notes Payable

A summary of changes in bonds and notes payable for the year ended June 30, 2020 is as follows:

	<u>Beginning Balances</u>	<u>Increases</u>	<u>Decreases</u>	<u>Ending Balances</u>	<u>Due Within One Year</u>
Government activities:					
General obligation bonds	\$4,100,000	\$ -	\$ 220,000	\$3,880,000	\$ 225,000
Governmental activities total	<u>\$4,100,000</u>	<u>\$ -</u>	<u>\$ 220,000</u>	<u>\$3,880,000</u>	<u>\$ 225,000</u>

CITY OF POLK CITY

Notes to Financial Statements - Continued

June 30, 2020

(6) Bonds and Notes Payable - Continued

General Obligation Notes

A summary of the City's June 30, 2020 general obligation bonds payable is as follows:

Year Ending June 30,	Sewer Issued September 9, 2014		
	Interest	Principal	Interest
	Rate		
2021	1.80%	\$ 110,000	\$ 26,225
2022	2.00	110,000	24,245
2023	2.20	115,000	22,045
2024	2.30	115,000	19,515
2025	2.40	120,000	16,870
2026-2030	2.55-2.90	510,000	36,390
2031-2035	-	-	-
2036-2038	-	-	-
Total		<u>\$1,080,000</u>	<u>\$145,290</u>

Year Ending June 30,	Water Issued July 24, 2018		
	Interest	Principal	Interest
	Rate		
2021	3.00%	\$ 115,000	\$ 89,895
2022	3.00	120,000	86,445
2023	3.00	120,000	82,845
2024	3.00	125,000	79,245
2025	3.00	130,000	75,495
2026-2030	3.00-3.25	700,000	315,000
2031-2035	3.00-3.25	875,000	189,625
2036-2039	3.25-3.35	<u>615,000</u>	<u>41,680</u>
Total		<u>\$ 2,800,000</u>	<u>\$ 960,230</u>

Year Ending June 30,	Total		
	Principal	Interest	Total
2021	\$ 225,000	\$ 116,120	\$ 341,120
2022	230,000	110,690	340,690
2023	235,000	104,890	339,890
2024	240,000	98,760	338,760
2025	250,000	92,365	342,365
2026-2030	1,210,000	351,390	1,561,390
2031-2035	875,000	189,625	1,064,625
2036-2039	<u>615,000</u>	<u>41,680</u>	<u>656,680</u>
Total	<u>\$ 3,880,000</u>	<u>\$1,105,520</u>	<u>\$4,985,520</u>

CITY OF POLK CITY

Notes to Financial Statements - Continued

June 30, 2020

(6) Bonds and Notes Payable - Continued

On September 9, 2014, the City issued \$1,720,000 of general bond obligation capital loan notes with interest rates ranging from 0.50% to 2.90% per annum. The notes were issued to pay costs of the acquisition, construction, reconstruction, extension, improvement, and equipping of works and facilities useful for the collection treatment, and disposal of sewage and industrial waste in a sanitary manner, and for the collection and disposal of surface waters and streams, including acquisition of a reversionary interest in a portion of the assets of the Wastewater Reclamation Authority. During the year ended June 30, 2020, the City paid \$110,000 of principal and \$27,985 of interest on the notes.

On July 24, 2018, the City issued \$3,000,000 of general obligation capital loan notes with interest rates ranging from 2.00% to 3.35% per annum. The bonds were issued to pay costs of acquisition, construction, reconstruction, improvement, repair, and equipping of waterworks, water mains, and estensions and real personal property, useful for providing potable water to residents. During the year ended June 30, 2020, the City paid \$110,000 of principal and \$92,095 of interest on the notes.

On June 22, 2020, the City received a good faith deposit on series 2020 general obligation bonds for \$17,500. The full bond issue of \$1,750,0000 was not issued until July 13, 2020.

Capital Lease

The city is leasing a police vehicle under a capital lease. The balance of the lease is \$62,415 as of June 30, 2020. Annual payments are \$18,967 each year, including interest at 9.9 percent. The lease is collateralized by the police vehicle.

As of June 30, 2020, the present value of future minimum capital lease payments are as follows:

June 30, 2021	\$18,967
June 30, 2022	18,967
June 30, 2023	18,967
June 30, 2024	<u>18,967</u>
Total minimum lease payments	75,868
Less amount representing interest	<u>13,453</u>
Present value of net minimum capital lease payments	<u>\$62,415</u>

(7) Private Facility Revenue Bonds

Revenue Bonds and Notes

The City has issued a total of \$7,000,000 of Healthcare Facilities Revenue Bond (Brio Project) Series 2017A and Healthcare Facilities Revenue Bond (Brio Project), Subordinate Series 2017D under the provisions of Chapter 419 of the Code of Iowa, of which \$6,596,667 is outstanding at June 30, 2020. The bonds and related interest are payable solely out of the revenues derived from the loan agreement and are not an obligation of the City.

CITY OF POLK CITY

Notes to Financial Statements - Continued

June 30, 2020

(8) Pension Plan

Plan Description - IPERS membership is mandatory for employees of the City of Polk City, except for those covered by another retirement system. Employees of the City are provided with pensions through a cost-sharing multiple employer defined benefit pension plan administered by Iowa Public Employees' Retirement System (IPERS). IPERS issues a stand-alone financial report which is available to the public by mail at P.O. Box 9117, Des Moines, Iowa 50306-9117 or at www.ipers.org.

IPERS benefits are established under Iowa Code chapter 97B and the administrative rules thereunder. Chapter 97B and the administrative rules are the official plan documents. The following brief description is provided for general informational purposes only. Refer to the plan documents for more information.

Pension Benefits - A regular member may retire at normal retirement age and receive monthly benefits without an early-retirement reduction. Normal retirement age is age 65, anytime after reaching 62 with 20 or more years of covered employment, or when the member's years of service plus the member's age at the last birthday equals or exceeds 88, whichever comes first. These qualifications must be met on the member's first month of entitlement to benefits. Members cannot begin receiving retirement benefits before age 55. The formula used to calculate a Regular member's monthly IPERS benefit includes:

- A multiplier based on years of service.
- The member's highest five-year average salary, except members with service before June 30, 2012, will use the highest three-year average salary as of that date if it is greater than the highest five-year average salary.

Protection occupation members may retire at normal retirement age, which is generally age 55 and may retire after reaching age 50 with 22 more years of covered employment.

The formula used to calculate a protection occupation member's monthly IPERS benefit includes:

- 60% of average salary after completion of 22 years of service, plus an additional 1.5% of average salary for more than 22 years of service but not more than 30 years of service.
- The member's highest three-year average salary.

If a member retires before normal retirement age, the member's monthly retirement benefit will be permanently reduced by an early-retirement reduction. The early-retirement reductions is calculated differently for service earned before and after July 1, 2012. For service earned before July 1, 2012, the reduction is 0.25% for each month that the member receives benefits before the member's earliest normal retirement age. For service earned on or after July 1, 2012, the reduction is 0.50% for each month that the member receives benefits before age 65.

Generally, once a member selects a benefit option, a monthly benefit is calculated and remains the same for the rest of the member's lifetime. However, to combat the effects of inflation, retirees who began receiving benefits prior to July 1990 receive a guaranteed dividend with their regular November benefit payments.

Disability and Death Benefits - A vested member who is awarded federal Social Security disability or Railroad Retirement disability benefits is eligible to claim IPERS benefits regardless of age. Disability benefits are not reduced for early retirement. If a member dies before retirement, the member's beneficiary will receive a lifetime annuity or a lump-sum payment equal to the present actuarial value of the member's accrued benefit or calculated with a set formula, whichever is greater. When a member dies after retirement, death benefits depend on the benefit option the member selected at retirement.

CITY OF POLK CITY

Notes to Financial Statements - Continued

June 30, 2020

(8) Pension Plan - Continued

Contributions - Contribution rates are established by IPERS following the annual actuarial valuation, which applies IPERS' Contribution Rate Funding Policy and Actuarial Amortization Method. State statute limits the amount rates can increase or decrease each year to 1 percentage point. IPERS Contribution Rate Funding Policy requires the actuarial contribution rate be determined using the "entry age normal" actuarial cost method and the actuarial assumptions and methods approved by the IPERS Investment Board. The actuarial contribution rate covers normal cost plus the unfunded actuarial liability payment based on a 30-year amortization period. The payment to amortize the unfunded actuarial liability is determined as a level percentage of payroll, based on the Actuarial Amortization Method adopted by the Investment Board.

In fiscal year 2020, pursuant to the required rate, Regular members contributed 6.29% of covered payroll and the City of Polk City contributed 9.44% of covered payroll, for a total rate of 15.73%. Protection occupation members contributed 6.61% of covered payroll and the City contributed 9.91% of covered payroll, for a total rate of 16.52%.

The City's contributions to IPERS for the year ended June 30, 2020 totaled \$160,048.

Net Pension Liabilities, Pension Expense, Deferred Outflows of Resources and Deferred Inflows of Resources Related to Pensions - At June 30, 2020, the City of Polk City reported a liability of \$646,831 for its proportionate share of the net pension liability. The net pension liability was measured as of June 30, 2019, and the total pension liability used to calculate the net pension liability was determined by an actuarial valuation as of that date. The City's proportion of the net pension liability was based on the City's share of contributions to IPERS relative to the contributions of all IPERS participating employers. At June 30, 2019, the City's proportion was 0.0111703%, which was a decrease of 0.000665% from its proportion measured as of June 30, 2018.

For the year ended June 30, 2020 the City of Polk City pension expense, deferred outflows of resources and deferred inflows of resources totaled \$208,050, \$188,874 and \$236,894, respectively.

There were no non-employer contributing entities to IPERS.

Actuarial Assumptions - The total pension liability in the June 30, 2019 actuarial valuation was determined using the following actuarial assumptions, applied to all periods included in the measurement:

Rate of Inflation (effective June 30, 2017)	2.60% per annum
Rates of salary increase (effective June 30, 2017)	3.25 to 16.25%, average, including inflation. Rates vary by membership group
Long-term investment rate of return (effective June 30, 2017)	7.00% compounded annually, net of investment expense, including inflation
Wage growth (effective June 30, 2017)	3.25% per annum, based on 2.60% inflation and 0.65% real wage inflation

The actuarial assumptions used in the June 30, 2019 valuation were based on the results of an economic assumption study dated March 24, 2017 and a demographic assumption study dated June 28, 2018.

Mortality rates used in the 2019 valuation were based on the RP-2014 Employee and Health annuitant tables with MP-2017 generational adjustments.

CITY OF POLK CITY

Notes to Financial Statements - Continued

June 30, 2020

(8) Pension Plan - Continued

The long-term expected rate of return on IPERS' investments was determined using a building-block method in which best-estimate ranges of expected future real rates (expected returns, net of investment expense and inflation) are developed for each major asset class. These ranges are combined to produce the long-term expected rate of return by weighting the expected future real rates of return by the target asset allocation percentage and by adding expected inflation. The target allocation and best estimates of arithmetic real rates of return for each major asset class are summarized in the following table:

Asset Class	Asset Allocation	Long-Term Expected Real Rate of Return
Domestic equity	22.0%	5.60%
International equity	15.0	6.08
Global smart beta equity	3.0	5.82
Core plus fixed income	27.0	1.71
Public credit	3.5	3.32
Public real assets	7.0	2.81
Cash	1.0	(0.21)
Private equity	11.0	10.13
Private real assets	7.5	4.76
Private credit	3.0	3.01
Total	<u>100%</u>	

Discount Rate - The discount rate used to measure the total pension liability was 7.0%. The projection of cash flows used to determine the discount rate assumed employee contributions will be made at the contractually required rate and contributions from the City will be made at contractually required rates, actuarially determined. Based on those assumptions, IPERS' fiduciary net position was projected to be available to make all projected future benefit payments of current active and inactive employees. Therefore, the long-term expected rate of return on IPERS' investments was applied to all periods of projected benefit payments to determine the total pension liability.

Sensitivity of the City of Polk City's Proportionate Share of the Net Pension Liability to Changes in the Discount Rate - The following presents the City's proportionate share of the net pension liability calculated using the discount rate of 7.0%, as well as what the City's proportionate share of the net pension liability would be if it were calculated using a discount rate that is 1% lower (6.0%) or 1% higher (8.0%) than the current rate.

	1% Decrease (6.0%)	Discount Rate (7.0%)	1% Increase (8.0%)
City of Polk City's proportionate share of the net pension liability	\$1,612,649	\$646,831	\$(162,708)

IPERS' Fiduciary Net Position - Detailed information about the IPERS' fiduciary net position is available in the separately issued IPERS financial report which is available on IPERS' website at www.ipers.org.

CITY OF POLK CITY

Notes to Financial Statements - Continued

June 30, 2020

(9) Operating Lease Agreements

The City entered into various operating leases to lease police department equipment. These leases have been classified as operating leases and, accordingly, all rents are charged to expense as incurred.

The following is a schedule of future payments required under the operating leases which have an initial or remaining non-cancelable lease term in excess of one year as of June 30, 2020:

Year ending <u>June 30,</u>	
2021	\$ 36,420
2022	36,420
2023	38,420
2024	<u>2,000</u>
	<u>\$113,260</u>

During the fiscal year, total disbursements incurred in relation to this agreement were \$36,420.

(10) Other Post-Employment Benefits (OPEB)

Plan Description - The City operates a single-employer health benefit plan which provides medical/prescription drug and dental benefits for employees, retirees and their spouses. Group insurance benefits are established under Iowa Chapter 509A.13. The City currently finances the benefit plan on a pay-as-you-go basis. For the year ended June 30, 2020, the City contributed \$275,549 and plan members eligible for benefits contributed \$24,088 to the plan. At June 30, 2020, no assets have been accumulated in a trust that meets the criteria in paragraph 4 of GASB Statement No. 75.

OPEB Benefits - Individuals who are employed by the City are eligible to participate in the group health plan are eligible to continue healthcare benefits upon retirement. Retirees under age 65 pay the same premium for the medical/prescription drug benefits as active employees, which results in an implicit rate subsidy.

Retired participant must be age 55 or older at retirement, with the exception of special service participants who must be age 50 with 22 years of service. At June 30, 2020, the following employees were covered by the benefit terms:

Inactive employees or beneficiaries currently receiving benefit payments	2
Active employees	<u>19</u>
Total	<u>21</u>

(11) Termination Benefits

The City has entered into an agreement with the City Manager which formally identifies the financial obligations of the City to her in the event of an involuntarily employment termination without just cause. The severance agreement provides for a termination payment equal to six months of wages plus six months of medical insurance benefits. The compensation rate is based upon the compensation paid to the applicable employee at the time of termination.

CITY OF POLK CITY

Notes to Financial Statements - Continued

June 30, 2020

(12) Compensated Absences

City employees accumulate a limited amount of earned but unused paid time off hours for subsequent use or for payment upon termination, retirement or death. These accumulations are not recognized as disbursements by the City until used or paid. The City’s approximate liability for earned termination payments payable to employees at June 30, 2020 is \$130,182. This liability has been computed based on rates of pay in effect at June 30, 2020.

The City’s policy allows employees who had previously accrued unused sick leave, up to a maximum of 160 hours. To use the hourly rate of pay used for the payment of unused sick leave would be the hourly pay in effect at the date of retirement. Employees eligible are employees, who had accrued this benefit before the revision of the plan, retire from the City, and have unused sick leave hours on the date of retirement. Based on the rates of pay in effect at June 30, 2020, the unused sick leave maximum liability to the City is \$14,334 at June 30, 2020.

(13) Lease Income

The City is leasing antenna space on the water tower and City buildings to communication providers and to Polk County. The length of the lease terms vary from year to year to terms of five years with options to extend for additional years at the option of the tenants. The lease terms contain provisions of monthly or yearly rent amounts and increase in rents. The City received \$88,988 from tenants in fiscal year 2020 from the leases.

(14) Related Party Transactions

The City had business transactions between the City and City officials totaling \$324,567 during the year ended June 30, 2020.

(15) Interfund Transfers

The detail of interfund transfers for the year ended June 30, 2020 is as follows:

Transfer to	Transfer from	Amount
Special Revenue:	Special Revenue:	
Low-Moderate Income	Tax Increment Financing	\$ <u>37,929</u>
Capital Projects	General	440,093
	Enterprise:	
	Sewer	<u>559,793</u>
		<u>999,886</u>
Total		<u>\$ 1,037,815</u>

Transfers generally move resources from the fund statutorily required to collect the resources to the fund statutorily required to disburse the resources.

CITY OF POLK CITY

Notes to Financial Statements - Continued

June 30, 2020

(16) Risk Management

The City is a member in the Iowa Communities Assurance Pool, as allowed by Chapter 670.7 of the Code of Iowa. The Iowa Communities Assurance Pool (Pool) is a local government risk-sharing pool whose 779 members include various governmental entities throughout the State of Iowa. The Pool was formed in August 1986 for the purpose of managing and funding third-party liability claims against its members. The Pool provides coverage and protection in the following categories: general liability, automobile liability, automobile physical damage, public officials liability, police professional liability, property, inland marine and boiler/machinery. There have been no reductions in insurance coverage from prior years.

Each member's annual casualty contributions to the Pool fund current operations and provide capital. Annual casual operating contributions are those amounts necessary to fund, on a cash basis, the Pool's general and administrative expenses, claims, claims expenses and reinsurance expenses estimated for the fiscal year, plus all or any portion of any deficiency in capital. Capital contributions are made during the first six years of membership and are maintained at a level determined by the Board not to exceed 300% of basis rate.

The Pool also provides property coverage. Members who elect such coverage make annual operating contributions which are necessary to fund, on a cash basis, the Pool's general and administrative expenses, reinsurance premiums, losses and loss expenses for property risks estimated for the fiscal year, plus all or any portion of any deficiency in capital. Any year-end operating surplus is transferred to capital. Deficiencies in operations are offset by transfers from capital and, if insufficient, by the subsequent year's member contributions.

The City's property and casualty contributions to the Pool are recorded as disbursements from its operating funds at the time of payment to the Pool. The City's contributions to the Pool for the year ended June 30, 2020 were \$52,576.

The Pool uses reinsurance and excess risk-sharing agreements to reduce its exposure to large losses. The Pool retains general, automobile, police professional, and public officials' liability risks up to \$500,000 per claim. Claims exceeding \$500,000 are reinsured through reinsurance and excess risk-sharing agreements up to the amount of risk-sharing protection provided by the City's risk-sharing certificate. Property and automobile physical damage risks are retained by the Pool up to \$250,000 each occurrence, each location. Property risks exceeding \$250,000 are reinsured through reinsurance and excess risk-sharing agreements up to the amount of risk-sharing protection provided by the City's risk-sharing certificate.

The Pool's intergovernmental contract with its members provides that in the event a casualty claim, property loss or series of claims or losses exceeds the amount of risk-sharing protection provided by the City's risk-sharing certificate, or in the event a casualty claim, property loss or series of claims or losses exhausts the Pool's funds and any excess risk-sharing recoveries, then payment of such claims or losses shall be the obligation of the respective individual member against whom the claim was made or the loss was incurred. At June 30, 2020, settled claims have not exceeded the risk pool or reinsurance coverage since the pool's inception.

Members agree to continue membership in the Pool for a period of not less than one full year. After such period, a member who has given 60 days' prior written notice may withdraw from the Pool. Upon withdrawal, payments for all casualty claims and claims expenses become the sole responsibility of the withdrawing

CITY OF POLK CITY

Notes to Financial Statements - Continued

June 30, 2020

(16) Risk Management - Continued

member, regardless of whether a claim was incurred or reported prior to the member's withdrawal. Upon withdrawal, a formula set forth in the Pool's intergovernmental contract with its members is applied to determine the amount (if any) to be refunded to the withdrawing member.

The City also carries commercial insurance purchased from other insurers for coverage associated with workers compensation in the amount of \$1,000,000 for each accident, \$1,000,000 memorandum limit, and \$1,000,000 each employee. The City assumes liability for any deductibles, and claims in excess of coverage limitations. Settled claims resulting from these risks have not exceeded commercial insurance coverage in any of the past three fiscal years.

(17) Development Agreements

The City has entered into various development agreements for urban renewal projects. The agreements require the City to rebate portions of the incremental property tax paid by the developer in exchange for the construction or improvement of buildings and infrastructure. Each payment represents the incremental property tax received by the City with respect to the incremental value of the property, reduced by the minimum amount required by Section 403.22 of the Code of Iowa. The low and moderate set aside amount shall be retained by the City for the purpose of providing assistance to low and moderate income families. The remaining total to be paid by the City to the developers under the agreements is approximately \$3,665,000.

The City rebated \$273,974 to the developers during fiscal year 2020. The outstanding balance of the agreements at June 30, 2020 with fixed dollar commitments was \$361,328. The outstanding balance agreements at June 30, 2020 subject to annual appropriation was approximately \$3,304,000.

(18) Tax Abatements

Governmental Accounting Standards Board Statement No. 77 defines tax abatements as a reduction in tax revenues that results from an agreement between one or more governments and an individual or entity in which (a) one or more governments promise to forgo tax revenues to which they are otherwise entitled and (b) the individual or entity promises to take a specific action after the agreement has been entered into that contributes to economic development or otherwise benefits the governments or the citizens of those governments.

City Tax Abatements

The City provides tax abatements for urban renewal and economic development projects with tax increment financing as provided for in Chapters 15A and 403 of the Code of Iowa. For these types of projects, the City enters into agreements with developers which require the City, after developers meet the terms of the agreements, to rebate a portion of the property tax paid by the developers, to pay the developers an economic development grant or to pay the developers a predetermined dollar amount. No other commitments were made by the City as part of these agreements.

For the year ended June 30, 2020, the City abated \$81,919 property tax under the urban renewal and economic development agreements.

CITY OF POLK CITY

Notes to Financial Statements - Continued

June 30, 2020

(19) Commitments

The City has entered into contracts for various construction projects. These projects primarily consist of street repair, street construction, and park improvements. The projects were all ongoing at June 30, 2020. Total amount remaining to be paid on these contracts were approximately \$245,000 as of June 30, 2020. These construction costs were paid in fiscal year 2020 and will be paid by the City as work on the projects progressed. These projects were paid for from existing cash reserves.

In March 2018, the City and the Des Moines Waterworks (DMWW) entered into a 28-E agreement. This 28-agreement is for water system improvements due to the increased demand for water by the City from DMWW. The City and DMWW will share these costs, with the total project cost of approximately \$3,833,000. The City's share is approximately \$2,419,000, with the balance of the costs paid for by the DMWW. The City's portion of this cost will be paid for from proceeds received from the issuance of general obligation capital loan notes. As of June 30, 2020, the City of Polk City share of approximately \$2,170,000 remains to be paid on this project. This amount will be paid by the City as work on the project progresses. It is anticipated the costs for this project will be paid for from existing cash reserves.

The Waterworks agreed to a forty year purchase agreement with Des Moines Waterworks in 2005. As part of this forty year agreement, the Waterworks agreed to purchase no more than the purchase capacity as noted in the agreement.

(20) Contingencies

The City's local option sales tax referendum was effective January 1, 1986. City personnel were unable to locate ballot documentation as to how these funds were to be spent. As a result, the City was unable to determine whether the City has used the local option sales tax receipts for the purposes specified in the local option sales tax referendum. In the event that it is determined that the City was not spending the local option sales tax receipts for the purposes specified in the local option sales tax ballot referendum, there could be potential liability to the City. However, the amount of potential liability, if any, is unknown.

The COVID-19 outbreak is disrupting business across a range of industries in the United States. As a result, local, regional and national economies, including that of the City, may be adversely impacted. The extent of the financial impact of COVID-19 will depend on future development, including the duration and spread, which are uncertain and cannot be predicted. Due to the uncertainties surrounding the outbreak, management cannot presently estimate the potential impact to the City operations and finances.

(21) Subsequent Events

The City has evaluated all subsequent events through November 19, 2020, the date the financial statements were available to be issued.

In July 2020, the City issued \$1,750,000 of General Obligation Bonds.

CITY OF POLK CITY

Notes to Financial Statements - Continued

June 30, 2020

(22) Prospective accounting change

Governmental Accounting Standards Board has issued Statement No. 84, Fiduciary Activities. This statement was implemented for the fiscal year ending June 30, 2021. The revised requirements of this statement will enhance the consistency and comparability of fiduciary activity reporting by state and local governments by establishing specific criteria for identifying fiduciary activities and clarifying whether and how business-type activities should report their fiduciary activities.

Other Information

CITY OF POLK CITY

Budgetary Comparison Schedule
of Receipts, Disbursements, and Changes in Balances -
Budget and Actual - All Governmental Funds and Proprietary Funds
Other Information
Year ended June 30, 2020

	Governmental Funds Actual	Proprietary Funds Actual	Total
Receipts:			
Property tax	\$2,450,439	\$ -	\$ 2,450,439
Tax increment financing	448,090	-	448,090
Other City tax	899,995	-	899,995
Licenses and permits	196,088	-	196,088
Uses of money and property	222,178	-	222,178
Intergovernmental	538,213	-	538,213
Charges for service	354,808	2,425,425	2,780,233
Special assessments	-	-	-
Miscellaneous	131,868	63,838	195,706
Total receipts	5,241,679	2,489,263	7,730,942
Disbursements:			
Public safety	1,961,617	-	1,961,617
Public works	580,809	-	580,809
Health and social services	-	-	-
Culture and recreation	621,853	-	621,853
Community and economic development	282,348	-	282,348
General government	658,273	-	658,273
Debt service	340,880	-	340,880
Capital projects	1,050,297	-	1,050,297
Business type activities	-	1,695,247	1,695,247
Total disbursements	5,496,077	1,695,247	7,191,324
Excess (deficiency) of receipts over (under) disbursements	(254,398)	794,016	539,618
Other financing sources (uses), net	577,293	(559,793)	17,500
Excess (deficiency) of receipts over (under) disbursements and other financing uses	322,895	234,223	557,118
Balances beginning of year	8,378,851	1,477,460	9,856,311
Balances end of year	<u>\$8,701,746</u>	<u>\$1,711,683</u>	<u>\$10,413,429</u>

See accompanying independent auditor's report.

<u>Budgeted Amounts</u>		Final to Actual Variance Positive (Negative)
Original	Final	
\$ 2,449,260	\$ 2,449,260	\$ 1,179
336,600	336,600	111,490
705,110	705,110	194,885
207,125	207,125	(11,037)
253,000	253,000	(30,822)
498,380	498,380	39,833
2,592,350	2,592,350	187,883
200	200	(200)
31,500	106,500	89,206
<u>7,073,525</u>	<u>7,148,525</u>	<u>582,417</u>
1,964,409	2,098,594	136,977
706,177	742,377	161,568
15,000	15,000	15,000
598,018	672,018	50,165
292,949	292,949	10,601
670,748	726,948	68,675
341,080	341,080	200
1,259,793	1,587,515	537,218
1,991,311	2,011,811	316,564
<u>7,839,485</u>	<u>8,488,292</u>	<u>1,296,968</u>
(765,960)	(1,339,767)	1,879,385
-	-	<u>17,500</u>
(765,960)	(1,339,767)	1,896,885
8,552,144	9,855,857	454
<u>\$ 7,786,184</u>	<u>\$ 8,516,090</u>	<u>\$ 1,897,339</u>

CITY OF POLK CITY

Notes To Other Information - Budgetary Reporting

June 30, 2020

The budgetary comparison is presented in accordance with Governmental Accounting Standards Board Statement No. 41 for governments with significant budgetary perspective differences resulting from not being able to present budgetary comparisons for the General Fund and each major Special Revenue Fund.

In accordance with the Code of Iowa, the City Council annually adopts a budget on the cash basis following required public notice and hearing for all funds. The annual budget may be amended during the year utilizing similar statutorily prescribed procedures.

Formal and legal budgetary control is based upon nine major classes of disbursements known as functions, not by fund. These nine functions are: public safety, public works, health and social services, culture and recreation, community and economic development, general government, debt service, capital projects and business type activities. Function disbursements required to be budgeted include disbursements for the General Fund, Special Revenue Funds, Debt Service Fund, Capital Projects Fund, Permanent Fund and Enterprise Funds. Although the budget document presents function disbursements by fund, the legal level of control is at the aggregated function level, not by fund. During the year, one budget amendment increased budgeted disbursements by \$648,807. The budget amendment is reflected in the final budgeted amounts.

CITY OF POLK CITY

Schedule of the City's Proportionate Share of the Net Pension Liability

Iowa Public Employees' Retirement System
For the Last Six Years*
(In Thousands)

Other Information

	<u>2020</u>	<u>2019</u>	<u>2018</u>	<u>2017</u>	<u>2016</u>	<u>2015</u>
City's proportion of the net pension liability	.0111703%	0.011836%	0.011043%	0.011811%	0.100480%	0.07573%
City's proportionate share of the net pension liability	\$ 647	\$ 749	\$ 736	\$ 743	\$ 518	\$ 300
City's covered payroll	\$ 1,609	\$ 1,450	\$ 1,346	\$ 1,355	\$ 1,349	\$ 1,155
City's proportionate share of the net pension liability as a percentage of its covered payroll	40.21%	51.66%	54.68%	54.83%	38.40%	25.97%
IPERS' net position as a percentage of the total pension liability	85.45%	83.62%	82.21%	81.82%	85.19%	87.61%

* In accordance with GASB No. 68, the amounts presented for each fiscal year were determined as of June 30 of the preceding fiscal year.

See accompanying independent auditor's report.

CITY OF POLK CITY

Schedule of City's Contributions

Iowa Public Employees' Retirement System
For the Last 10 Fiscal Years
(In Thousands)

Other Information

	<u>2020</u>	<u>2019</u>	<u>2018</u>	<u>2017</u>
Statutorily required contribution	\$ 161	\$ 157	\$ 135	\$ 125
Contributions in relation to the statutorily required contribution	<u>(161)</u>	<u>(157)</u>	<u>(135)</u>	<u>(125)</u>
Contribution deficiency (excess)	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>
City of Polk City's covered payroll	\$ 1,661	\$ 1,609	\$ 1,450	\$ 1,346
Contributions as a percentage of covered payroll	9.63%	9.76%	9.31%	9.29%

* - City's covered employee payroll information was not readily available. Therefore, contributions as a percentage of covered employee could not be calculated.

See accompanying independent auditor's report.

<u>2016</u>	<u>2015</u>	<u>2014</u>	<u>2013</u>	<u>2012</u>	<u>2011</u>
\$ 126	\$ 127	\$ 109	\$ 101	\$ 82	\$ 73
<u>(126)</u>	<u>(127)</u>	<u>(109)</u>	<u>(101)</u>	<u>(82)</u>	<u>(73)</u>
<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>
\$ 1,355	\$ 1,349	\$ 1,155	\$ 1,083	*	*
9.30%	9.41%	9.44%	9.33%	*	*

CITY OF POLK CITY

Notes to Other Information - Pension Liability

Year ended June 30, 2020

Changes of benefit terms:

There are significant changes in benefit terms.

Changes of assumptions:

The 2018 valuation implemented the following refinements as a result of demographic assumption study dated June 28, 2018.

- Changed mortality assumptions to the RP-2014 mortality tables with mortality improvements modeled using Scale MP-2017.
- Adjusted retirement rates.
- Lowered disability rates.
- Adjusted the probability of a vested Regular member electing to receive a deferred benefit.
- Adjusted the merit component of the salary increase assumption.

The 2017 valuation implemented the following refinements as a result of an experience study dated March 24, 2017:

- Decreased the inflation assumption from 3.00% to 2.60%.
- Decreased the assumed rate of interest on member accounts from 3.75% to 3.50% per year.
- Decreased the discount rate from 7.50% to 7.00%.
- Decreased the wage growth assumption from 4.00% to 3.25%.
- Decreased the payroll growth assumption from 4.00% to 3.25%.

The 2014 valuation implemented the following refinements as a result of a quadrennial experience study:

- Decreased the inflation assumption from 3.25% to 3.00%.
- Decreased the assumed rate of interest on member accounts from 4.00% to 3.75% per year.
- Adjusted male mortality rates for retirees in the Regular membership group.
- Moved from an open 30 year amortization period to a closed 30 year amortization period for the UAL (Unfunded Actuarial Liability) beginning June 30, 2016. Each year thereafter, changes in the UAL from plan experience will be amortized on a separate closed 20 year period.

Supplementary Information

CITY OF POLK CITY

Schedule of Cash Receipts, Disbursements
and Changes in Cash Balances
Nonmajor Governmental Funds

As of and for the year ended June 30, 2020

	Special Revue			
	Road Use Tax	Polk City Library	Tax Increment Financing	Asset Forfeiture
Receipts:				
Property tax	\$ -	\$ -	\$ -	\$ -
Tax increment financing	-	-	427,583	-
Intergovernmental	439,344	-	-	-
Miscellaneous	50	-	-	699
Total receipts	439,394	-	427,583	699
Disbursements:				
Operating:				
Public safety	-	-	-	1,356
Public works	430,600	-	-	-
Culture and recreation	-	1,974	-	-
Community and economic development	-	-	273,974	-
Debt service	-	-	-	-
Total disbursements	430,600	1,974	273,974	1,356
Excess (deficiency) of receipts over (under) disbursements	8,794	(1,974)	153,609	(657)
Other financing sources (uses):				
Transfers out	-	-	(37,929)	-
Total other financing sources (uses)	-	-	(37,929)	-
Change in cash balances	8,794	(1,974)	115,680	(657)
Cash balances beginning of year	123,141	15,848	117,388	4,983
Cash balances end of year	<u>\$131,935</u>	<u>\$ 13,874</u>	<u>\$233,068</u>	<u>\$ 4,326</u>
Cash Basis Fund Balances				
Restricted for				
Streets	\$131,935	\$ -	\$ -	\$ -
Urban renewal purposes	-	-	233,068	-
Debt service	-	-	-	-
Other purpose	-	13,874	-	4,326
Total cash basis fund balances	\$131,935	\$ 13,874	\$233,068	\$ 4,326

See accompanying independent auditor's reports.

<u>Special Revenue</u>	
<u>Debt Service</u>	<u>Total</u>
\$ 354,863	\$ 354,863
-	427,583
-	439,344
-	749
<u>354,863</u>	<u>1,222,539</u>
-	1,356
-	430,600
-	1,974
-	273,974
<u>340,880</u>	<u>340,800</u>
<u>340,880</u>	<u>1,048,784</u>
13,983	173,755
-	(37,929)
<u>-</u>	<u>(37,929)</u>
13,983	135,826
<u>16,331</u>	<u>277,691</u>
<u>\$ 30,314</u>	<u>\$ 413,517</u>
\$ -	\$ 131,935
-	233,068
30,314	30,314
-	18,200
<u>\$ 30,314</u>	<u>\$ 413,517</u>

CITY OF POLK CITY

Schedule of Indebtedness

Year ended June 30, 2020

<u>Obligation</u>	<u>Date of Issue</u>	<u>Interest Rates</u>	<u>Amount Originally Issued</u>
General obligation notes:			
Capital loan notes - Series 2014 - sewer	September 9, 2014	1.80-2.90%	\$1,720,000
Capital loan notes - Series 2018 - water	July 24, 2018	3.00-3.35%	3,000,000
Good faith deposit on 2020 street improvements bonds, series 2020	July 13,2020	2.00%	1,750,000
Total			
Capital lease - police vehicle	June 30, 2020	9.90%	62,415

See accompanying independent auditor's report.

Balance Beginning of Year	Issued During Year	Redeemed During Year	Balance End of Year	Interest Paid
\$1,190,000	\$ -	\$ 110,000	\$1,080,000	\$ 27,985
2,910,000	-	110,000	2,800,000	92,095
4,100,000	-	220,000	3,880,000	120,080
-	17,500	-	17,500	-
\$4,100,000	\$ 17,500	\$ 220,000	\$3,897,500	\$ 120,080
\$ -	\$ 62,415	\$ -	\$ 62,415	\$ -

CITY OF POLK CITY

Note Maturities

June 30, 2020

Year Ending June 30,	General Obligation Notes					
	Capital Loan Notes			Capital Loan Notes		
	Issued September 9, 2014			Series 2018 Issued July 24, 2018		
	Interest		Interest			
	Rates	Amount	Rates	Amount	Total	
2021	1.80%	\$ 110,000	3.00%	\$ 115,000	\$ 225,000	
2022	2.00	110,000	3.00	120,000	230,000	
2023	2.20	115,000	3.00	120,000	235,000	
2024	2.30	115,000	3.00	125,000	240,000	
2025	2.40	120,000	3.00	130,000	250,000	
2026	2.55	120,000	3.25	130,000	250,000	
2027	2.70	125,000	3.25	135,000	260,000	
2028	2.80	130,000	3.25	140,000	270,000	
2029	2.90	135,000	3.25	145,000	280,000	
2030	-	-	3.00	150,000	150,000	
2031	-	-	3.00	160,000	160,000	
2032	-	-	3.25	170,000	170,000	
2033	-	-	3.25	175,000	175,000	
2034	-	-	3.25	180,000	180,000	
2035	-	-	3.25	190,000	190,000	
2036	-	-	3.25	195,000	195,000	
2037	-	-	3.35	205,000	205,000	
2038	-	-	3.35	215,000	215,000	
Total		<u>\$ 1,080,000</u>		<u>\$ 2,800,000</u>	<u>\$3,880,000</u>	

See accompanying independent auditor's report.

City of Polk City

CITY OF Polk City

Schedule of Receipts by Source and Disbursements by Function -
All Governmental Funds

For the Last Ten Years

	Years ended June 30,				
	2020	2019	2018	2017	2016
Receipts:					
Property tax	\$2,450,439	\$2,238,899	\$1,556,028	\$1,477,784	\$1,287,288
Tax increment financing	448,090	342,325	303,269	205,236	366,633
Other city tax	899,995	1,799,474	2,272,506	3,071,048	3,659,183
Licenses and permits	196,088	249,119	175,342	271,845	175,502
Use of money and property	222,178	225,876	146,243	139,939	115,731
Intergovernmental	538,213	512,753	476,657	471,738	460,675
Charges for service	354,808	282,075	338,127	287,139	320,755
Miscellaneous	131,868	41,371	134,335	62,259	51,771
Total	\$5,241,679	\$5,691,892	\$5,402,507	\$5,986,988	\$6,437,538
Disbursements:					
Operating:					
Public safety	\$1,961,617	\$1,943,932	\$1,660,443	\$1,653,802	\$1,443,585
Public works	580,809	633,879	830,278	501,618	622,858
Health and social services	-	4,433	246	3,628	111
Culture and recreation	621,853	802,481	649,961	567,132	501,713
Community and economic development	282,348	233,569	187,103	158,023	487,007
General government	658,273	1,119,597	959,635	930,321	849,250
Debt service	340,880	305,627	136,215	137,160	137,395
Capital projects	1,050,297	1,753,813	1,629,055	945,265	1,450,384
Total	\$5,496,077	\$6,797,331	\$6,052,936	\$4,896,949	\$5,492,303

See accompanying independent auditor's report.

2015	2014	2013	2012	2011
\$ 975,259	\$ 956,228	\$ 900,682	\$ 865,408	\$ 815,217
601,154	363,211	351,706	211,612	201,167
2,555,860	2,562,061	2,688,640	2,496,426	1,852,242
155,958	139,514	6,751	4,212	71,554
72,102	111,349	123,139	115,074	126,698
426,405	395,682	369,847	375,210	347,900
375,777	492,289	522,178	373,447	195,459
94,838	35,193	9,835	80,546	46,040
<u>\$5,257,353</u>	<u>\$5,055,527</u>	<u>\$4,972,778</u>	<u>\$4,521,935</u>	<u>\$3,656,277</u>
\$1,400,298	\$1,419,542	\$1,381,726	\$ 1,209,217	\$ 831,653
539,384	436,576	465,306	388,778	486,582
2,719	2,692	-	2,569	-
487,125	400,294	362,769	363,820	423,770
393,685	84,548	85,706	329,877	146,792
826,949	600,573	690,176	553,114	621,780
150,042	-	-	-	-
951,724	1,644,495	943,558	1,863,968	1,758,427
<u>\$4,752,126</u>	<u>\$4,588,720</u>	<u>\$3,929,241</u>	<u>\$4,711,343</u>	<u>\$4,269,004</u>

City of Polk City



MARTENS & COMPANY, CPA, LLP

CERTIFIED PUBLIC ACCOUNTANTS
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Independent Auditor's Report on Internal Control
over Financial Reporting and on Compliance and Other Matters
Based on an Audit of Financial Statements Performed in Accordance with
Government Auditing Standards

To the Honorable Mayor and
Members of the City Council:

We have audited in accordance with U.S. generally accepted auditing standards and the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States, the financial statements of the governmental activities, the business type activities, each major fund and the aggregate remaining fund information of the City of Polk City, Iowa (City), as of and for the year ended June 30, 2020, and the related Notes to Financial Statements, which collectively comprise the City's basic financial statements, and have issued our report thereon dated November 19, 2020. Our report expressed unmodified opinions on the financial statements of the governmental activities, the business-type activities, each major fund and the aggregate remaining fund information, which were prepared on the basis of cash receipts and disbursements, a basis of accounting other than U.S. generally accepted accounting principles. Our report expressed an adverse opinion of the aggregate discretely presented component units due to the omission of the Polk City Firefighters Association, the Friends of the Polk City Public Library and the Polk City Police Officers Association.

Internal Control Over Financial Reporting

In planning and performing our audit of the financial statements, we considered City's internal control over financial reporting to determine the audit procedures appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of City of Polk City's internal control. Accordingly, we do not express an opinion on the effectiveness of City's internal control.

Our consideration of internal control was for the limited purpose described in the preceding paragraph and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies and, therefore, material weaknesses or significant deficiencies may exist that were not identified. However, as described in the accompanying Schedule of Findings, we identified a deficiencies in internal control we consider to be material weaknesses.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect and correct misstatements on a timely basis. A material weakness is a deficiency, or a combination of deficiencies, in internal control such that there is a reasonable possibility a material misstatement of the City's financial statements will not be prevented or detected and corrected on a timely basis. We consider the deficiency in internal control described in the accompanying Schedule of Findings as items I-A-20 to be a material weakness.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the City's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements, non-compliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed no instances of non-

compliance or other matters that are required to be reported under Government Auditing Standards. However, we noted certain immaterial instances or non-compliance or other matters which are described in the accompanying Schedule of Findings.

Comments involving statutory and other legal matters about the City's operations for the year ended June 30, 2020 are based exclusively on knowledge obtained from procedures performed during our audit of the financial statements of the City. Since our audit was based on tests and samples, not all transactions that might have had an impact on the comments were necessarily audited. The comments involving statutory and other legal matters are not intended to constitute legal interpretations of those statutes.

City of Polk City's Responses to the Findings

The City's responses to findings identified in our audit are described in the accompanying Schedule of Findings. The City's responses were not subjected to the auditing procedures applied in the audit of the financial statements and, accordingly, we express no opinion on them.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing and not to provide an opinion on the effectiveness of the City's internal control or on compliance. This report is an integral part of an audit performed in accordance with Government Auditing Standards in considering the City's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

We would like to acknowledge the many courtesies and assistance extended to us by personnel of the City during the course of our audit. Should you have any questions concerning any of the above matters, we shall be pleased to discuss them with you at your convenience.

Martens + Company, CPA, LLP

West Des Moines, Iowa
November 19, 2020

CITY OF POLK CITY

Schedule of Findings

Year ended June 30, 2020

Part I: Findings Related to the Financial Statements:

INTERNAL CONTROL DEFICIENCIES:

I-A-20 Segregation of Duties

Criteria - Management is responsible for establishing and maintaining internal control. A good system of internal control provides for adequate segregation of duties so no one individual handles a transaction from its inception to completion. In order to maintain proper internal control, duties should be segregated so the authorization, custody and recording of transactions are not under the control of the same employee. This segregation of duties helps prevent losses from employee error or dishonesty and maximizes the accuracy of the City's financial statements.

Condition - Generally, one or two individuals have control over each of the following areas for the City:

- (1) Cash - preparing bank account reconciliations, cash receipt and disbursement functions and handling and recording cash. There is not independent review of the bank reconciliations.
- (2) Receipts - collecting, depositing, recording and posting. The initial listing is not reviewed by an independent person.
- (3) Disbursements - purchasing, check preparation, signing, recording and posting.
- (4) Payroll - recordkeeping, preparation and distribution.

Cause - The City has a limited number of employees and procedures have not been designed to adequately segregate duties or provide compensating controls through additional oversight of transactions and processes.

Effect - Inadequate segregation of duties could adversely affect the City's ability to prevent or detect and correct misstatements, errors or misappropriation on a timely basis by employees in the normal course of performing their assigned functions.

Recommendation - The City should review its control activities to obtain the maximum internal control possible under the circumstances utilizing currently available staff.

Response - The City continuously looking at ways to improve their processes. We have made many changes on segregation of duties and believe we may have a system that would detect errors or misappropriations.

Conclusion - Response accepted.

CITY OF POLK CITY

Schedule of Findings - Continued

Year ended June 30, 2020

Part I: Findings Related to the Financial Statements - Continued:

INSTANCES OF NON-COMPLIANCE:

No matters were noted.

Part II: Other Findings Related to Required Statutory Reporting:

II-A-20 Certified Budget - Disbursements during the year ended June 30, 2020 did not exceed amounts budgeted.

II-B-20 Questionable Disbursements - No disbursements we believe may not meet the requirements of public purpose as defined in an Attorney General's opinion dated April 25, 1979 were noted.

II-C-20 Travel Expense - No disbursements of City money for travel expenses of spouses of City officials or employees were noted.

II-D-20 Business Transactions - Business transaction between the City and City officials or employees are detailed as follows:

<u>Name, Title and Business Connection</u>	<u>Transaction/ Description</u>	<u>Amount</u>
Jeff Walters, Council Member Employee of Snyder & Associates	Engineering related services	\$324,567

In accordance with Chapter 362.5(3)(i) of the Code of Iowa, the transactions with Snyder & Associates do not appear to represent a conflict of interest since the Council Member does not own stock in Snyder & Associates.

II-E-20 Bond Coverage - Surety bond coverage of City officials and employees is in accordance with statutory provisions. The amount of coverage should be reviewed annually to ensure the coverage is adequate for current operations.

II-F-20 Council Minutes - No transactions were found that we believe should have been approved in the Council minutes but were not.

II-G-20 Deposit and Investments - No instances of non-compliance with the deposit and investment provision of Chapter 12B and 12C of the Code of Iowa and the City's investment policy were noted.

CITY OF POLK CITY

Schedule of Findings - Continued

Year ended June 30, 2020

Part II: Other Findings Related to Required Statutory Reporting - Continued:

II-H-20 Financial Condition - The Special Revenue, Low-Moderate Income (LMI) Fund had a fund balance of \$1,630,616 at June 30, 2020. Total expenditures from this fund in fiscal year were \$8,374.

Recommendation - The City should ensure the balance in the Special Revenue, Low-Moderate Income Fund is reasonable and reflects funds as proscribed by agreements.

Response - We will review the Special Revenue, Low Moderate Income Fund for reasonableness. We are exploring our options to spend these Special Revenue funds.

Conclusion - Response acknowledged.

II-I-20 Tax Increment Financing - Chapter 403.19 of the Code of Iowa provides municipality shall certify indebtedness to the County Auditor. Such certifications make it a duty of the County Auditor to provide for the division of property tax to repay the certified indebtedness. Chapter 403.19 of the Code of Iowa does not allow a municipality to set aside property tax divided for tax increment purposes for current or future urban renewal projects. Indebtedness incurred is to be certified to the County Auditor and then divided property tax is to be used to pay the principal of and interest on the certified indebtedness. In addition, Chapter 403.19(6)(b) of the Code of Iowa required the City to certify the amount of reductions resulting from the reduction of debt or any other reason to the County Auditor.

In relation of the City's TIF certifications we noted that for five of the economic development agreements, the City certified the total rebate amount. These five economic development agreements state that the rebate amount shall be subject to annual appropriations. Until appropriated, the payments do not represent debt and, accordingly, should not have been certified as debt.

It appears the City has overpaid in tax increment property tax collections to the developers and to the Special Revenue, Low-Moderate Income Fund. It appears City personnel used an incorrect tax levy rate to determine the amounts paid to the developers and to the Special Revenue, Low-Moderate Income Fund.

Recommendation - The City should consult with TIF legal counsel to determine the disposition of these matters.

Response - This has been implemented on future TIF filings.

Conclusion - Response acknowledged.

II-J-20 Annual Urban Renewal Report - The Annual Urban Renewal Report was approved and was initially certified to the Iowa Department of Management on or before December 1. However, we noted that the year-end cash balance outstanding TIF obligations as reported on the Levy Authority Summary page do not agree to the City's records.

CITY OF POLK CITY

Schedule of Findings - Continued

Year ended June 30, 2020

Part II: Other Findings Related to Required Statutory Reporting - Continued:

Recommendation - The City should ensure the year-end cash balance outstanding TIF obligations reported on the Annual Urban Renewal Report agree to the City's records.

Response - We have made this correction to the reporting of the Annual Urban Renewal Report.

Conclusion - Response acknowledged.



City of Polk City, Iowa City Council Agenda Communication

Date: December 14, 2020 City Council Meeting
To: Mayor Jason Morse & City Council
From: Jason Thraen, Parks & Recreation Director

Subject: **Resolution to Approve Rental Facility and Program Refund Policy**

BACKGROUND: An in-depth review of current Polk City rental facility and program refund policies showed a lack of consistency and opportunity for updates. IPRA and NRPA comparisons also showed an opportunity to adopt industry recognized best practices. Proposed changes were presented and discussed at the December 7, 2020 Parks Commission meeting. The commission has recommended City Council approval on this subject.

ALTERNATIVES: Do not approve the proposed rental facility and program refund policy updates.

FINANCIAL CONSIDERATIONS: The Parks & Recreation Department would expect to see an increase in revenue per the proposed refund policies.

RECOMMENDATION: It is my recommendation that City Council approve the proposed rental facility and program refund policy. Updates will be effective January 1, 2021.

RESOLUTION NO. 2020-142

**A RESOLUTION ADOPTING POLICY PA-43
REFUND POLICY FOR PROGRAMS AND FACILITY RENTALS**

WHEREAS, the City of Polk City recognizes the need for adopting a policy that establishes how the City will handle refunds for programs and rental facilities; and

WHEREAS, the policy will be a guideline on how city Officials may handle refunds.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Polk City, Iowa to adopt Policy PA-43 effective December 14, 2020.

PASSED AND APPROVED, this the 14th day of December 2020.

Jason Morse, Mayor

ATTEST:

Jenny Gibbons, City Clerk

P&A – 43
CITY OF POLK CITY

REFUND POLICIES

Goals, Policies, Criteria and Procedure Goals: The purpose of this policy is to provide guidance on how City Officials may handle refunds for Programs, Open Air Shelter rentals and Rental Facilities.

Policy:

Program Refund Policy

To be eligible for a refund, you must cancel at least 7 days in advance of the program start date. Refund will be registration fee minus a \$10 admin fee. Refund will be issued as a Parks and Recreation registration credit, or as a check.

Failure to give 7 days' notice of cancelation will result in a non-refund of your registration fee.

*Full refunds will be issued if a program is canceled by Parks & Recreation staff, or if an individual is unable to participate for medical reasons.

Open Air Shelter Refund Policy

To be eligible for a refund, you must cancel at least 14 days in advance of your rental date. Refund will be rental fee minus a \$10 admin fee. Refund will be issued as a Parks and Recreation registration credit, or as a check

Failure to give 14 days' notice of cancelation will result in a non-refund of your rental fee.

Refunds will NOT be issued due to weather (rain, temperature, wind, etc.).

Rental Facility Refund Policy

To be eligible for a refund, you must cancel at least 14 days in advance of your rental date. Refund will be rental fee minus 50%. Damage deposit will be refunded. Refund will be issued as a Parks and Recreation registration credit, or as a check.

Failure to give 14 days' notice of cancelation will result in a non-refund of your rental fee. Damage deposit will be refunded.





City of Polk City, Iowa

City Council Agenda Communication

Date: December 14, 2020 City Council Meeting
To: Mayor Jason Morse & City Council
From: Jason Thraen, Parks & Recreation Director

Subject: **Parks & Recreation Department Updates for November 2020**

1. Regional Park Master Plan interviews were conducted 11-16-2020. 6-person committee interviewed Confluence, Shive-Hattery, & Snyder & Associates. Committee included Council member Dvorak, Council member Sarchet, Parks Commission Chair Bentley, Public Works Director Schulte, City Clerk Gibbons, and Parks and Recreation Director Thraen. Committee recommended Confluence be awarded the Regional Park Master Plan contract.
2. SmartRec, Polk City's program registration and facility reservation software, went live on 11-3-2020. This SaaS program is embedded on the Polk City website on the Parks and Recreation department page.
3. Sports Complex baseball/softball fields had 0 reservations in November. 163 total field reservation in 2020 to date.
4. Identified and contacted potential adult fitness and adult/youth art program instructors.
5. All-weather sealant (Australian Timber Oil) applied to the town square tree carving. Re-application will be needed every 2-3 years.
6. 3 concrete pads installed for benches at town square. These will help prevent areas of dead grass/mud, create simpler mowing/trimming patterns, and allow for future anchoring if desired.
7. New drinking fountain installed at town square. This new fountain includes a dog bowl feature. New concrete work around the drinking fountain also completed.



City of Polk City, Iowa

City Council Agenda Communication

Date: December 14, 2020
To: Mayor & City Council
From: Jim Mitchell – Fire Chief
Subject: Wage Increase

BACKGROUND: Cory Brooks and Nathan Reis have obtained the Paramedic level certification. This advancement warrants a pay increase.

ALTERNATIVES: N/A

FINANCIAL CONSIDERATIONS: The following is the adjustment in hourly pay according to the pay scale approved by Council for the 2020-2021 fiscal year:

Nathan Reis, Part-time rate of \$14.64 per hour to \$18.70 per hour and paid-on-call rate from \$13.73 to \$15.84.

Cory Brooks, Part-time rate of \$14.21 per hour to \$18.13 per hour and paid-on-call rate from \$13.73 to \$15.84.

RECOMMENDATION: Increase their pay based on the wage scale approved by Council for F/Y '20/'21.

RESOLUTION NO. 2020-143

RESOLUTION ORDERING CONSTRUCTION OF CERTAIN PUBLIC IMPROVEMENTS, FIXING DATES FOR PUBLIC HEARING AND TAKING OF BIDS FOR 2021 STREET REPAIR PROJECT

WHEREAS, it is deemed advisable and necessary to construct certain public improvements described in general as the 2021 Street Repairs Project. The Project includes the full depth PCC replacement of public streets, PCC driveway approach replacement, PCC crack sealing, and sidewalk repairs at various locations in Polk City, Iowa. The Project consists of approximately 700 SY of PCC Full Depth Repair, modifications to seven storm sewer structures, 140 SY of sidewalk repairs, and associated work; and

WHEREAS, the City Council has caused to be prepared plans, specifications and form of contract, together with an opinion of probable construction cost, which are now on file in the office of the Clerk for public inspection, for the construction of said public improvements, and said plans, specifications and form of contract are deemed suitable for the making of said public improvements; and

WHEREAS, before said plans, specifications, form of contract and estimate of costs may be adopted, and contract for the construction of the public improvements is entered into, it is necessary to hold a public hearing and to advertise for bids:

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Polk City, Iowa:

Section 1. That it is hereby determined that it is necessary and advisable to construct certain public improvements described in general as the 2021 Street Repairs Project in the manner set forth in the plans and specifications and form of contract, above referred to, the costs thereof to be paid in accordance with the provisions as set forth in the published Notice of Hearing and Letting.

Section 2. That the amount of the bid security to accompany each bid shall be in an amount which shall conform to the provisions of the Notice to Bidders approved as a part of said specifications.

BE IT FURTHER RESOLVED, that the Clerk be and is hereby directed to publish Notice to Bidders once at least four (4) days but no more than twenty (20) days before **January 25, 2021** which is hereby fixed as the date of public hearing, in a legal newspaper, printed wholly in the English language, published at least once weekly and having general circulation in the City. Further, the Notice to Bidders shall be published in the Master Builders of Iowa Construction Update Network and on the City of Polk City website not less than thirteen (13) nor more than forty-five (45) clear days prior to **January 20, 2021**, which is hereby fixed as the date

for receiving bids. Said bids are to be filed prior to 10:00 a.m., on said date. Contractors and the public are asked to call the free conference call number 515-598-4967 and enter the access code 997 329 32# if they would like to hear the live opening of the bids.

BE IT FURTHER RESOLVED, that bids shall be received and opened at a public meeting as provided in the Public Notice and results of said bids shall be considered at the meeting of this Council on **January 25, 2021 at 6:00 o'clock p.m.** Contractors and the public are asked to call in for the hearing **515-329-8019 code 593054**

BE IT FURTHER RESOLVED, that the Clerk be and is hereby directed to publish Notice of Hearing once in said newspaper, said publication being not less than four (4) clear days nor more than twenty (20) days prior to the date hereinafter fixed as the date of the public hearing on the plans, specifications, form of contract and estimate of costs for said project, said hearing being at 6:00 o'clock p.m. on January 25, 2021.

PASSED AND APPROVED this 14th day of December 2020.

Jason Morse, Mayor

ATTEST:

Jenny Gibbons, City Clerk

**NOTICE TO BIDDERS AND
NOTICE OF PUBLIC HEARING**
JURISDICTION OF CITY OF POLK CITY PUBLIC IMPROVEMENT PROJECT

Notice is hereby given that a public hearing will be held by the **CITY OF POLK CITY** on the proposed contract documents (plans, specifications, and form of contract) and estimated cost for the improvement at its meeting at **6:00 P.M. on January 25, 2021**, in said **Polk City City Hall at 112 3rd Street, Polk City, IA** for the **2021 STREET REPAIRS PROJECT**.

Sealed bids for the work comprising each improvement as stated below must be filed before **10:00 A.M.** according to the clock in the Council Chambers on **January 20, 2021**, in the office of the **City Clerk of Polk City, Iowa**. Bids received after the deadline for submission of bids as stated herein shall not be considered and shall be returned to the late bidder unopened. Note that the City Hall facilities are currently closed to the public due to COVID-19. The contractor will be required to call the City at 515-984-6233 upon arrival and bids will be accepted at the door.

Sealed proposals will be opened and bids tabulated at **10:00 A.M. on January 20, 2021**, in the **Polk City Council Chambers** for consideration by the **City of Polk City** at its meeting on **January 25, 2021**. Due to COVID-19, the opening of bids will not be available in-person. Contractors and the public are asked to call the free conference call number 515-598-4967 and enter the access code 997 329 32# if they would like to hear the live opening of the bids. Contractors and the public can also join the opening of bids by way of Microsoft Teams by following this link: [Click here to join the meeting](#)

Work on the improvements shall be commenced any time after a written Notice to Proceed is issued, **no earlier than March 1, 2021**, and shall be completed as stated below. The Notice to Proceed will be issued when weather permits and after the preconstruction conference, which is anticipated to occur in February 2021. Work shall commence **no later than June 1, 2021**.

Contractor shall fully complete the project in **30 working days**. Should the contractor fail to complete the work in this timeframe, liquidated damages of \$500 per calendar day will be assessed for work not completed within the designated contract term.

Due to COVID-19, the contract documents are not available to be viewed at the Polk City Office of City Clerk at City Hall. If you need hard copies of the project documents, you may call Snyder & Associates, Inc. at 515-964-2020 and request to pick them up at 2727 SW Snyder Blvd, Ankeny, Iowa 50023 at no cost. Electronic contract documents are available at no cost by clicking on the "Bids" link at www.snyder-associates.com and choosing the **2021 STREET REPAIRS PROJECT** on the left. Project information, engineer's cost opinion, and planholder information is also available at no cost at this website. Downloads require the user to register for a free membership at QuestCDN.com.

By virtue of statutory authority, preference will be given to products and provisions grown and coal produced within the State of Iowa, and to Iowa domestic labor, to the extent lawfully required under Iowa statutes.

In accordance with Iowa statutes, a resident bidder shall be allowed a preference as against a nonresident bidder from a state or foreign country if that state or foreign country gives or requires any preference to bidders from that state or foreign country, including but not limited to any preference to bidders, the imposition of any type of labor force preference, or any other form of preferential treatment to bidders or laborers from that state or foreign country. The preference allowed shall be equal to the preference given or required by the state or foreign country in which the nonresident bidder is a resident. In the instance of a resident labor force preference, a nonresident bidder shall apply the same resident labor force preference to a public improvement in this state as would be required in the construction of a public improvement by the state or foreign country in which the nonresident bidder is a resident.

General Nature of the Public Improvement

2021 STREET REPAIRS PROJECT

The Project includes the full depth PCC replacement of public streets, PCC driveway approach replacement, PCC crack sealing, and sidewalk repairs at various locations in Polk City, Iowa. The Project consists of approximately 700 SY of PCC Full Depth Repair, modifications to seven storm sewer structures, 140 SY of sidewalk repairs, and associated work.

Each bidder shall accompany its bid with bid security as defined in Iowa Code Section 26.8, as security that the successful bidder will enter into a contract for the work bid upon and will furnish after the award of contract a corporate surety bond, in a form acceptable to the Jurisdiction, for the faithful performance of the contract, in an amount equal to 100% of the amount of the contract. The bidder's security shall be in the amount fixed in the Instruction to Bidders and shall be in the form of a cashier's check or a certified check drawn on an FDIC insured bank in Iowa or on an FDIC insured bank chartered under the laws of the United States; or a certified share draft drawn on a credit union in Iowa or chartered under the laws of the United States; or a bid bond on the form provided in the contract documents with corporate surety satisfactory to the Jurisdiction. The bid shall contain no condition except as provided in the specifications.

The **CITY OF POLK CITY** reserves the right to defer acceptance of any bid for a period of sixty (60) calendar days after receipt of bids and no bid may be withdrawn during this period.

Each successful bidder will be required to furnish a corporate surety bond in an amount equal to 100% of its contract price. Said bond shall be issued by a responsible surety approved by **CITY OF POLK CITY** and shall guarantee the faithful performance of the contract and the terms and conditions therein contained and shall guarantee the prompt payment of all material and labor, and protect and save harmless **CITY OF POLK CITY** from claims and damages of any kind caused by the operations of the contract and shall also guarantee the maintenance of the improvement caused by failures in materials and construction for a period of two years from and after acceptance of the contract. The guaranteed maintenance period for new paving shall be four years.

The **CITY OF POLK CITY**, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42U.S.C. 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively insure that in any contract entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.

Contractor must file appropriate claim waivers and sales use tax forms before final payment will be released.

The **CITY OF POLK CITY** does hereby reserve the right to reject any or all bids, to waive informalities, and to enter into such contract, or contracts, as it shall deem to be in the best interest of the jurisdiction.

This Notice is given by authority of the **City Council of the City of Polk City, Iowa.**

Dated at Polk City, Iowa this _____ day of December 2020.

Jason Morse, Mayor

ATTEST:

Jenny Gibbons, City Clerk

Posted to Master Builders Plan Room on the _____ day of _____, 2020.

Posted to the City of Polk City website on the _____ day of _____, 2020.

Published

December 9, 2020

Honorable Mayor and City Council
City of Polk City
112 S. 3rd Street
Polk City, Iowa

RE: PARTIAL PAYMENT APPLICATION NO. 5
2019 STREET REPAIRS PROJECT

Dear Honorable Mayor and City Council:

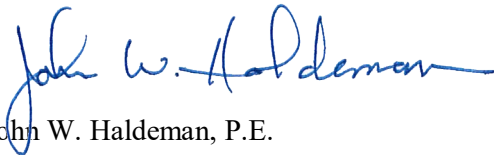
Please find attached Partial Payment Application No. 5 for the 2019 Street Repairs Project. This payment application includes work completed by the Contractor through December 1, 2020. Work completed during this pay period includes completion of all punchlist items with the exception of surface restoration and installation of a curb ramp at the intersection of W. Ridge Court and N. Cherokee Drive.

The project is awaiting establishment of sod at several patching locations. Sod establishment is anticipated in the spring. If the sod that is currently installed does not achieve adequate establishment, the Contractor will be responsible for replacing the sod and providing care until establishment is accomplished. The retainage will continue to be withheld until this work is completed.

We recommend payment of \$4,479.25 to the Contractor, TK Concrete Inc., for work completed through December 1, 2020. Approximately 95% of the total contract work has been completed and 30 of the 30 working days for the project have been charged through this pay application. No additional working days will be charged.

Please contact me should you have any questions on this payment application. We will be in attendance at the December 14, 2020 City Council meeting to answer any questions regarding this partial payment application.

Sincerely,
SNYDER & ASSOCIATES, INC.



John W. Haldeman, P.E.

Enclosure

cc: Mike Schulte, City of Polk City
Chelsea Huisman, City of Polk City
Kathleen Connor, Snyder & Associates, Inc.
Travis D. Thornburgh, E.I., Snyder & Associates, Inc.

APPLICATION FOR PARTIAL PAYMENT NO. 5

PROJECT: 2019 Street Repair Project

S&A PROJECT NO.: 119.0449.01

OWNER: City of Polk City
CONTRACTOR: TK Concrete, Inc.
ADDRESS: 1608 Fifield Road
Pella, Iowa 50219
DATE: 12/8/2020

PAYMENT PERIOD: 5/2/2020 to 12/1/2020

1. CONTRACT SUMMARY:

Original Contract Amount: \$ 150,550.00
Net Change by Change Order: \$ 12,000.00
Contract Amount to Date: \$ 162,550.00

CONTRACT PERIOD: TOTAL WORKING DAYS
Original Contract Date: August 12, 2019
Original Contract Time: 30

2. WORK SUMMARY:

Total Work Performed to Date: \$ 144,032.00
Retainage: 5% \$7,201.60
Total Earned Less Retainage: \$136,830.40
Less Previous Applications for Payment: \$ 132,351.15
AMOUNT DUE THIS APPLICATION: \$4,479.25

Added by Change Order:
Contract Time to Date: 30
Time Used to Date: 30
Contract Time Remaining: 0

3. CONTRACTOR'S CERTIFICATION:

The undersigned CONTRACTOR certifies that:

- (1) all previous progress payments received from OWNER on account of Work done under the contract referred to above have been applied to discharge in full all obligations of CONTRACTOR incurred in connection with the Work covered by prior Applications for Payment; and
(2) title to all materials and equipment incorporated in said Work or otherwise listed in or covered by the application for Payment are free and clear of all liens, claims, security interests, and encumbrances

TK Concrete, Inc.
CONTRACTOR
By [Signature] DATE: 12/9/2020

4. ENGINEER'S APPROVAL:

Payment of the above AMOUNT DUE THIS APPLICATION is recommended:

Snyder & Associates, Inc.
ENGINEER
By [Signature] DATE: 12/10/20

5. OWNER'S APPROVAL

City of Polk City
OWNER
By _____ DATE: _____

6. DETAILED ESTIMATE OF WORK COMPLETED:

ITEM NO.	DESCRIPTION	CONTRACT ITEMS				COMPLETED WORK		
		PLAN QTY.	UNIT	UNIT COST	COST TOTAL	QTY. TO DATE	CO #	COST TOTAL
2.1.	Core Out Excavation	175	CY	\$ 20.00	\$ 3,500.00			\$ -
2.2.	Class A Roadstone	170	TON	35.00	5,950.00			-
2.3.	Subgrade Treatment, Geogrid, Triangular	500	SY	3.00	1,500.00			-
2.4.	Special Backfill	10	TON	35.00	350.00			-
6.1.	Manhole Adjustment, Minor	6	EA	1,250.00	7,500.00	5		6,250.00
6.2.	Intake Adjustment, Minor	11	EA	750.00	8,250.00	9		6,750.00
6.3.	Infiltration Barrier, Molded Shield	5	EA	1,250.00	6,250.00	4		5,000.00
7.1.	PCC Pavement Full Depth Repair Patch	1,000	SY	75.00	75,000.00	857.2		64,290.00
7.2.	Crack and Joint Cleaning and Filling, PCC	100	LF	10.00	1,000.00	100		1,000.00
7.3.	Removal of Sidewalk	25	SY	20.00	500.00	49.6		992.00
7.4.	Sidewalk, PCC, 6"	15	SY	150.00	2,250.00	36		5,400.00
7.5.	Detectable Warnings	30	SF	50.00	1,500.00	47		2,350.00
8.1.	Traffic Control	1	LS	10,000.00	10,000.00	1		10,000.00
11.1.	Mobilization	1	LS	27,000.00	27,000.00	1		27,000.00
					TOTAL ORIGINAL CONTRACT = \$ 150,550.00	\$ 129,032.00		
CHANGE ORDER SUMMARY:								
CO1.1	intake, SW-501, Cast in Place	1	EA	7,500.00	7,500.00	2		15,000.00
CO1.2	Intake Adjustment, Major	1	EA	4,500.00	4,500.00			-
					TOTAL CHANGE ORDERS = \$ 12,000.00	\$ 15,000.00		
					TOTAL CONTRACT			
					& CHANGE ORDERS	\$ 144,032.00		

RESOLUTION NO 2020-144

**A RESOLUTION APPROVING THE APPLICATION FOR PARTIAL PAYMENT NO. 5
FOR THE 2019 STREET REPAIRS PROJECT**

WHEREAS, the City of Polk City, City Council, approved Resolution 2019-64 ordering construction for the 2019 Street Repairs Project on July 8, 2019; and

WHEREAS, the City Council approved Resolution 2019-79 on August 12, 2019 awarding the construction contract to TK Concrete, Inc. of Pella, Iowa; and

WHEREAS, on August 12, 2019 the City Council approved Resolution 2019-80 approving the contract in the amount of \$150,550; and

WHEREAS, on December 9, 2019 the City Council approved Resolution 2019-112 approving Change Order No. 1 in the amount of \$12,000; and

WHEREAS, on November 11, 2019 the City Council approved Pay App No. 1 in the amount of \$42,227.50; and

WHEREAS, on December 9, 2019 the City Council approved Pay App No. 2 in the amount of \$16,583.67; and

WHEREAS, on April 13, 2020 the City Council approved Pay App No. 3 in the amount of \$43,802.13; and

WHEREAS, on May 11, 2020 the City Council approved Pay App No. 4 in the amount of \$29,737.85; and

WHEREAS, TK Concrete, Inc. and the City Engineer have submitted the Application for Partial Payment No. 5 giving a detailed estimate of work completed with an application for payment in the amount of \$4,479.25.

NOW, THEREFORE, BE IT RESOLVED, the City Council of the City of Polk City, Iowa hereby approves the Application for Partial Payment No. 5 for the 2019 Street Repairs Project and the City Manager is hereby authorized to issue a check to TK Concrete Inc. in the amount of \$4,479.25.

PASSED AND APPROVED the 14th day of December 2020.

Jason Morse, Mayor

ATTEST:

Jenny Gibbons, City Clerk



City of Polk City, Iowa City Council Agenda Communication

Date: 12/14/2020
To: Mayor and Council
From: Mike Schulte

Subject: Proposed cooperative public service agreement for 2021 street improvement project with Polk County.

BACKGROUND: Polk County Public Works has asked us to share in the cost of some street overlays that are on their schedule to complete in the summer of 2021. There are three locations and a map is provided for your review. This is a situation where they are overlaying streets and in three of those areas a portion falls in Polk City's city limits. This is a standard way the County works with all cities and jurisdictions. Even though this was not planned for in CIP, it would make sense for us to join this agreement because the cost would be much higher if we did it on our own at a future date. We can make it work in the 21/22 budget that we are currently working on.

ALTERNATIVES:

FINANCIAL CONSIDERATIONS: \$92,975

RECOMMENDATION: I recommend that we enter into the proposed cooperative public services agreement for the 2021 St improvement project with Polk County.

RESOLUTION NO 2020-145

**A RESOLUTION APPROVING A COOPERATIVE PUBLIC SERVICE AGREEMENT
WITH POLK COUNTY FOR 2021 JOINT JURISDICTIONAL STREET
IMPROVEMENT PROJECTS**

WHEREAS, Polk County has proposed to include NW 72nd Street, NW 44th Street and NW Lake Drive in their FY 21.22 Hot Mix Asphalt (HMA) Resurfacing Program; and

WHEREAS, a portion of these roadways are joint jurisdictional between Polk City and Polk County; and

WHEREAS, the Polk County Board of Supervisors has submitted an agreement for cooperative public services attached hereto as Exhibit "A" including a project cost estimate of the City's share in the amount of \$92,975.

NOW, THEREFORE, BE IT RESOLVED, the City Council of the City of Polk City, Iowa hereby approves the agreement for cooperative public service with Polk County for the 2020 Polk City Street Improvements as established in Exhibit "A".

PASSED AND APPROVED the 14th day of December 2020.

Jason Morse, Mayor

ATTEST:

Jenny Gibbons, City Clerk



Public Works Department

Robert Rice, Director
5885 NE 14 Street
Des Moines, Iowa 50313
Ph 515.286.3705
Fax 515.286.3437
Email: publicworks@polkcountyiowa.gov
www.polkcountyiowa.gov

November 20, 2020

Ms. Chelsea Huisman
City Administrator
City of Polk City
112 3rd Street
P.O. Box 426
Polk City, Iowa 50226

Re: Proposed Cooperative Public Service Agreement for 2021 joint jurisdictional Street Improvement Projects.

Dear Chelsea:

In preparation of our FY 2021/2022 Capital Improvement Program, we propose to include the HMA resurfacing of NW 72nd Street, NW 44th Street, and NW Lake Drive in our FY 2021/2022 Hot Mix Asphalt Resurfacing Program.

Because a portion of these roadways are joint jurisdictional with the City, we have prepared the enclosed Cooperative Public Service Agreement that details the responsibilities for the County and the City for these projects.

Please review this agreement and if acceptable, arrange to have all three original copies of the Agreement executed and returned to this office.

Thank you for this attention and please contact this office if you have any questions.

Sincerely,

Robert Rice, Director
Public Works Department

RR/kdb

Encl:

AGREEMENT FOR COOPERATIVE PUBLIC SERVICE

BETWEEN

POLK COUNTY, IOWA

AND

CITY OF POLK CITY, IOWA

THIS AGREEMENT is entered into by and between Polk County, Iowa, a government subdivision of the State of Iowa, hereinafter referred to as the "County", and the City of Polk City, a municipal corporation within the County of Polk, State of Iowa, hereinafter referred to as the "City".

1. This Agreement shall consist of four (4) pages and Attachments A, B, C, D and E which shall be considered a part of this Agreement.
2. This Agreement shall become effective upon its execution by the parties, and shall remain in effect until the duties of the parties are completed to the satisfaction of all parties.
3. The purpose of this Agreement is listed in Attachment A.
4. The duties of the County are listed in Attachment B.
5. The duties of the City are listed in Attachment C.
6. Attachment D is the estimated cost of the projects.
7. Attachment E is a map of the project locations.
8. The County shall be the lead agency for carrying out the terms of this agreement.
9. Polk County Public Works shall administer performance of this Agreement for the County.

10. Any party may terminate this Agreement by sending written notice of termination, specifying the reasons for termination, at least sixty days prior to the effective date of termination. Notice shall be sent to the governing body of the other parties at their principal place of doing business by registered mail. The termination of this Agreement shall not relieve any party to this Agreement of any obligations or liability arising during the terms of the Agreement.
11. In the event of a breach by any entity of this Agreement, that breach shall not be considered to affect any remaining terms or conditions of this Agreement. If any terms or conditions of this Agreement are held to be invalid or illegal, those remaining terms or conditions shall not be construed to be affected.
12. This is the entire Agreement between all parties and it may be amended only upon the agreement of all parties and only in writing.
13. The parties shall approve the Agreement by resolution or motion of their respective Board or Council, which shall authorize the execution of the Agreement.

EXECUTION OF AGREEMENT

IN WITNESS THEREOF, the County has caused this Agreement to be executed in three (3) separate counterparts, each of which shall be considered an original, on the _____ day of _____ 20__

Polk County, Iowa
Board of Supervisors

By: _____
Chairperson

Attest _____
Jamie Fitzgerald, Polk County Auditor

EXECUTION OF AGREEMENT

IN WITNESS THEREOF, the City of Polk City has caused this Agreement to be executed in three (3) separate counterparts, each of which shall be considered an original, on the _____ day of _____ 20__

City of Polk City

by: _____
Mayor

Attest _____

ATTACHMENT A

The purpose of this Agreement is to establish the terms and conditions between the County and the City for proposed 2021 Street Improvements.

Street improvements to consist of the following:

1. Street improvements consisting of construction of a 2.25 inch Hot Mix Asphalt (HMA) overlay of pavement on NW 107th Street from NW Hugg Drive to NW 142nd Avenue for 2.16 miles. Of this, 0.337 miles are jurisdictional to the City.
2. Street improvements consisting of construction of a 2.25 inch Hot Mix Asphalt (HMA) overlay of pavement on NW 44th Street from Hwy 415 to NW 110th Avenue for 0.893 miles. Of this, 0.249 miles are jurisdictional to the City.
3. Street improvements consisting of construction of a 2.25 inch Hot Mix Asphalt (HMA) overlay of pavement on NW Lake Drive from Hwy 415 to NW 44th Street for 1.086 miles. Of this, 0.029 miles are jurisdictional to the City.

ATTACHMENT B

Duties of the County

The County, through their Public Works Department, shall provide all contract administration and construction observation for the proposed 2021 Street Improvements included within this agreement without reimbursement by the City with an estimated value of \$6,425

The labor, equipment, materials and traffic control required for the Hot Mix Asphalt Resurfacing shall be completed by a third party contractor under contract with the County through a publicly let and awarded contract.

Upon completion of the work, the County shall prepare and forward a billing to the City for their share of the project. Final billing shall be based on actual quantities used at the current FY 2021/2022 contract unit prices.

ATTACHMENT C

The City shall promptly upon receipt of the billing from the County, make payment direct to the County's contractor for their share of the project. Work will be completed in 2021. Payment will be due upon completion of the work and receipt of the billing, but not before July 1, 2021.

ATTACHMENT D

Cost Estimate

1. HMA Resurfacing of NW 72nd Street

Total Project length of 2.16 miles with 2.25" HMA resurfacing, 24 feet wide, with 2' wide granular shoulders with an estimated 2021 cost of @ \$150,000/mile.

Total Estimated NW 72nd Street Project Cost = 2.16 X \$150,000/mile = \$324,000

County's Estimated Share by Jurisdiction length 1.823 miles = \$273,450

City's Estimated Share by Jurisdiction length 0.337 miles = \$ 50,550

2.160 miles \$324,000

2. HMA Resurfacing of NW 44th Street

Total Project length of 0.893 miles with 2.25" HMA resurfacing, 24 feet wide, with 2' wide granular shoulders with an estimated 2021 cost of @ \$150,000/mile.

Total Estimated NW 44th Street Project Cost = 0.893 X \$150,000/mile = \$133,950

County's Estimated Share by Jurisdiction length 0.644 miles = \$ 96,600

City's Estimated Share by Jurisdiction length 0.249 miles = \$ 37,350

0.893 miles \$133,950

3. HMA Resurfacing of NW Lake Drive

Total Project length of 1.086 miles with 2.25" HMA resurfacing, 24 feet wide, with 3' wide HMA shoulders a 1' wide granular shoulder with an estimated 2021 cost of @ \$175,000/mile.

Total Estimated NW Lake Drive Project Cost = 1.086 X \$175,000/mile = \$190,050

County's Estimated Share by Jurisdiction length 1.057 miles = \$184,975

City's Estimated Share by Jurisdiction length 0.029 miles = \$ 5,075

1.057 miles \$190,050

	NW 72 nd St.	NW 44 th St.	NW Lake Dr.	TOTAL COST
County Cost	\$273,450	\$96,600	184,975	\$555,025
City Cost	\$ 50,550	\$37,350	5,075	<u>\$ 92,975</u>
				\$648,000



City of Polk City, Iowa

City Council Agenda Communication

Date: December 3, 2020
To: Mayor & City Council
From: Chief Jeremy Siepker
Subject: Cooperative Public Service Agreement for Animal Control Services

BACKGROUND: In June of 2017 the City of Polk City entered into an Animal Control Services Agreement with Polk County. In November 2020 the Polk County Sheriff's Office has taken over the Animal Control Services for the County and has terminated the original agreement effective January 13th 2021 and implemented a new service agreement (attached).

In the previous service agreement with Polk County Animal Control, the City was billed for each time Animal Control was dispatched to respond to Polk City. So far in 2020 we have utilized these services 13 times and have averaged their usage 12.75 times per year since the original agreement began. The City spends, on average, \$1,269.77 per year for animal control services.

In the new agreement the City will be billed annually a flat rate for unlimited animal control services for that year. The agreement attached includes what the annual costs will be through FY 25/26 with a 2% increase annually. The cost to the city for the remainder of FY 20/21 will be \$1,321.00.

The City does not have an alternative animal control service option that would be more cost effective.

ALTERNATIVES: Don't enter into the agreement with the Polk County Sheriff's Office for Animal Control Services.

FINANCIAL CONSIDERATIONS: The new service agreement will cost the City on average more annually but there are no alternative options available that meet the needs to safely and properly secure, house and care for animals that need to be picked up in the City of Polk City. Animal Control Services is paid out of the General Fund.

RECOMMENDATION: It is my recommendation that the City enter into the agreement with the Polk County Sheriff's Office for Animal Control Services for the remainder of FY 20/21 through FY 25/26.

RESOLUTION NO. 2020-146

**A RESOLUTION APPROVING A COOPERATIVE PUBLIC SERVICE AGREEMENT
WITH POLK COUNTY FOR ANIMAL CONTROL SERVICES WITHIN THE
CORPORATE LIMITS OF POLK CITY, IOWA**

WHEREAS, the City of Polk City entered into an Animal Control Services Agreement with Polk County in June of 2017; and

WHEREAS, the Polk County Sheriff's Department has terminated the original agreement effective January 13, 2021 and implemented a new service agreement attached hereto as Exhibit A; and

WHEREAS, in the new agreement the City will be billed a flat rate annually as outlined in said agreement for unlimited control services through FY 25/26.

NOW, THEREFORE, BE IT RESOLVED, the City Council of the City of Polk City, Iowa hereby approves the agreement for cooperative public service with Polk County for Animal Control Services.

PASSED AND APPROVED the 14th day of December 2020.

Jason Morse, Mayor

ATTEST:

Jenny Gibbons, City Clerk



Frank Marasco, Chief Financial Officer
Polk County Administrative Services
1985 NE 51st Place
Des Moines, Iowa 50313
515-286-2943

November 16, 2020

Greetings,

Polk County and the City of Polk City have had an Agreement for Cooperative Public Service regarding the County providing Animal Control Services since 6/20/2017. Since that time, the Polk County Sheriff's Office has taking over responsibility for animal control from Polk County Public Works. In addition, Polk County has revised its animal control procedures with the Animal Rescue League and updated its animal control-related Ordinances, while remaining cognizant of due process protections for individuals whose animals are picked up by the Polk County Sheriff's Office. For these reasons, it is in the best interests for both governing bodies to implement a new service agreement.

Therefore, this letter is to advise you of Polk County's intention to terminate the current agreement for animal control services.

To accommodate the need for any transition, and to meet the requirements of the agreement, this document will conclude 60 days from the date of this letter.

A proposed new agreement between Polk County and the City of Polk City accompanies this letter. If the proposed new agreement is acceptable, please sign and return the document, which will be placed on the Board of Supervisors' agenda.

Please contact me with any questions or concerns you may have. We look forward to continuing our partnership.

Thank you,

A handwritten signature in blue ink, appearing to read "F. Marasco", written over a horizontal line.

Frank Marasco
Chief Financial Officer
Polk County Sheriff's Office

**COOPERATIVE PUBLIC SERVICE AGREEMENT
FOR
ANIMAL CONTROL SERVICES**

PARTIES

This Agreement is made and entered into by and between the COUNTY OF POLK, Iowa (County) and the CITY OF POLK CITY (City); hereinafter, collectively referred to as "Party" or "Parties".

PURPOSE

The purpose of this Agreement to establish the Term, Terms, and Duties of the Parties during the terms the Polk County Sheriff's Office is to provide supplemental animal control services to support the City's existing animal control services.

TERM, TERMS, AND DUTIES

1. The Parties agree the County, acting by and through the Polk County Sheriff's Office, shall provide the following public services within the incorporated limits of the City:
 - a. Animal Control Services, the scope of which is defined below in section 2.
2. The Parties agree the Polk County Sheriff's Office shall provide:
 - a. Animal Control Services, through any of the following means:
 - 1) The County shall bill the City an annual fee for the public services provided hereunder, and the City shall compensate the County by paying the annual bill.
 - 2) The County shall respond only to calls dispatched from the Polk County Sheriff's Office Communications Center requesting retrieval and impoundment of Abandoned or At-Large Dogs, and animals based upon the request of the City.
 - 3) The County shall transport dogs or animals, retrieved within the City limits to the Animal Rescue League of Iowa, Inc. (ARL).
 - 4) The City shall be responsible for the enforcement of animal control laws, ordinances and regulation within its City. The City shall also be responsible for the retrieval of any and all dead animals.
 - 5) The City shall be responsible for the prosecution of violations of animal control laws, ordinances and regulations within the City and any of appeals of administrative or judicial decisions.
 - 6) The County's animal control officers will assist the City, upon request, in participating in administrative or judicial adjudicative or dispositional hearings.
 - 7) The City shall remain responsible for the licensing and vaccination of animals except as stated in Polk County Code of Ordinances Chapter 4, section 4.3(3).
 - 8) The County shall make a reasonable attempt to locate, retrieve, or impound particular animals. The Parties acknowledge and agree the County may be unable to locate, retrieve or impound the particular animal requested by the City.

- 9) The City shall be financially responsible for ARL fees for routine impounding, maintenance and care of any and all animals, located and retrieved by the County within the City limits and delivered to the ARL. The City shall also be responsible for the ultimate disposition of the animal.
 - 10) If the City provides written instructions to the County as to the transportation, maintenance, and care of a particular animal retrieved within the City limits and impounded at the ARL, the County will provide those written instruction to the ARL. Absent any written instruction for a particular animal, the County shall handle the location, retrieval, and impounding of the animal in the same manner it would if the animal was in unincorporated Polk County.
 - 11) The City agrees the County shall not be responsible for any failure by the ARL to follow the written instructions.
 - 12) Dangerous Wild Animals Exception:
 - a) The Parties understand and agree the ARL may be unable or unwilling to accept certain species of animals, which are considered exotic or dangerous wild animals pursuant to Chapter 717F of the Code of Iowa.
 - b) The County may choose not to attempt to retrieve or impound a dangerous wild animal and the County is authorized to use deadly force to protect the safety of the public, law enforcement, and/or the Animal Control Officer.
 - c) If the City believes the animal is a dangerous wild animal, the City shall notify the Polk County Sheriff's Office Communication Center (Dispatch) of the dangerous wild animal emergency prior to the Animal Control Officer being dispatched.
 - d) If the City reports an emergency of a dangerous wild animal, Dispatch may authorize retrieval without prior agreement as to impoundment or disposition and if retrieval is successful, then the County will make reasonable effort to locate an appropriate location for impounding pending disposition.
3. The City shall not adopt or enact an ordinance which attempts to expand the scope of this Agreement or tries to obligate the Polk County Sheriff's Office to engage in any enforcement action beyond its statutory duties. The adoption or enactment of any such ordinance shall be considered a breach of this Agreement. Any failure of the City to nullify or void such an ordinance following a request by the County shall constitute sufficient grounds to terminate this Agreement, effective immediately.
 4. The City agrees that its officers, agents, and employees shall cooperate fully with the County in the performance of the County's duties.
 5. To the extent allowed by the Constitution and laws of the State of Iowa, the Parties shall indemnify, defend, and hold each other harmless from and against all claims, liabilities, demands, loss, cost, and expense related to personal injury, death, or damage to persons or property arising out of or connected with and attributable to the indemnifying Party's own act, error, omission, or negligence in the performance of any terms, obligations, or duties imposed by this Agreement or required by law. Both Parties shall maintain the defenses available to it pursuant to Chapter 670 of the Code of Iowa, as it now exists or may be amended from time to time.
 6. The County shall be responsible for the payment of salary, wages, and/or any other compensation or benefits to any County employee providing services under this Agreement unless otherwise expressly agreed upon by the Parties. Except as otherwise specified in this Agreement, the City shall not be liable for compensation to any County employee for workers' compensation claim for injury or sickness occurring while the employee undertakes duties and fulfillment of this Agreement.

7. The City and Polk County Sheriff's Office shall each appoint a contract administrator. Said individuals or their designated backup shall be available on a 24/7 basis. Each Party shall have the responsibility of providing up to date contact information for the appointed administrators and their designated backups and prompt notification of the primary administrators' schedule. The administrators shall also establish a mutually agreed upon set meeting schedule to review any issues or concerns with the execution of services provided under the contract. Written notifications, requests for service, and contract changes shall be made in writing and provided through the administrators.
8. No real or personal property will be jointly acquired by the Parties pursuant to the Agreement.
9. Adjustments may be made to the annual contract sum, if mutually agreed upon in writing by the Parties, due to:
 - a. Changes to the scope of services provided;
 - b. Salary and benefits adjustments;
 - c. Action taken by the United States or State of Iowa which increases the cost of wages, insurance, or other benefits for employees.
10. Each Party shall allow access to all records, documents, and papers necessary for the financial auditing of the Parties' transactions. Appropriate records, documents, and papers necessary to conduct a financial audit shall be maintained a minimum of three (3) years.

CONSIDERATION

11. The City agrees to pay the County the following amounts over the Term of this Agreement for the services agreed upon above.
 - a. FY 2020/2021 – The total annual contract sum shall not exceed \$1,321
 - b. FY 2021/2022 – The total annual contract sum shall not exceed \$2,695
 - c. FY 2022/2023 – The total annual contract sum shall not exceed \$2,749
 - d. FY 2023/2024 – The total annual contract sum shall not exceed \$2,804
 - e. FY 2024/2025 – The total annual contract sum shall not exceed \$2,860
 - f. FY 2025/2026 – The total annual contract sum shall not exceed \$2,917

TERM

12. This Agreement shall become effective upon signing by both Parties and shall remain in effect until June 30, 2026 or unless terminated pursuant to paragraph 13 below.
13. The County or City may terminate this Agreement at any time, with or without cause, by providing written notice to the other Party not less than one hundred eighty (180) days prior to the termination date. The effective date of termination will occur one hundred eighty (180) days following written notice or upon another termination date agreed to by the Parties in writing. The termination of this Agreement shall not relieve any Party to this Agreement of any obligations or liability arising during the terms of this Agreement.

MISCELLANEOUS

- 14. This is not a contract for employment and this Agreement does not create the relationship of agent, servant, employee, legal or business partnership, joint venture, or association between the City and the County.
- 15. This Agreement may be executed in counterparts, each of which is deemed an original, but all of which together are deemed to be one and the same agreement. A signed copy of this Agreement delivered by facsimile, email, or other means of electronic transmission is deemed to have the same legal effect as delivery of an original signed copy of this Agreement.
- 16. If any terms or conditions of this Agreement are held to be invalid or illegal, those remaining terms or conditions shall not be construed to be affected.

City of Polk City

Chairperson – Polk County Board of Supervisors

Date

Date

POLK COUNTY SHERIFF'S OFFICE

City of Polk City

Animal Control Supplemental Services Cooperative Agreement

FY 21/22 through FY 25/26

Animal Control Services	FY 20/21 ¹	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26
Annual Service Fee (Per Capita & Average Activity) \$	1,321	\$ 2,695	\$ 2,749	\$ 2,804	\$ 2,860	\$ 2,917

1) FY 20/21 prorated to start 1/1/2021

Animal Control Service Fee- Calculated using 2.0% increase annually.

3 year % Animal Control Reported Activity 2017, 2018, 2019 0.67%

2017 Census Per Capita Percentage 2.64%

Proposed Cost Sharing Percentage (average of the two) 1.66%

WHEN RECORDED RETURN TO:

Amy S. Beattie
6701 Westown Parkway, Suite 100
West Des Moines, Iowa 50266

Preparer Information: Amy S. Beattie, 6701 Westown Parkway, Suite 100, West Des Moines, Iowa 50266 (515) 274-1450

PARTIAL TERMINATION OF AGREEMENT

This Partial Termination of Agreement is acknowledged between Polk City, Iowa (the “City”), and Big Creek Development, L.C. (the “Developer”) as of the __ day of _____, 2021.

WHEREAS, the City and the Developer entered into an agreement dated September 28, 2001 and recorded in Book 9090, Page 639 as amended by an Amendment to Agreement dated April 12, 2010 and recorded in Book 13412, Page 182 and a Second Amendment to Agreement dated _____ and recorded in Book _____, Page ____ in the Polk County Recorder’s Office (“Agreement”);

WHEREAS, the Developer owned as of the date of the Agreement certain property, more specifically described on Exhibit A hereto, (the “Property”), upon which the Developer constructed a golf course, housing units and various commercial facilities after certain improvements were constructed (the “Project”);

WHEREAS, additional property as more specifically described on Exhibit A-1 hereto was added to the Project; and

WHEREAS, the Project covered by the Agreement currently includes property legally described as Outlot Z in Tournament Club of Iowa Plat 5, an Official Plat now included in and forming a part of the City of Polk City, Polk County, Iowa (“Released Property”).

WHEREAS, the parties agree that as it relates to the Released Property, and the Released Property only, the Agreement has been applied in the way intended and that termination of the Agreement, as it relates to the Released Property, should be confirmed by the parties.

NOW, THEREFORE, the parties hereto agree that the Agreement, as it relates to the Released Property, is terminated effective on the date above written.

The parties hereto agree that the Agreement shall continue for all other portions of the Project not specifically released herein, pursuant to the terms contained in such Agreement.

The City and the Developer have caused this Partial Termination of Agreement to be signed, and the City's seal to be affixed, in their names and on their behalf by their duly authorized officers.

BIG CREEK DEVELOPMENT, L.C.

By: William C. Knapp, L.C., Member

By: _____
Gerard D. Neugent, Manager

CITY OF POLK CITY, IOWA

By: _____
Mayor

Attest:

By: _____
City Clerk

STATE OF IOWA, COUNTY OF POLK, ss:

On the ____ day of _____, 2020, before me, a Notary Public in and for the said State, personally appeared **Gerard D. Neugent**, to me personally known, who, being by me duly sworn, did say that that person is Manager of said limited liability company; that no seal has been procured by the said limited liability company and that said instrument was signed on behalf of the said limited liability company by authority of its managers and the said **Gerard D. Neugent** acknowledged the execution of said instrument to be the voluntary act and deed of said limited liability company by it voluntarily executed.

Notary Public in and for said State of Iowa

STATE OF IOWA, COUNTY OF POLK, ss:

On the ____ day of _____, 2020, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared **Jason Morse and Jenny Gibbons**, to me personally known, who, being by me duly sworn, did say that they are the Mayor and City Clerk of the City of Polk City, Iowa, a municipal corporation; that the seal affixed to the above and foregoing instrument is the corporate seal of said municipal corporation, and that said instrument was signed and contained in the Resolution adopted by the City Council of Polk City, Iowa, on the ____ day of _____, 2020, and the said **Jason Morse and Jenny Gibbons** acknowledged the execution of said instrument to be their voluntary act and deed and the voluntary act and deed of said municipal corporation, by it and by them voluntarily executed.

Notary Public in and for the State of Iowa

EXHIBIT A

Legal Description of Property

THE WEST ½ OF THE SOUTHEAST ¼ OF SECTION 26, TOWNSHIP 81 NORTH, RANGE 25 WEST OF THE 5TH P.M., LYING SOUTH AND WEST OF HUGG DRIVE

AND

PARCELS OF LAND WITHIN THE OFFICIAL PLAT OF SECTION 35, TOWNSHIP 81 NORTH, RANGE 25 WEST OF THE 5TH P.M. DESCRIBED AS FOLLOWS:

LOTS 1 AND 2 LYING SOUTH OF HUGG DRIVE.

LOTS 3, 4, 5 AND 6.

LOT 7 EXCEPT THE WEST 2.5 ACRES OF THE SOUTH 14.15 ACRES AND EXCEPT THAT PORTION OF LOT 7 LYING NORTH AND WEST OF A LINE EXTENDING FROM A POINT 590 FEET EAST OF THE NORTHWEST CORNER OF LOT 7 TO THE NORTHEAST CORNER OF THE WEST 2.5 ACRES OF THE SOUTH 14.15 ACRES OF LOT 7, THENCE WEST TO THE WEST LINE OF LOT 7.

LOTS 8 AND 9.

THAT PORTION OF LOT 18 AND 19 LYING EAST OF NW MADRID DRIVE.

THAT PORTION OF LOTS 22, 24 AND 25 LYING NORTH AND EAST OF NW MADRID DRIVE, EXCEPT THAT PORTION PLATTED AS STREAMWOOD PLAT 1.

LOTS 26, 27, 28, 29, 30, AND 31.

THE WEST 10.28 ACRES OF LOT 32 LYING NORTH AND EAST OF NW MADRID DRIVE, EXCEPT AN IRREGULAR, 20 ACRE PARCEL DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST ¼ OF SECTION 35, THENCE NORTH 90°90' EAST 1,222.5 FEET, ALONG THE SOUTH LINE OF SAID SOUTHEAST ¼; THENCE NORTH 51°45' WEST 661.2 FEET; THENCE

NORTH 69°50' WEST 676.2 FEET; THENCE NORTH 0°23' WEST 35.2 FEET TO THE NORTHEASTERLY RIGHT-OF-WAY LINE OF A COUNTY ROAD (N.W. MADRID DRIVE) FOR THE POINT OF BEGINNING; THENCE CONTINUING NORTH 0°23' WEST 128.1 FEET; THENCE SOUTH 89°35' WEST 75 FEET; THENCE SOUTH 0°23' EAST 100 FEET; THENCE SOUTH 69°50' EAST 80.1 FEET ALONG SAID RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING.

THE NORTH 6 ACRES OF THE EAST 10 ACRES OF THE SOUTHWEST ¼ OF THE SOUTHEAST ¼ OF SECTION 35.

THE EAST 123 FEET OF LOT 33.

AND

PARCELS OF LAND WITHIN THE OFFICIAL PLAT OF THE NORTH ½ OF SECTION 2, TOWNSHIP 80 NORTH, RANGE 25 WEST OF THE 5TH P.M. DESCRIBED AS FOLLOWS:

LOT 1 AND THE NORTH 47.25 FEET OF LOT 2

AND

PARCELS OF LAND WITHIN THE SOUTHWEST ¼ OF SECTION 36, TOWNSHIP 81 NORTH, RANGE 25 WEST OF THE 5TH P.M. DESCRIBED AS FOLLOWS:

THE SOUTH 14.88 ACRES OF THE SOUTHWEST ¼ OF THE SOUTHWEST ¼.

THE NORTH 25 ACRES OF THE SOUTHWEST ¼ OF THE SOUTHWEST ¼.

THE WEST 23 ACRES MORE OR LESS OF THE SOUTHEAST ¼ OF THE SOUTHWEST ¼ EXCEPT THAT PORTION DEEDED IN BOOK 255, PAGE 309 AND BOOK 5056, PAGE 400.

THAT PORTION OF THE NORTH ½ OF THE SOUTHWEST ¼ LYING WEST OF THE CENTERLINE OF SHELDAHL ROAD, EXCEPT BEGINNING AT A POINT ON THE SOUTH LINE OF THE NORTH HALF OF THE SOUTHWEST ¼ OF SAID SECTION 36, SAID POINT BEING 763.15 FEET WEST OF THE SOUTHEAST CORNER OF SAID

NORTH HALF AND ON THE CENTER LINE OF SHELDAHL ROAD; THENCE N89°33'13"W, 366.81 FEET ALONG THE SOUTH LINE OF SAID NORTH HALF TO A POINT; THENCE N41°11'38"W, 412.49 FEET TO A POINT; THENCE S89°33'13"E, 584.58 FEET TO A POINT ON THE CENTER LINE OF SHELDAHL ROAD; THENCE SOUTHERLY ALONG SAID CENTERLINE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 2292.00 FEET, AN ARC LENGTH OF 104.44 FEET, AND A CHORD BEARING OF S09°02'11"E, TO A POINT OF TANGENCY; THENCE S10°20'30"E, 208.96 FEET ALONG SAID CENTERLINE TO THE POINT OF BEGINNING.

EXHIBIT A-1

Legal Description of Property

Amendment No. 2 Area:

PART OF LOT 2 OF THE OFFICIAL PLAT OF THE NORTH 1/2 OF SECTION 2, TOWNSHIP 80 NORTH, RANGE 25 WEST OF THE 5TH P.M., POLK COUNTY, IOWA DESCRIBED AS: COMMENCING AT THE NE CORNER OF SAID SECTION 2; THENCE S 00°35'12" E, 168.94 FEET ALONG THE EAST LINE OF THE NE 1/4 OF SAID SECTION 2 TO THE SOUTH LINE OF THE NORTH 47.25 FEET OF SAID LOT 2, SAID POINT ALSO BEING THE POINT OF BEGINNING. THENCE S 89°37'25" W, 1199.88 FEET TO THE CENTERLINE OF HIGHWAY 415; THENCE S 51°06' 21" E, 702.97 FEET ALONG SAID CENTERLINE; THENCE N 67°08'24" E, 401.65 FEET; THENCE N 54°00'23" E, 350.42 FEET TO A POINT ON THE EAST LINE OF SAID SECTION 2, SAID POINT ALSO BEING 134.55 FEET SOUTH OF THE NE CORNER OF SAID LOT 2; THENCE N 00°35'12" W, 87.30 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 7.15 ACRES INCLUDING 0.52 ACRES PUBLIC ROAD RIGHT-OF-WAY.

RESOLUTION NO 2020-147

**A RESOLUTION APPROVING A PARTIAL TERMINATION OF
AGREEMENT WITH BIG CREEK DEVELOPMENT, L.C.**

WHEREAS, the City and the Developer entered into an agreement dated September 28, 2001 and recorded in Book 9090, Page 639 as amended by an Amendment to Agreement dated April 12, 2010 and recorded in Book 13412, Page 182 and a Second Amendment to Agreement dated _____ and recorded in Book _____, Page ____ in the Polk County Recorder's Office ("Agreement");

WHEREAS, the Developer owned as of the date of the Agreement certain property (the "Property"), upon which the Developer constructed a golf course, housing units and various commercial facilities after certain improvements were constructed (the "Project");

WHEREAS, additional property was added to the Project;

WHEREAS, the Project covered by the Agreement currently includes property legally described as Outlot Z in Tournament Club of Iowa Plat 5, an Official Plat now included in and forming a part of the City of Polk City, Polk County, Iowa ("Released Property").

WHEREAS, the parties agree that as it relates to the Released Property, and the Released Property only, the Agreement has been applied in the way intended and that termination of the Agreement, as it relates to the Released Property, should be confirmed by the parties; and

WHEREAS, the City is willing to enter into a Partial Termination of Agreement and proceed to record the same upon the Developer's sale of the Released Property to Jarrod Ruckle or an entity owned by him, for development of approximately 30-32 housing lots.

WHEREAS, the City agrees that the Agreement shall continue for all other portions of the Project not specifically released by the Partial Termination of Agreement, pursuant to the terms contained in such Agreement.

NOW, THEREFORE, BE IT RESOLVED, the City Council of the City of Polk City, Iowa hereby approves the Partial Termination of Agreement attached hereto as Exhibit "A".

BE IT FURTHER RESOLVED, the Mayor and City Clerk are authorized to sign the Partial Termination of Agreement and the Partial Termination can be recorded after transfer of the property by the Developer to Jarrod Ruckle.

PASSED AND APPROVED the 14th day of December 2020.

Jason Morse, Mayor

ATTEST:

Jenny Gibbons, City Clerk



City of Polk City, Iowa City Council Agenda Communication

Date: December 14, 2020 City Council Meeting
To: Mayor Jason Morse & City Council
From: Chelsea Huisman, City Manager
Subject: Partial Termination of Development Agreement

BACKGROUND: On Monday's agenda is a partial termination of Development Agreement for Outlot Z in Tournament Club of Iowa Plat 5. The current agreement with Big Creek Development L.C. outlines tax increment financing for the developer, with a requirement of \$3,000 per lot be paid in lieu of property taxes. The City has required this fee be paid at the time the building permit is applied for.

Big Creek Development is proposing to sell Outlot Z to Jarrod Ruckle for development. The current development agreement expires in FY23-24, therefore the developer has proposed we partially terminate the agreement for Outlot Z, waiving the requirement of \$3,000 since they could only collect TIF for a very limited amount of time. City staff is in agreement that we would be willing to waive the \$3,000 fee, as long as we partially terminate the development agreement (only for Outlot Z) so that the developer is no longer eligible to receive tax increment financing for that Outlot.

ALTERNATIVES: Do not approve the termination of agreement

FINANCIAL CONSIDERATIONS: The financial considerations for the termination of agreement is that the City would collect property taxes instead of the \$3,000 fee.

RECOMMENDATION: It is my recommendation that the Council approve the termination of development agreement. The termination of this agreement is good for both the City and the developer. The City and other taxing entities will collect taxes off the new homes, and the developer may have an easier time advertising the lots for sale without the \$3,000 fee requirement.



Date December 8, 2020

To: Chelsea Huisman
 City of Polk City
 P.O. Box 426
 Polk City, IA 50226-0426

INVOICE SUMMARY - OCTOBER SERVICES

Services from October 1, 2020 through October 31, 2020

GENERAL ENGINEERING

<u>2020 General Engineering</u>	120.0001	\$ 1,083.50
<i>Council Meetings, P&Z meeting, and coordination with staff re: agendas, resolutions, minutes.</i>		
<u>Building and Development issues:</u>	120.0001	\$ 4,038.50
<i>Meetings and coordination with developers, engineers, building inspector, and staff regarding various potential and ongoing projects including zoning and PUD issues, site development, subdivisions, floodplain regulations, and building permits.</i>		
<u>Water Dept:</u>	120.0001	\$ 98.50
<i>Concept for water service to serve Sharp property.</i>		
<u>Sanitary Sewer Dept:</u>	120.0001	\$ 98.50
<i>Alternative concepts for sanitary sewer service to serve Sharp property.</i>		
<u>Miscellaneous Projects:</u>	120.0001	\$ 4,370.75
<i>Projects include public improvements and costs associated with TIS for North Polk intermediate school. Updates to GIS.</i>		

SUBTOTAL **\$ 9,689.75**

CAPITAL IMPROVEMENT PROJECTS

2021 Street Repairs	120.0908	\$ 3,425.00
Subdivision Ordinance Update	119.0835	\$ 2,100.00

SUBTOTAL **\$ 5,525.00**

REIMBURSABLE DEVELOPMENT REVIEW PROJECTS

Bridgeview Plat 2: Construction Drawings	119.0294	\$ 250.00
Creekview Estates Plat 1: Const. Observation, Change Orders	119.0842	\$ 7,540.00
Edgewater Drive Extension (Lefkow): Const. drawings, SWMP	120.0804	\$ 639.00
Gordon Oaks Plat: Preliminary Plat	120.0964	\$ 600.00
Knapp BCTC R-1 Rezoning	120.0971	\$ 812.00
Lakewoods Plat 2: Site Plan, Construction Drawings, SWMP	119.1107	\$ 550.00
NP Intermediate School: Site Plan, SWMP, Traffic Study, SWMP	120.0851	\$ 2,984.50
Wolf Creek Outlot A PUD Amendment	120.0965	\$ 609.00

SUBTOTAL **\$ 13,984.50**

TOTAL **\$ 29,199.25**

ORDINANCE NO. 2020-1900

**AN ORDINANCE AMENDING THE CITY CODE OF POLK CITY, IOWA BY
RESTATING CHAPTER 176 – SUBDIVISION REGULATIONS.**

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

Section 1. There is hereby enacted the following new Chapter 176 of the City of Polk City Code of Ordinances which shall amended and restate the subdivision regulations by deleting the current chapter in its entirety and inserting in lieu a revise Chapter 176 which is attached hereto by reference Exhibit “A”.

Section 2. The proposed Chapter 176 - Subdivision Regulations is available for review by the public and interested parties in its entirety in the office of the City Clerk, and on the City of Polk City’s website.

Section 3. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 4. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 5. This ordinance shall be in full force and effect after its 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: ___ / ___ /202__

Second reading: ___ / ___ /202__

Third reading: ___ / ___ /202__

Published by posting: _____

CHAPTER 170

SUBDIVISION REGULATIONS

170.01 Title and Purpose	170.09 Construction of Improvements
170.02 Jurisdiction and Application	170.10 Neighborhood Sketch Plan Requirements
170.03 Definitions	170.11 Plat of Subdivision Requirements
170.04 Classification of Land divisions	170.12 Plat of Survey or Acquisition Plat Requirements
170.05 Review and Approval Procedure	170.13 Fees
170.06 Park and Open Space Dedication	170.14 Variations and Exceptions
170.07 Required Improvements	170.15 Validity and Expiration
170.08 Design Standards	170.16 Violations and Enforcement

170.01 TITLE AND PURPOSE

1. This chapter shall hereafter be known as the “Subdivision Code” or “Subdivision Regulations” and may be cited as such, and may be referred to herein as “chapter” or “Code” The city has adopted this Code in accordance with the provisions of Chapter 18B and Chapter 354 of the *Code of Iowa* and amendatory acts thereto.
2. The purpose and intent of this Code is to establish minimum standards for the division of land and for the design and construction of all subdivision improvements within the jurisdiction of the City of Polk City to provide for:
 - A. A balance between the land use rights of individual land owners and the economic, social, and environmental concerns of the public while enforcing land use and subdivision regulations; and
 - B. Accurate, clear, and concise legal descriptions of real estate consistent with zoning and land use regulations and to prevent, wherever possible, land boundary disputes or real estate title problems; and
 - C. Regulation of the design and construction of public improvements and extensions thereto in a manner consistent with the Comprehensive Plan, Zoning Ordinance, and other plans as may be adopted by the City Council of Polk City; and
 - D. Provide adequate land and infrastructure for building sites, transportation, parks, recreational trails, drainage ways, open space, and public facilities for orderly community development and adequate capacity for streets and utilities serving developable land within the jurisdiction of the City.

170.02 JURISDICTION AND APPLICATION

1. This chapter governs the division, subdivision, and platting of all lands within the corporate limits of the City and the unincorporated extra-territorial jurisdiction as defined herein.

2. It is the specific intent and purpose of this provision to extend all applicable regulations concerning the division, subdivision, and platting of land as set forth in this chapter to all land within the city's extra-territorial jurisdiction and to establish the City's jurisdiction for review and approval of all plats of subdivision, minor plats of subdivision, auditor's plats, acquisition plats, and plats of survey in accordance with the provisions of Section 354.9 of the *Code of Iowa* and as may be established by mutual agreement with Polk County or neighboring cities pursuant to Chapter 28E of the *Code of Iowa* in order to set forth reasonable standards and conditions for review of subdivisions within areas of overlapping jurisdiction.
3. No plat of survey, plat of subdivision, minor plat of subdivision, acquisition plat, auditor's plat, or other division of land within the City, or within the city's extra-territorial jurisdiction, shall be recorded or filed with the County Auditor, County Recorder and/or County Assessor, nor shall any plat or subdivision have any validity until it has been approved in the manner prescribed herein. If it is determined that a proposed division of land is outside the city's planning area for annexation or extension of municipal services, the city's review authority may be waived by Resolution of City Council.
4. No improvements or development shall be commenced within any proposed subdivision until all provisions set forth in this Code have been satisfied in full; including but not limited to approval of a preliminary plat and construction drawings; and all approvals required by this Code have been obtained and remain valid.
5. No building permits shall be applied for on any lot or tract until all provisions set for or issued until in this Code have been satisfied in full and all approvals required by this Code have been obtained and remain valid.
6. No public funds shall be expended or municipal services provided within any proposed subdivision until all provisions set forth in this Code have been satisfied in full; including but not limited to approval of a preliminary plat and construction drawings; and all approvals required by this Code have been obtained and remain valid.
7. Implementation for Plats of Subdivision. The Subdivision Regulations defined herein shall be effective on January 1, 2021. Any preliminary plat submitted to the City Clerk prior to said date shall be permitted to comply with the Subdivision Regulations in effect on September 30, 2020 for all phases of development; provided the preliminary plat remains valid in accordance with Section 170.15 of this chapter and provided the required public improvements for the initial phase of development have been accepted by City Council and the Final Plat approved by City Council prior to January 1, 2022. On January 1, 2023, all Plats of Subdivision shall comply with the Subdivision Regulations defined herein for all remaining phases of the plat, even if the preliminary plat was approved under the Subdivision Regulations previously in effect; unless otherwise approved by City Council.
8. Implementation for Plats of Survey, Acquisition Plats, Auditor's Plats, and Condominiums. The Subdivision Regulations defined herein shall be effective on January 1, 2021. Any plat of survey, acquisition plat, auditor's plat, or condominium

subdivision submitted to the City Clerk prior to said date shall be permitted to comply with the Subdivision Regulations in effect on September 30, 2020.

170.03 DEFINITIONS

1. **Access.** The location, place, means or way by which vehicles or pedestrians have ingress and egress to a property, roadway, parking or loading area, sidewalk, or recreational trail.
2. **Aliquot Part.** A fractional part of a section within the United States public land survey system; only the fractional parts one-half, one-quarter, one half of one-quarter, or one-quarter of one-quarter shall be considered an aliquot part of a section.
3. **Alley.** A minor way other than a street that is intended to provide a secondary means of vehicular access to more than one abutting property and that is open to common use.
4. **Building.** A structure that is designed, used or intended to be used for the protection, shelter, enclosure or support of persons, animals, or property.
5. **Building Envelope.** The contiguous area of a lot of sufficient shape to accommodate a principal building, exclusive of setbacks, easements, flood hazard areas, required open space, required buffers, or areas set aside for on-site wells or sewage disposal areas.
6. **City.** The City of Polk City, Iowa.
7. **City Engineer.** The City Engineer of the City of Polk City, or a consulting civil engineering firm designated to fulfill and/or assist the function of the City Engineer.
8. **Code of Iowa.** The State Code of Iowa and amendatory
9. **Commission.** The Planning and Zoning Commission of the City of Polk City.
10. **Comprehensive Plan.** The city's long-range plan for land use and development, as formally adopted and amended from time to time by the City Council.
11. **Cul-de-sac.** A street having one end open to traffic and the other end permanently terminated and provided with a turn-around for vehicles.
12. **Developer.** Any person, individual, firm, partnership, association, corporation, estate, trust or other entity that proposes or acts to grade, improve, or otherwise prepare a parcel of land of possible use for any purpose other than agricultural uses that are exempted from local regulation by the Code of Iowa or to create a subdivision.
13. **Development.** The act or result of improving a parcel of land for possible use as a building site, or for the use of the land itself, for any purpose except an agricultural use that is exempted from local regulation by the Code of Iowa and public projects

that are subject to approval by the City Council or State of Iowa under the requirements of other codes or regulations. Development includes, but is not limited to, any form of construction, renovation, redevelopment, or expansions of buildings or other structures; paving, water mains, storm sewers, sanitary sewers, or other improvements to the site; and clearing and other removal of vegetation, grubbing, contouring of land and other grading activities for any land use except an active agricultural use that is exempted from local regulation by the Code of Iowa.

14. ***Development Application.*** A request from a developer or proprietor for city approval of the subdivision of land by means of plat of subdivision, final plat; minor plat of subdivision, plat of survey, or acquisition plat, including submittal of all related documentation required by this chapter including but not limited to neighborhood sketch plans, preliminary plats, construction drawings, record drawings, and final plats.
15. ***Development Review Committee (or Committee).*** A committee or staff members, or designees thereof, established by the City Manager for the purpose of reviewing development applications to include the City Engineer and Public Works Director and may include the Fire Chief, Police Chief and Parks and Recreation Director; members of the committee may vary as determined by the City Engineer based on the scope of the proposed project.
16. ***Easement.*** A grant of a right to use a defined portion of a property for a specified purpose or purposes.
17. ***Elevation, Minimum Floor (or MFE).*** The lowest elevation of the enclosed area of a building, including but not limited to a basement or crawl space and specifically with respect to the requirements of the National Flood Insurance Program.
18. ***Elevation, Minimum Opening (or MOE).*** The lowest opening into an enclosed area of a building as measured to the rough opening for a door, window, opening for mechanical equipment or ventilation, or other opening into said lowest area, and irrespective of any grade, structure or shutter fastened to or placed around the door or window or whether the door, window, or other opening is operable or inoperable, but not including footing drains or sewers serving the building.
19. ***Extra-Territorial Jurisdiction.*** The unincorporated area of Polk County within a two-mile radius of the corporate limits of Polk City with the exception of those areas lying southwesterly of the Des Moines River and Saylorville Lake and having street access to Polk City via the Mile-Long Bridge currently on Highway 415 (W. Bridge Road).
20. ***Frontage Road.*** A street that is generally parallel to and separate from a major limited-access thoroughfare or highway, the primary purpose of which is to provide access to adjoining properties.
21. ***Functional Classification.*** The classification of a street or roadway at the sole discretion of the City Engineer as an arterial street, collector street, or local street.

22. ***Horizontal Property Regime.*** A subdivision that is created by declaration as provided by and in accordance with Chapter 499B of the *Code of Iowa* and including cooperative housing that is declared as provided by and in accordance with Chapter 499B of the *Code of Iowa*, usually but not necessarily for individual use, lease or to transfer ownership, whether immediate or future, and regardless of whether the division is by deed, description, devise, lease, map, plat, plan, other recorded instrument, previous division or subdivision or condominium or cooperative creation or conversion.
23. ***Improvement (or Subdivision Improvement).*** Any one or more of the following that is required by this chapter or by a development, the need for which is generated by a development project: clearing and other removal of vegetation; grubbing; contouring of land and other grading activities; streets and roadways; recreational trails, and sidewalks; signage for traffic control or other governmental purposes; traffic-control devised on roadways, trails, or paths; street, sidewalk, path, or trail lighting; water mains and appurtenances; sanitary sewers; storm sewers and other drainage improvements; erosion control including channel stabilization and sediment control; utility lines and appurtenances; landscaping, berms, fences, retaining walls and other buffers; parks, recreation, and opens space facilities and playgrounds; grading; and other improvements, whether on or off-site; as permitted by the *Code of Iowa* to mitigate impacts created by development.
24. ***Lot.*** A parcel of land that, exclusive of any outlot parcels, is of sufficient size and dimensions to comply with all requirements of the Zoning Ordinance and all other requirements and specifications for its intended use, whether or not its boundaries have been established by a plat of subdivision or plat of survey, and that has been fully improved in accordance with the subdivision improvement requirements of this Code.
25. ***Maintenance Bond.*** Surety or other security instrument that is in a form that is acceptable to the city and that is in such amount, duration and terms as to ensure that any and all subdivision improvements names in such surety will remain free from defects or failure of any sort, and in satisfactory and good repair for the duration of the periods of time specified by this Code.
26. ***Metes and Bounds description.*** A description of the boundaries of a parcel of land by use of distances and angles; distances and bearings; references to physical features of the land; or a combination thereof.
27. ***Outlot.*** A parcel of land that is not sufficient if size, dimensions, or physical character to comply with all requirements of the Zoning Code and/or all other Code requirements and specifications, or that has not been fully improved in accordance with the subdivision improvement requirements of this Code.
28. ***Person.*** Any individual, corporation, associations, firm, partnership or other legal entity, whether singular or plural.

29. ***Park and Open Space Plan.*** The city's comprehensive long-range plan for parks, recreational trails, and open space as formally adopted and amended from time to time by the City Council.
30. ***Plat.*** A map or set of maps that delineate the locations, boundaries, geometry, dimensions, bearings and other necessary information for lots, parcels, sites, units, condominiums, tracts or other real property interests that are to be created by a subdivision, or of existing parcels within an Auditor's plat.
31. ***Plat of Subdivision.*** A subdivision proposed by a developer who owns the real property being subdivided, or is acting with the consent and on behalf of the owner.
32. ***Plat of Survey.*** A graphical representation of a survey of one or more parcels of land, together with a complete and accurate description of each parcel, that is prepared by a licensed professional public land surveyor.
33. ***Plat, Acquisition.*** A plat that is prepared for or as the result of a conveyance or condemnation of a parcel of land or other corporal real property by the city; other governmental entity; or other persons having the power of eminent domain.
34. ***Plat, Auditor's.*** A plat that is prepared by order of a County Auditor or Assessor to clarify boundaries and descriptions of existing real property interests for the purposes of assessment and taxation, and that does not create any new parcels of land or other divisions of real property, except for conveyance to the city or other public jurisdiction.
35. ***Plat, Final.*** A complete and exact plat prepared in accordance with the accuracy required by the *Code of Iowa* and this Code for a subdivision, for the purpose of obtaining city approval of the proposed subdivision and subsequently recording it as an official plat.
36. ***Plat, Minor.*** A plat of subdivision that does not create or necessitate the creation of a new street and that does not contain more than ten lots or other parcels, excluding parcels being dedicated to the city or other governmental entity.
37. ***Plat, Major.*** Any plat of subdivision that is not a minor plat.
38. ***Plat, Official.*** A plat of subdivision or Auditor's plat that complies with this Code and the *Code of Iowa* and that has been filed and made of legal record in the offices of the appropriate County Recorded, Auditor, and Assessor.
39. ***Plat, Preliminary.*** A plat that delineates a developer proposed designs for a proposed subdivision and development improvements that are required for or related to the subdivision, including lot layout and supporting infrastructure.
40. ***Recreational Trail (or Shared Use Path).*** Public pathways restricted to pedestrians and non-motorized vehicles for the purpose of separating automobile traffic from

pedestrian and non-motorized vehicles and/or providing connectivity for other public land uses.

41. **Replat (or Re-subdivision).** A plat consisting in whole or in part of land that has previously been included in a plat of record.
42. **Right-of-Way.** Property that is set aside for a public purpose or common use by more than one property or person if held in private ownership, that has an express or implied property interest such as by fee title or easement and that is separate and distinct from adjoining lots or parcels.
43. **Roadway.** The improved portion of a street right-of-way that is designed, intended and improved for use by vehicular traffic and where curbs are laid, the pavement between a set of curbs.
44. **Setback.** The horizontal distance between a property line and the nearest point of a structure, as measured along a straight line that is perpendicular or radial to the property line at the point of measurement, in accordance with the Zoning Code excluding any encroachments permitted by said Zoning Code.
45. **Street.** A roadway together with right-of-way that is the principal means of vehicular access to abutting properties or that is a corridor for vehicular travel and circulation, whether improved or unimproved and whether designated as a highway, street, avenue, road, drive, place, court, way, lane, or other vehicular way.
46. **Street, Arterial.** A street that is designed to connect major centers of activity within and beyond the city's boundaries by performing as a part of an interconnected system of major streets and highways, and accordingly to carry the highest volumes of traffic and the longest trips; including major and major arterial streets.
47. **Street, Collector.** A street that is designed to provide direct vehicular access to abutting properties and to collect traffic from local streets and to convey such traffic to the arterial street system.
48. **Street, Local.** A street that is designed to primarily provide direct vehicular access to abutting properties.
49. **Street, Parkway.** A street that is designed with amenities to enhance the pedestrian experience including elements such as street trees, trails, benches, landscaping, lighting, and wayfinding signage within public right-of-way or easement.
50. **Street, Right-of-Way Width.** The distance between the boundary lines of a street as measured at a right angle or along a line that is a normal line to the centerline of the street at the point of measurement.
51. **Structure.** Anything constructed or a combination of materials that form a construction for use, occupancy or ornamentation, whether installed on, above, or below the surface of land or water.

52. **Subdivision.** The act or result of dividing a single interest in a parcel of land or other corporal real property into two or more lots, parcels, sites, units, condominiums, tracts or interests usually but not necessarily for individual use, lease or to transfer ownership, whether immediate or future, and regardless of whether the division is by deed, metes and bounds description, devise, lease, map, plat, declaration for the establishment of a horizontal property regime under Chapter 499B of the *Code of Iowa*, other recorded instrument, previous division or subdivision, or condominium or cooperative creation or conversion, except for the minimum division necessary under intestacy or a testator's division of real property amongst heirs; partners' division of firm real property amongst themselves upon dissolution by reason of insolvency; and other cases of similar nature. For purposes of this chapter, division of an aliquot part for agricultural purposes only shall not be considered as subdivision.
53. **SUDAS.** The Statewide Urban Design and Specifications program, including the design manual and standard specifications, maintained by the Institute for Transportation at Iowa State University.
54. **Surety.** A security instrument including, but not limited to, a bond, letter of credit, escrow deposit, or other financial guarantee, that the city finds acceptable in form and amount to ensure that all public and nonpublic improvements will be satisfactorily completed in full compliance with plans and specifications that are approved by the city, whether such improvements are required by this Code or as a condition of approval of a subdivision or other development.
55. **Surveyor.** A professional land surveyor who is licensed in the state of Iowa and who engages in the practice of land surveying pursuant to Iowa Code Chapter 542B.
56. **Tract.** An aliquot part of a section, a lot within and official plat, or a government lot.
57. **Utility Fixture.** Any structure or appurtenance associated with a utility system including but not limited to water valves, fire hydrants, curb stops, manholes, intakes, flared end section, clean-outs, handhole, pole, or pedestal.
58. **Zoning Ordinance (or Zoning Code).** The zoning regulations of the City of Polk City, Iowa and amendments thereto as codified in Chapter 165 of the municipal code.

170.04 CLASSIFICATION OF LAND DIVISIONS

1. *Plat of Subdivision.*

- A. A plat of subdivision shall be required for any division of land that proposes either of the following actions or outcomes, regardless of whether it is a major plat, minor plat or a replat:

- (1) To divide a single interest in a parcel of land or other corporal real property into two or more interests, including declarations and establishments of horizontal property regimes and cooperative housing. For the purpose of making such determination, a conveyance

of one or more parcels to the city or other public entity for use as right-of-way shall not be counted as one of said three interests; or

- (2) To create a new street, whether by choice or by necessity in order to comply with minimum frontage or other code requirements, and regardless of whether the street is to be dedicated for public ownership and maintenance, or held in common private ownership and use.

B. *Minor Plat of Subdivision.* A subdivision that divides a single parcel of land or other interest in corporal real property into not more than four (4) parcels or interest that each front onto an existing, paved public street(s) may be classified as a minor subdivision. The City Engineer shall have the authority to classify a subdivision as a minor subdivision provided said subdivision:

- (1) Does not require any new public streets for access to any lot or parcel;
- (2) Does not require extension of public sanitary sewer, storm sewer, or water mains; and
- (3) Does not require grading or drainage improvements, including detention, to control runoff that may adversely affect downstream properties; and
- (4) Does not adversely affect the future development or platting of the remainder of the property or adjoining property; and
- (5) Is not in conflict with provisions of this Code, the Zoning Ordinance, or Comprehensive plan.

C. Preliminary plats and final plats for minor plats of subdivision, horizontal property regimes, and cooperatives may be filed for concurrent review and approval.

2. *Plat of Survey.* A subdivision that divides a single parcel of land or other interest in corporal real property into not more than two parcels or interests; a plat that combines several parcels into a single parcel to clarify or simplify its legal description; or a plat that clarifies the boundaries of one or more parcels of land that have metes and bounds descriptions and that does not create any subdivision, may be done by plat of survey if approved by the City Engineer. Consecutive plats of survey on a single tract of land shall not be used to circumvent the requirement for a plat of subdivision.
3. *Acquisition Plat.* An acquisition plat may be completed in the same manner as a plat of survey, regardless of the number or new parcels of land or other corporal real property that are created by the subdivision, if all of the new parcels or interests will be held in public ownership by the city or other governmental entity, or by other persons having the power of eminent domain for the purpose of acquiring such corporal real property.

4. ***Auditor's Plat.*** An auditor's plat shall comply with all of the submittals and procedures that are required for a plat of subdivision.
5. ***Condominiums.*** The establishment of a condominium, including the conversion of existing building(s) or construction of new building(s), with the intent to establish a horizontal property regime with interest in real property shared by co-owners owners shall comply with the requirements, conditions, and restrictions of Chapter 499B of the Code of Iowa and all applicable building codes, fire codes, zoning regulations, and subdivision regulations. All required documents including declaration of horizontal regime, articles of incorporation, bylaws, and rules and regulations shall be provided to the City Manager for review by Development Review Committee, and approval by City Council prior to recordation.

170.05 REVIEW AND APPROVAL PROCEDURE

1. ***Pre-Application Conference.*** Whenever a developer proposes a plat of subdivision, the developer shall contact the City Manager to schedule a pre-application conference. The pre-application conference shall include the developer and representatives, representatives from the department of community development and the engineering department, and such other city departments that express a desire to be included in such pre-application conferences on a regular basis, or that are deemed helpful or necessary by the City Manager. The purpose of the pre-application conference shall be to acquaint the city staff with the proposed subdivision, and to acquaint the developer with the procedures and requirements of this code along with issues and regulations that pertain to the subdivision. The developer shall furnish a reasonably specific description of the property to be subdivided at the time of requesting the pre-application conference and is encouraged to prepare and submit a conceptual layout plan for the proposed subdivision prior to the conference in order to facilitate the pre-application conference.
2. ***Neighborhood sketch plan.*** If the City Engineer determines there is no existing master plan or neighborhood sketch plan or other plan that fulfills the intent of this section by adequately demonstrating how a proposed land development will be compatible with the development of adjoining lands and the Comprehensive Plan, the developer shall submit a neighborhood sketch plan to the City Clerk prior to or in conjunction with the development application for a preliminary plat. Requirements for a neighborhood sketch plan shall be as set forth in Section 170.10 of this Chapter. The procedure for review and approval of a neighborhood sketch plan shall be the same as for a preliminary plat specified in subsection 3.A of this section.
3. ***Plat of Subdivision***
 - A. ***Preliminary Plat.*** Following one or more pre-application conferences as determined to be necessary by the City Engineer or as requested by the developer, a preliminary plat of subdivision ("preliminary plat") shall be prepared by the developer and submitted to the City Clerk in accordance with this chapter. Preliminary plats shall be reviewed and presented to the Planning

and Zoning Commission in general accordance with the Submittal and Meeting Schedule further defined in Section 170.05, paragraph 9, of this Chapter.

- (1) The City Engineer shall review the preliminary plat and the City Clerk shall promptly convey one copy of it to each member of the Development Review Committee for their review and recommendations. The Committee shall review the preliminary plat for conformance to all of the city codes, ordinances and specifications that they customarily enforce, and for conformance to applicable professional standards. Upon completion of their reviews, each member of the Committee shall forward their recommendations for action on the preliminary plat to the City Engineer for inclusion in a consolidated, written staff report and recommendation that is to be prepared by the City Engineer. The Committee may recommend that the plat be approved, approved subject to conditions and revisions, or that the preliminary plat application be denied for reasons that shall be set forth in the written Committee recommendation.
- (2) The City Engineer shall provide a copy of the written staff report and the consolidated recommendations from the Development Review Committee to the developer prior to providing the report and recommendations to the Planning and Zoning Commission to afford the developer the opportunity to make any revisions deemed necessary or appropriate prior the preliminary plat being provided to the Commission. After consulting with the developer and City Engineer, the City Clerk shall forward the Development Application along with the Committee report and recommendations, each as revised if applicable, to the Commission.
- (3) The Planning and Zoning commission shall review the Development Application and the recommendations of the Development Review Committee and act on the proposed preliminary plat in a timely manner, and may recommend to the City Council that it approve, approve subject to conditions or revisions, or deny the preliminary plat application, whether or not such recommendations are in accordance with the recommendations of the Development Review Committee. If the commission does not act on the preliminary plat in a timely manner, the developer may request the City Council to consider the preliminary plat and recommendations of the Development Review Committee without the provision of any recommendations by the Planning and Zoning commission.
- (4) The Planning and Zoning Commission and City Council may, at their discretion, hold public hearings on a preliminary plat and may provide notice to nearby property owners or tenants in whatever manner or amount of time that the commission or council deems appropriate.

- (5) Once a preliminary plat has been reviewed and acted on by the Planning and Zoning Commission, the City Engineer shall forward the commission's recommendations and the Development Review Committee report and recommendations to the City Council for consideration at its next available meeting, subject to any notifications that may be directed by the Commission or Council and revisions to the preliminary plat to satisfy all recommended revisions and conditions, provided the City Council desires to have all such revisions completed to the Development Review Committee's satisfaction prior to the Council's consideration of the preliminary plat. The City Council may adopt the recommendations of the Development Review Committee; recommendations of the Commission if at variance with the Committee on one or more points; or act freely of their own volition, provided that, the Council shall have no authority to waive any requirements of the zoning code, or of any other city code unless provisions are expressly set out in the pertinent code to grant the council the powers to waive or make exceptions to or from such code.
- (6) Upon approval by the City Council and filing of a revised preliminary plat that satisfies all conditions of approval, the City Clerk shall retain a copy of the approved preliminary plat in the city files and provide a copy to members of the Development Review Committee and to the developer if requested.

B. *Construction Drawings.* Following approval of the preliminary plat and during such time that the plat remains valid, the developer shall cause detailed construction drawings of and specifications for the subdivision improvements to be prepared by a professional civil engineer who is licensed in the state of Iowa (herein "developer's engineer") and submitted for review and approval by the city engineer.

- (1) The developer's engineer shall incorporate all of the subdivision improvements that are required by this code and other applicable regulations, and any that may be required by the City Council as a condition of approval of the subdivision, in the subdivision improvement plans and specifications and shall certify said plans and specifications as being fully compliant with this code and all other applicable regulations.
- (2) Said plans and specifications may allow for phased construction, provided such phasing was depicted on a valid preliminary plat. In order to facilitate such phasing, the City Engineer may require certain improvements, including but not limited to temporary turn-around(s) and extension of utilities to structures set beyond pavement limits, to ensure each phase remains each fully compliant with this code and all other applicable regulations.

- (3) Said plans and specifications shall be fully compliant with the valid preliminary plat and the conceptual design of the improvements as depicted therein. If the improvement plans and specifications deviate substantially from the valid preliminary plat, the plans and specifications shall be revised to conform, or the preliminary plat shall be revised and resubmitted for review and approval by the planning and zoning commission and city council, in full compliance with the requirements of this code.
- (4) Any improvement that is proposed to be constructed in accordance with special provisions that are in variation with or from the city's standard specifications shall first be reviewed and approved by the City Engineer, or their designated agent, as part of the full and complete set of subdivision improvement plans and specifications, and the City Engineer may require any such variation to be submitted for review and approval by the City Council in accordance with Section 170.14 of this chapter.
- (5) No improvement or development, or work preparatory thereto except clearing, grubbing and grading, shall be done prior to the city engineer's finding that the subdivision improvement plans and specifications are complete and in full compliance and have been properly certified by the developer's engineer, and are therefore approved; and that all required permits have been issued by the city engineer and all other applicable regulatory agencies. Grading may be commenced at developer's sole risk if the City Engineer concurs with conceptual grading plans and storm water management plans that have been prepared by the developer's engineer.
- (6) The developer shall be responsible for applying for and obtaining approval of all required permits from federal, state, and local governmental agencies or jurisdictions prior to commencing construction of the subdivision improvements.
- (7) The developer's engineer shall be solely responsible and liable for ensuring that the subdivision improvement plans and specification are fully compliant with the requirements of this code and all other applicable requirements and permits. The City Engineer's approval of the subdivision improvement plans and specifications, or concurrence with conceptual grading plans, shall only be deemed to allow the developer to commence work on the correlating subdivision improvements or grading, in accordance with the approved plans and specifications and all requirements of this code. The City Engineer's approval or concurrence shall not be found to assume, alleviate, or relieve the developer or developer's engineer from any liability or responsibility for said plans or grading plans and the requirement to construct the improvements in full compliance with this code; to create

any vested right to proceed with any development or improvement that is not in full compliance with this code by reason of oversight, error or other reason; to waive any requirement of this code unless this code expressly allows a waiver to be made and any said waiver is made in writing; or to in any way create or assume any liability by or for the City or any of its employees and agents.

C. *Final plat.* Following the approval of a preliminary plat; approval of the construction drawings and specifications for subdivision improvement plans and specifications and acquisition of all required permits; and while the preliminary plat remains valid, the developer shall cause a final subdivision plat (“final plat”) to be prepared for all of the preliminary plat or for a phase thereof as previously identified on the valid preliminary plat, and submitted to the City Engineer in general accordance with the Submittal and Meeting Schedule further defined in Section 170.05, paragraph 9, of this Chapter.

- (1) The City Engineer shall review the final plat and the City Clerk shall promptly convey one copy of it to each member of the Development Review Committee for their review and recommendations. The Committee shall review the final plat for conformance to the valid preliminary plat; conformance to the approved construction drawings and specifications; for conformance to all of the city codes, ordinances and specifications that they customarily enforce, and for conformance to applicable professional standards. Upon completion of their reviews, each member of the Committee shall forward their recommendations for action on the final to the City Engineer for inclusion in a consolidated, written staff report and recommendation that is to be prepared by the City Engineer. The Committee may recommend that the final plat be approved, approved subject to conditions and revisions, or that the final plat application be denied for reasons that shall be set forth in the written Committee recommendation.
- (2) The City Engineer shall provide a copy of the written staff report and the consolidated recommendations from the Development Review Committee to the developer prior to providing the report and recommendations to the Planning and Zoning Commission to afford the developer the opportunity to make any revisions deemed necessary or appropriate prior the final plat being provided to the Commission. After consulting with the developer, the City Engineer shall forward the Development Application along with the Committee report and recommendations, each as revised if applicable, to the Commission.
- (3) The Planning and Zoning commission shall review the Development Application and the recommendations of the Development Review Committee and act on the proposed final plat in a timely manner, and may recommend to the City Council that it approve, approve subject to

conditions or revisions, or deny the final plat application, whether or not such recommendations are in accordance with the recommendations of the Development Review Committee. If the commission does not act on the final plat in a timely manner, the developer may request the City Council to consider the final plat and recommendations of the Development Review Committee without the provision of any recommendations by the Planning and Zoning commission.

- (4) Once a final plat has been reviewed and acted on by the Planning and Zoning Commission, the City Engineer shall forward the commission's recommendations and the Development Review Committee report and recommendations to the City Council for consideration at its next available meeting, subject to any notifications that may be directed by the Commission or Council and revisions to the final plat to satisfy all recommended revisions and conditions, provided the City Council desires to have all such revisions completed to the Development Review Committee's satisfaction prior to the Council's consideration of the preliminary plat. The City Council may adopt the recommendations of the Development Review Committee; recommendations of the Commission if at variance with the Committee on one or more points; or act freely of their own volition, provided that, the Council shall have no authority to waive any requirements of the zoning code, or of any other city code unless provisions are expressly set out in the pertinent code to grant the council the powers to waive or make exceptions to or from such code.
- (5) Upon approval by the City Council and filing of a revised final that satisfy all conditions of approval, the City Engineer shall retain a copy of the approved preliminary plat in the city files and provide a copy to members of the Development Review Committee and to the developer if requested.

D. Recording of final plat to become an official plat.

- (1) No final plat shall be submitted for filing of record in the offices of the appropriate county recorder, auditor and assessor; officially recognized by the city; improvements within a subdivision shall not be accepted for public ownership and maintenance; building permits shall not be applied for; and public funds shall not be expended or services provided within a subdivision, until all provisions set forth in this code have been satisfied in full and all approvals required by this code have been obtained and remain valid.
- (2) No final plat shall be released for filing of record unless and until:

- (a) The required subdivision improvements shall be satisfactorily completed to the full satisfaction of the city engineer, all Record Drawings have been provided in accordance with Section 170.11 paragraph 3, and all maintenance bonds shall be posted therefore in accordance with Section 170.09 paragraph 6, and performance surety shall be posted for any subdivision improvements that are incomplete and not ready for in accordance with 170.09 paragraph 3;
 - (b) All fees and charges due to the city for review of all Development Applications, construction observation of the subdivision improvements; connection fees and other impact fees; assessments for streets and other improvements; reimbursements for water mains; and any other costs and financial obligations have been paid in full;
 - (c) The developer has paid for the installation of streetlights;
 - (d) The developer has reimbursed the city for all street name signs, traffic-control signs, and pavement markings;
 - (e) Deeds and easements have been submitted to, and reviewed and approved by, the City Engineer, in consultation with the City Attorney, in accordance with this code for all streets, parkland, recreational trails, public utilities and subdivision improvements that are to be dedicated to the city or owners' association, as the case may be;
 - (f) All attachments to subdivision plats as required by Chapter 354.11 of the *Code of Iowa* code chapter 354.11 or contents of declaration as required by Chapter 499b.4 if the *Code of Iowa* as the case may be, development agreements, covenants and declarations establishing an owners' association, and any other attachments, declarations, certifications or other documents that may be required as a matter of the filing of a plat whether by the code or the city, have been submitted to, and reviewed and approved by, the City Attorney in consultation with the City Engineer;
 - (g) All conditions of approval of the final plat by the City Council have been satisfied in full.
- (3) The final acceptance of the plat shall not be deemed to constitute final acceptance by the city of any improvements or dedications except as expressly set forth in a City Council resolution. The improvements shall only be expressly accepted by separate action by the City Council after the City Engineer submits a statement advising the Council that

all of the improvements have been inspected and found to have been completed in substantial conformance with city specifications and the approved subdivision improvement plans.

- (4) Upon finding by the City Engineer and City Engineer that all requirements of this code and of the code of Iowa have been satisfied, the City Clerk shall release the final plat, Council resolution approving said plat, and all necessary documents for recording to the developer, and the developer shall promptly submit same for filing of record in the offices of the appropriate county recorder, auditor and assessor. Be it also provided that, the City Clerk may choose to file any and all deeds and easements for the plat itself, to ensure that they are in fact promptly and properly filed, and may charge the developer for all costs associated with said filing.
 - (5) The developer shall submit to the City Clerk a certificate of recording from the County Recorder's office. or book and page of recordation, to the City Clerk prior to issuance of any building permits within the platted area.
4. ***Minor Plat of Subdivision.*** A minor plat of subdivision shall comply with all of the requirements for a plat of subdivision, except that the developer may incorporate the preliminary plat and final plat into a single submittal for concurrent review and action by the city.
 5. ***Plat of survey.*** A plat of survey shall comply with the requirements of a final plat with the exception of the provision of legal documents. However, a plat of survey that does not create a new buildable parcel may be reviewed by the City Engineer for compliance with this code and approved by City Council.
 6. ***Acquisition plat.*** An acquisition plat may be reviewed and approved by the City Manager, with concurrency by the City Engineer, in the same manner as a plat of survey.
 7. ***Auditor's plat.*** An Auditor's plat shall be submitted, reviewed, and acted upon by the Planning and Zoning Commission and City Council in the same manner as a plat of subdivision.
 8. ***Subdivisions Outside of Corporate Limits.*** All plats of subdivision, minor plats of subdivision, plats of survey, acquisition plats, and auditor's plats located in the unincorporated area within two (2) miles of the corporate limits of the City shall be reviewed and approved in the same manner as a like Development Application located within the corporate limits of the City. The Development Application for such subdivisions that necessitate the extension and/or the provision of municipal services, whether at the time of platting or at some point in the future, shall be required to submit an application for voluntary annexation, signed by the owner of the real property included in such subdivision, which shall be recorded and kept on file in

the city offices until such time as City Council approves the petition for voluntary annexation.

9. **Schedule for Development Review and Approval.** All development applications; with the exception of construction drawings, storm water management plan and record drawings; shall be reviewed by the Development Review Committee and then presented to the Planning and Zoning Commission and City Council in accordance with the Development Review Schedule issued each year by the City Engineer. It shall be the developer’s responsibility to coordinate with the City Engineer regarding the schedule for their development application. There shall be no automatic approval granted for development applications that do not strictly adhere to the Submittal and Meeting Schedule.

10. **Number and Format of Submittals.** All development applications; including construction drawings, storm water management plan and record drawings; shall be provided to the City Engineer in pdf format. After final approval by the City, a certified pdf copy of the approved application shall be provided to the City Clerk and City Engineer.

Refer to the following table for the specific number and format of required submittals for various development applications.

Number and Format of Development Applications				
Submittal Type	For Review by Development Review Committee	For Planning & Zoning Commission Review	For City Council Review	Certified Copies Following Approval
Neighborhood Sketch Plan	pdf only	pdf only	pdf only	1 - 22” x 34” pdf
Preliminary Plat	pdf only	pdf only	pdf only	1 - 22” x 34” pdf
Construction Drawings	pdf only	-	pdf only	1 - 22”x34” pdf
Final Plat	pdf only	pdf only	pdf only	2 - 22”x34” Pdf
Record Drawings	pdf only	-	-	1 - 22”x34” pdf
Plat of Survey, Acquisition Plats	pdf only	pdf only	pdf only	1 - Full Size pdf

11. **Digital files of Plat Improvements Required.** The developer’s engineer shall provide the digital copies of the computer-aided design (CAD) files to the City Engineer in ArcView shapefiles format; such file shall include all information shown on the

approved Construction Drawing. An additional CAD file shall be provided to the City Engineer including all information shown on the approved as-built Record Drawings.

170.06 PARK AND OPEN SPACE DEDICATION

1. This section shall not apply to any development application, or portion thereof, which does not include residential development and is not zoned to permit residential use.
2. The method for fulfilling the developer's obligation for dedication of park and open space shall be determined in conjunction with the Preliminary Plat. An agreement regarding said dedication, if required, shall be approved at the time of Preliminary Plat approval unless otherwise directed by the City Engineer.
3. For purposes of this section, the term "Comprehensive Plan" shall be deemed to mean the City of Polk City's Comprehensive Plan together with its companion document, the City of Polk City's Comprehensive Park and Open Space Plan, including updates and amendments thereto as may be adopted from time to time by City Council.
4. ***Dedicate Land For Park And Recreational Purposes.***
 - A. All persons making a development application shall dedicate to public use 8.284 acres of land for park purposes for each one thousand (1,000) people, based upon the projected population of the completed development application as calculated in accordance with this section. Therefore, the dedication of land for park purposes shall be equivalent to 361 square feet per resident. Such dedication shall be prorated to the amount indicated by the projected population to the nearest one thousand (1,000) square feet of land to be dedicated, but in any event, no dedication of such parkland shall contain less than ten thousand (10,000) square feet of land to be dedicated for park usage.
 - B. For purposes of this section, population in the completed area covered by the development will be determined by multiplying the number of housing units projected in the area covered by the development application for each type of dwelling unit times the anticipated average number of persons per unit as given below times the required square footage per resident. The quantity calculated for each type of dwelling unit shall be added together and the sum shall be the projected population for purposes of the development application. The selected dwelling unit type shall be based on the physical characteristics of the structure rather than on the type of ownership planned for the dwellings.
 - C. The parkland dedication for each dwelling unit type shall be as listed below. If any proposed dwelling unit types are not listed below, the City Engineer shall determine which dwelling unit type(s) shall be used for purposes of calculating the parkland dedication for the development.

Parkland Dedication Requirements		
Dwelling Unit Type (As per Zoning Ordinance)	Population Per Dwelling Unit	Land Dedication Per Dwelling Unit
Single-Family Detached	2.76 persons	995.95 Square Feet
Single-Family Attached (Bi-attached, duplex, townhomes)	2.00 persons	721.70 Square Feet
Multiple Family (Apartments)	1.50 persons	541.28 Square Feet

- D. The city may require that all land dedicated under this section be configured or located to optimize aggregations of land and thus may require that the dedicated land be adjacent to the land affected by other development applications or otherwise maximize usefulness of the land in accordance with the Comprehensive Plan. The city may place similar requirements upon dedications under this section in order to assure useful aggregations of land for open space.

- E. Only in locations where open space has been designated on the Comprehensive Plan, such open space may be considered as parkland in fulfilling the parkland dedication requirement, or portion thereof. On large tracts of land where a future neighborhood park has been designated on Comprehensive Plan, at least three (3) acres of the required parkland dedication should be usable for development of a neighborhood park. For purposes of this paragraph, land dedicated for open space purposes includes natural resource areas, watershed areas, wooded ravines or embankments, recreational trails, or similar open spaces but shall be exclusive of floodplains.

- F. In locations where recreational trails have been designated on the Comprehensive Plan, trail right-of-way may be considered as parkland in fulfilling the parkland dedication requirement. If said right-of-way exceeds thirty feet in width, and the city agrees to accept the excess right-of-way area, the area to be considered as parkland for purposes of fulfilling the parkland dedication requirement shall be based on a corridor no more than thirty feet wide. In certain unique circumstances, the City Council may agree to accept a Recreational Trail Easement in lieu of dedicated right-of-way and building setbacks shall be adjusted such that there is no encroachment by foundations, roofs, or cantilevered structures into the easement area.

- G. For purposes of this section, the water area of ponds, streams, detention basins, and other bodies of water as well as surrounding embankments shall not be counted toward any required dedication for park or open space purposes. Further, the land area within any floodway or designated as a required buffer or open space shall not be included in determining any dedication for park purposes.

- H. The dedication of any land for park or open space purposes shall include dedication of a corridor or point of connection from public pedestrian access, the area of which shall be included in determining compliance with this section. A minimum of one hundred (100) feet of frontage to a public street is required for each park dedicated in accordance with this section, with the exception of land dedicated for open space purposes which shall have a corridor or point of connection that is at least thirty (30) feet wide to accommodate recreational trails and at least sixty (60) feet wide where required by the City to accommodate park access drives and trail.
- I. Master Agreement. If the land to be developed is part of a larger area being developed by a single developer or by a group of developers who enter into a single agreement with the City, the developer or developers may enter into a written agreement with the City providing for the dedication of the land relating to the present development in a future subdivision plat, which land shall be dedicated for recreational facilities serving the larger area under development by the developer or developers. The written agreement between the City and the developer or developers shall establish the timetable for the dedication of the land by the developer. The amount of land dedicated and the method of dedication shall be in accordance with the provisions of this section.
- J. Approval of a development application shall be conditioned upon the construction of (or providing sufficient surety for the construction of) the following improvements in accordance with the city's design standards:
- (1) Streets abutting any dedicated land.
 - (2) Utility services (including hookups) to the boundary of any dedicated parkland, with the exception of open space land, including water lines, sanitary sewers, storm sewers, drainage structures, gas lines, electric lines, communications lines, and other such utilities as are (or will be upon completion) available to adjacent tracts.
 - (3) Sidewalks abutting any public street including recreational trail connections as appropriate.
 - (4) Site grading and seeding. A minimum of 75% of the required parkland area, with the exception of areas designated as open space per subsection 4.E. of this section, shall be graded to accommodate active recreation. The active recreation area shall be graded such that slopes are not less than 1.5% or greater than 5%, except under special conditions when greater slopes are desired to enhance recreation, such as a sledding hill, as determined by the City Council. On-site drainage patterns shall be designed and constructed to ensure runoff is not directed across active recreation areas and approved by the City Engineer. Active recreation areas and lawns shall have a minimum of

4 inches of clean, lightly compacted topsoil. Seeding shall be completed using permanent seed mixtures based on planned use of the property.

- (5) Streetlights on public streets abutting the parkland and open space land, with streetlights designed to illuminate park access location(s).
- K. If land dedication under this section requires an amendment to the Comprehensive Plan, the need for such an amendment will be reported to the Planning and Zoning Commission which shall make a recommendation to the City Council on the development application.
- L. The required land dedication under this section shall be reduced when the person making the development application provides perpetual public access by permanent easement to recreational facilities, playgrounds, unobstructed open spaces, ball fields, soccer fields, tennis courts, basketball courts, volleyball courts, picnic shelters, recreational trails and other similar non-duplicated recreational facilities which have been (or will be) constructed and maintained by the applicant and are not shown on the master parks and trails plan. There shall not be any credit for swimming pools, clubhouses and other recreational facilities not provided in public parks or open spaces unless such recreational facilities are specifically designated on the Comprehensive Plan. In order to determine the credit the city shall ascertain the fair market value of the land required to be dedicated under this section and from such value subtract 50% of the cost of the recreational facilities constructed by the applicant and provided under this section. The person making the development application shall then only be required to dedicate land equal in value to the remainder.
- M. Property subject to public access for recreational trails shown on, or proposed by the city to be shown on, the Comprehensive Plan shall be included in the calculation of parkland dedicated under this section.
- N. The dedication of land for recreational trails required under by this chapter shall be platted as an outlot to be owned by the city upon final platting. If specifically approved by City Council, the dedication may include easements to the public of land used, provided such easement is in conformance with Section 170.08, subparagraph 16(G) of this Chapter. The dedication of land shall be made by the applicant by provision of a warranty deed transferring title of an outlot or outlots to the City at the time of final approval of the plat. In the case where the parkland dedication will be fulfilled, at least in part, by dedication of an easement, the applicant shall provide an easement document granting right of use to the City and the general public at the time of final approval of the plat.
5. ***Alternative Location for Dedication.*** As an alternative to land dedication under subsection 4 of this section, any person filing a development application may provide

- jointly with other persons for the dedication of land in an amount at least equal to the amount required under subsection 4 of this section, at a location which is not part of the land for which approval is sought, provided such alternative is within the same neighborhood park district as the land for which a development application has been made, that the alternative jointly provided will provide for a park with a total land area of at least five (5) acres and contiguous connective open space consistent with the Comprehensive Plan, and that such alternative dedication of land is or has actually been dedicated to the city and has been accepted by the city for use in accord with the said plans.
6. ***Dedication Requirement Less Than One acre.*** Where application of the formula set forth in subsection 4 of this section results in a dedication requirement of less than one acre, the person making or filing the development application may elect to dedicate one acre of land or fulfill their obligation by participating in an option provided by subsection 5 of this section, but such alternative participation shall be based upon the actual calculation under subsection 4 of this section and not upon the equivalent of one acre of land.
 7. ***Alternate Plan.*** Subsections 4, 5 and 6 of this section notwithstanding, any entity required to comply with this section may present an alternate plan that meets the purposes of this section as a means of complying herewith. Such alternate plans may include (a) the developer's payment of a fee in lieu of land dedication that is based on the fair market value of land that has been graded and seeded and includes one-half the cost of typical public improvements based on the minimum one-hundred linear feet of frontage to a public street; or (b) the developer's construction of park amenities or trails. It will be the burden of the entity presenting such plan to establish that such plan meets the purposes of this section. The Development Review Committee shall review such plan and make a recommendation to the City Council. Any alternate proposal must directly and proportionately benefit the development and must be approved by City Council in conjunction with the Preliminary Plat.
 8. ***Single-Family Residential Units:*** This section shall not apply to any development application containing three (3) or fewer single-family residential units. A person making or filing a development application shall not divide land into separate plats in order to seek a waiver under this provision. Where a development application is made for multiple contiguous tracts within any two (2) years, the city may treat all the development applications as one for the purposes of this section.
 9. ***Horizontal Property Regime:*** No declaration of a condominium regime under Chapter 499B of the *Code of Iowa*, nor any conversion of an apartment to a condominium under said Chapter shall be completed after the date of the adoption of this ordinance unless the person or entity filing the declaration shall have complied with the land dedication requirements of this chapter.
 10. ***Severability.*** If any subsection or provision of this section is held invalid by a court of competent jurisdiction, such holding shall not affect the validity of any other

provisions of this section which can be given effect without the invalid portion or portions and to this end each subsection and provision of this section is severable.

11. *Appeal Procedure.*

- A. Notice of Appeal; Fee. Any person making or filing a development application or any person, entity, or developer affected by any decision made by any department acting under Section 170.06, may appeal to City Council by filing notice of appeal with the City Clerk and a filing fee of one hundred dollars (\$100.00) payable to the City of Polk City to be credited to the general fund of the city. Such appeal shall be filed within ten (10) days from the decision of the department acting under this chapter and shall set out in detail the reasons and grounds for the appeal. The City Clerk shall forthwith transmit to the City Council all papers constituting the record upon which the action appeal is taken. An appeal stays all proceedings in furtherance of the appeal.
- B. Public Hearing. The City Council shall upon the filing of an appeal fix a reasonable time for a hearing, giving public notice thereof as well as due notice to the parties in interest. All interested persons may offer oral or written testimony at the public hearing on the appeal. A vote of three (3) members of the City Council may affirm, modify, or reverse any decision of the Development Review Committee or any department acting under this chapter.

170.07 REQUIRED IMPROVEMENTS

1. The developer shall install and construct all public and private improvements required by this Chapter prior to Council approval of the Final Plat except as may be provide for in Section 170.07-5. All required improvements shall be installed and constructed in accordance with the approved specifications and under the supervision of the City Council and to its satisfaction.
2. All improvements required to be installed pursuant to this chapter and the approved construction drawings shall be installed prior to the issuance of building permits for buildings or structures lying within the plan unless the developer signs and Agreement to Complete covering the developer's obligation to complete all outstanding punch list items and has provided to the City Engineer a performance bond, certified check or letter of credit to cover the cost of completing such punch list items, provided the City Engineer determines none of the outstanding punch list items negatively impacts the health, safety, or welfare of builders and construction workers, future inhabits of the subdivision, or the general public.
3. Plats of subdivision shall be improved by the developer to provide all lots within the subdivision with adequate streets and access, public water mains and fire hydrants, public sanitary sewers, storm sewers and other drainage improvements, streets, sidewalks, recreational trails, parks and park infrastructure, mailboxes, streetlights, street signs, and traffic control signs, all to be designed and constructed by the

developer as subdivision improvements in full accordance with the chapter and particularly in accordance with design standards set forth in Section 170.08.

4. A developer may be required to extend or expand existing off-site public infrastructure as necessary to fully improve a proposed subdivision, or the City Council may, at its sole discretion, require a proposed subdivision to be delayed until such extension or expansion can be funded and constructed by the city or other developer or governmental entity.
5. Developers shall provide for the perpetual maintenance of any and all subdivision improvements that are not dedicated to the city or other governmental entity, by establishing an owners' association or other person, whether an individual or individuals, in a manner and form that is acceptable to the city. Such improvements may include but are not limited to storm water detention basins, ponds, bioswales, and infiltration basins; buffer yards, landscaping, fencing or walls, and other screening; subdivision signs, directional signs, traffic signs and pavement markings; and on-site lighting.

170.08 DESIGN STANDARDS

1. *General requirements.*

- A. Subdivisions shall not endanger health, safety or general welfare of the public or of persons residing or working on nearby properties, and shall not impair an adequate supply of light and air to nearby properties.
- B. Subdivisions shall be designed to locate and configure subdivision improvements in a manner that will not unduly diminish or impair the use and enjoyment of nearby properties. No subdivision shall be designed or improved in a manner that impedes or appears to impede the development of nearby properties that are within the city or the designated area of review.
- C. Subdivisions and all subdivision improvements shall conform to the Comprehensive Plan, Zoning Ordinance, Post-Construction Storm Water Management regulations, and all other applicable city, state, and federal regulations.
- D. Developers shall provide for the perpetual maintenance of any and all subdivision improvements that are not dedicated to the city or other governmental entity, by establishing an owners' association or other person, whether an individual or individuals, in a manner and form that is acceptable to the city. Such improvements may include but are not limited to storm water detention and infiltration basins; buffer yards, landscaping, fencing or walls, and other screening; subdivision signs, directional signs, traffic signs and pavement markings; and on-site lighting. All such private improvement shall be established within a permanent easement that defines maintenance responsibilities for same.

- E. Every subdivision shall be designed with regard for existing and proposed topography and drainage patterns, by blending grading for the subdivision smoothly into the land forms on adjoining properties; considering and providing for drainage into and through the subdivision, both existing conditions and at full development of the drainage basin; and by controlling runoff.
- (1) An attempt should be made to preserve mature upland forestation and other natural vegetation and geological features, while recognizing that the developer is required to substantially grade and contour a subdivision to construct the required subdivision improvements and properly grade streets, alleys, and lots to comply with this and other city codes and regulations, and state and federal regulations, and recognizing that the probability of post-development survival of trees and other existing vegetation may be greatly diminished by such necessary site modifications and disturbances.
 - (2) Clear cutting shall not be permitted, particularly in areas identified as agricultural reserve/open space or park/recreation on the Comprehensive Plan, unless specifically approved by City Council and in consideration of quality of species.
 - (3) Where preservation does not appear to be practical, subdivision and development landscaping should select overstory tree species that will create or reestablish the dominant tree species that would be native to the environ when possible, or alternatively to create subdivision character that is in keeping with the city as a whole, or that will uniquely identify the subdivision.
 - (4) The timing of tree clearing operations shall be in compliance with Iowa Department of Natural Resources regulations.
- F. Subdivisions shall not create or perpetuate outlots that are intended to prevent adjoining properties from having access to subdivision improvements that are or will be dedicated to the city unless such outlot is expressly approved by the City Council at the time of preliminary plat approval.
- G. Subdivisions and all subdivision improvements shall conform to the Comprehensive Plan, Zoning Code, and all other applicable city and state regulations.
- H. *Standard Specifications.* All design and construction shall be in accordance with the Statewide Urban Design and Specifications program [“SUDAS”]. The term “SUDAS” shall be interpreted to include both the SUDAS Design Manual and the SUDAS Standard Specifications, each as current at the time the preliminary plat was approved by City Council, including any amendments approved by the City of Polk City. Where any conflict exists

between SUDAS and the design standards prescribed by this chapter, the requirements of this chapter shall govern.

2. ***Site Suitability.***

- A. Land to be subdivided shall be of such character that it can be used safely for building purposes without danger to health or peril from fire, flood or other menace, and shall not be subdivided until showing can be made that those public utilities and improvements will be provided as required by this chapter and/or other applicable ordinances of the city, and proper provision has been made for drainage, water, sewage, transportation facilities and other improvements, to the greatest extent possible, attention shall be directed to the prevention of pollution of air, water, including streams, ponds, and subsurface water aquifer(s).
 - (1) Areas along major drainage ways and/or areas having steep or unstable embankments shall be required to provide easements of sufficient size to allow for slopes to be laid back at a 4:1 slope should regrading be required in the future, unless such requirement is waived by the City Engineer.
- B. Land which the city finds to be unsuitable for subdivision or development due to flooding, improper drainage, steep slopes, rock formations, adverse earth formations or topography, utility easements, or other features which will reasonably be harmful to the health, safety and general welfare of the present or future inhabitants of the subdivision, surrounding areas, or both, shall not be subdivided or developed unless adequate methods are formulated by the developer and approved by City Council, upon recommendation of the Planning and Zoning Commission to solve the problems created by the unsuitable land conditions.
- C. Soil tests and geotechnical report are required in accordance with Section 170.11, subsection 1(E); to ascertain whether expansive soils or other conditions exist that may affect the suitability and design of the subdivision and subdivision improvements.

3. ***Blocks.***

- A. No block shall be longer than 1,320 feet, measured from street centerline to street centerline.
- B. At street intersections, block corners shall be rounded with a radius of not less than 25 feet as measured at the right-of-way line. However, the right-of-way radii at intersections involving one or more arterial street shall require special design as consideration and approval by the City Engineer.

4. Lots.

- A. Minimum lot dimensions and size shall conform to the requirements of the Zoning Code for the applicable zoning district.
- B. A subdivision may establish setback lines that are greater than the minimum requirements of the Zoning Code or other city requirements for any or all lots. By so drawing or designating such setback lines on the plat, such setback lines shall thereafter be the minimum setback requirements for said lots.
- C. Setback lines shall parallel the street right-of-way. Minimum lot widths and frontage shall be measured parallel or radial to the right-of-way line respectively for straight or curved segments.
- D. Side lot lines shall be at right angles to the street right-of-way, or radial to the street right-of-way on curved streets.
- E. *Minimum street frontage.* All lots shall front onto a street and obtain vehicular access from a street. Lots that front onto a public street shall have the minimum street frontage required by the Zoning Code, including lots that front on cul-de-sac turnarounds.
- F. *Corner lots.* All corner lots shall have a minimum width of 20 feet greater than the minimum lot width required by the Zoning Code in order to permit adequate building setbacks on both front and side streets.
- G. *Double Frontage Lots.* Double frontage lots shall be prohibited, except where such lots back onto a major thoroughfare or highway or in the case of large commercial or industrial lots. Such double frontage lots shall have a 20' wide landscape buffer easement adjoining the rear street frontage. The building setback shall be measured from the boundary of landscape buffer easement.
- H. *Flag Lots.* The division of land into a flag lot or lots shall generally be discouraged by the City; and only permitted to provide access to lots where there exists unique topography, an unusual configuration of land ownership, adjoining developed land will not allow access from a public street, public land or environmentally sensitive land that is planned to be left undisturbed, or to minimize streets or public infrastructure to reduce maintenance responsibilities. Flag lots shall be permitted only when specifically approved by City Council.
- I. *Buffers.* Buffers and improvements thereto shall be provided by the developer in accordance with the minimum requirements of the Zoning Code, or such additional requirements that the City Council may stipulate as a condition of approval of a plat. All fences, berms and buffer yard plantings and improvements shall conform to the Zoning Code.

- J. *Lot Size where Public Services Are Not Available.* For the purpose of complying with minimum health standards, lots which cannot be reasonably served by an off-site public or common sanitary sewer system shall have a minimum width of 125 feet measured at the front yard setback line and an area of not less than 40,000 square feet. Lots shall be a minimum of 10 acres where there is proposed an on-site well for potable water and on-site sewage disposal is proposed.
- K. *Building Envelope.* Every lot, with the exception of townhome lots, shall have at least 2,000 square feet of contiguous area, hereinafter referred to as the "building envelope", of a shape sufficient to hold a principal building unless otherwise approved on a Planned Unit Development Master Plan. The building envelope shall be exclusive of setbacks, floodway, and easements and shall be shown on the preliminary plat.

5. ***Grading and Seeding.***

- A. The developer and/or his contractors shall be responsible for obtaining approval of a Grading Permit from the City prior to commencing any tree removal or grading operations. All tree removal and grading shall be in conformance with the requirements of SUDAS, tree ordinance, grading ordinance, and this chapter.
- B. During grading operations, existing topsoil shall be stripped and stockpiled on site. No topsoil shall be removed from the property without prior approval of the City Council. A minimum of 4 inches of topsoil shall be spread across the entire subdivision, exclusive of streets and wet-bottom detention basins or ponds unless the geotechnical report clearly demonstrates there is insufficient existing topsoil on site; in which case the developer shall develop a mitigation plan for review by the City Engineer and approval by City Council in conjunction with the Construction Drawings. The developer shall provide verification of compliance with topsoil requirements.
- C. All lots in subdivisions shall be graded to be entirely one foot or more above the base flood elevation as determined by the Federal Emergency Management Agency (FEMA) for a regulatory flood having a one percent or less chance of occurring in any one year, or any such higher standard that may hereafter be adopted by FEMA, and to allow basements that will be not less than one foot above the base flood elevation of the regulatory flood to be included in single-family detached residential and any and all other development that customarily is constructed with basements or other low enclosed building areas, on all lots. The developer shall cause minimum floor elevations (MFE) that are fully compliant with city and FEMA regulations to be noted on the final plat, or an engineer's exhibit attached to the final plat, and the final plat shall state that the property owner is responsible for maintaining their lot in in perpetual compliance with said minimum floor elevations (MFE).

- D. When a portion of a proposed lot lies less than one foot above the FEMA-established base flood elevation, said area shall be designated as an unbuildable Outlot and perpetually tied to the adjoining buildable lot by a record of lot tie agreement that shall be recorded with the final plat.
- E. Minimum opening elevation (MOE) requirements are intended to protect property only from localized storm runoff, detention basins and ponds, or shallow flooding, and shall not be allowed or construed to satisfy or comply with FEMA requirements or city code requirements and intent to protect persons and property from the dangers and adverse effects of flooding, regardless of whether a LOMR-F has been obtained for a property. MOE requirements shall be construed to apply to an entire lot and all portions of every building unless an exception is expressly noted and approved with whatever conditions and limitations that are deemed appropriate for any such exception, including, but not limited to, a case where MOE protection is necessary for surface water flowage or storm water management that is contained within a public easement on a portion of a lot, and does not affect the entire lot. The developer shall cause minimum opening elevations (MOE) to be noted on the final plat, or an engineer's exhibit recorded with the final plat, and the final plat shall state that the property owner is responsible for maintaining their lot in in perpetual compliance with said minimum opening elevations (MOE).
- F. No cut trees, timber, debris, contaminated soil, waste concrete, junk, rubbish, sewage, garbage, or food waste shall be buried, or left deposited on any private or public lot or outlot at the time the public improvements are accepted. Debris and soil deposited on existing public streets during construction shall be removed by the developer before the end of each work day.
- G. As soon as practicable following completion of grading, the entire site shall be seeded with an erosion control seed mixture in accordance with SUDAS. However, areas designated for parks or similar areas that will be owned by the City or under common ownership by an Owners Association shall be seeded with a permanent lawn mixture. Detention basins and ponds shall be seeded with a permanent seed mixture that is deemed suitable to wet conditions by the City Engineer.

6. *Streets.*

- A. The street layout in proposed plats and subdivisions shall conform to the Comprehensive Plan and Zoning Regulations.
- B. *General.* Streets shall be platted with appropriate regard for topography, creeks, wooded areas, and other natural features which would lend themselves to attractive treatment whenever possible.

- C. *Connectivity.* Public streets in all subdivisions shall be designed and configured to provide connectivity between adjoining properties and subdivisions to facilitate access and circulation within neighborhoods; to be in conformance with the Comprehensive Plan and Complete Streets Policy; and to thereby minimize and reduce traffic congestion, improve the efficiency of providing municipal services and enhance public health, safety and welfare together with protecting and increasing property values. Subdivisions of large parcels shall be designed and phased accordingly, to establish such connectivity at the earliest reasonable date.
- D. *Functional Classification.* The City Engineer shall have the sole authority to establish the municipal functional classification of a street as a major arterial, minor arterial, collector or local street for the purposes of this Code. The municipal functional classification may deviate from the federal functional classification for the same street.
- E. *Right-of-Way.* All new street rights-of-way shall be conveyed by warranty deed and without any conditions or limitations, in accordance with the following:
- (1) Major arterial street rights-of-way shall be designed to have a total minimum right-of-way width of 120 feet, or wider if so required by the City Engineer or City Council, and subdivisions on each side of the centerlines thereof shall dedicate one-half of such width;
 - (2) Minor arterial street rights-of-way shall be designed to have a total minimum right-of-way width of 100 feet, or wider if so required by the City Engineer or City Council;
 - (3) Parkways shall be designed to include a continuous 15 feet wide Parkway Easement on both sides of the parkway.
 - (4) Collector street rights-of-way for residential subdivisions shall be designed to have a total minimum right-of-way width of 70 feet, and collector street rights-of-way for nonresidential subdivisions shall be designed to have a total minimum right-of-way width of 80 feet, or wider if so required by the City Engineer or City Council.
 - (5) Local street rights-of-way for residential subdivisions shall be designed to have a total minimum right-of-way width of 60 feet, and local street rights-of-way for nonresidential subdivisions shall be designed to have a total minimum right-of-way width of 70 feet, or wider if so required by the City Engineer or City Council.
 - (6) Additional street rights-of-way widths may be required to be dedicated at the intersections of streets and access points, in order to accommodate turn lanes and sidewalks within the rights-of-way.

- (7) Additional street rights-of-way widths may be required to accommodate alternative of forms of transportation, including but not limited to pedestrians and bicycles, in accordance with the City of Polk City's Complete Streets Policy.
 - (8) The foregoing street rights-of-way widths may be amended if previously approved by the City of Polk City on a Master Plan or Planned Unit Development (PUD) plan.
- F. *Costs; responsibilities.* Developers shall be fully responsible for the following costs related to street improvements, all of which shall be designed and constructed in accordance with SUDAS:
- (1) The entire cost of providing and installing all collector and local streets within a subdivision.
 - (2) A portion of the cost of improving any existing, unimproved granular street that abuts the proposed subdivision. The developer's cost share shall be fifty percent (50%) of the cost of the street improvement project up to a maximum width of 15.5 feet of P.C.C. pavement, along with associated storm sewers grading and engineering, and shall be based on the a cost opinion prepared by the City Engineer for design and reconstruction of the existing street to meet city standards. If the City Engineer determines it is impractical for the developer to pave said abutting, unimproved street as a subdivision improvement, generally based on the status of development on the opposite side of the unimproved street, the City shall require the developer to provide a Subdivision Bond, a cash payment to the City to be held in escrow for future paving of the unimproved street, or similar security as may be approved by the City Attorney to cover the developer's responsibility for paving of the unimproved street.
 - (3) The cost for providing and installing turn lanes, street widening, medians, traffic signals and similar traffic and transportation improvements based on a Traffic Impact Study if required for the subdivision in accordance with Section 170.08, subsection 6(T) and other issues as may be determined by the City Manager.
 - (4) The cost of planting street trees at approximately 40 feet on center on each side of the street on all designated parkways.
- G. *Continuation of existing and planned streets.* Subdivisions shall be designed to provide for the continuation of existing and planned public streets, and those in valid preliminary plats, in whatever manner is deemed appropriate by the City Engineer. Streets shall be designed and configured to conveniently channel local traffic onto collector and arterial streets and to discourage through traffic, being that which does not have an origin or destination within

the subdivision or nearby area, from utilizing collector or local streets as a means of traveling from arterial street to arterial street.

- H. *Intersections.* Street intersections shall be in conformance with SUDAS and shall be at right angles wherever possible and not less than an 90-degree angle or shall be in conformance with SUDAS requirements if said requirements are more restrictive. The minimum offset between street intersections shall be in conformance with SUDAS.
- I. *Improvement and dedication.* Streets shall be so located and designed as to be improved and dedicated to the full rights-of-way and roadway widths as required by this Code. No street shall be designed or accepted for half-width paving or right-of-way dedication.

J. *Limited access to arterial and collector streets.*

- (1) Streets and other vehicular accesses shall be designed to intersect or otherwise connect to arterial streets at points measuring not less than a nominal minimum distance of 600 feet between full movement accesses and of 300 feet between any access and right-turn only or other limited-movement accesses to said arterial street; provided that access shall be in conformance with SUDAS requirements if they are more restrictive.
- (2) Single-family lots in plats of subdivision shall not be allowed to have driveway access to an arterial street, except where no other streets are reasonably available to provide access and subject to the locations of any such accesses being shown on the plat and approved by the City Council. Such access restriction shall be noted on the final plat.
- (3) The final plat shall restrict access to corner lots and double-frontage lots to the lower-order street unless otherwise approved by City Council.

K. *Turn lanes and traffic-control devices.*

- (1) Right and left turn lanes shall be provided at all points that provide or are intended to provide access to an arterial street from existing or proposed nonresidential or multi-family residential development, unless such requirement is waived by the City Engineer. The City Engineer may require right and left turn lanes to be provided for access to a collector street based on the design of the subdivision or neighborhood and expected traffic volumes.
- (2) The City Engineer may require traffic signalization or other traffic control devices to be included in the subdivision improvements for any

plat of subdivision if zoned or planned for nonresidential or multi-family development.

L. *Shared access and alignment.* Streets and other vehicular accesses shall be designed to align with existing or proposed, approved streets and other vehicular access points on the opposing frontage of arterial and collector streets. Cross-access easements shall be provided, in whatever configuration, dimension, and manner that the City Engineer deems necessary and appropriate, to allow and facilitate the sharing of access to public streets by multiple properties, whether the properties are within or outside of the subdivision boundaries, in order to reduce traffic conflicts and congestion, and improve safety.

M. *Cul-de-sacs.*

- (1) Cul-de-sacs shall not exceed a length of 600 feet as measured from the centerline of the intersecting street to the center of the turnaround, and shall not serve more than 30 dwelling units, unless a longer length or larger numbers of units is approved by the City Council, upon recommendation of the City Manager and Fire Chief, in accordance with Section 170.14 of this chapter.
- (2) Land uses generating a maximum of 300 average daily trips (“ADT”) or a maximum of 30 single-family detached dwelling units will be permitted access to a cul-de-sac street without a second means of access. Traffic generation will be based upon trip generation in accordance with the Institute of Traffic Engineers. Land uses exceeding said maximums shall have secondary access unless otherwise approved by City Council in accordance with Section 170.14 of this chapter.
- (3) A permanent turn around shall be provided at the end of each cul-de-sac in accordance with SUDAS, except that the minimum cul-de-sac radii shall be 45 feet as measured at the back of curb of the roadway and 62 as measured at the street right-of-way. Permanent dead-end street other than cul-de-sacs are prohibited, and no lots shall take their access from a dead-end street other than a cul-de-sac, permanent or temporary, unless waived by City Engineer or if driveway access is restricted. Hammerheads shall not be considered an acceptable alternative to a cul-de-sac.
- (4) “Eyebrow” cul-de-sacs. A cul-de-sac bulb used at an “L-shaped” intersection in the street shall be discouraged, and only permitted to improve access to lots at the “eyebrow” cul-de-sac intersection due to the unique topography of the area, unusual configuration of land ownership, or existing adjoining developed land will not allow access from a through street or traditional cul-de-sac, or the

existence of public land or environmentally sensitive land that is planned to be left undisturbed. The "eyebrow cul-de-sac" at an intersection shall be designed with dimensions, radii and curve standards as used for cul-de-sacs with the center of the cul-de-sac bulb located at the intersection of the street centerlines and shall have a minimum radius of 50 feet as measured at the back of curb of the roadway and 65 feet as measured at the street right-of-way.

- (5) Temporary Cul-de-sacs. Streets that are temporary dead-end streets shall be provided with a turnaround having a cul-de-sac with radii no less than 40 feet and of a design that is satisfactory to the City Engineer. A gravel turnaround shall be considered acceptable if the temporary dead-end street is part of a larger subdivision by the same developer, provided the street is extended within two years and provided the developer maintains the gravel turnaround in a manner that is acceptable to the City Engineer until such time as the street is extended. Hammerheads shall not be considered an acceptable alternative to a cul-de-sac unless specifically approved by City Engineer for short-term applications only.
- N. *Access to Bi-attached or Townhomes from public streets.* Any subdivision designed to accommodate townhomes and bi-attached homes shall provide driveways off private streets rather than public streets whenever possible. In unique cases, the City may approve driveway access for bi-attached dwellings or townhomes off a public street provided the driveway approaches with public right-of-way are spaced no closer than 80 feet on center. Shared driveways may be required to achieve said driveway approach spacing.
- O. *Secondary access required.* Land uses generating a more than 300 average daily trips or more than 30 single-family detached dwelling units shall have a secondary means of access to the lots, unless otherwise approved on a valid preliminary plat. Traffic generation will be based on actual traffic counts or upon trip generation in accordance with the Institute of Traffic Engineers.
- P. *Pavement width.* The width of the street or roadway shall be in accordance with SUDAS, based on the functional classification of the roadway as determined by the City Engineer or unless otherwise approved by the City of Polk City on a Planned Unit Development (PUD) Master Plan.
- Q. *Pavement and Subbase Material.* All proposed public streets shall be paved with Portland cement concrete (PCC) and shall have 6" integral curb and gutter, unless an alternative paving material or design is approved by the City Council in accordance with Section 170.14 of this chapter. All streets shall be continuously reinforced pavement in accordance with the city's standard detail(s) as may provided by the City Engineer. Pavement thickness shall be per SUDAS, based on the municipal functional classification of an equivalent street as determined by the City Engineer. The City Engineer may require the

developer’s engineer to complete a pavement thickness design per SUDAS to determine required thickness of materials, subdrain requirements, and other design parameters based on a 50-year analysis period.

- R. *Extension to Plat Boundary.* All public streets shall be extended to the plat boundary unless otherwise specifically approved by City Council upon recommendation by the City Engineer. In such unique cases, the responsibility for future extension of the public street may be addressed through a Development Agreement approved by City Council.

- S. *Private Streets.* Unless otherwise approved by City Council, private streets serving commercial uses shall be a minimum of 24 feet wide unless the City Engineer determines greater width is necessary due to expected traffic volume or truck traffic. Private streets serving residential uses shall be in conformance with Zoning Code. Pavement thickness shall be per SUDAS, based on the functional classification of an equivalent street as determined by the City Engineer. All public utilities shall be located outside the pavement unless otherwise approved by the City Engineer and the easement for said public utilities specifies the City shall not be responsible for removal and/or replacement of the street pavement should utility repair, replacement, upsizing, or similar work be deemed necessary by the city.

- T. *Street Names.* All newly platted streets shall be named and in a manner conforming to the City's street naming system. A proposed street that is in alignment with other existing streets shall bear the same name. The proposed names of new streets shall be shown on the plats and such names shall not duplicate or sound similar to existing street names. Street names using commonly used words, such as Lake or Prairie, shall be avoided. Horseshoe-shaped streets shall change names in a location deemed most appropriate by the Development Review Committee. In no case shall there be two or more intersections with the street same names. Cul-de-sacs shall not bear the same name as a perpendicular street. City Council reserves the right to alter the proposed names of streets before acceptance of the final plat.

(1) Public streets shall be designated as follows:

General Direction	Long Streets	Short Streets (600’ or less)
North - South	Street	Place
East - West	Avenue	Court
Random Curving	Drive	Lane

(2) Cul-de-sacs shall bear the same name as the entering street, but may be designated as “Circle”.

(3) Private streets shall be designated as “Way”.

- U. *Half Streets.* Dedication of half streets will not be permitted. Where there exists a dedicated or platted half street or alley adjacent to the property to be subdivided, the other half shall be platted if deemed necessary by the Council.
- V. *Alleys.* Alleys may be permitted in commercial areas provided the alley is privately owned and maintained. Alleys may be permitted in residential areas to provide access to the rear of the lots where said lot also has frontage on a public street. Alleys serving multiple properties shall be maintained by a property owner(s) or property owners association. Dead-end alleys shall be provided with a means of turning around at the end of the alley. Public utilities shall not be located within an alley.
- W. *Driveways.* Driveways for single-family residential uses shall not be permitted to access arterial streets or, to the extent possible, collector streets. Such access restrictions shall be noted on the final plat.
- X. *Traffic Impact Study.* A Traffic Impact Study shall be required when a proposed subdivision will generate 100 or more added (new) trips during the adjacent roadway's peak hour or at the development's peak hour. The developer will be responsible for completing an application for traffic analysis including the preliminary plat or detailed concept plan; building locations, types, quantity, and land use; and all proposed access locations; and peak hour trips in accordance with Institute of Transportation Engineers (ITE) standards. The Traffic Impact Study, when required, will be completed by the City Engineer. The developer will be responsible for the entire cost of said Traffic Impact Study, with these costs paid in full prior to any work being commenced on the study in accordance with Section 170.13. The City Engineer has the authority to waive the requirement for a Traffic Impact Study if deemed appropriate.

7. *Water Mains.*

- A. Water mains shall be a minimum of eight inches in diameter, or larger if increased size is determined to be necessary to provide domestic and fire flows as determined to be satisfactory and necessary by the City Engineer. Developers shall be fully responsible for the costs of all mains that are 8 inches or less in diameter, however developers shall not be responsible for the cost of upsizing the water main to a larger pipe unless the larger pipe is needed to serve the developer's subdivision or property. The cost of the water main shall include the pipe and bedding, together with all hydrants, valves and other appurtenances thereto, and as may be otherwise required to be in full accordance with the requirements of SUDAS and applicable city codes.
- B. Water service lines shall be extended to each lot. The minimum size for a water service line serving a single-family dwelling shall be one (1) inch and shall terminate at a curb stop located one foot inside the right-of-way line.

Duplexes, bi-attached residences, townhomes, and condominiums shall have a separate water service line to each dwelling unit. No lot shall have more than one service line, whether or not in actual use, unless expressly approved by the City Engineer.

- C. Fire hydrants shall be provided in the number and locations required by the City Engineer, in consultation with the Fire Department, and shall be supplied with appropriate connections as may be specified by the Fire Department. Fire hydrant coverage shall be in conformance with city fire code or SUDAS, whichever is more restrictive. The City Engineer may approve adjustment to building setback lines on the preliminary and final plats to ensure adequate hydrant coverage is provided to the buildable areas of the lots.
- D. Water mains shall be located within public right-of-way wherever possible. If the City allows a fire hydrant to be located on private property, the developer shall provide paved access to said hydrant, with pavement designed to support fire trucks and including a turn-around as approved by the Fire Chief.
- E. Fire hydrants shall be located at least two feet outside all sidewalks and trails, whether existing, proposed, or future; or at a minimum distance as per SUDAS; whichever is greater.
- F. Water valves shall be located at least one foot outside all sidewalks and trails, whether existing, proposed, or future.
- G. *Extension to boundary.* Water mains and appurtenances thereto shall be extended to the boundary of the plat of subdivision where necessary to accommodate future extensions as determined by the City Engineer.
- H. For subdivisions that cannot reasonably be served by a public water system, a private water system shall be installed to meet city standards, including provision of fire flows and construction observation, and an agreement shall be executed and recorded providing for conveyance of the water system to the city without cost upon annexation. All such private facilities shall be restricted to personal household and agricultural uses, and shall be subject to approval by Polk County Board of Health or to certification by an independent professional engineer and qualified testing laboratory if not subject to county regulation or if the county lacks the ability to perform the necessary testing and approval of the facility's design and construction.

8. ***Sanitary Sewers.***

- A. Sanitary sewers shall be a minimum of eight inches in diameter, or larger if increased size is determined to be necessary to serve the entire service area as determined by the City Engineer. Developers shall be fully responsible for the costs of all sanitary sewers that are 8 inches or less in diameter, however developers shall not be responsible for the cost of upsizing the sanitary sewer to a larger pipe unless the larger pipe is needed to serve the developer's

subdivision or property. The cost of the sanitary sewer shall include the pipe and bedding, together with all structures and other appurtenances thereto, and as may be otherwise required to be in full accordance with the requirements of SUDAS and applicable city codes.

- B. Sanitary sewer service lines shall be extended to each lot. The minimum size for a sanitary sewer service line serving a single-family dwelling shall be four (4) inches and shall terminate ten (10) feet inside the lot. Duplexes, bi-attached, and townhomes shall have a separate sanitary sewer service line to each dwelling unit. No lot shall have more than one service line, whether or not in actual use, unless expressly approved by the City Engineer.
- C. Sanitary sewers shall be constructed outside the limits of the street pavement wherever possible.
- D. The minimum grade for a sanitary sewer shall be 0.5%, or as specified by SUDAS, whichever is steeper.
- E. Truss pipe shall not be permitted for public sanitary sewers.
- F. The end of all sanitary sewer service lines shall be marked with a wood 2x4, set at the flowline elevation at the end of the pipe and extending up to the surface elevation of the ground at that location.
- G. Sanitary sewer manhole castings shall be located at least one foot outside all sidewalks and trails, whether existing, proposed, or future.
- H. Where sanitary sewer services are added to an existing sanitary sewer line or when a new manhole is constructed on top of an existing sanitary sewer line, the developer shall be responsible for re-testing the existing line following construction.
- I. *Extension to boundary.* Sanitary sewers and appurtenances thereto shall be extended to the boundary of the plat of subdivision where necessary to accommodate future extensions as determined by the City Engineer.
- J. Subdivisions within corporate limits shall be connected to the city's sanitary sewer system. Subdivisions without sanitary sewer service shall only be permitted by special approval of City Council and shall require construction of dry sanitary sewers within a 50' wide easement or provision of a 100' wide easement for construction and maintenance of future sanitary sewers.
- K. For subdivisions outside corporate limits that cannot reasonably be served by a public sanitary sewer system, dry sanitary sewers shall be installed to meet city standards, and an agreement shall be executed and recorded providing for conveyance of the sanitary sewer system to the city without cost upon annexation. The sanitary sewer easement for such dry sewers shall be 50' wide, minimum. In certain unique cases, City Council may waive the

requirement for dry sewers provided a sanitary sewer easement not less than 100' wide shall be provided to allow for construction and maintenance of future sanitary sewers.

9. Storm Sewers and Drainage.

- A. Storm Water Management Plan. A storm water management plan, prepared and certified by the developer's engineer, shall be provided for review and approval by the City Engineer. Such plan shall be in conformance with SUDAS and municipal code including but not limited to the tree ordinance, floodplain management ordinance, storm water management ordinance, grad ordinance, and this chapter.
- B. Developers shall be fully responsible for the cost of all storm sewers, structures, and appurtenances thereto, drainage ways and other surface water flows, and storm water detention facilities; all of which shall be designed and constructed in accordance with SUDAS and applicable city codes. Sump pump collector lines conveying no surface drainage shall be 8 inches minimum in size and shall contain clean-outs set in a 12" x 12" concrete pad.
- C. All curb intakes, storm sewer cross runs, structures, and manholes shall include placement and compaction of a layer of special backfill. For curb intakes, the layer of special backfill shall be placed from 0.5 feet below the finished grade elevation, measured behind the curb, to a depth of 3.5 feet. This layer shall be 2 feet in width installed on all sides of intake outside of pavement. For area intakes and manholes, the layer of special backfill shall be placed from the finished grade elevation to a depth of 3 feet. This layer shall be 2 feet in width installed on all sides of the structure. For storm sewer cross runs, the layer of special backfill shall be placed from the bottom of subgrade to a depth of 3 feet. This layer shall be 2 feet wide on each side of the pipe's outside diameter.
- D. Storm sewer manhole and intake castings shall be located at least one foot outside all sidewalks and trails, whether existing, proposed, or future.
- E. Subdrains shall be provided along both sides of all public streets unless waived the City Engineer and approved by the Public Works Director. Open jointed storm sewers may be considered as an alternative to subdrains if approved by the City Engineer.
- F. In areas where the longitudinal slope of the proposed roadway meets or exceeds 6.0 percent, flowable mortar cutoff walls per SUDAS Figure 7040.105 are required located at a spacing not to exceed 150 feet. Lateral subdrains will be continues longitudinally along pavement to the nearest intake or approved free outlet.
- G. All lots that are zoned or planned for single-family residential development shall be provided with a storm sewer service line that is capable of collecting

and conveying footing drain discharges to an appropriate outlet. Open discharge of footing drains shall not be permitted unless specifically approved by the City Engineer and only if an acceptable drainage way with overland flowage easement is available on the same lot.

- H. The end of all storm sewer service lines shall be marked with a wood 2x4, set at the flowline elevation at the end of the pipe and extending up to the surface elevation of the ground at that location.
- I. *Provisions for large storm events.* Provisions shall be made and maintained for surface passage of runoff from storms that exceed the design capacity of the storm sewer system, without causing flooding or damage to public streets or nearby properties. Surface water flowage easements shall be provided over any and all such areas of flow that convey any off-site runoff through a lot, of sufficient dimensions to cover the runoff resulting from a storm having a 1% chance of occurrence in any single year, as defined by SUDAS.
- J. *Detention.* Storm water detention shall be calculated and provided in accordance with SUDAS.
- (1) Whenever possible, storm water detention shall be accommodated in regional basins serving multiple parcels of land rather than individual lots; and shall be constructed as a subdivision improvement whenever possible rather than being deferred as a future site improvement.
 - (2) Storm water detention facilities shall be privately owned and maintained. However, in certain unique circumstances with demonstrated recreational needs, the City Council may consider taking ownership of a detention facility or pond. In such unique cases, the developer shall sign an Agreement to Complete with appropriate security that obligates the developer to certify the grading of said facility or pond is complete at the time the subdivision is 80% developed, with the timing of said certification to be as determined by the City Engineer. This Agreement shall specifically require the developer to remove accumulated silt and sediment may be necessary to demonstrate the as-built conditions correspond to the approved design in accordance with the approved Construction Drawings.
 - (3) Storm water detention shall not be located within a Federal Emergency Management Agency (FEMA) designated 1% floodplain. Unless otherwise approved by the City Engineer, storm water detention shall be located adjacent to, rather than within natural drainageways. Storm detention shall not be located within minimum required buffer yards or landscape setbacks unless the detention is located within a subsurface structure of sufficient depth below the surface to allow required landscaping to be planted and maintained over such buried detention.

- (4) Low flows shall be piped through detention basins whenever possible, and a paved trickle channel shall be provided to convey the low flows if piping is not practical, to facilitate maintenance of the basin unless the basin is expressly designed to facilitate the absorption or infiltration of runoff storm detention.
- (5) The high water level, based on a 100-year storm event, shall be noted on the preliminary plat and construction drawings. Easement area shall be based on one foot of freeboard above said high water level. Wet-bottom detention ponds shall have a 10 feet wide easement area around the perimeter of the pond to allow full access for maintenance and repair purposes. All easements shall connect to the public right-of-way.
- (6) Staged outlet control of detention basins shall be required to insure discharge is restricted during both 5-year and 100-year rainfall events.
- (7) .
- K. *Lot drainage.* Drainage swales shall be developed as necessary to ensure positive drainage away from each lot; such required drainage swales shall be preserved by an overland flowage easement. Vegetated areas shall have a 2% minimum slope to maintain positive drainage throughout each lot and the subdivision as a whole. Subsurface drainage shall be provided in such locations and manner as may be required by the City Engineer, which may include but is not limited to the rear lot lines of any or all lots.
- L. *Erosion control.* Erosion control improvements shall be installed in and along all surface drainage channels to reduce flow velocities and protect channel bottoms and banks from scouring and cutting, and at storm sewer outfalls and discharge points, in whatever matter and extent that the City Engineer finds necessary to prevent channel and sheet erosion to a reasonable extent. Such improvements may include, but are not limited to, drop structures, stilling basins, check dams, placement of rip-rap and weirs.
- M. *Off-site discharge.* If it is necessary to discharge a concentration of surface runoff onto an adjoining property, provisions shall be made to dissipate the erosive energy from said concentration of runoff and to maintain the general drainage pattern as it existed prior to construction of the subdivision improvements. It shall be the developer's responsibility to acquire permanent easements from the adjoining property owner.
- N. *Extension to boundary.* Storm sewers and appurtenances thereto shall be extended to the boundary of the plat of subdivision where necessary for collecting and/or discharging runoff as determined by the City Engineer.
10. ***Franchise Utilities.*** All public utility lines and appurtenances thereto; including, but not limited to, electrical, gas, and telecommunication lines; shall be buried

underground within public utility easements provided for said public utilities in accordance with city code. The developer shall be responsible for making the necessary arrangements with each of the serving utilities to comply with this requirement, including payment of any construction or installation charges or fees by any utility company.

11. ***Sidewalks.*** Public sidewalks with a minimum width of five feet are required along the frontages of all public streets and along both sides of all common private access drives, unless alternative routing such as a rear lot walkway or open space trail system is approved by the City Council on a valid preliminary plat. The developer shall be responsible for constructing two ADA-compliant ramps and the common square at each corner of all intersections, unless otherwise specifically approved on the preliminary plat. The developer shall be responsible for constructing all sidewalks within the subdivision that do not front on a buildable lot as a plat improvement. The developer shall be responsible for constructing sidewalks across drainage swales or flow paths where a depressed sidewalk is required to maintain unobstructed flowage. The developer shall be responsible for constructing public sidewalks along arterial streets and parkways as a subdivision improvement. A sidewalk performance bond shall be posted for all sidewalks not constructed with the subdivision.

12. ***Recreational Trails.***

- A. Where access to a regional or municipal trail is reasonably available, the developer shall be responsible for installing a 10' wide pcc trail connector from the public sidewalks within the subdivision to the regional or municipal trail as a subdivision improvement. The trail connector shall be located in a minimum 20 feet wide lot that is dedicated to the City.
- B. Where a recreational trail is designated along an arterial or collector street in front of any multiple-family residential, commercial or industrial lot, the developer shall be responsible for paving the 10' wide PCC trail along said lots.
- C. In accordance with the Comprehensive Plan or other applicable plan, all required recreational trails shall be paved to a minimum width of ten feet (10') when located within a park or open space corridor, or a width of ten feet (10') when located within or in proximity to a street right-of-way, and shall be constructed of PCC unless an alternative material is approved by the City Engineer. Base preparation and all other construction specifications shall be fully compliant with SUDAS.
- D. Costs; responsibilities. When paving of a recreational trail is not the responsibility of the developer, the developer shall grade a platform to accommodate future trail construction. When recreational trails are constructed by the developer as a subdivision improvement, the developer shall be responsible for all construction costs. In certain unique

circumstances, the City Council may agree to allow the construction of the trail to be deferred until a building permit is issued for specific lot(s), the requirement for the property owner of said lots to pave the recreational trail shall be noted on the final plat, including specifications for the type, width, and thickness of pavement.

13. ***Cluster Mailboxes.*** All lots in all subdivisions shall be served by a cluster box unit (“CBU”); private mailboxes serving individual lots shall not be permitted in new subdivisions. The developer shall be responsible for paving an ADA compliant Portland Cement Concrete pad and the accessory four (4) feet wide sidewalk that connects to the public sidewalk system. The developer shall be responsible for making the necessary arrangements with the United States Postal Service, including but not limited to obtaining approval from the Postmaster and the Public Works Director for the CBU locations prior to submitting construction drawings for subdivision improvements. The developer shall be responsible the cost of providing and installing each CBU and associated sidewalks as a subdivision improvement.
14. ***Streetlights.*** The developer shall cause plans and specifications to be prepared for street lighting on all new public streets within the subdivision, for approval by the City Engineer and MidAmerican Energy or Midland Cooperative and their successors in interest. Upon approval of said plans and specifications, the developer shall cause the lights to be installed in accordance with said plans and specifications, as part of the required subdivision improvements along all streets in the subdivision, all in accordance with city street lighting policies, SUDAS, and the Manual on Uniform Traffic Control Devices (MUTCD). Street lights shall be designed to prioritize lighting of intersections, turn lanes, and major access points, including park and school entrances and shall not be more than 300 feet apart. Wooden poles and overhead wiring shall be prohibited.
15. ***Street and traffic control signs and markings.*** Street name signs; traffic-control signs including but not limited to speed limit signs, stop signs, and no parking signs; and pavement markings are the responsibility of the developer as subdivision improvements and shall be designed and shown on all construction documents. Said improvements shall be provided at all new intersections within and bordering the subdivision, and traffic control signs and pavement markings including parking prohibitions and restrictions shall be installed and provided along all streets in the subdivision, all in accordance with SUDAS and the Uniform on Uniform Traffic Control Devices (MUTCD). Street name signs and traffic control signs shall be installed by the city and shall be reimbursed by the developer to the city prior to acceptance of the public improvements.
16. ***Easements.*** Easements shall be provided for all subdivision improvements that serve or benefit more than one property owner, to enable access to, use of, service from or by, operation, maintenance and any and all other benefits that may be obtained from or provided by such improvements. Subdivision improvements for which easements shall be provided include but are not limited to those improvements that are to be dedicated to the city, other governmental entity or an owners’ association. Easements

for improvements being dedicated to the city shall be dedicated by legal instrument on the city's standard form for such easements, in addition to being drawn on the final plat that is made of record. The developer shall make no changes to the requirements and responsibilities defined in the city's forms.

- A. *Buffer Easement.* Easements for buffer areas required by Zoning Code and/or as shown on previously approved documents. Buffer easements shall clarify the homeowners' association or property owners' association shall be responsible for perpetual maintenance and replacement of plant materials and all other elements of the buffer.
- B. *Conservation.* Easements as may be required in accordance with the Comprehensive Plan to retain land or water areas predominantly in their natural, scenic, open, wooded, and/or topographic conditions; or retaining such areas as suitable habitat for fish, plants, or wildlife; or maintaining existing slopes and land use.
- C. *Monument sign.* Easements for monument signs used to designate or identify a subdivision, residential neighborhood, group of businesses or business park shall be of sufficient size to include the monument sign, lighting for said sign, and associated landscaping but shall be designed to exclude any required vision triangles at intersections or access locations. Monument signs shall not be permitted to have changeable lettering and this limitation shall be noted in the easement document and shall be enforceable whether or not so noted. Such easements shall stipulate that the monument sign, along with lighting and landscaping are private improvements and shall be perpetually repaired and maintained by the property owner(s) and not the city.
- D. *Municipal utilities.* Easements for sanitary sewers, storm sewers, and water mains shall have a width that is not less than twice the depth of the pipe as measured between the finished ground surface and flow line of the sewer or main, or 30 feet, whichever is greater. Easements shall be centered over the sewer or main, unless an alternative alignment is stipulated by the City Engineer. Easements for municipal utilities shall not be overlapped by easements for public or private utilities, including, but not limited to, electricity, natural gas and telecommunications, unless allowed by the City Engineer. Easements shall be designed and located such that the city shall have reasonable access to the easement area across abutting properties as approved by the City Engineer. In the case where municipal utilities are located beneath the pavement of a private street or alley, the easement for said public utilities shall specifically state that the City shall not be responsible for removal and/or replacement of the street pavement should utility repair, replacement, upsizing, or similar work be deemed necessary by the city.
- E. *Parkway Easement.* Easements along designated Parkways shall be a minimum of 15 feet wide and shall require the property owner, or owners' association if applicable, shall be responsible for perpetual maintenance and

replacement of parkway trees and planting. The easement shall permit the City or its agents to install amenities such as benches, signage, and lighting which the City shall be responsible to maintain.

- F. *Public utilities.* Easements for the mutual and nonexclusive use of all public and private utilities, including, but not limited to, electricity, natural gas, and telecommunications, shall be provided to serve all lots and condominium units, and as necessary to energize street light lights, unless an acceptable alternative is submitted to and approved by the City Attorney prior to the filing of a final plat. Such easements shall be a minimum of ten feet in width when located along front or rear lot lines, and a minimum of five feet in width when located along side lot lines, and shall not overlay or overlap any easement for public infrastructure, surface drainage, storm water management or recreational trails except with the express approval of the City Engineer.
- G. *Recreational trails.* Easements for recreational trails shall be 30 feet or more in width unless the paved portion of the walkway or trail is located within or in close proximity to a public street right-of-way, in which case the City Engineer may allow the easement width to be reduced. Said easements shall be a minimum of ten feet (10') away from any building or 4' side yard, other structure or parking lot on the site with such setbacks established on the applicant's final plat of the affected property or properties. The city shall restore any land disturbed by maintenance or reconstruction, provided however, the owner of the property shall be responsible for all trimming, planting and maintenance of vegetation including the responsibility to keep the recreational trail unobstructed, and passage unimpeded by vegetation.
- H. *Shared access or Ingress/Egress.* Easements shall be provided in accordance with whatever location, size, configuration and dimensions as approved on the Preliminary Plat or Site Plan in order to achieve and implement shared access to public streets, improve vehicular circulation in the area as a whole, permit Public Works access for maintenance of public improvements and private fire hydrants, and facilitate emergency access to properties. Such easements shall stipulate that the private street, driveway, roadway, or access shall be perpetually repaired and maintained by the property owner and not the city.
- I. *Storm water detention.* Easement and Maintenance Agreements for storm water detention shall require the owners' association; or only in certain unique circumstances as may be approved by Council, the owner of the property on which the easement is located; to have perpetual responsibility for the repair and maintenance of all facilities associated with the detention basin or pond; including storm sewer pipes and structures unless the city has agreed to accept ownership of said pipes and structures in which case said pipes and structures shall be located in a separate storm sewer easement. In cases where the responsible party(s) fail to perform necessary maintenance as required by the city, the storm water detention easement shall allow the city to make any necessary repairs or maintenance and assess the responsible party(s) for such

work. Where a detention basin is maintained by multiple lots or parcels, said assessment shall be prorated to all responsible property owners by the City Engineer based on the area and use of each the lot or parcels, whether or not the shared maintenance responsibilities are under the control of an owners' association, unless otherwise stipulated in the easement document. The Maintenance Agreement shall require annual reporting to the Public Works Director to ensure compliance with the agreement.. Covenants shall not be considered an acceptable alternative to an easement.

- J. *Surface water flowage.* Easements for surface water flowage shall also include storm sewers, subdrains, and appurtenances thereto as a permitted purpose and use, in the event that storm sewers may be necessary at some future date. Surface water flowage easement shall require the property owner to maintain all embankments and make repairs related to erosion and shall grant the city the right, but not the obligation, to remove drainage obstructions. Based on prior approval of the Public Works Director, such easements may permit fences to be constructed provided the design of the fence includes appropriate gaps and/or clearance below the fence allowing for proper flow of drainage within the easement area.
- K. *Wastewater treatment facility buffer.* A buffer easement and agreement shall be provided for all areas located with 1,000 feet of the city's wastewater treatment facility or planned future facilities. Such easement and agreement shall include a waiver of separation distance for each lot located wholly or partially within said 1,000 feet buffer area. Such easement and agreement shall be recorded in such a manner that it will appear on the title opinion of each lot located wholly or partially within said 1,000 feet buffer area.
- L. Other easements as may be deemed necessary by the City of Polk City to sustain the development and/or public facilities.

17. ***Benchmarks and Datum Plane.*** The developer shall cause all subdivision and lot corners, points of curvature, et al., to be installed in accordance with the Code of Iowa. The developer shall cause a minimum of one permanent benchmark to be set, certified, and made of record by a land surveyor who is licensed in the state as part of the subdivision improvements for a plat of subdivision, unless the City Engineer determines that sufficient benchmarks exist within the general vicinity.

- A. All survey, plats, construction drawings, GIS, and CAD files shall use survey feet based on the Iowa Regional Coordinate System Zone 9 Ames-Des Moines.
- B. All survey elevations and construction drawings shall be based on benchmarks established on the North American Vertical Datum of 1988 (NAVD 1988).

170.09 CONSTRUCTION OF IMPROVEMENTS.

1. All construction shall be in accordance with SUDAS, as defined herein, and applicable state and city codes.
2. ***Pre-construction Conference and Permits.*** A pre-construction conference shall be scheduled by the City Engineer and attended by the developer's engineer, contractors and subcontractors, and others as deemed appropriate. The developer is encouraged to attend said conference. The developer's engineer shall provide a copy of all approved permits to the City Engineer prior to the pre-construction conference being scheduled, unless otherwise approved by the City Engineer, provided however that construction shall no commence until the appropriate permits have been approved by the applicable federal, state, or local agency.
 - A. The developer and his contractors shall be responsible for ensuring construction is in conformance with the approved construction drawings, SUDAS, and project-specific information provided to the contractors and/or discussed at the pre-construction conference, including but not limited to the Contractor Check List.
 - B. No grading permit shall be issued for any property that the developer intends to subdivide until the Preliminary Plat has been approved by City Council and construction or snow fence has been installed in accordance with said plat.
3. ***Construction Observation.*** Construction observation is deemed necessary to assure quality workmanship on all portions of the construction of plat improvements. Construction observation services shall be provided by the Public Works Department or, at the direction of the Public Works Director, by the City Engineer. The developer shall be responsible for all costs associated with construction observation and testing services. The results from all tests required by SUDAS shall be bound into a Construction Observation Record and provided to the City Engineer for review. Moisture and density test locations shall be indicated on a map for reference and to confirm sufficiency of the number and location of such tests; all included in the Construction Observation Record. All storm sewers and sanitary sewers shall be televised and the City Engineer or authorized representative shall review the video of such televising and make a written report recommending any repairs to be made to said sewers prior to city acceptance of the project; said report to be included in the Construction Observation Report along with a digital copy of all televising, and re-televising if necessary. Once all construction has been completed, including necessary repairs and punch list work generated from a walk-through of the completed subdivision improvements, the professional engineer shall certify that construction of the public improvements has been completed in substantial conformance with the approved construction drawings and specifications and in accordance with SUDAS.
4. ***Materials Submittals and Shop Drawings.*** The developer's engineer shall review all materials submittals and shop drawings provided by the contractor and require revisions as necessary to ensure compliance with SUDAS and project specifications.

A copy of all materials submittals and shop drawings, stamped as accepted by the developer's engineer, shall be provided to the City Engineer.

5. **Performance Surety.** The developer shall complete all subdivision improvements to the full satisfaction of the City Engineer, and shall be ready for acceptance prior to City Council approval of the final plat.
 - A. In certain unique circumstances, the developer may request approval of the final plat prior to completion of the public improvements provided the developer posts a performance surety ("surety") with the city to guarantee that the uncompleted subdivision improvements will be satisfactorily completed within not more than one calendar year after the date of the City Council's approval of the final plat. The posting of surety shall not be deemed to constitute or ensure the city's acceptance of any improvements, either upon posting of the surety or at any future date; approve the issuance of building permits, or of certificates of zoning compliance or occupancy; or approve the expenditure of city funds within any part of the subdivision.
 - B. The surety shall be provided in the form of a performance or subdivision bond, letter of credit, cash escrow held in city trust account or other collateral that is acceptable to City Attorney and approved by the City Council, and shall be of an amount that the City Engineer determines to be necessary and sufficient to cover all of the city's costs for constructing the uncompleted subdivision improvements, including inspections and tests that customarily would be conducted by the city, at some future date.
 - C. The surety shall remain in full force and effect until the subdivision improvements have been completed to the satisfaction of the City Engineer, and have been accepted by the City Council, provided that surety may be called by the city for any subdivision improvements that have not been completed within six years after the date of City Council approval of a final plat without any further finding beyond the factual passing of such date, and further provided that surety that is not called at such time shall not be deemed to have been released or voided. Maintenance bonds for completed work shall be provided in accordance with subsection 5 of this section.
 - D. Sidewalk surety. Separate surety shall be provided for all public sidewalks that have not been constructed at the time of final plat approval. The surety for sidewalks along arterial streets shall be based on 100% of the total cost of installation, including inspection and testing and shall be in the form of cash escrow only. Surety for sidewalks along collector and local street frontages of lots being platted shall be calculated at 15% of the total cost of installation, including inspection and testing. The surety shall guarantee that all sidewalks that are not constructed within four (4) years of final plat approval shall be constructed within 90 days unless an extension is granted due to weather. The 15% surety shall remain in place until the value of the uncompleted sidewalks is reduced to the value of the surety. At that point, the value of the surety can

be reduced as sidewalks are completed. Sidewalk surety shall not be totally released until all sidewalks in the plat are completed.

6. *Maintenance Bonds.*

- A. The developer shall be responsible for ensuring their contractors warrant the design, material, workmanship, installation and construction of all of the subdivision improvements for a minimum of four years from and after satisfactory completion and City Council acceptance of roadway payment, sanitary sewers, storm sewers and other public improvements that are related to drainage, and park infrastructure, and shall cause the warranty to be ensured by independent bond or by other collateral that is found to be acceptable by City Attorney (herein “bond”). The bond shall specifically ensure the expedient repair or replacement of any and all improvements that the City Engineer finds to be defective following completion and acceptance, and shall indemnify and hold the city harmless from any and all costs or losses resulting from, attributed to or otherwise arising from the defective improvements. The start date of the maintenance bond shall be the date of City Council Resolution accepting the public improvements.
- B. The City Council may, based on the recommendation of the City Engineer, require any bond to run for a duration of more than four years, and to be posted in a greater amount, in lieu of immediate replacement and reconstruction of any improvement that is not fully compliant.

7. *Acceptance of Completed Public Improvements.*

- A. Provision of Record Drawings as required by Section 170.11, paragraph 3 of this chapter, including digital ArcView shapefiles of Record Drawings, GPS coordinates for all utility fixtures and service stubs, and the developer’s engineer’s certification the as-built subdivision is in compliance with the approved storm water management plan and grading plan.
- B. Signed statement by a public land surveyor licensed in the State of Iowa certifying that all property corners have been set and grading has been completed according to the design approved by the City of Polk City.
- C. Provision of maintenance bonds as required by Section 170.09, paragraph 6 of this chapter for completed public improvements.
- D. Provision of an Agreement to Complete as required by Section 170.08, subparagraph 9(F) of this chapter obligating the developer to certify grading of city-owned detention facilities or pond, if any, at the time the subdivision is considered 80% developed.
- E. Provision of Construction Observation Record as required by Subsection 3 of this section and materials submittals and shop drawings as required by Subsection 4 of this section.

- F. Provision of a Service Locates Table listing the location of the end of the water service stub, sanitary sewer service stub, and storm sewer service stub serving each lot within the subdivision as measured from the nearest lot corner. A 2'x4' board shall be buried at the end of each sanitary sewer and sump service line, installed from the end of the pipe invert up to the surface of the ground.
- G. Payment in full of all fees associated with the plat of subdivision, including but not limited to fees related to construction observation services and testing.

170.10 NEIGHBORHOOD SKETCH PLAN REQUIREMENTS.

1. When required by the City Manager or City Engineer, the developer shall provide a neighborhood sketch plan prior to platting the property. The purpose of the Neighborhood Sketch Plan is to show conceptually on a drawing how a proposed plat or subdivision will be compatible with the potential development of adjoining lands in a manner that is compliant with the Comprehensive Plan, other approved Neighborhood Sketch Plans or concept plans, zoning regulations, the requirements of this chapter, and other applicable land use plans, policies, and regulations of the City.
2. The boundary of the overall area to be covered by the Neighborhood Sketch Plan shall be as required by the City Engineer.
3. Applications shall be made in the number of copies and format as set forth in Section 170.05, paragraph 10 of this chapter.
4. ***Contents of the Neighborhood Sketch Plan (“sketch plan”)***
 - A. Name and address of the developer and plan preparer.
 - B. A plan showing the location and boundary of the proposed subdivision and other properties to be included the sketch plan; the name and address of the developer, property owners within sketch plan limits, and property owners abutting the sketch plan boundary, zoning classification (s) of properties within and abutting the sketch plan; existing and proposed land use of properties within and abutting the sketch plan.
 - C. A plan showing existing and proposed buildings, and planned use of all buildings, existing and proposed streets and classification of same, recreational trails, parks, open space, and buffers.
 - D. A grading plan including existing grades, based on LiDAR or USGS, based on a contour interval no greater than ten (10) feet; proposed grades at like interval; general location of floodway, floodway fringe, drainage ways, detention basins, and similar existing and proposed features.

- E. A utility plan indicating the existing and proposed water mains sanitary sewers of sufficient detail to clarify how each property within the sketch plan will be served and applicable sanitary sewer service areas.
- F. The sketch plan shall be drawn and printed at a scale that is not smaller than 1" = 100 feet. Each plan sheet shall include a date of preparation, date of revision(s), north arrow, and scale.

170.11 PLAT OF SUBDIVISION REQUIREMENTS. Applications for approval of a subdivision shall be submitted to the City Clerk , and shall include all plats, drawings, illustrations, plans, documents and information that the City Engineer determines to be necessary to ensure that the proposed subdivision will comply with this Code and all other applicable codes and regulations, including, but not limited to, the following, in addition to payment of all fees specified by this chapter for the type of subdivision and any other administrative costs and impact fees that may be legally established by the City Council.

1. *Preliminary Plat*

- A. Preliminary plats shall be submitted for entire subdivisions , even if the developer intends to final plat the subdivision in more than one phase. If approved by the City Engineer, exceptions may be made for parcels that are more than 160 acres in area or that have unique characteristics. By this requirement the city intends to ensure that every subdivision will, in its entirety, be optimized in all respects to protect and increase property values and public health, safety and welfare presently and in the future, particularly by optimizing vehicular and pedestrian circulation systems; the extension of infrastructure to establish connectivity at an early date, and facilitate the subdivision and development of other properties; and the locations and improvement of parks and open spaces, to efficiently serve and satisfy the needs of the subdivision and of the public as a whole.
- B. One purpose of a preliminary plat is to determine whether the proposed subdivision appears to comply in preliminary, conceptual form with the requirements of this Code and its design standards. Accordingly, plat maps and drawings for the proposed subdivision are not required to be of construction-quality, but shall be of sufficient accuracy and detail to enable the city and its staff to determine whether the proposed subdivision appears to comply. The city hereby reserves final and binding determinations of compliance to rest with the City Engineer's review and approval of the detailed plans and specifications for the subdivision improvements, and with the City Council's approval of a final plat.
- C. Applications shall be made in the number of copies and format as set forth in Section 170.05, paragraph 10 of this chapter.

- D. *Contents of the Preliminary Plat.* Multiple plan sheets to clearly convey the required information, including, but not limited to:
- (1) A cover sheet containing the name of subdivision, name and address of the property owner and developer, legal description for the real property that is proposed to be subdivided, area of subdivision, professional certifications, vicinity map, zoning classification (s) of the property with boundary lines between districts where applicable, and other project information that may be pertinent to review as determined by the City Engineer.
 - (2) The vicinity map shall be at a legible scale that shows the boundaries of all parcels located within 300 feet of the plat boundary, land use and zoning of all parcels, parcel address for each parcel, property owner names for each parcel along with address if different than parcel address.
 - (3) A dimension plan, including lot and outlot dimensions, areas, and building envelopes; intended purpose for each outlot; required easements, setbacks, street rights-of-way and roadway widths; access controls; recreational trails, sidewalks and ramps; buffer locations; designations of parcels and rights-of-way that are proposed to be dedicated to the city, other governmental entity or for common ownership and use by persons as designated by the plat documents that are included in the preliminary plat submittal.
 - (a) Bearing and distance data, with curve data provided in a table, shall be provided for the subdivision boundary and for each planned phase, if phasing is proposed.
 - (b) Pavement thickness and reinforcing materials shall be noted.
 - (c) Access restrictions, such as no private driveways shall be permitted to connect to arterial or collector streets, must be noted on the preliminary plat. Single-family lots shall be limited to no more than one driveway, except on certain corner lots.
 - (d) All existing streets and driveways on the opposite side of the existing public or private street from the subdivision shall be shown for review of access spacing and alignment. Existing street centerlines and lane lines shall be shown.
 - (e) Existing sidewalks shall be shown to ensure proper extension.
 - (4) A grading plan, including proposed overland drainage routes, detention basins, aquifer recharge areas, and erosion control measures. Floodway and floodway fringe boundaries, base flood elevations

("BFE"), minimum floor elevations (MFE) as defined and required by the Federal Emergency Management Agency ("FEMA"), together with any areas of localized flooding or wetland. If no FEMA-determined flood hazard areas, areas of localized flooding or wetlands existing within the subdivision plan, the developer's engineer shall certify on the preliminary plat that no such areas exist. The City Engineer may require minimum opening elevations (MOE) to be defined where lots may be impacted by detention and/or drainage facilities based upon 1' above the HWL during 100-year storm event.

- (a) Existing features, including buildings, buildings, wells, septic system, shall be shown on the grading plan. A demolition plan may be required to clarify intent.
 - (b) The subdivision shall be designed to preserve existing trees to the extent possible in accordance with the Tree Ordinance. Existing trees and tree driplines shall be shown. Trees to be removed shall be identified. Trees to be protected shall be identified and delineated by construction fence or snow fence, unless otherwise approved by City Council.
 - (c) The concept for drainage and detention should be illustrated on the grading plan.
 - (d) Proposed grading for parks and trails shall be shown on the grading plan.
- (5) A utility plan indicating the existing and proposed water mains and fire hydrants, sanitary sewers, and storm sewers; including size of each. The utility plan may be combined with the grading plan if the proposed subdivision is not of such size, complexity or nature as to necessitate separate sheets to appropriately depict such improvements.
- (a) The source of water supply and wastewater disposal service shall be noted. Storm sewers and storm water management facilities shall be denoted as public or private.
- (6) Each plan sheet shall include the boundary of the plat of subdivision in a heavy line and, if phasing is proposed, the boundaries of each phase shall be clearly marked on all sheets.
- (7) The preliminary plat shall be drawn and printed at a scale that is not smaller than 1" = 50 feet. Each plan sheet shall include a date of preparation, date of revision(s), north arrow, and scale.
- (8) The preliminary plat shall be certified by a professional engineer licensed in the State of Iowa.

E. *Accompanying documents.* Accompanying documents and information shall include:

- (1) Payment in full of all fees in accordance with Section 170.13 of this chapter or as subsequently set by resolution of the City Council, together with payment of any other administrative costs and impact fees that may be legally established by City Council.
- (2) A letter, signed by the developer and his engineer, requesting that City Council waive each of the proposed variations from the regulations included in this Code, including but not limited to design standards specified in Section 170.08. Variations indicated on the plans but not formally requested in said letter shall not be deemed as granted. A traffic study may be required at the sole discretion of the City Engineer, for such matters and of such scope that may be directed by the City Engineer.
- (3) Soil tests and geotechnical report shall be required to ascertain whether expansive soils or other conditions exist that may affect the suitability and design of the subdivision and subdivision improvements, which have been certified by a professional engineer licensed in the State of Iowa.

2. *Construction Drawings*

- A. Applications shall be made in the number of copies and format as set forth in Section 170.05, paragraph 10 of this chapter.
- B. The submittal shall include all drawings, plans, profiles, specifications and references to SUDAS, special conditions, and supplemental information for all proposed subdivision improvements and shall be certified by a professional engineer licensed in the State of Iowa.
- C. The developer's engineer shall be solely responsible and liable for ensuring that the construction drawings and specifications are fully compliant with the requirements of this chapter and all other applicable requirements and permits in accordance with Section 170.05-3-B(7) herein.
- D. The submittal shall include a storm water management plan in conformance with SUDAS and shall be certified by a professional engineer licensed in the State of Iowa.
- E. The submittal shall include a public street light layout plan that is designed based on the city's streetlight design standards; including fixture type, mounting height, pole type, and pole height; as appropriate. The street light layout plan can be a separate plan, rather than included in the plan set for the public improvements, provided the public streetlights will be installed by the service provider rather the developer's contractor.

- F. In cases where a landscape buffer or other plant materials are required in accordance with the Zoning Ordinance or approved Master Plan and/or Preliminary Plat, the construction drawings shall include a planting plan detailing the location, species, and size at planting, and size at maturity of all plant materials. Plant materials shall be installed as a subdivision improvement or their installation guaranteed by a performance surety.
- G. The construction drawings shall be drawn and printed at a horizontal scale that is not smaller than 1" = 50 feet and, where applicable, a vertical scale that is not smaller than 1" = 5 feet. Each plan sheet shall include a date of preparation, date of revision(s), north arrow, and scale.
- H. Payment in full of all fees related to the review of the construction drawings, storm water management plan, and all supplemental information by the City Engineer or his authorized agent accordance with Section 170.13 of this chapter or as subsequently set by resolution of the City Council.
- I. The submittal shall include a copy of the application forms for all required permits including, but not limited to, permits from Iowa Department of Natural Resources and Iowa Department of Transportation for review and approval by the City Engineer. The developer shall be solely responsible for obtaining approval of all necessary federal, state, and local permits.

3. *Record Drawings.*

- A. As-built record drawings shall be submitted for approval by the City Engineer prior to acceptance of the public improvement by the City Council.
- B. Record drawings require certification by a professional engineer licensed in the State of Iowa.
- C. Certified as-built grading drawings shall be submitted verifying the as-built elevations of critical locations on the site, to include verification of all spot elevations shown on the public improvement construction drawings; including but not limited to the rear corners, the mid-point of the side yard lines, the front lot corners where the storm water flows from the rear yard to the front yard, overflow locations, and along the proposed drainage ways and easements; sanitary sewer manholes; and all storm water management facilities including but not limited to detention areas, intakes, structures, sub-drain cleanouts, and flared end sections; are in compliance with the approved grading plan. The as-built grading drawings shall include spot elevations along the flowline of drainage swales and ditches at each property line and sufficient spot elevations around the perimeter of detention basins and ponds to confirm volume.
- D. Elevations shall be within 0.2 feet of the approved grading plan. The location of all utility fixtures and the end of all utility service lines shall be labeled with survey-grade coordinates.

- E. A certification statement signed by the applicant's engineer and land surveyor indicating that the grading and storm water management facilities were constructed as designed and in accordance with the approved construction drawings and Storm Water Management Plan shall also be submitted.

4. ***Final Plat.***

- A. Applications shall be made in the number of copies and format as set forth in Section 170.05, paragraph 10 of this chapter. The developer shall be responsible for additional copies for approval as may be required by Polk County for recording purposes.
- B. *Contents of the Final Plat.* The final plat application shall at a minimum consist of the following to be considered to be a complete submittal, provided however that the City Engineer allow minor exceptions that preserve the intent and purpose of the submittal:
 - (1) The name under which the subdivision will be recorded, compass point, scale, property owners name and address, applicant's name and address, engineer's and/or land surveyor's name and address, and date;
 - (2) Complete metes-and-bounds legal description of the area being platted, including acreage, with boundary depicted by a heavy line and said boundary shall be accurately tied to a minimum of two section corners;
 - (3) All proposed monumentation as required by Chapter 354, Code of Iowa, shall be designated on the plat and a legend provided describing said monuments and the date the monuments were or will be set;
 - (4) All parcels of land that are to be dedicated to the city or an owners' association for street or alley rights-of-way, walkways, parks or open space, school property, or other public uses shall be clearly shown, labeled with a lot letter and lot area, and described by bearings and dimensions, and the plat shall include a certified statement by the proprietor that said parcels are intended for and being dedicated by the proprietor for such uses;
 - (5) All parcels of land that are to be considered as buildable lots shall be clearly shown, labeled with a lot number and lot area, and described by bearings and dimensions;
 - (6) All parcels of land that are intended to be set aside for future development, or are considered undevelopable, and shall not be considered buildable lots until said parcel has been re-platted shall be

clearly shown, labeled with an outlot letter and lot area, and described by bearings and dimensions;

- (7) Setback lines shall be shown along the street frontages of all lots and outlots, and any other locations where deemed appropriate by the City Engineer, at locations that are equal to or greater than the minimum setback requirements of the Zoning Code;
- (8) All existing and proposed easements shall be clearly drawn and labeled, and the centerlines or boundaries thereof shall be described by dimensions and bearings for each segment, with book and page noted for existing easements;
- (9) Floodway and floodway fringe boundaries, base flood elevations (BFE), minimum floor elevations (MFE), minimum opening elevations (MOE) and other minimum or maximum elevations as may be required by the City Engineer shall be noted for each lot on the final plat or engineer's exhibit;
- (10) Access and other restrictions imposed by the city shall be noted for each lot; and
- (11) The final plat shall be certified by a public land surveyor licensed in the State of Iowa. When the final plat or an attached exhibit contains information related to engineering items, said plat or exhibit shall be certified by a professional engineer licensed in the State of Iowa.

C. *Accompanying documents.* Accompanying documents and information shall include the following, all properly executed and notarized as may be appropriate to the document:

- (1) An application fee, in the amount in accordance with Section 170.13 of this chapter or as subsequently set by resolution of the City Council, together with payment of any other administrative costs and impact fees that may be enabled by the *Code of Iowa* and legally established by the City Council;
- (2) Warranty deeds for all street rights-of-ways and other parcels that are to be dedicated to the city, and quit claim deeds for all existing street rights-of-way that adjoin the subdivision and that are not clearly held by the city in fee simple title, all said deeds to be submitted on a form acceptable to the City Attorney.
- (3) Easements documents and other legal documents using the city's standard forms for such purposes if available, to establish easements for shared accesses, public or common private infrastructure including walkways and similar purposes; to create an owners' association or

similar entity, if determined to be necessary to own, possess, operate or maintain common private infrastructure; hold-harmless agreements; development agreements; and other purposes as deemed necessary to fully comply with this Code;

- (4) Maintenance bonds for all subdivision improvements that have been completed to the full satisfaction of the City Engineer, and surety for any subdivision improvements that are incomplete;
- (5) Sidewalk bond for all sidewalks not constructed as a subdivision improvement.
- (6) Engineering Exhibit, if applicable, for recordation with the Final Plat.
- (7) Prior acceptance of the completed public improvements or approved surety or agreement to complete as specified in this chapter.
- (8) Payment for all fees and charges due to the city for inspection of the subdivision improvements and review of the subdivision improvement plans and specifications; connection fees and other impact fees; assessments for streets and other improvements; reimbursements for water mains; and any other costs and financial obligations have been paid in full;
- (9) Documentation showing that the developer has arranged and paid for the installation of streetlights, street name and traffic-control signs; and
- (10) All attachments to subdivision plats as required by Chapter 354.11 of the *Code of Iowa* or contents of declaration as required by Chapter 499B.4 of the *Code of Iowa*, development agreements, covenants and declarations establishing an owners' association, and any other attachments, declarations, certifications or other documents that may be required as a matter of the filing of a plat whether by the Code or the city, have been submitted to, and reviewed and approved by the City Manager.

170.12 PLAT OF SURVEY OR ACQUISITION PLAT REQUIREMENTS

1. Applications shall include payment of all fees in accordance with Section 170.13 of this chapter or as subsequently set by Resolution of City Council, together with payment of any other administrative costs and impact fees that may be legally established by City Council.
2. Applications shall be made in the number of copies and format as set forth in Section 170.05, paragraph 10 of this chapter.

3. The plat of survey or acquisition plat shall be an exact duplicate of the plat proposed to be filed for record in the Polk County Recorder's office.
4. The City Engineer may require any remnant parcels to be platted as part of the plat of survey in order to ensure said remnant parcels shall conform to the Zoning Code and other applicable codes after the parcel is subdivided.
5. ***Contents of the Plat of Survey or Acquisition Plat.*** The plat shall comply with the *Code of Iowa*, specifically Chapter 354, and including, but not limited to:
 - A. A parcel letter or number designation approved by the County Auditor. A lot designation of any street right-of-way to be platted.
 - B. The name(s) and address(s) of the proprietors.
 - C. A heavy line indicating the boundaries of each parcel; addresses for each parcel; a legal description for each parcel including distances, bearings, boundary angles, and curve data in a table; total area of each parcel in acreage and square feet; and front yard setbacks, and rear yard setback.
 - D. Bar graph scale and compass point; current zoning districts.
 - E. Street name, location, right-of-way width, and centerline of all streets within or adjoining the plat.
 - F. Existing features, including but not limited to buildings, wells, and septic systems, and dimensions as necessary to demonstrate compliance with setbacks and other zoning code requirements.
 - G. Floodway and floodway fringe boundaries, base flood elevations (BFE), and minimum floor elevations (MFE) shall be accurately and clearly plotted on the plat of survey from the best available information, as defined and required by the Federal Emergency Management Agency (FEMA). If no FEMA-determined flood hazard areas, areas of localized flooding or wetlands exist within the plat, the developer shall so certify on the plat.
 - H. Existing and proposed easements in accordance with this chapter.
 - I. Access restrictions and other restrictions shall be noted for each parcel.
 - J. Certification by a public land survey licensed in the State of Iowa; date of survey, and revision dates

170.13 FEES.

1. ***Application Fee.*** An application fee shall be paid for each development application in an amount that shall be established from time to time by resolution of the City

Council. A check, payable to the City of Polk City, shall be submitted to the City Clerk at the time of initial submittal of the application.

2. **Engineering Review Fees.** The developer shall be responsible for reimbursing the City for the cost of reasonable professional fees for services provided by a consulting engineer designated by the City for their review of preliminary plats, final plats, plats of survey, acquisition plats, auditor's plat, construction drawings, storm water management plans, geotechnical reports, engineering exhibits, legal descriptions, and similar documents prepared by the applicant's engineer and/or surveyor. A check, payable to the City of Polk City, shall be submitted to the City Clerk prior to final approval of the development application that was reviewed.
3. **Traffic Impact Study.** When a Traffic Impact Study is required, the developer shall be responsible for reimbursing the City for the cost of reasonable professional fees for services provided by a consulting engineer designated by the city, based on a scope of services approved by the City Engineer. A check, payable to the City of Polk City, shall be submitted to the City Clerk prior to any work being commenced on said study.
4. **Construction Observation Fees.** The developer shall be responsible for reimbursing the City for the cost of reasonable professional fees for services provided by the Polk City Public Works Department or a consulting engineer designated by the City for construction observation of the public improvements as depicted on the construction drawing prepared and certified by the applicant's engineer, review of all testing and results, and making a recommendation to City Council regarding acceptance of the public improvements. A check, payable to the City of Polk City, shall be submitted to the City Clerk prior to City Council acceptance of the public improvements for the subdivision.
5. **City Attorney Review Fees.** The developer shall be for reimbursing the City for the cost of reasonable professional fees provided by the City Attorney for their preparation or review of various legal documents associated with the Development Application, including but not limited to development agreements, warranty deeds, title opinions, mortgage and lien holder releases, consents to plat, easement documents, performance and maintenance bonds or sureties, and similar documents prepared by the applicant's attorney. A check, payable to the City of Polk City, shall be submitted to the City Clerk prior to final approval of the development application or document that was reviewed.
6. **Recording Fees.** The developer shall be responsible for recording the final plat and all accompanying material including but not limited to easement documents and agreements. If the City Manager deems it necessary for the City Clerk to record any documents, the developer shall pay to the City all costs for recording said documents prior to issuance of Building Permits.
7. **Street Signs.** The developer shall be responsible for reimbursing the City for the cost of all street signs installed in the subdivision by the City of Polk City Public Works

Department. A check, payable to the City of Polk City, shall be submitted to the City Clerk prior to City Council acceptance of the public improvements.

8. ***Non-refundable.*** Fees paid to the City in accordance with this section shall not be refunded after the initial submittal has been distributed to various city departments for review or other costs have been incurred by the city. Denial of approval of a development project shall not entitle the applicant to a refund.

170.14 VARIATIONS AND EXCEPTIONS.

1. Whenever the tract proposed to be subdivided is characterized by unique and unusual topography, size, or shape, or is surrounded by such development or unusual conditions that the strict application of the requirements contained in this chapter would result in substantial hardships or injustices that are not self-created by the developer, the city council, upon recommendation of the commission, may vary or modify such requirements so that the subdivider is allowed to develop the property in a reasonable manner; but so, at the same time, the public welfare and interest of the city and surrounding area are protected and the general intent and the spirit of this chapter are preserved.
2. Any such variation or exception shall be limited to the minimum relief that is necessary for a subdivision that creates lots for reasonable development of the real property. Variations or exceptions that may be indicated on the plans but have not been formally requested shall not be considered as approved.
3. The request for such variation or exception shall be provided by the developer in writing and filed with the City Engineer prior to or concurrently with the filing of a preliminary plat. The request shall be reviewed by the City Manager and City Engineer, and a joint recommendation made to the Planning and Zoning Commission as part of the staff report for action on the preliminary plat, or in like manner if filed prior to the preliminary plat.
4. The Commission shall act on the request concurrently with the preliminary plat, or in like manner if filed prior to the preliminary plat, and the Commission and staff recommendations shall be forwarded to the City Council for consideration and action concurrently with the preliminary plat, or in like manner if filed prior to the preliminary plat.

170.15 VALIDITY AND EXPIRATION.

1. ***Validity of Preliminary Plat.***
 - A. A preliminary plat that has been approved in accordance with this Code shall remain valid for two calendar years after the date upon which the City Council approved the preliminary plat, and its validity and approval shall thereafter expire unless a final plat has been submitted in accordance with this section

expressly, and in accordance with this Code as a whole, or unless a time extension has been approved in the manner provided by this section.

- B. During its time of validity, the developer shall cause construction drawings for subdivision improvements to be prepared and submitted for review and approval by the City Engineer, and a final plat to be filed for one or more phases of the preliminary plat as had been designated on the approved plat, or for the entire preliminary plat.

2. *Expiration of preliminary plat.*

- A. Failure to file a proper and complete final plat submittal with the City Engineer within two calendar years from the date of approval of the preliminary plat shall render said preliminary plat approval null and void, unless the preliminary plat's validity has been extended in accordance with this section.
- B. A final plat submittal shall not be deemed to be properly filed unless the City Council has first approved the construction drawings for subdivision improvements for the real property that is included in the final plat. It shall be the developer's duty to ensure said plans and specifications are filed with the City Engineer sufficiently in advance of the preliminary plat's expiration to enable the plans and specifications to be reviewed, and revised to whatever extent that may be necessary to attain full compliance with all applicable requirements and approval by the City Council upon recommendation of the City Engineer.
- C. *Time extension for a preliminary plat.*

- (1) The approval and recording of a final plat for one phase of a valid preliminary plat shall be deemed to automatically extend the validity and approval of the remainder of the preliminary plat for a period of one calendar year beyond the date of the City Council's approval of such final plat. For plats having more than two phases, the validity of the preliminary plat shall be automatically extended one year each time the City Council approves a final plat within the boundary of the approved preliminary plat.
- (2) The City Council may, upon request from the developer and following review and recommendation by the Planning and Zoning Commission, re-approve and thereby grant a time extension for a valid preliminary plat, but only if the preliminary plat and the subdivision improvement plans and specifications are updated to comply with and conform to all codes, regulations, requirements and specifications that have been revised or adopted since the original date of approval of the preliminary plat.

3. *Expiration of construction drawings.*

- A. Approval of the construction drawings by resolution of the City Council shall be null and void if construction of the actual improvements, other than clearing and grading, has not commenced within one year of the date of said resolution.

4. ***Expiration of final plat.***

- A. Approval of a final plat by resolution of the City Council, the developer shall fully satisfy any and all conditions of such approval and all provisions of this Code, and shall cause the final plat to be properly submitted for filing of record in the offices of the appropriate County Recorder, Auditor and Assessor, within one hundred and eighty (180) days of the date of the City Council's resolution; noncompliance shall render the City Council's approval and resolution to be null and void.

5. ***Expiration of Plat of Survey or Acquisition Plat.***

- A. Approval of a plat of survey or acquisition plat by resolution of the City Council, the developer shall fully satisfy any and all conditions of such approval and all provisions of this Code, and shall cause the plat to be properly submitted for filing of record in the offices of the appropriate County Recorder, Auditor and Assessor, within one hundred and eighty (180) days of the date of the City Council's resolution; noncompliance shall render the City Council's approval and resolution to be null and void.

170.16 VIOLATIONS AND ENFORCEMENT.

1. Serial or chain land divisions, whereby three or more interests are created from a single parcel of land or other corporal real property through two or more acts of subdividing a parcel, shall not be allowed, and shall be deemed a violation of this Code. Such violation shall be remedied only by the preparation of a Plat of Subdivision covering all of the original, single parcel of land or other corporal real property and complying with all of the requirements of this Code for a proprietor's plat, including, but not limited to, the construction and dedication of public or common infrastructure; dedications of right-of-way; mitigation of impacts by dedications, provision of infrastructure or payment of fees; payment of or otherwise resolving liens, taxes, judgments and other encumbrances upon the title; payment of all customary administrative fees; and full satisfaction of all penalties set forth in this Code and the Code of Iowa.
2. Permits shall not be issued for any development, or building or other structure, on any lot, parcel or other interest that is created by a serial or chain subdivision, or by any other subdivision that is not fully compliant with this Code
3. Permits shall not be issued for any development, building or structure, on any lot, parcel or other real property interest that is part of or is being created by a subdivision, until:

- A. All subdivision improvements have been satisfactorily completed in accordance with all development agreements and approved plans and specifications, as solely determined by the City Engineer;
 - B. All requirements of this Code, including the provision of surety and maintenance bonds, have been fully satisfied;
 - C. All fees and costs have been paid in full for city services provided to the subdivision during its development, including, but not limited to, fees for city inspections and reimbursement for testing or other costs; and
 - D. The subdivision and accompanying documents has been has been properly and satisfactorily filed for record in the offices of the appropriate County Recorder, Auditor and Assessor.
4. No certificate of occupancy or of zoning compliance shall be issued unless and until the subdivision has been properly recorded and public improvements accepted in full compliance with this Code.
 5. No plat, declaration or other instrument for any subdivision shall be submitted to the Polk County Recorder, Auditor or Assessor filing for recording, or have any validity, unless and until the City Engineer certifies in writing that the plat, declaration or instrument has been found to be in full compliance with the requirements of this Code. City funds shall not be expended for improvements to or maintenance of any street or other infrastructure that directly serves a subdivision that has is in violation of this Code, or that has not been accepted by the city as public infrastructure.
 6. Any subdivision that is filed and recorded in violation of this Code shall be subject to annulment under the provisions of Iowa Code Chapter 354.20.
 7. Streets and alleys that are created by a subdivision shall not be open for public access until the plat has been made an official plat, or at any time thereafter unless and until the street has been fully improved in accordance with this Code and said improvements have been accepted by the City Council, for public safety reasons.
 8. **Penalty.** Any violation of any of the terms or conditions of this Code, or any failure to comply with any of its requirements, shall constitute a civil infraction or misdemeanor and shall be accordingly subject to fines or imprisonment in accordance with the provisions of the Code of Iowa, in addition to the remedies, restrictions, limitations and enforcement set forth in § 159.16. Each day a violation exists may be considered a new and separate infraction or misdemeanor.

AMENDED SUBDIVISION REGULATIONS

The Development Review Committee has been working on a new Chapter 170 – Subdivision Regulations intended to replace the current regulations in their entirety. On October 19, 2020, the Planning & Zoning Commission recommended Council approval, subject to requiring sidewalks on both sides of private streets, similar to public streets. This change has been incorporated into Draft #6. The major modifications incorporated into the Subdivision Regulations include, but are not limited to the following summarized items:

170.01 TITLE AND PURPOSE

1. Sections 170.01, 170.02, and 170.03 170.01.
2. The intent for balancing the rights of landowners with the economic, social, and environmental concerns of the public was added.

170.02 JURISDICTION AND APPLICATION

3. Includes an Implementation Schedule to clarify when new regulations will be applied.
4. Continues to incorporate the definition of extra-territorial area, and excludes area west of the Mile-Long bridge.

170.03 DEFINITIONS

5. Provides for a Development Review Committee, the makeup of which may vary as determined by the City Manager based on the scope of the development project.
6. Eliminates references to a Zoning Enforcement Officer.
7. Continues to defines a Subdivision as the division of a tract of land into 2 or more parcels.

170.04 CLASSIFICATION OF LAND DIVISIONS

8. Specifically allow for Minor Plats of Survey for subdivisions with no public improvements.
9. Describes and distinguishes the various classifications of land divisions (Plat of Subdivision, Minor Plat of Subdivision, Plat of Survey, Acquisition Plat, Auditor's Plat, or Condominium)
10. Grants staff the authority to determine the method required to subdivide the land.

170.05 REVIEW AND APPROVAL PROCEDURE

11. Clarifies the Preliminary Plat, Construction Drawings, and Final Plat fall under the umbrella of a Plat of Subdivision.
12. Requires Pre-application conferences with the City Manager, and other staff as deemed necessary.
13. Allows staff to require a Neighborhood Sketch Plan when there is a need to look at future development beyond the proposed subdivision for items such as land use relationships, street and trail connectivity, and utility extensions.
14. Plats of Survey that do not include new buildable lots now be approved by staff.
15. The Development Schedule will be developed annually by staff rather than codified in this Chapter.
16. States there shall be no automatic approval for development applications that do not follow the typical schedule.

17. The number of copies and format of all submittals is included in one table, requiring pdf submittals whenever possible to minimize paper.
18. Final submittals shall include a digital file for incorporation into the city's GIS.
19. When municipal services will serve a subdivision within the 2-mile area surrounding the city, a Petition for Voluntary Annexation shall now be required to be signed by the property owner and recorded.

170.06 PARK AND OPEN SPACE DEDICATION

20. The parkland dedication rate has remains the same, with a 995.95 square foot dedication for each single-family lot. (Polk City's dedication is about the same as Clive and Norwalk and more than Ankeny, West Des Moines, Johnston Grimes Pleasant Hill and Waukee; but less than Urbandale and Altoona.)
21. Parks are required to have a minimum of 100 feet of frontage to a public street.
22. At least 75% of the park area must be designed for active recreation. In areas designated as open space on the Comp Plan, open space may be accepted as parkland provided a minimum of 3-acres is set aside for development of a neighborhood park.
23. Active Recreation areas and lawn must now have 4 inches of clean, lightly compacted topsoil.
24. A dedicated parks shall be at least 1-acre in size instead of 10,000 square feet.
25. The City may require the aggregation of park land to create fewer, larger parks.
26. The embankments for detention basins are no longer be considered parkland; previously only the water surface area was excluded.
27. If cash is accepted in lieu of land dedication, the amount will now be based on the fair market value of the land plus the cost of grading and seeding a similarly sized parcel plus one-half the cost of paving and utilities for 100 LF of street frontage.
28. Private recreational facilities may be used to fulfill the park dedication, based on 50% of their cost, provided perpetual public access is granted via permanent easement. Previously, private facilities could account for 100% of the required dedication.
29. Recreational Trail Easements will still count as park land, but must be in an outlot owned by the city. In unique situations, the city may accept an easement but only if building setbacks are increased along said easement.
30. A Master Agreement allows the City more flexibility in addressing park land dedications, particularly with phased developments.
31. Condominium regimes created after this ordinance is adopted shall be required to fulfill the park land dedication requirement.
32. Allows for alternative locations for park land, provided it is within the same neighborhood park district and is at least 5 acres in size.
33. Allows the developer to present an alternative plan to fulfill the park land dedication requirement for review by staff and approval by City Council.
34. The method of fulfilling the parkland dedication is required to be determined at the time of Preliminary Plat approval.

170.07 REQUIRED IMPROVEMENTS

35. Clarifies the developer may now be required to extend or expand existing off-site public infrastructure as necessary to fully improve a proposed subdivision, or require a proposed subdivision be delayed until such extension may be completed by the City.
36. Continues to require construction to be complete prior to Final Plat approval,

37. Clarifies the City may now issue Building Permits prior to acceptance of the public improvements only if the developer signs an Agreement to Complete the punchlist items and if the City Engineer has determined the outstanding punchlist items do not negatively impact health, safety, or welfare of the builders, construction workers, future inhabitants, or general public. Previously, only an all-weather roadway was required.

170.08 DESIGN STANDARDS

38. General:

- a. All design and construction shall be as per Statewide Urban Design and Specifications Program (SUDAS). Clarifies that, if any conflict exists between SUDAS and the city's Subdivision Ordinance, the city's Subdivision Ordinance shall prevail.
- b. The developer is now required to record a permanent easement providing for perpetual maintenance of all non-public subdivision improvements and to establish an Owner's Association to be responsible for such maintenance.

39. Site Suitability:

- a. A Geotechnical Report is now required.
- b. Easements are now required along major drainage ways and or steep or unstable embankments of sufficient size to allow for slopes to be laid back at 4:1.

40. Blocks:

- a. Allows the City Engineer to require a radii greater than 25' where needed at arterial streets intersections.

41. Lots:

- a. Double frontage lots are required to have a 20' wide buffer along arterial streets.
- b. Building envelopes must now be shown on the Preliminary Plat.
- c. Where municipal sanitary sewers are not reasonably available, lots shall be shall be 125' wide and 40,000 sf in size, rather than 10,000 sf in size.
- d. Lots shall be at least 10 acres in size where on-site private well and septic is proposed, rather than 10,000 sf.

42. Grading & Seeding:

- a. New subsection added to design standards. This chapter requires a grading permit, but Grading permits and erosion control (old 170.36) will now be in a new Chapter so that these requirements will also apply to site plans and properties that do not require platting prior to development.
- b. Requires a minimum of 4 inches of top soil across the entire subdivision. If Geotechnical Report demonstrates an existing deficiency, a mitigation plan is required.
- c. Prohibits removal of topsoil from the site.
- d. Prohibits burial of trees and debris.
- e. The developer's engineer are clearly required to establish the Minimum Floor Elevations at an elevation one-foot above the base flood elevation for a flood having a one percent or less chance of occurring in any one year for all applicable lots.
- f. The developer's engineer are clearly required to establish the Minimum Opening Elevations to protect property from localized flooding, including detention basins, for all applicable lots.

43. Streets:

- a. Requires connectivity between neighborhoods per the Comp Plan.
- b. Secondary access required for 30 or more homes, or 300 average daily trips.

- c. The developer is now responsible for paving 15.5' of the width of existing gravel roads that abut the subdivision or, where paving is not practical as a subdivision improvement, providing security for the developer's share of the paving improvements in the form of a Subdivision Bond, cash payment to be held in escrow, or similar.
- d. A Traffic Impact Study is now required when a proposed subdivision will generate 100 or more new trips during peak hour, in conformance with the Institute of Transportation Engineers (ITE) standards, rather than by a new trip generation of 1000 average daily trips (ADT). The Traffic Impact Study will be an independent report prepared by the city's designated engineer, with the fees paid by the developer.
- e. The developer will be responsible for the engineer cost of traffic signals, turn lanes, and street widening when such improvements are required by the Traffic Impact Study.
- f. Cul-de-sacs are still limited to 600 feet in length, however Council may waive this regulation based on recommendation of City Manager and Fire Chief.
- g. Pavement thickness shall be as per SUDAS, based on functional classification as per the City Engineer, based on a 50-year analysis period. The City Engineer may require a pavement thickness design.
- h. Pavement shall be continuously reinforced P.C.C. per recent policy.
- i. Street right-of-way widths are now in general conformance with SUDAS.
- j. The Final Plat shall note access restrictions for driveways for single-family residences onto arterial and collector streets.

44. Water Mains:

- a. The developer is responsible for the cost of all water mains that are 8-inches in diameter and water mains of larger size if needed to serve their development.
- b. The minimum size for a water service is now specified as 1-inch line.
- c. Duplexes, bi-attached residences, townhomes, and condominiums are now required to have a separate water service line to each dwelling unit to allow for separate metering.
- d. Fire hydrant coverage shall be in conformance to the city fire code or SUDAS, whichever is more restrictive; eliminates current conflict between regulations.
- e. Clarifies that building setback lines may be adjusted based on hydrant coverage per recent policy.

45. Sanitary Sewers:

- a. The developer is responsible for the cost of all sanitary sewers that are 8-inches in diameter and water mains of larger size if needed to serve their development.
- b. Subdivisions in the extra-territorial area that cannot reasonably connect to the city's sanitary sewer system, construction of dry sewers are now required unless specifically waived by City Council in which case a 100' wide easement is required to allow for future construction.

46. Storm Sewers and Drainage:

- a. A Storm Water Management Plan is now specifically required.
- b. Single-family and two-family residential developments are no longer exempt from detention requirements.
- c. Subdrains shall now be provided along both sides of all public streets unless waived by the City Engineer based on the findings of the geotechnical report.. Open jointed storm sewers may be permitted in lieu of a separate subdrain.
- d. Storm sewers shall now be designed as per SUDAS.
- e. Special backfill is now required beneath pavement around structures and pipes.
- f. Clean-outs now required to be in a 12"x12" concrete pad.
- g. Flowable mortar cutoff walls now required where street grade is 6% or greater.

- h. Provisions are clearly required for design of the routing of runoff during large storm events, as per current policy.
 - i. Adds numerous requirements for detention basins, including use of regional basins whenever possible, private ownership and maintenance of basins, paved trickle channels if pond is not designed to facilitate absorption, 10' easement around ponds for maintenance, staged outlet control to restrict flows during 5-year storms as well as 100-year storms. If City agrees to own pond, developer must sign an agreement to complete, with security provided, so remove sediment with subdivision is 80% developed.
 - j. Requires 2% minimum slope in swales to maintain positive drainage.
47. Franchise Utilities:
- a. Public utility easements are no longer required along the rear property lines and are therefore be adjacent to the street right-of-way, as per current MidAmerican Energy policy.
 - b. The width of the Public Utility Easement will now be 5' minimum along side yard and remains 10' minimum along front and rear lot lines.
 - c. PUE's can no longer overlap the city's easements for water, sanitary sewer, storm sewer, or overland flowage.
48. Sidewalks:
- a. All sidewalks shall now be 5 feet wide, minimum, rather than 4' sidewalks.
 - b. Public sidewalks are now required on both sides of both public and private streets.
 - c. Developer is responsible for paving sidewalks along arterial streets as a plat improvement.
 - d. Developer is responsible for paving sidewalks adjacent to non-buildable lots, all depressed sidewalks across drainage easements, all sidewalk ramps, as a plat improvement.
 - e. Sidewalk surety is required for all remaining sidewalks, with a performance bond based on 15% of the cost of installation, and requiring sidewalks to be constructed within 4 years of final plat approval.
49. Recreational Trails:
- a. New subsection was added to cover developer's obligation for trail construction.
 - b. When reasonably available, developer to construct a 10' trail connector from the subdivision to a regional or municipal trail in a 20' wide lot dedicated to the city.
 - c. Developer responsible for constructing 10' trail when trail is designated along an arterial or collector street.
 - d. Developer is responsible for grading a platform for future trails within parks and open space to accommodate a future 10' trail.
50. Cluster Mailboxes.
- a. Requires developer to be responsible for paving the mailbox pad, making arrangements with the Post Office, and for installing the CBU and sidewalks as a plat improvement, as per current policy.
51. Street lights:
- a. Clarifies the developer is responsible for the lighting design, for approval by the City and MidAmerican Energy or Midland Coop.
52. Street and traffic control signs.
- a. New subsection.
 - b. The developer continues to be responsible for street signs and traffic control signs; but is now also responsible for pavement markings.
53. Easements

- a. The requirements for each type of easement.
 - b. Requires easements to be on the City's standard form of easement rather than a form prepared by the developer's engineer.
54. Benchmarks and Datum Plane:
- a. Development plans now must be on the Iowa Regional Coordinate System to be compatible with the city's GIS.
 - b. Survey elevations shall now be based on benchmarks established on NAVD 88 datum rather than local datum.

170.09 CONSTRUCTION OF IMPROVEMENTS

- 55. A pre-construction conference with the developers' engineer, and contractors is now required.
- 56. Construction observation shall be provided by the Public Works Department or City Engineer with the developer responsible for the cost of construction observation and testing services.
- 57. The developer's engineer is now required to review all materials submittals and shop drawings and provide a copy of the accepted documents to the City Engineer, as per policy.
- 58. A performance surety, for a period of no more than one year, may still be permitted if the developer desires final plat approval prior to completion of construction.
- 59. Separate performance surety shall be provided for sidewalks.
- 60. Four year maintenance bonds are required; however the City Engineer may require a longer duration and/or greater amount in lieu of immediate replacement and reconstruction of any improvement that is non-compliant.
- 61. Allows the City Council to require a longer maintenance bond duration or greater amount, in lieu of reconstruction of any improvement not fully compliant.

170.10 NEIGHBORHOOD SKETCH PLAN REQUIREMENTS

- 62. New code section, including plan requirements.

170.11 PLAT OF SUBDIVISION REQUIREMENTS

- 63. The Preliminary Plat requirements were condensed but not significantly changed.
- 64. The requirements for construction drawings were defined in more detail, including the requirement for a Storm Water Management Plan, a landscape plan for required buffers, provision of all required permits (DNR, IDOT, NPDES) for city review prior to approval.
- 65. The Final Plat must note all established Minimum Floor Elevations and Minimum Opening Elevations on all applicable lots.

170.12 PLAT OF SURVEY OR ACQUISITION PLAT REQUIREMENTS

- 66. The Plat of Survey and Acquisition Plats were added.
- 67. Allows the City Engineer to require remnant parcel to be platted if needed to demonstrate code compliance for that parcel.
- 68. Requires existing features such as buildings and septic fields to be shown on the plat, along with dimensions as necessary to demonstrate compliance with setbacks, as per current policy.

170.13 FEES

69. Lists the fees the developer for which the developer is responsible in one place.
70. Fees are typically as adopted from time to time by Resolution of City Council and are not codified into this ordinance.
71. States that fees are not refundable after the development plans have been distributed for review. Denial of an application shall not entitle developer to a refund.

170.14 VARIATIONS AND EXCEPTIONS

72. Allows Council to modify the requirements of the Subdivision Ordinance based on the unique topography, size, or shape of the tract, but now states the variation or exception shall be limited to the minimum relief necessary to create lots for reasonable development.
73. The Applicant must request a variance or exception in writing at the time the preliminary plat is submitted.

170.15 VALIDITY AND EXPIRATIONS

74. Preliminary plats remain valid for two years after Council approval however now automatically extends that approval for one year for each phase of development when the preliminary plat is final platted in more than one phase.
75. Final Plat expires if not rerecorded within 180 days after Council approval.
76. Expiration dates for preliminary plats, construction drawings, final plats and plats of survey are included in one section.

170.16 VIOLATIONS AND ENFORCEMENT

77. Serial or chain land divisions cannot be used to circumvent the subdivision regulations.
78. The penalty for violation of the subdivision regulations shall constitute a civil infraction or misdemeanor.

CITY OF POLK CITY, IOWA

ORDINANCE NO. 2020-2000

**AN ORDINANCE AMENDING THE CITY CODE OF POLK CITY, IOWA, ADOPTING
CHAPTER 161 CONCERNING GRADING AND EROSION CONTROL**

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

Section 1. There is hereby enacted the following new Chapter 161 of the City of Polk City Code of Ordinances:

161.01 PURPOSE

1. Soil erosion contributes to the impairment of drainage ways; increases maintenance costs for streets, storm sewers, and open ditches; contributes to the destruction and obstruction to traveled roadways creating a potential hazard for vehicular traffic, and contributes to contamination and degradation of land surfaces and streams, flooding and dusty conditions. This chapter establishes requirements for grading, filling, fill material, and for obtaining Grading Permits in an effort to control erosion and sediment transport and to prevent pollution. These standards include the use of suitable fill material, stable slope construction, proper site drainage, pollution prevention, and usability of public and private easements.

161.02 APPLICABILITY

1. No person or entity shall engage in land-disturbing or tree clearing activities that require a Grading Permit as defined in this Chapter unless they have received a Grading Permit.
2. Exceptions. A Grading Permit is not required for work that is specifically covered by a Building Permit for a one- or two-family residential dwellings; such work includes but is not limited to excavation for footings, basements, septic tanks, drain fields, and swimming pools. However, site filling, grading, and associated work done pursuant to these approved permits and plans shall meet the requirements of this chapter. The applicant on the Building Permit shall be responsible for installing, inspecting and maintaining erosion control devices as required to contain silt on the property for which the Building Permit is issued; this requirement shall not be interpreted as alleviating the permittee or co-permittees of the NPDES General Permit No. 2 from their obligations under said permit.

161.03 ADDITIONAL STANDARDS

1. Iowa Department of Natural Resources (“Iowa DNR”) authorization for coverage under National Pollutant Discharge Elimination System General Permit No. 2 is

- required prior to construction activity that disturbs one or more acres or which is part of a larger project that disturbs one or more acres in total. The property owner and/or permittee shall be solely responsible for complying with all requirements and obligations under said permit, including but not limited to publishing the Notice of Intent, performing required site inspections, providing ongoing maintenance of erosion control devices, and filing a Notice of Discontinuation upon final stabilization of the site.
2. Polk City's tree ordinance requires City Council approval of a landscaping plan in conjunction with site plans, site plan amendments, and preliminary plats that designates the trees that are to be removed and provides for the protection of trees that are to be saved. Applications for Grading Permits shall be in compliance with the city's tree ordinance and approved landscaping plan.
 3. Filling or construction within floodplain limits as established by the Federal Emergency Management Agency and including areas regulated by Polk City Floodplain Management Ordinance will require a separate Floodplain Development Permit in addition to the permits required by this chapter.
 4. Grading and drainage shall be designed and performed in accordance with Iowa Drainage Law that includes, but is not limited to, an allowance for land owners to drain their property in the general course of natural drainage, obligates lower lands to receive all natural drainage, and prohibits the obstruction of natural flow to the detriment of upstream properties.
 5. No fill shall be placed in a channel or in the flood plain; and no channel shall be re-aligned; of any river or stream draining two square miles or more without the approval of the Iowa Department of Natural Resources.

161.04 DEFINITIONS

1. *City.* The City of Polk City, Iowa.
2. *Development site.* Any parcel of land that is used, or intended to be used, for any industrial, civic, commercial, or residential use purpose, with the exception of an individual one- or two-family residence, which requires a site plan or site plan amendment prior to development; or any parcel of land that is being subdivided, or intended to be subdivided, for development purposes.
3. *General Permit No. 2.* National Pollutant Discharge Elimination System General Permit No. 2, Storm Water Discharge Associated with Industrial Activity for Construction Activities.
4. *Iowa DNR.* The Department of Natural Resources of the State of Iowa.
5. *NPDES.* The National Pollutant Discharge Elimination System permit program, as delegated to Iowa DNR.

6. *Public Works Director.* The Public Works Director of the City of Polk City and/or designee that may include the City Engineer, Building Inspector or other personnel as deemed appropriate by the Public Works Director.
7. *Tree Ordinance.* Chapter 151 of the municipal code of the City of Polk City, Iowa.

161.05 GRADING PERMIT REQUIRED

1. Before any land within the corporate limits of the City is graded for purposes including, but not limited to, the construction of buildings, the mining of minerals such as sand and gravel, the construction of parks and golf courses, the construction of subdivisions for any use, the construction of buildings or structures for any use, the property owner shall obtain a Grading Permit from the Public Works Director or designee prior to initiating grading operations where the land-disturbing activity falls under any one or more of the following provisions:
 - A. Excavation, fill or any combination thereof which exceeds 100 cubic yards in volume;
 - B. Fill that exceeds three (3) feet in vertical depth at its deepest point measured from the natural ground surface;
 - C. Excavation that exceeds four (4) feet in vertical depth at its deepest point;
 - D. Grading which creates a disturbed surface area of more than 20,000 square feet;
 - E. Grading which creates a disturbed surface area of 5,000 square feet or more located within 100 feet of a lake, pond, detention basin, river, street, or natural drainage way.
2. Before any trees are removed to clear the land for the purpose developing a subdivision for any use or a site for multiple-family, commercial, civil, or industrial use, the property owner shall obtain a Grading Permit prior to commencing any tree removal activities.
3. Permits shall be issued by the Public Works Director or designee and, when deemed appropriate by the Public Works Director, shall be approved by the City Engineer.
4. A Grading Permit Application shall include the following:
 - A. A completed application for Grading Permit on a form provided by the City. The application shall be signed by the title holder of the site, together with the applicant if different from the title holder.

- B. A Site Sketch showing property boundaries, easements, existing and proposed utilities and drains within 300 feet of the site, existing and proposed buildings within 300 feet of the site, existing trees to be removed, existing trees to be protected, and construction fence or similar delineation to be installed for tree protection. Show all areas to be seeded, along with seed mixture; sodded, mulched, paved, or left undisturbed after the work. Areas not intended to be mown will be designated as such and seeded with an appropriate seed mixture as approved by the city for such installation. The sketch must include a legend and scale.
- C. Information on areas abutting or adjacent to the site sufficient to show existing drainage patterns and drainage courses that may be affected by the proposed grading operations.
- D. A soil map of the property showing the predominant soil types on the site.
- E. A geotechnical report demonstrating the suitability of soils for their intended purpose, unless waived by the City Engineer.
- F. A Grading Plan showing existing topography including a 200 foot peripheral strip around the site, proposed topography, and floodplain limits if any. The scale of the plan shall be no greater than 1" = 50' and contours shall have an interval of no more than two (2) feet. The plan must show how all storm water drainage will be handled on or near the site and indicate a temporary and permanent measures will be employed to protect cut and fill slopes from erosion. The plan shall include an estimated schedule and phase of the grading work.
- (1) The Grading Plan shall be prepared and certified by a professional engineer licensed in the State of Iowa. For projects of small scope not requiring an NPDES permit, the Public Works Director may waive the requirement for certification by a professional engineer.
 - (2) When the proposed grading is a proposed or future development site, the Grading Plan shall be in conformance with the Site Plan or Construction Drawings for Public Improvements as approved by City Council. If the Construction Drawings have not been approved, the Grading Plan shall be in conformance to the approved Preliminary Plat and must be reviewed and approved by the City Engineer prior to issuance of a Grading Permit.
- G. For all sites with a disturbed area greater than or equal to one acre, the Grading Permit application shall be accompanied by a Storm Water Pollution Prevention Plan (SWPPP) meeting the requirements of the NPDES General Permit No. 2 and certified by a design professional.
- H. Payment in full of the permit fee to the City Clerk.

5. Prior to issuance of a Grading Permit or Building Permit, the following conditions shall be met:
 - A. Silt fence or similar erosion control devices around the perimeter of the property, along the proposed grading limits, at natural drainage ways, in conformance with the SWPPP and designed to limit off-site migration of sediment, shall be in place and approved by the Public Works Director or designee. This requirement shall not be interpreted to require prior installation of erosion control devices that will be disturbed by grading activities.
 - B. Fencing, or other delineation as may be approved by the Public Works Director, around the driplines of existing trees or stands of trees that are designated to be protected on the approved Preliminary Plat, Construction Drawings, or Site Plan as required by Section 151.10-3 of the tree ordinance shall be in place and verified by the Public Works Director or designee.
 - C. In the case of grading for the development of subdivisions, prior approval of the Preliminary Plat by City Council is required. Prior approval of the Construction Drawings is recommended, but not required, provided that any grading initiated prior to approval of said Construction Drawings shall be at the applicant's own risk.
6. Grading Permits shall be valid for a period of one year from the date of issuance and must be renewed by resubmitting the applicable information and fee.

161.06 EXEMPTIONS

1. A Grading Permit shall not be required in the following cases:
 - A. Crop production activities including field tiling and subdrain installation.
 - B. Cemetery graves.
 - C. Exploratory excavations for soil testing purposes conducted under the direction of a registered professional.
 - D. Emergencies posing an immediate danger to life or property, or substantial flood or fire hazards.
 - E. Public improvements being constructed by the City of Polk City, Polk County, State of Iowa, or United States government.

161.07 GRADING STANDARDS

1. General.

- A. The regulations, including grading standards, of this chapter shall apply to all sites, whether or not a Grading Permit is required.
- B. Property shall be graded so that it drains to an approved piping or drainage system or street as approved by the City, unless otherwise approved by the City Engineer, and shall generally conform with existing drainage basins and drainage areas wherever possible.
- C. To the maximum feasible extent, all natural drainage courses serving major drainage areas and containing significant vegetation which may constitute a significant wildlife habitat, as determined by the City, should remain in their natural state. Alterations to the above drainage courses may be allowed if the application of this section will mitigate upstream or downstream flooding, erosion, or drainage issues.
- D. No excavation or grading shall be done on property which causes the removal of earth from the property which limits the development of the property in a manner that conforms with Polk City's Comprehensive Plan.
- E. Grading plans shall, to the greatest extent possible, maintain the natural gradient and contours of the site and include measures to preserve natural features including, but not limited to, trees, natural swales, and rock outcrops.
- F. Manufactured slopes shall be rounded and shaped to simulate the natural terrain. Manufactured slopes shall be four (4) horizontal to one (1) vertical (4:1) for mown areas wherever possible. In no case shall manufactured slopes exceed three (3) horizontal to one (1) vertical (3:1).
- G. Finish grading shall be according to approved plan.
- H. Temporary erosion control measures, in conformance with the SWPPP and as acceptable by the City, shall be installed prior to any vegetation disturbance with approved permanent erosion control measures to be installed as soon as practicable thereafter. Temporary and permanent erosion control measures shall be maintained at all time.
- I. The titleholder of the property shall be responsible for removal of temporary erosion control measures following final stabilization of the site.
- J. All grading operations, ponds, impoundments, backwater, and embankments shall be located on the property for which the Grading Permit applies. Permanent off-site improvements or encroachments shall be covered by an easement that has been signed by the appropriate property owner(s) and recorded, a copy of which shall accompany the Grading Permit application. Temporary grading operation shall be covered by a written easement or agreement which shall accompany the Grading Permit application.

- K. Excavated dirt shall be incorporated into the site or removed from the premises to an acceptable location. If such location in the city, its location must be approved by the City with the Grading Permit.
 - L. Temporary stockpiles shall not be permitted unless part of a phased subdivision development project. In certain unique circumstances, a temporary stockpile may be approved as part of a site plan if a date for its removal is defined on said site plan.
2. Topsoil.
- A. During grading operations, existing topsoil shall be stripped and stockpiled on site. No topsoil shall be removed from the property without prior approval of the Public Works Director.
 - B. A minimum of 4 inches of topsoil shall be spread across all areas on site that are designated for seeding or sod unless the geotechnical report clearly demonstrates there is insufficient existing topsoil on site; in which case the developer shall develop a mitigation plan for review by the City Engineer and approval by Public Works Director prior to issuance of the Grading Permit.
3. Clearing and Grubbing.
- A. Trees and shrubs within the site to be graded shall be saved whenever feasible as determined by the City, in conformance with the Tree Ordinance.
 - B. Clearing and grubbing shall be performed according to the Iowa Statewide Urban Design and Specifications (SUDAS) and the tree ordinance.
 - C. Trees may not be buried. Trees may not be burned for development sites. On individual lots only, where unique circumstances exist, an application for a Burning Permit must be submitted for approval by the Polk City Fire Chief. If a Burning Permit should be approved, trees may only be burned on their site of origination.
4. Filling Requirements.
- A. No filling will be allow on lands which lie ether wholly or in part within the flood plain of a river, stream, creek, or lake unless such fill is approved under the terms of a permit granted by the applicable Federal, State or local agency.
 - B. Fill material shall be placed according to the Storm Water Pollution Prevention Plant (SWPPP), SUDAS, and the approved grading plan.
 - C. Interim filling during construction shall be placed in a safe manner. Slope stabilization, inspection and maintenance of erosion control, and soil stabilization where work has been suspended shall be according to SUDAS.

D. Unacceptable Fill Materials. Fill materials shall not include hazardous waste, synthetic material, metal, and organic material other than natural topsoil incidental to excavation except as noted below.

(1) Concrete, brick, tile, and other manufactured inert material shall not be greater than 18 inches in its greatest dimension; provided they are not placed below the known water table.

5. Concrete Waste Management for any concrete activity.

A. Washout facilities waste must be contained in washout areas. The washout areas shall contain the concrete and liquids when the chutes of concrete mixers and hoppers of concrete pumps are rinsed out after delivery.

B. Saw-cut slurry must be vacuumed or shoveled and removed from the site or disposed of in a concrete washout area.

C. Washout areas consolidate solids for easier disposal. These washout areas must be removed and/or cleaned, and dry waste concrete must be disposed of properly.

6. Sump Pump Discharge.

A. In order to minimize erosion and avoid drainage issues, all sump pumps and subsoil drains shall be connected to the city's storm sewer system whenever possible, as determined by the Public Works Director. Where reasonable access to the city's storm sewer system is not available, the following shall be permitted:

(1) Lots containing or abutting an existing drainage channel, may discharge their sump pump and/or subsoil drain into the existing drainage channel provided the point of discharge is not less than ten (10) feet from the nearest property line in a location approved by the Public Works Director or designee.

(2) Lots not containing or abutting an existing drainage shall be required to discharge their sump pump and/or subsoil drain into a French drain-style discharge pit. Such pits shall include the following elements unless otherwise approved by the Building Inspector:

(a) A pit that measuring 5 feet long by 5 feet wide by 5 feet deep, filled with pea gravel or other clean rock; and

(b) A sump pump discharge line, approximately 1-1/2-inches to 2-inches in diameter, running into the pit with a 90-degree elbow to bring the line to the surface of the rock where it is capped with a rodent cover; and

- (c) A weep hole in the discharge line near the 90-degree elbow to allow the pipe to drain to prevent freezing.
- B. Sump pumps and/or subsoil drains shall not be permitted to discharge to the street curb or gutter, or to an alley, unless previously approved in writing by the Public Works Director.

161.08 INSPECTION, NOTICE TO COMPLY, AND NOTICE OF VIOLATION.

1. Inspections. The City reserves the right to inspect the site in response to reports from third parties or at other times, at the City's discretion.
 - A. Right of Entry. The Public Works Director or designee shall be permitted to enter the premises covered by the Grading Permit for the purposes of inspection, observation, measurement, sampling, and testing in accordance with the provisions of this chapter. The applicant, owner, or titleholder shall be deemed to have consented to such entry by submission of an application for any permit or plan identified in this chapter. Barring or delaying such inspection is a violation of this chapter.
 - B. The Public Works Director or designee shall have access to and be able to copy any records that must be kept under the conditions of NPDES General Permit No. 2 within three business hours, where a business hour is any hour between 7:00 AM and 5:00 PM on a non-holiday weekday.
2. Notice to Comply. The City may issue a Notice to comply with the responsible party or parties, describing any problems and specifying a date and time by which compliance must be achieved. Failure to achieve compliance by the specified date and time is a violation of this chapter.
3. Notice of Violation. The Public Works Director shall, upon determination of any violation of this chapter, issue a Notice of Violation in writing to the responsible party(s) indicating the nature of the violation and ordering the action necessary to correct it.
 - A. The Notice of Violation may:
 - (1) Order the discontinuance of any illegal work, specifying a date and time for such discontinuance; and
 - (2) Require the repair and cleanup of any damage due to failure to comply with General Permit No. 2 or the provisions of this chapter, specifying a date and time for completion of repair and cleanup; and
 - (3) Order the withholding of any building or occupancy permits for the site; and

- (4) Order the discontinuance of any and all work at the site, including at the Public Works Director's discretion work not directly related to the cause and prevention of erosion and sedimentation, except work necessary to achieve compliance and to repair and clean up damage, specifying a date and time for such discontinuance to commence and conditions for such discontinuance to cease.
- B. Failure to comply with any order in a Notice of Violation is an additional violation. Each day of such failure constitutes a separation violation.
- C. The Public Works Director may modify a Notice of Violation and may authorize, in writing, and extension to the specified dates and times therein.
- D. The Notice of Violation, when deemed necessary or appropriate to the Public Works Director, be referred to the City Attorney for proper action or proceedings in the name of the City to prevent such unlawful construction or use, to restrain, correct or abate such violations, to prevent the occupancy of the premises or site, or to prevent any illegal act, conduct, business, or use in or about said premises or site.
- E. Communication to a responsible party's employee, partner, attorney, agent, contractor, or subcontractor shall be regarded as communication to the responsible party for the purposes of this section. Communication to one responsible party shall be regarded as communication to each responsible

161.09 REPAIR AND CLEAN UP OF DAMAGE.

1. For any site, whether or not covered by a Grading Permit, Building Permit, or NPDES General Permit No. 2; the City may clean up eroded sediment or tracked soil deposited on public property, including streets, if:
 - A. Corrective action as identified in the Notice of Violation has not been completed by the specified date and time.
 - B. In the judgement of the Public Works Director, damage to the environment is ongoing and prompt corrective action would be intended to reduce such damage.
2. If the City cleans up such material deposited offsite, the Public Works Department will invoice the responsible party or parties for the City's actual costs including overhead, which may be recorded as an assessment against the property and constitute a lien thereon.
3. Failure to pay an invoice under this chapter within 30 days shall constitute a violation of this Ordinance.

161.10 ENFORCEMENT.

1. The City shall revoke the Grading Permit or decline renewal if unacceptable materials are being deposited at the site, if topsoil is being unlawfully removed from this site, or if the permittee has failed to comply with any of the regulations set forth in this chapter, or any require of law, stature or regulation.
2. Violation of any provision of this chapter may be enforce by civil action including an action for injunctive relief.
3. In any civil enforcement action, administrative or judicial, the City shall be entitled to recover its attorneys' fees and cost from a person who is determined by a court of competent jurisdiction to have violated this ordinance.

161.11 FEES.

1. Fees for Grading Permits and Grading Permit Renewals shall be established from time to time by Resolution of City Council. The applicant shall also be responsible for reimbursing the City of Polk City for the City Engineers' review fees for review of the Grading Plan and associated documentation.
2. An application for a Grading Permit shall not be considered for approval unless the appropriate fee has been submitted with all appropriate documentation.
3. Fees for subdivisions shall be exempt if the Grading Permit is applied for concurrently or after the Construction Drawings for Public Improvements are approved by City Council.

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

Section 3. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 4. 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: December 14, 2020 City Council Meeting
To: Mayor Jason Morse & City Council
From: Chelsea Huisman, City Manager
Subject: Stormwater Utility fee Ordinance

BACKGROUND: On Monday, the City Council will have the 2nd reading for an ordinance related to a stormwater utility fee. The ordinance outlines a residential fee of \$3.00 per month, and a commercial/industrial fee at \$3.00 per Equivalent Residential Unit (ERU).

The fee would go into effect in March 2021 if approved by the City Council. The City could continue to offer stormwater programs such as the one we are trying to implement revolving around Soil Quality Restoration (SQR). Most cities across the Des Moines metro do have a storm water utility fee implemented to assist with stormwater projects and activities within their city limits.

ALTERNATIVES: Do not approve the 2nd reading of the Ordinance

FINANCIAL CONSIDERATIONS: The fee would be \$3 per month for residential property, and \$3 per ERU for commercial/industrial properties.

RECOMMENDATION: It is my recommendation that the Council approve the 2nd reading of the ordinance. The fee will go into place in March.

STORMWATER FEE COMPARISON

Altoona \$5	Ankeny \$6.50	Bondurant \$6.59	Carlisle No fee	Clive \$8.61	Des Moines \$12.68	Grimes \$6.38	Indianola \$2.00
5.00 per ERU 1 ERU = 4,000	6.50 per ERU 1ERU= 4,000 sf	6.59 per ERU 1 ERU = 2,450 sf		Flat-Residential Com 8.61 per ERU = 4,000	12.68 per ERU 1 ERU = 2,249 sq 16.35 by 2023	6.38 per ERU ERU = 10,000 sf	Flat - both

Johnston \$5.55	Norwalk \$7.50	Pleasant Hill \$3.00	Polk City No fee	Urbandale \$6.00	Waukee \$6.25	West Des Moines \$2.75	Windsor Heights \$5.50
5.55 per ERU 1 ERU = 4,000	Flat	3.00 flat Single family Commercial 3.00 per ERU = 3,500 sf Up to 65 ERUs		6.00 flat Single family 1 ERU = 3,200 Commercial 6.00 per ERU	6.25 flat single Commercial 11,000 - 4ERU 1 ERU = 2,973	2.75 per ERU ERU = 4,000	Flat for residential

CITY OF POLK CITY, IOWA

ORDINANCE NO. 2020-2100

**AN ORDINANCE AMENDING THE CITY CODE OF POLK CITY, IOWA, ADOPTING
CHAPTER 103 CONCERNING STORM WATER MANAGEMENT UTILITY**

Purpose. *The purpose of this chapter is to establish a stormwater utility which shall be responsible for stormwater management within the corporate boundaries of the City of Polk City and shall provide for the management, protection, control, regulation, use and enhancement of stormwater management systems and facilities.*

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

Section 1. There is hereby enacted the following new Chapter 103 of the City of Polk City Code of Ordinances:

103.01 Definitions. The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

1. “Residences” shall mean all residential properties, excluding apartment buildings, which will be treated as “Commercial” properties.
2. “Equivalent residential unit” or “ERU” means the average impervious area of a residential developed property per dwelling unit located within the City as periodically determined and established as provided in this chapter, which has been determined by the City to be 3,500 square feet of impervious surface area.
3. “Stormwater drainage system” means the system of publicly or privately owned or operated rivers, creeks, ditches, drainage channels, pipes, basins, street gutters, and lakes within the City through which or into which stormwater runoff, surface water, or subsurface water is conveyed or deposited.
4. “Stormwater management utility” or “utility” means the enterprise fund utility created by this chapter to operate, maintain, and improve the system for such other purposes as stated in this chapter.
5. “User” means any person owning, operating, or otherwise responsible for property within the City which directly or indirectly discharges stormwater or surface or subsurface waters to any portion of the stormwater management system, including direct or indirect discharges to the City’s stormwater drainage system, or which is directly or indirectly protected by the City’s food protection stormwater or surface or subsurface waters to the City’s stormwater drainage system.

103.02 Stormwater Service Charges Required. Every customer whose premises is served by a connection with the stormwater management system and facilities of the City of Polk City, either directly or indirectly, shall pay to the City stormwater service charges hereinafter established and specific for the purpose of contributing towards the cost of construction, maintenance and operation of the stormwater management system and facilities.

103.04 Basic Rate. Each customer whose property lies within the corporate limits of the City shall pay to the City, as a part of the customers combined service account with the City of Polk City, at the same time payment for other City utilities are made, the following charges per Equivalent Residential Unit (ERU) associated with the customer's property:

1. Residential. A storm sewer availability charge will be charged at \$3.00 per month
2. Commercial/Industrial: A storm sewer availability charge will be charged at \$3.00 per ERU per month up to a maximum of 65 ERUs

103.05 Collection of Fees. Bills for the collection of Stormwater Service charges shall be included on the monthly utility bill. The fee shall be due at the same time as water and sewer. Payment shall be made to the City Clerk and all bills shall become delinquent following the same schedule as water and sewer.

103.06 Discontinuing Service and Fees. Any resident who fails to remit the total amount of the charges set out in the utility bill, including the fees for Stormwater Service charges shall be sent a notice. In the event payment is not received as outlined in said notice, the City shall have the right to discontinue services to the resident including the collection of recyclables, solid waste, and deliverance of water pursuant to the provisions set out in Chapter 92.08 relating to lien notices shall also apply in the event of a delinquent account.

Section 2. The new Stormwater Service rates shall be effective in the month of March 2021, payable in April 2021.

Section 3. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 4. 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 _____, 2021.

Jason Morse, Mayor

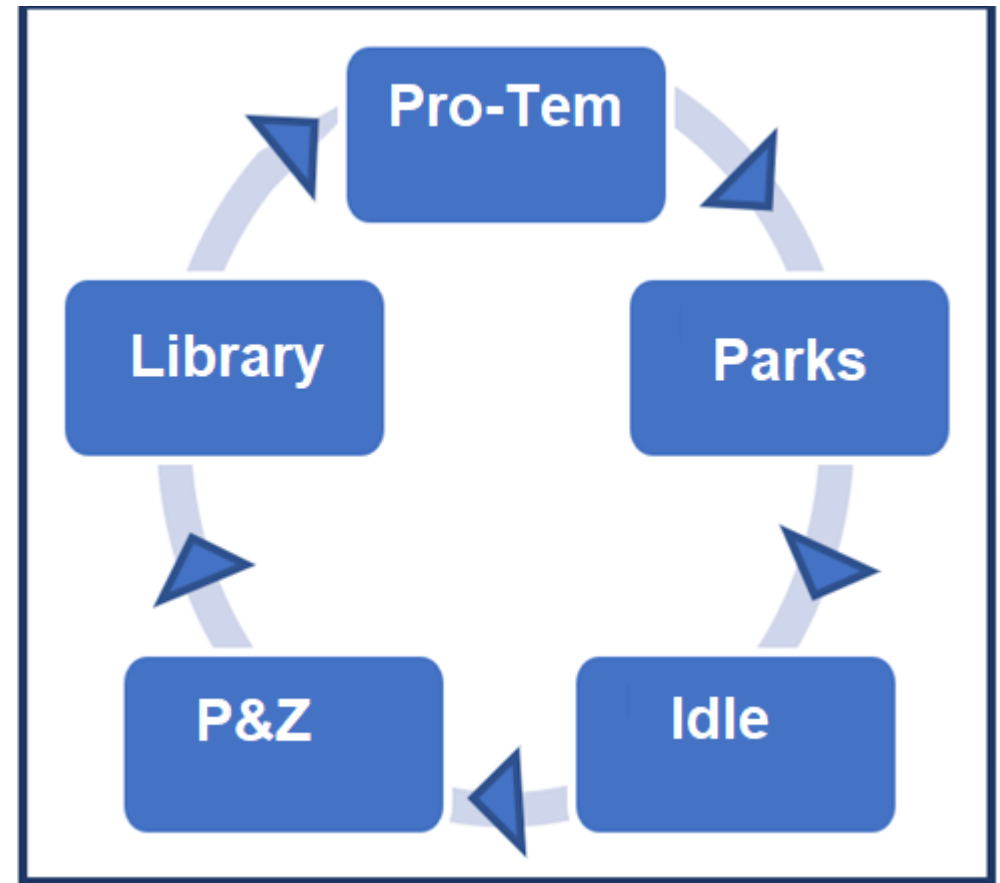
ATTEST:

Jenny Gibbons, City Clerk

First Reading: Second Reading: Third Reading: Published by posting:
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2021	Rotation Schedule	
pro-tem	Mandy	idle
	Ron	Library
	Rob	P&Z
	Jeff	idle
	Dave	Parks

2022	Rotation Schedule	
pro-tem	Ron	idle
	Rob	Library
	Jeff	P&Z
	Dave	idle
	Mandy	Parks



Mayor Designations 2021

ROTATION AND FLOW