

**MEETING MINUTES  
PUBLIC WORKS COUNCIL COMMITTEE  
West Des Moines City Hall Training Room  
March 16, 2015**

**Attending:**

Council Member – Rick Messerschmidt	Principal Engineer – Brian Hemeseth
Council Member – Kevin Trevillyan	Traffic Engineer – Eric Petersen
City Manager – Tom Hadden	Construction Supervisor – Clint Carpenter
Finance Director – Tim Stiles	Communications Specialist – Lucinda Stephenson
Assistant City Attorney – Greta Truman	Guests Jon and Robin Arnold
Public Works Director – Bret Hodne	
Public Works Deputy Director – Joe Cory	

Meeting called to order at 11:33 am.

**1. Sugar Creek Storm Water Fee District – Interchange Partners**

**Issue Summary:**

Principal Engineer Brian Hemesath stated that there has been several conversations with the property owner of Interchange Partners, Steve Gillotti, regarding the Sugar Creek Storm Water Fee District recently. There are approximately 30 acres in the fee district on the west end of the Interchange Partner's property. It appears that Mr. Gillotti's property was not included in the official noticing of the project. Mr. Gillotti has been to committee meetings and talked with staff about the fee district prior to and after noticing, but he did not receive official notice. Staff is recommending to re-notice just Mr. Gillotti's property so he may have an opportunity to voice his opinion on the fee district at a public hearing. Assistant City Attorney Greta Truman concurs with staff recommendation of sending a separate official notice to the property owner. There had previously been some uncertainty as to whether this property was in the district, however, Council Member Trevillyan pointed out that Mr. Gillotti was in attendance at a Council meeting that indicated a small portion of his property is in the fee district.

Council Member Messerschmidt expressed concern that in previous meetings regarding this fee district there has been some vagueness as to whether or not Mr. Gillotti's property was even in the district and if so, the amount of his property that would be affected. Council Member Messerschmidt stated there was nothing indicated a year ago suggesting an estimated 30-35% of Mr. Gillotti's total property would be in the fee district, which Council Member Messerschmidt considers as a substantial amount. Since the fee is approximately \$4,800 per acre, Principal Engineer Hemesath indicated the fee would be approximately \$130-150,000 at the time of development. If staff confirms the property is in the fee district, official notice would be sent to Mr. Gillotti. Council Member Messerschmidt is appreciative of the work staff has done on this issue and would like staff to provide clear information to Mr. Gillotti about the amount of his land that will be included in the fee district.

**Direction:** The PWCC concurs with staff recommendation to confirm the topography for the fee district to verify the total amount of the property that would be included in the fee district and send official notice to the property owner.

**2. 200 39<sup>th</sup> Street Sidewalk Repair – Request to Defer**

**Issue Summary:**

Construction Supervisor Clint Carpenter introduced guests Jon and Robin Arnold, property owners of 200 39<sup>th</sup> Street. Mr. Carpenter explained that their property is part of the area for the 39<sup>th</sup> Street Paving Project where sidewalk installation is required. Council Member Trevillyan asked if the City owns the two parcels to the south of this property. Mr. Carpenter stated there are two, long narrow sections south of the Arnold's property that are City platted.

Mr. Arnold provided a letter explaining the reasons they are requesting to defer the sidewalk installation on their property from the 2015 to the 2016 construction season which includes a request for the City to vacate some of their property as well as the cost of the sidewalk installation (2). The Arnolds are requesting the City to vacate the land directly on their south property border which would allow them to maintain the location of their driveway, which is currently City property. A preliminary vacation request meeting is scheduled for March 24, 2015, with the City planners. Mrs. Arnold stated when they first moved to the property in 1996, the property to the south was not City property at that time. Over time it transferred into an estate and then in 2010 the City somehow acquired that property. Mr. Arnold stated that he regularly maintains the property that is City owned.

Council Member Trevillyan asked the Arnolds if they are requesting the City to vacate the entire length of the property or just to their property line on the west. Mr. Arnold replied that when he spoke with the City Planner, he was told it would be vacated just to their west property line. Council Member Messerschmidt stated he would like more background information on how the City became the owner of the parcel in discussion. Mr. Hemesath stated that staff will conduct the research for that information and advise the Arnold's of the process for moving through the vacation request for that property. Mr. Carpenter added that the City will install the sidewalk in the railroad ROW on the west side of 39<sup>th</sup> Street.

Council Member Trevillyan expressed concern with deferring the sidewalk installation for an entire year due to the number of children who walk from the apartments on the west side of 39<sup>th</sup> Street to Western Hills School. Council Member Trevillyan would be more comfortable with allowing a deferral of the sidewalk installation until the end of August 2015. Mrs. Arnold stated their driveway is currently gravel and expressed concern with a snow blade tearing up the sidewalk if on both sides of the sidewalk remained gravel. Mrs. Arnold stated it is their intention to install the sidewalk and driveway approach at the same time if they could acquire the City-owned parcel adjacent to their property, which is another reason they would like to defer. Council Member Messerschmidt added that he is sympathetic to the cost of the sidewalk installation for the Arnolds. Mr. Carpenter stated there is a 7 foot offset between the Arnold's east property line/ROW line and the next property north of them. Staff would recommend shifting the ROW west 7 feet to avoid a change in sidewalk alignment. This is another issue that could be included in the research and vacation process.

**Direction:** The PWCC concurs to allow the Arnold's to defer sidewalk installation until the end of August 2015. Staff will provide information to the PWCC on the history of the City-owned parcel and results of the preliminary vacation request meeting.

**3. Review of Public Works Items for Council Meeting (March 23, 2015)**

A. Public Hearing and Award Contract

- i. 2015 PCC Patching Program Phase 1
- ii. Frink Creek Sanitary Sewer

B. Completion of Work - 22<sup>nd</sup> Street Traffic Adaptive Signal System

Public Works Director Bret Hodne reported that the installation of the traffic adaptive signal system on 22<sup>nd</sup> Street is complete. Council Member Messerschmidt asked if the 22<sup>nd</sup> Street project covered Ashworth Road to University Avenue. Mr. Hodne confirmed that is correct.

C. Letter of Support – Revisions to Federal Functional Classification System to Des Moines Area MPO

Traffic Engineer Eric Petersen stated that the MPO is requesting that communities submit updates to the Federal Functional Classification System. Staff recommends that 3 revisions to the map be proposed based on recent construction and corridor studies (3C). The first revision staff is proposing is on Veterans Parkway between Highway 28 and Army Post Road. The map shows a future street but since the road has now been built, staff recommends changing the street from a proposed street to an existing street. The second revision proposed is in response to the corridor study done on Veterans Parkway heading south on Highway 5 to the future Grand Prairie Parkway, which would be shown as a future-dashed line. Most of this street is outside of the metro's urban area boundary on the map, so most of the change would be in Warren and Madison County and it wouldn't count against the City's total miles. The third revision staff is proposing is for 60<sup>th</sup> Street between EP True Parkway and Mills Civic Parkway. Currently this street is shown on the map as a collector street but with the recent completion of the widening project staff is recommending to change its classification to a minor arterial street to be consistent with what is shown for 60<sup>th</sup> Street north of EP True Parkway. Council Member Messerschmidt asked if there is a financial impact to these changes. Mr. Petersen stated there is no financial impact.

D. Change Order #7 – Library & Law Enforcement Center HVAC Improvements

Mr. Hemesath reported on behalf of Development Services Planner Linda Schemmel that a commissioning study was done which found there needed to be some valving added. This change order for \$1,948.00 would be for the recommended upgrades to the valving. Council Member Trevillyan asked what the valving upgrades were for. Mr. Hemesath stated there are currently no balancing valves for the heating and chilling coils so there is no way to read the gallons per minute as required in the mechanical schedule.

E. Amendment #1 – Professional Services, Fire/EMS Station 17 HVAC Improvements

Mr. Hemesath stated that due to the HVAC improvements changing from a standard to a geothermal upgrade, the siting of the geothermal wells needs to be determined. This amendment is for a subcontractor to complete a survey of the area and site locations for all of the wells. The amendment also includes a Phase 1 environmental assessment, which is approximately \$2,000.00 of the estimated \$6,000.00 of additional cost this would incur.

F. Accepting Work

- i. 2013 Valley Junction Business District Sidewalk Improvement Program
- ii. 2013 Sidewalk Improvement Program – Phase 1

G. Order Construction

- i. Thornwood Sanitary Sewer – Phase 3 (*tentative*)

**Direction:** The PWCC concurs with staff recommendations on the Council Agenda Items.

4. Staff Updates

- A. 139 6<sup>th</sup> Street Building Renovation – Mr. Hemesath provided a letter from OPN Architects (4A) that details the estimated cost of screening the condenser units versus moving the condenser units for the 139 6<sup>th</sup> Street Building renovation. The estimated cost to move the units is \$10,676.71 whereas the estimated cost to screen the units in the current location is \$12,792.00, which includes required modifications to the existing structure.

**Direction:** The PWCC concurs to proceed with moving the units.

- B. 318 5<sup>th</sup> Street Building Renovation – City Manager Tom Hadden stated that the architects have detailed scenarios on roof and HVAC system improvements and they also have details on the two renovation options, a basic-level enhancement and an enhanced-level enhancement. There will be a workshop after the March 23, 2015, Council meeting for the architects to present these options.

**Direction:** Information Only.

- C. Trail under Interstate on EP True Parkway – Mr. Cory reported that the trail along EP True Parkway under the interstate bridge is projected to be open to the public by April 11<sup>th</sup>. The next three to four weeks will consist of cleanup of the project.

**Direction:** Information Only.

5. Other Matters

- A. Permissive Yellow Left Turn Signals on Valley West Drive - Council Member Trevillyan stated he had previously been informed by Traffic Engineer Jim Dickinson the reason there are not permissive yellow left turn signals all the way across Valley West Drive was because there were double left turn lanes on that road. However, on 22<sup>nd</sup> Street going south, there are double left turn lanes for the on-ramp to the interstate and that intersection does have permissive yellow left turn signals. Mr. Cory communicated with Mr. Dickinson via email on this question and responded that the reason for the difference

on 22<sup>nd</sup> Street and Valley West Drive is due to the number of lanes that vehicles turn in front of from the opposing lanes of traffic.

Staff is reviewing the possibility of changing the northbound protected only signal phasing to protected/permissive left turn signal phasing using the flashing yellow arrow signal heads. This would provide the option to be protected/permissive during certain times of the day and protected only during time periods of heavy southbound traffic when making a permissive left turn would be difficult.

**Direction:** Information Only.

- B. Compost Yard Waste Material - Mr. Hodne stated that the Des Moines Public Works Director requested Mr. Hodne sit on a committee to discuss with Metro Waste Authority and how the recent legislation allowing compost yard waste materials in the solid waste flows could impact regional solid waste collection operations. The legislation would allow yard waste to be incorporated into the solid waste stream, which in turn can provide more methane gas to return to energy.

**Direction:** Information Only.

- C. Brick Leveling in Valley Junction - Mr. Hodne stated that Public Works staff will initiate a future contract to being doing some project work in Valley Junction with brick leveling to remove some deficiencies. Staff will focus on areas where there is more than a one inch defect to get the brick pavers back to an acceptable level to eliminate trip hazards.

**Direction:** Information Only.

- D. Updates on Subdivision Development - Mr. Carpenter provided updates on several subdivision developments. The underground utilities are in progress at Pemberley Estates Plat 1. There is a Parks and Recreation project that staff will be inspecting at Woodland Hills Park. Michaels Landing Plat 3 will begin by the end of March with underground utilities and grading. Kings Landing Plat 1 is anticipated to start this week. Etzel Plat 1 south of Athene is in progress for sanitary sewer and grading. The Cascades at Jordan Creek is scheduled to begin underground utilities by the end of the week. Sanitary sewer installation is in progress at Aspire (aka Roger's Farm). The Grand Avenue Tree Clearing project is nearing completion. These are all development projects with the exception of the Parks and Recreation project and the tree clearing projects. Council Member Messerschmidt was appreciative of the subdivision updates and would appreciate continued updates on upcoming available developments. Mr. Hemesath added that raw land prices are currently very high and staff continues to ask developers what hurdles they are encountering and what the City can do to help.

**Direction:** Information Only.

- E. Mid-American Energy Seeding - Council Member Trevillyan asked what the status was of the experimental seeding that Mid-American conducted last fall. Mr. Cory replied that staff is waiting a few more weeks this spring to see what the seeding looks like.

**Direction:** Staff will provide an update to the PWCC at a future meeting in May.

- F. Left Turn Signal at 1<sup>st</sup> and Grand Avenue - Council Member Trevillyan requested that staff review the timing of the left turn signal at 1<sup>st</sup> and Grand Avenue when driving east and turning north on 63<sup>rd</sup> Street, due to a resident inquiry.

**Direction:** Staff will review the timing of the turn signal at the intersection.

Meeting adjourned at 12:50 pm. The next Public Works City Council Subcommittee meeting is scheduled for March 30, 2015. Copies of handouts are available at Public Works upon request.

A recording was made. Respectfully submitted by Kimberly Pinegar, Secretary.



# PUBLIC WORKS COUNCIL COMMITTEE MEETING AGENDA

**Monday, March 16, 2015 – 11:30 AM**

Location: West Des Moines City Hall – Training Room  
4200 Mills Civic Parkway

1. Sugar Creek Storm Water Fee District – Interchange Partners
2. Noon: Guests John and Robin Arnold – 200 39<sup>th</sup> Street Sidewalk Repair – Request to Defer
3. 12:30: Guest Donald Briggs – 3001 Ashworth Road Sidewalk Issue **Was Not In Attendance**
4. Review of Public Works Items for Council Meeting (March 23, 2015)
5. Staff Updates
  - A. 139 6<sup>th</sup> Street Building Renovation
  - B. 318 5<sup>th</sup> Street Building Renovation (*Tentative*)
6. Other Matters

*This agenda is created for planning purposes and is subject to change.*

Any discussion, feedback or recommendation by Sub-committee member(s) should not be construed or understood to be an action or decision by or for the West Des Moines City Council.

**All visitors to the Public Works Council Committee meetings are asked to sign in.**

**Thank you!**

**PUBLIC WORKS COUNCIL COMMITTEE MEETING  
GUEST ATTENDANCE**

Date: Monday, March 16, 2015

Printed Name & Organization	Address / EMail	Day time phone #	Topic
<u>John + ROBIN ARNOLD</u>	<u>200 39th</u>	<u>(515) 229 9663</u>	<u>SIDWALK IMPROVEMENT</u>

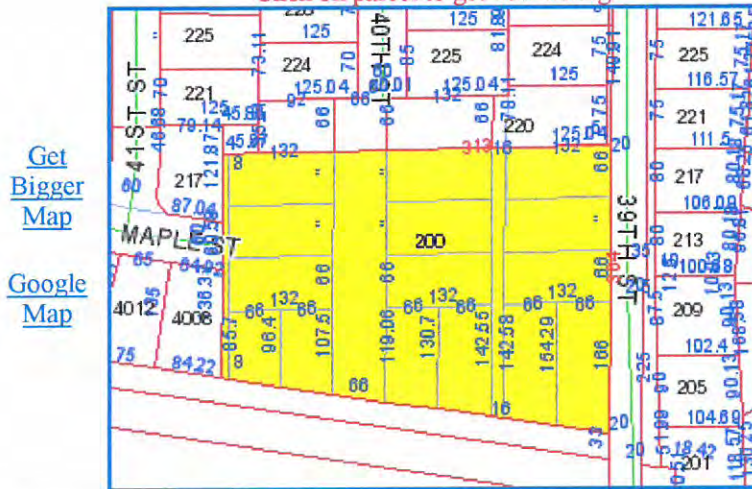




[ [Home](#) ] [ [General Query](#) ] [ [Legal Query](#) ] [ [HomeOwner Query](#) ] [ [Book/Page Query](#) ] [ [Commercial Query](#) ] [ [Res Sales Query](#) ] [ [Comm Sales Query](#) ] [ [Help](#) ]

<b><a href="#">District/Parcel</a></b>	<b>GeoParcel</b>	<b>Map</b>	<b>Nbhd</b>	<b>Jurisdiction</b>	<b>Status</b>
320/00440-004-000	7825-08-406-015	0496	WD03/C1	WEST DES MOINES	<a href="#">ACTIVE</a>
<b>School District</b>	<b>Tax Increment Finance District</b>	<b>Bond/Fire/Sewer/Cemetery</b>			
20/West Des Moines					
<b><a href="#">Street Address</a></b>			<b>City State Zipcode</b>		
200 39TH ST			WEST DES MOINES IA 50265-3938		

Click on parcel to get new listing



Approximate date of photo 01/06/2012

**Mailing Address**

JON A ARNOLD  
200 39TH ST  
WEST DES MOINES, IA 50265-3938

**[Legal Description](#)**

E 1/2 ALLEY LYG W & ADJ & W 1/2 WALNUT ST LYG E & ADJ & LTS 1 THRU 5 BLK 3 & E 1/2 WALNUT ST LYG W & ADJ & LTS 10 THRU 14 & ALLEY LYG W & ADJ & LTS 1 THRU 5 BLK 4 ASHAWA

<b><a href="#">Ownership</a></b>	<b>Name</b>	<b>Recorded</b>	<b>Book/Page</b>	<b>RevStamps</b>
Title Holder #1	ARNOLD, JON A	1996-12-17	<a href="#">7543/255</a>	
Title Holder #2	COSNER, ROBIN E			

<b><a href="#">Assessment</a></b>	<b>Class</b>	<b>Kind</b>	<b>Land</b>	<b>Bldg</b>	<b>AgBd</b>	<b>Total</b>
-----------------------------------	--------------	-------------	-------------	-------------	-------------	--------------



THE CITY OF  
West Des Moines®  
www.wdm.iowa.gov

Public Works

560 South 16th Street  
P.O. Box 65320  
West Des Moines, IA 50265-0320

Phone  
515-222-3480

FAX  
515-222-3478

E-mail  
publicworks@wdm.iowa.gov

September 24, 2014

Property No. 832

Jon A. Arnold  
200 39th St.  
West Des Moines, IA 50265-3938

**RE: Sidewalk Improvements at: 200 39th St.  
E 1/2 ALLEY LYG W & ADJ & W 1/2 WALNUT ST LYG E & ADJ & LTS 1  
THRU 5 BLK 3 & E 1/2 WALNUT ST LYG W & ADJ & LTS 10 THRU 14 &  
ALLEY LYG W & ADJ & LTS 1 THRU 5 BLK 4 ASHAWA**  
Property Owner(s) Jon A. Arnold (T1)  
Robin E. Cosner (T2)

Dear Property Owner(s):

Due to the new construction of 39<sup>th</sup> Street from EP True Parkway to the railroad tracks, City Council has ordered installation of sidewalk in the public right-of-way. This will provide a continuous walkway from EP True Parkway to Stonebridge Road. The State Code of Iowa and West Des Moines City Code places the responsibility for sidewalks on each property owner. There are several options available to you in accomplishing this sidewalk construction.

You have the option to hire your own contractor to construct the sidewalk on this property. If you intend to exercise this option, the **work must be complete by May 29, 2015**. The sidewalk permit fee will be waived since the City is initiating the sidewalk improvement. The permit must still be obtained prior to having the work performed and may be obtained from the Public Works Department located at 560 South 16<sup>th</sup> Street. Please call Public Works to schedule an inspection.

Another option is to allow the City's sidewalk contractor to install the sidewalk as part of the 2014 Sidewalk Program. The prices for the sidewalk program have been in the \$12.50 per square foot range, or approximately \$200 per 4'x4' panel. This is an estimated price and until bids are received the exact cost could fluctuate. Construction will be scheduled to occur during the 2015 construction season. After construction is complete you will receive an invoice for the cost. You can anticipate receiving that invoice in the first quarter of 2016. If after 30 days the invoice is not paid the dollars are assessed against your property. If you choose this option you do not need to do anything else.

The City's street contractor will be grading the right-of-way south of the railroad tracks to EP True Parkway as a typical urban cross section with a curb and gutter style street. The areas north of the tracks are already very close to the typical cross section so any necessary grading would be incidental to the sidewalk installation. The City will be installing sidewalk along the City owned property on the east side of 39<sup>th</sup> Street as part of the street paving project.

If you have any construction related questions about the start and stop points of the sidewalk please contact Randy Cox at our office, 222-3475. Any other general questions can be directed to Clint Carpenter at 222-3475. Our office hours are Monday through Friday 7:30am to 4:00pm.

We appreciate your assistance and understanding of the necessity of this installation.

Sincerely,

Clint Carpenter  
Senior Engineering Technician  
West Des Moines Public Works

For additional sidewalk information:  
[www.wdm.iowa.gov](http://www.wdm.iowa.gov) | Your  
Government | Public Works | Right-Of-  
Way | Sidewalks

0510-036-2014

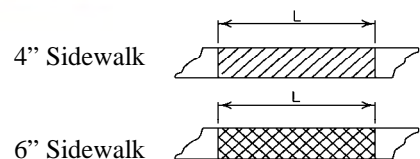
## SIDEWALK REPAIR SURVEY FORM – 2014 Sidewalk Program Phase I City of West Des Moines

		Property No.: 832	
Project 0510-036-2014	Surveyed By: City Staff	Survey Date: 09/15/2015	
Name of Property Owner: Address if different than Property Address:	Jon A. Arnold (T1) 200 39th St. West Des Moines, IA 50265-3938		
Property Address:	<b>200 39th St.</b>		
Legal Description of Property:	E 1/2 ALLEY LYG W & ADJ & W 1/2 WALNUT ST LYG E & ADJ & LTS 1 THRU 5 BLK 3 & E 1/2 WALNUT ST LYG W & ADJ & LTS 10 THRU 14 & ALLEY LYG W & ADJ & LTS 1 THRU 5 BLK 4 ASHAWA		
<b><u>1792 Sq.Ft. 4-Inch Place New</u></b>		If not completed, Special Assessment Program Year Proposed: 2015	

Any additional requirements are listed below:



**Legend**  
L=Length



**Note:**

Areas needing repair will be indicated on the above drawing and measured along the property line. Drawing is not to scale.

Type of defect noted: G

(See attached "Sidewalk Defect" sheet for defect definition)

## QUESTION\ANSWER SHEET SIDEWALK REPAIR



Dear Property Owner:

The work needed on your sidewalk is shown on the enclosed survey form, with more specifics referenced on the City Standards sheet. You may complete the sidewalk work on your own and are encouraged to do so. The City has a list of other sidewalks needing repair in your area in case you would want to join with your neighbors to complete your repair work, or jointly retain a contractor to do the work. The following questions and answers should help you understand the program; however, please contact Public Works at 222-3475, if you have any additional questions.

**“Why, and how, is this being done?”** The City has a Sidewalk Improvement Program for several reasons with the most paramount being the safety of individuals walking in our community. In 1991 the City began this program with a staff member walking a different section of our community every year, reviewing the need for, and condition of, both public and private sidewalks.

**“What is required?”** The enclosed Sidewalk Repair Survey Form and City Standards for Defective Sidewalks sheet show the work required, the location, and specific reason for repair. Please contact Public Works if you need assistance interpreting the work required on the sidewalk.

**“Why must I pay for it?”** The State Code of Iowa (Chapter 364.12 and 364.13) and West Des Moines City Code places the responsibility for repair and maintenance of sidewalks on each property owner. More important, however, is the fact that courts have held property owners responsible for injuries when people have fallen on defective sidewalks.

**“Why am I receiving two (2) mailings, one certified and one regular mail, for this project?”**

Iowa law requires that notifications of this type be sent by regular mail but, over the years, the City has realized the benefit of having documentation that the proper notifications were provided.

**“When could work start on the project or on my property, in particular?”**

Residents are given a timeframe during the 2014 construction season to complete the work on their own or through a contractor. The City will perform repairs during the 2015 construction season. After the Public Hearing, and if the City Council formally approves this year’s program, the City is then required to obtain bids from contractors to do the work. The selected contractor will then start work on the project with their schedule being determined by a number of factors including the amount of work they may have, the number and location of the properties in our program and, of course, weather. Given the above, and the fact that the City, and the contractors we normally retain, do not want to cause a property owner undue hardship we will do our best to schedule construction around special or unique activities you may have planned over the summer. If you have a particular concern or need, please contact Randy Cox of our Public Works Department at 222-3475.

**“How, and when, will I be billed for this work?”**

When the contractor has finished work on the entire project (not just on your property, but all of the properties in this year’s program) the City will send you a notification of the Final Assessed Amount. You can anticipate receiving that invoice during the first quarter of 2016. At that time you have thirty (30) days to decide to pay all, or a portion of, the amount due. If you pay the full amount the transaction is closed and nothing will appear on your future property tax records. If the amount is for \$500 or more, you may prefer to have the special assessment(s) paid in ten (10) equal annual installments plus interest on the unpaid balance. To utilize this option you do not need to do anything; the County Treasurer will include the amount due on your future property tax statements. The property owner retains the right to pay the remaining principal at any time.

**“What interest rate would be charged?”**

All of the City’s annual Sidewalk Improvement Programs, to date, have reflected a nine percent (9%) interest rate.

**“Who is responsible for repairing my damaged irrigation system?”** Any irrigation system (lines or heads) that are in the public right-of-way are susceptible to damage and are the responsibility of the homeowner to repair. These lines are not approved by the City to be in the public right-of-way and are not part of the utility Iowa One Call System. Often they are in direct conflict with the necessary work.

(over)

**“What happens if I sell my property either before or after I receive the final bill for this project?”**

If you sell your property before the final bill is received it will be up to you and the buyer to determine the best method of handling the estimated amount due. If your property is sold after the final bill is received (and you decided to pay nothing on the amount due) it will again be up to you and the buyer to determine the best method of handling what remains to be paid.

**“What area and how many property owners are impacted by this year’s program?”**

The 2014 Program initially impacted approximately 822 property owners in the general area of 19th Street to Valley West Drive from EP True Parkway to University Avenue.

**“Do I need a permit to do this work?”** Yes, the permit is available at the Department of Public Works, 560 South 16th Street. The permit process notifies the City when the work is to be performed, by whom, and allows for inspection prior to pouring concrete for your protection. **The permit fees have been waived for this program.**

**“Are there advantages to getting my own Contractor?”** There may be, especially if the Contractor is doing other work in the area.

**“May I use sack Crete or mix my own concrete for sidewalk replacement?”** No. All concrete used for sidewalk replacement must be a commercially produced IDOT Type C mix design.

**“May I use caulking or sealant to repair cracks (Type D)?”** Caulking or sealant is not permitted to repair cracks. Cracked sidewalks must be replaced.

**“May I use patching material to repair spawled areas (Type E)?”** Patching material is allowed for spawled sidewalks if the width of the spalled section does not exceed 2” or there are more than three spalls per panel. The allowed patching material is Vulkem 116, Quikrete 8620 or J-B Weld. These products are available at local home improvement stores. The City’s contractor will **not** perform any patching on sidewalk repairs; repairs will be made by removing and replacing full sidewalk panels.

**“May I mud jack or raise (Type A) or (Type C) repairs?”** Mud jacking is permitted for these repairs unless the area of repair is also cracked (Type D) or spawled (Type E); then it must be replaced. Raised sidewalks must be properly supported with stable suitable fill material. **No grinding of Type A will be permitted.**

**“What is the thickness of the sidewalk supposed to be?”** The sidewalk is to be 4” thick, except through driveways where it is to be 6” thick and separated by 1/2” expansion on all sides but the street side where 1” of expansion is to be used.

**“Will the City remove a street tree that is damaging my sidewalk?”** If the tree that is causing the damage is in the public right-of-way, the City will remove the tree if it is dead or diseased, or trim the necessary tree roots. Please contact us as far in advance as you can, so we can properly schedule the work.

**“Who will take care of the sod?”** If the contractor has to grade or reshape the area where the repair is made, they will install sod. They are required to water the new area until the sod is established which is typically two weeks. All watering and maintenance beyond that is the responsibility of the property owner.

**Water Stop Defect:** These defects are due to your water stop valve protruding above the walking surface causing a “tripper”, possibly a missing cap for the valve or an area of concrete missing around the valve resulting in a void in the surface of the sidewalk.

**For additional questions or information,** please call Public Works at 222-3475, or visit our facility at 560 South 16th Street. You will also find information on our City’s website at:

[www.wdm.iowa.gov](http://www.wdm.iowa.gov) | Your Government | Public Works | Right-Of-Way | Sidewalks.

We know that you take pride in your property and want to preserve its value. Sidewalk maintenance is important to both appearance and value, and may save a pedestrian from injury and you from a potential lawsuit.

# DEPARTMENT OF PUBLIC WORKS POLICY GUIDELINE

## CRITERIA AND SPECIFIC DESIGN STANDARDS FOR WAIVER AND/OR DEFERRAL OF SIDEWALK REQUIREMENT DUE TO NATURAL OR PHYSICAL LIMITATIONS

### SECTION 1. INTENT AND PURPOSE

- A. The intent and purpose of these criteria and specific design standards is to establish a procedure which will enable the City of West Des Moines to ensure the orderly and harmonious development of a city-wide sidewalk system to safeguard the public's health, safety and general welfare.
- B. Sidewalks shall be installed in new and existing developments in compliance with City specifications for sidewalks. However, when the strict application of those standards or requirements causes substantial hardship or imposes unreasonable restrictions because of natural or physical conditions or limitations not created by the property owner, the Council may grant waivers and/or variances pursuant to the following definitions, rules, requirements, eligibility criteria and specific design standards.

### SECTION 2. DEFINITIONS, RULES AND REQUIREMENTS

The following definitions, rules and requirements shall apply when considering and processing waiver requests for sidewalk installation because of substantial hardship or unreasonable restrictions caused by natural or physical conditions or limitations:

- A. "*Sidewalk*" means a PCC sidewalk at least four inches (4") thick and at least four feet (4') wide. A sidewalk shall have a longitudinal slope not exceeding one foot (1') per ten feet (10') and a tilt not exceeding one-half inch (1/2") per one foot (1'). However, a sidewalk through an existing concrete or asphaltic driveway may have a tilt not exceeding one inch (1") per one foot (1') where it passes through the driveway. Sidewalks that pass through a driveway and have a tilt exceeding one-half inch (1/2") per one foot (1') shall make a smooth transition to a tilt not exceeding one-half (1/2") per one foot (1') within eight feet (8') on either side of the driveway.

- B. “*Sidewalk(s) on the same block*” means sidewalks on one side of the street between intersecting streets on that side of the street. However, if the distance between intersecting streets exceeds six hundred feet (600’), then “*sidewalk(s) on the same block*” means sidewalks on one side of the street between intersecting streets on the opposite side of the street.
- C. “*Damage to a tree*” means the cutting of any limbs, the trunk or roots within a distance from the trunk that is 2.5 times the diameter (as measured two feet (2’) above the ground) of the tree’s trunk to such an extent that it is unreasonable to believe that the tree will live.
- D. “*Utility facilities*” include, but are not limited to, electric power poles, guy wires, anchors, water lines, meter pits, hydrants, gas lines and telephone lines.
- E. Sidewalks should, if possible, be parallel to the back of the curb.
- F. Sidewalks shall be installed no closer than three feet (3’) from the back of the curb.
- G. Sidewalks shall match up to other sidewalks on the same block.
- H. Minimum elevation of sidewalks shall be four inches (4”) per one foot (1’) below the top of the curb unless water run-off will have an adverse effect on existing structure(s). Maximum elevation shall be four inches (4”) per one foot (1’) above the top of the curb. However, sidewalks through existing driveways shall have minimum and maximum elevations of two inches (2”) per one foot (1’) below or above the top of curb, respectively.
- I. Sidewalks shall have a minimum of eight feet (8’) of overhead clearance.
- J. A waiver for a corner lot or a lot with double fronts shall specify in sufficient detail which sidewalk(s) is (are) subject to the waiver. A waiver for a sidewalk on one side of a corner lot or a lot with double fronts does not necessarily mean the waiver applies to other sidewalks on that lot.
- K. All sidewalk installation plans shall be approved and permitted through the Department of Public Works before installation to ensure proper location of the sidewalk within the lot and to ensure all other requirements are met. Public Works is hereby authorized and directed to locate sidewalks consistent with the aforementioned Definitions, Rules and Requirements in such a manner so as to avoid grade and obstruction problems.

### **SECTION 3. ELIGIBILITY FOR WAIVER AND/OR DEFERRAL**

A. NEW DEVELOPMENTS: In order to qualify for either a waiver or deferral of the requirement to install sidewalks in new developments, the developers shall have the burden of proof to show that there are compelling physical constraints that make the installation of sidewalks not feasible. Economic hardship shall not be considered.

B. EXISTING DEVELOPMENTS: After all of the above definitions, rules, and requirements are met (including, but not limited to the review of sidewalk location mentioned in Subsection 2(K) above), a lot or lots upon which an existing dwelling or non-residential building or use is located may be eligible for a Waiver of Sidewalk Requirement or Installation Covenant if any of the following questions are answered "yes". *(Note: The granting of waivers and/or deferrals remains within the sole discretion of the City Council even though a lot or lots may be deemed to be eligible for waivers and/or deferrals under the above Definitions, Rules, and Requirements.)*

1. Does twenty five percent (25%) or more of the area of the lot between the curb and the back of the proposed sidewalk have a slope (either ascending from the curb or descending from the curb) in excess of one foot (1') per ten feet (10')?
2. Will the installation of the sidewalk require either the removal of or damage to at least one tree exceeding eight inches (8") in diameter as measured at a point four feet (4') above the base of the tree?
3. Will the installation of the sidewalk require the removal of or damage to three (3) or more trees each exceeding four inches (4") in diameter as measured at a point four feet (4') above the base of each tree?
4. Will the installation of the sidewalk require that utility facilities be moved? (Practical vertical adjustments to stop boxes, gate valves, or manholes, etc. are not considered moving utilities.)
5. Is there on file with the City Clerk a valid and approved Waiver of Sidewalk Requirement or Installation Covenant issued after January 1, 1996, for another sidewalk on the same block? This subsection has no application if the proposed sidewalk connects to and extends a pre-existing sidewalk on the same block.
6. Is there an existing concrete or asphaltic driveway or parking lot where a sidewalk should be that would exceed the slope and tilt requirements described in Subsection 2(A) above?

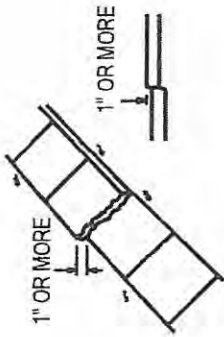


7. For multiple frontage lots: 1) Would installation of a second or third frontage of sidewalk(s) duplicate a pedestrian travel route already safely available on the opposite side of the street? OR 2) Would snow removal be unreasonably difficult due to inaccessibility?
8. a) Have property owners representing ninety percent (90%) or more of the houses in a definable subdivision plat expressed their desires individually in writing that no sidewalks or additional sidewalks are needed and wanted in that subdivision plat; AND b) is there little or no likelihood of pedestrian school routes or other through foot traffic needing sidewalks in that subdivision plat? *NOTE: If a waiver was approved under this paragraph, and later the plat property owners express a desire for sidewalks, the Council may rescind the waiver if more than fifty percent (50%) of the current property owners of the same definable plat waived in this Section 8 express their desire for sidewalks to the City in writing.*
9. Would installation of the sidewalk and any directly resulting grade/site work result in an average total cost (as estimated by the Public Works Department) to the lot owner of more than two and one half times the current average cost per linear foot of standard, uncomplicated sidewalk?

C. **ECONOMIC HARDSHIP CRITERIA:** In order for residential property owners to qualify for Economic Hardships for waived or deferred responsibility for installation of sidewalks, they must be able to qualify under both of the following criteria: *(Note: The granting of waivers and/or deferrals of property owners' responsibilities to fund sidewalk installations remains within the sole discretion of the City Council even though property owners may be deemed to be eligible for waivers and/or deferrals under the following criteria.)*

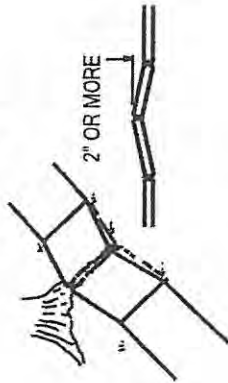
1. Income - The income guidelines for eligibility for waiver or deferral of the responsibility for the installation of a sidewalk are based on HUD's Section 8 Housing Assistance guidelines for the Des Moines SMSA. Each applicant will be required to meet the income eligibility requirements for that year. The prescribed limits will be fifty percent (50%) of the HUD determined median family income for the Des Moines metropolitan area. These income limits vary by family size.
2. Assets Limitations - Applicants will be required to meet assets eligibility requirements. If an applicant's total accumulated net assets (including real and personal property) total more than \$25,000, the applicant is not eligible. Only property assessed, valued, or appraised at \$5,000 or more will be included when calculating this total. The burden of verification for valuing these assets rests on the applicant. Examples of property to be claimed include, but is not limited to, motor homes, cars, travel trailers, motorcycles, campers, boats, jewelry, rental or investment real estate, certificates of deposit, Treasury Bills, savings, stocks, and bonds but does not include the property for which the waiver or deferral is being requested.

FIGURE "A"



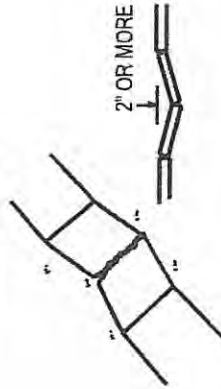
"A" Sidewalk faulted at joint or crack with 1" or more deflection.

FIGURE "B"



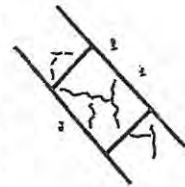
"B" Sidewalk raised more than 2" in 8 ft. from normal profile line of sidewalk.

FIGURE "C"



"C" Sidewalk sunken more than 2" in 8 ft. from normal profile line of sidewalk.

FIGURE "D"



"D" Sidewalk cracked into 3 or more pieces per panel, or any single crack with 1/2" or greater openings.

FIGURE "E"



"E" Sidewalk cracked and/or spalled (small crater like holes deeper than 3/8") with part of sidewalk missing, forming holes deeper than 3/8".

FIGURE "F"



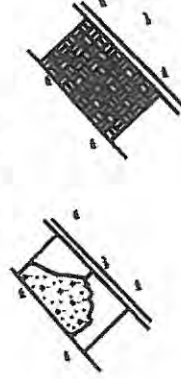
"F" Sidewalk cross slope is incorrect, greater than 1" in 1 foot.

FIGURE "G"



"G" Sidewalk not present.

FIGURE "H"



"H" Sidewalk is improper material not made of PCC. Asphalt or brick, for example, are not an approved material.

U.S. Postal Service  
**CERTIFIED MAIL RECEIPT**  
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

7010 3090 0001 0910 7341

Postage \$			Postmark Here
Certified Fee			
Return Receipt Fee (Endorsement Required)			
Restricted Delivery Fee (Endorsement Required)			
Total Postage & Fees \$	6.69		

PE-SW 14-1-#832

Sent To: Jon A. Arnold  
 200 39th St.  
 West Des Moines, IA 50265-3938

PS Form 3811, July 2013

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Jon A. Arnold  
 200 39th St.  
 West Des Moines, IA 50265-3938

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  
 Addressee

B. Received by (Printed Name) \_\_\_\_\_ C. Date of Delivery 9-26-14

D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

3. Service Type

<input type="checkbox"/> Certified Mail®	<input type="checkbox"/> Priority Mail Express™
<input type="checkbox"/> Registered	<input type="checkbox"/> Return Receipt for Merchandise
<input type="checkbox"/> Insured Mail	<input type="checkbox"/> Collect on Delivery

4. Restricted Delivery? (Extra Fee)  Yes

2. Article Number  
 (Transfer from service label)

7010 3090 0001 0910 7341

PS Form 3811, July 2013

Domestic Return Receipt

**March 16, 2015**

**Request for deferment to 2016 West Des Moines City Sidewalk Program**

As the owners at 200 39<sup>th</sup> St., West Des Moines, we are here to request deferment to the 2016 Sidewalk Program. We were given notice in September of last year that we had until May 29<sup>th</sup>, 2015 to have sidewalks installed on the entire property which fronts 39<sup>th</sup> street.

While investigating the cost and requirements, some items came up that we feel require more time to address. The main item being, as per the drawing provided with the notice, our driveway entry point is not actually on our owned property. This is an issue we are in the process of attempting to remedy. We have a preliminary vacation request scheduled for 3/24 with the city planners. Our request will be to have the city vacate the land directly on our south border which is currently platted as roadway. It is on this land that our current driveway sits. This stems from the old city platting of the town of Ashawa which has been incorporated in to West Des Moines, but is legacy platted in our almost 4 acres that we own.

The second reason we are asking for the vacation of city right of way is that we wish to improve our house in the near future, and the best direction to build an addition is to the west. This is an issue since our house is located very close to the north edge of the platted road.

Third, we would also be interested in owning the property between the platted road and the railroad right of way. This land is also owned by the city. If we were to become owners of all of this land which we have maintained since the day we moved into West Des Moines in 1996, we would obviously be responsible for the installation of sidewalk.

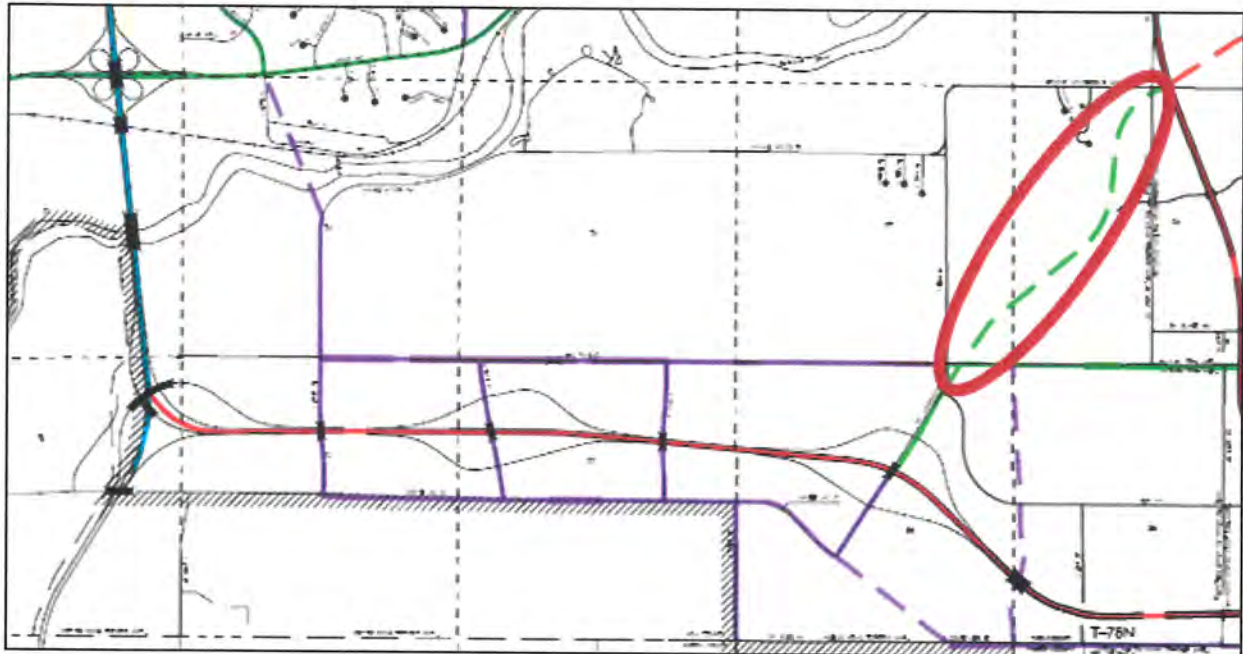
Fourth, the cost is considerable. A quick calculation based on the city estimate of \$12.50 per square foot is \$22,400. If the items above are decided in our favor, we understand we would be responsible for the entire new frontage on 39<sup>th</sup> St. We are prepared to invest what it takes, but for reasons we prefer not to go into, this would be an easier financial burden for us next year.

With all these balls juggling in the air, we feel it is a reasonable request to defer our property to 2016 so that we can know exactly where we stand in all of these processes.

Jon and Robin Arnold

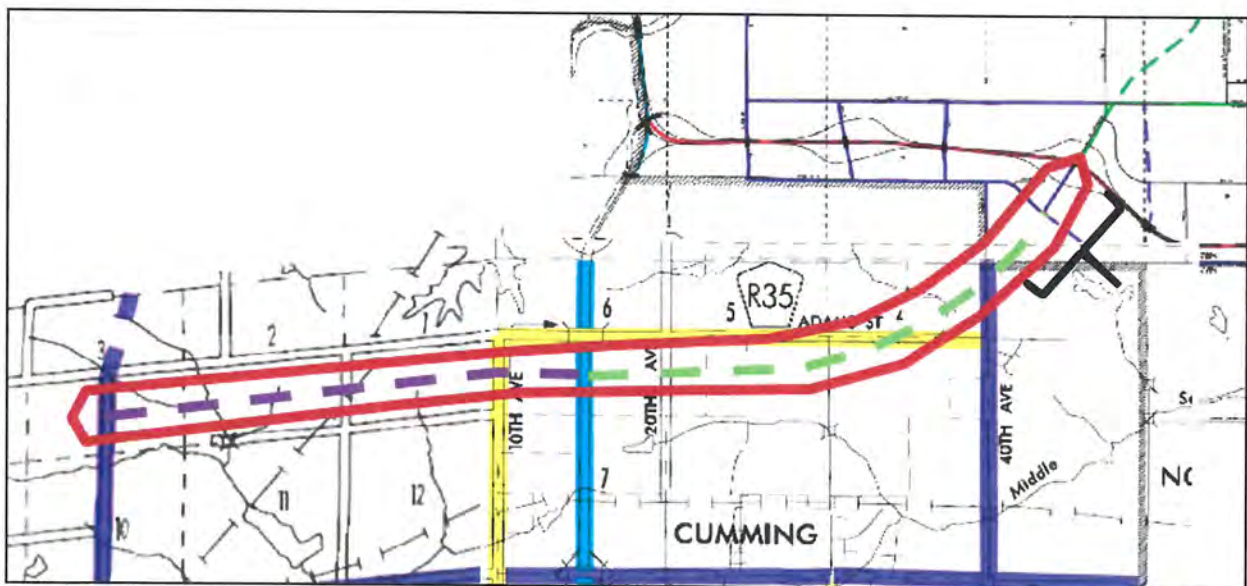
**Veterans Parkway – Highway 28 to Army Post Rd (Change to Currently Designated Section)**

- Recent construction project



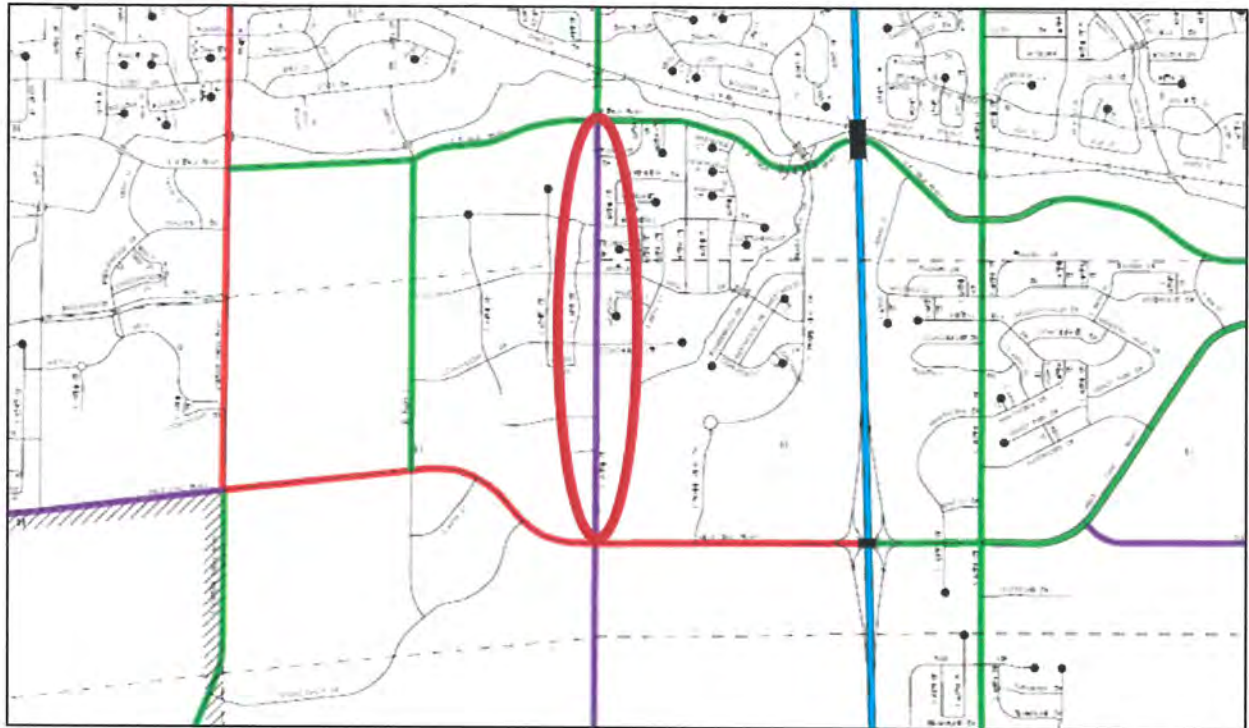
**Veterans Parkway – Highway 5 to Future Grand Prairie Pkwy**

- Recent corridor study
- Only a small section within the West Des Moines “urban area boundary”
- Majority within the planning boundaries for Warren and Madison Counties



**60<sup>th</sup> Street – EP True Pkwy to Mills Civic Pkwy (Change to Currently Designated Section)**

- Recent widening project





Daniel J. Thies, AIA

Steven K. Knierim, AIA

Bradd A. Brown, AIA

Terry L. Gebard, AIA

David J. Sorg, AIA

Roger B. Worm, AIA

Richard S. Seely, AIA

March 6, 2015

City of West Des Moines, 4200 Mills Civic Parkway, West Des Moines, Iowa 50265

RE: 139 6<sup>th</sup> Street Building Renovation

Following occupation of the building by the Human Services Department, it was discovered that two condenser units on the south roof of the building were noticeably visible from the 6<sup>th</sup> Street public right-of-way.

In an effort to find a solution that would minimize disruption to the occupants of the building, we chose to take a deeper look at the visibility of the condenser units. An option that we explored was to move the condensers to a less conspicuous location. After confirming that the refrigerant lines and power could be extended to a new location, we found that this option would require less work and cost than anticipated. The total cost for moving the condenser units at this time is \$10,676.71, as documented in Change Request 42.

The current location of the condenser units was chosen to maximize the efficiency of each system by placing them in close proximity to the mechanical units they serve. Had the visibility of these condensers been addressed during the preparation of the Bid Documents, it is our opinion that installing the units in any other location would most likely not have been considered. A roof-mounted mechanical screen would have been included to screen the condensers.

Our estimate of probable costs for the installation of a new roof-mounted mechanical screen is \$12,792, which includes required modifications to the existing structure. This is consistent with probable costs that would have been received at the time of bid.

We regret that the visibility of the two condensers had not been identified earlier. However, with a potential savings of \$2,115.29, we recognize this as an opportunity to implement an effective solution for less cost while avoiding disruptive work on the interior of the building.

Please feel free to contact us with any questions. Thanks.

Jim Henry, AIA

Cedar Rapids  
200 Fifth Ave. SE, Ste. 201  
Cedar Rapids, IA 52401  
Phone (319) 363 6018  
Fax (319) 363 7349

Des Moines  
100 Court Ave., Ste. 100  
Des Moines, IA 50309  
Phone (515) 309 0722  
Fax (515) 309 0725

[www.opnarchitects.com](http://www.opnarchitects.com)

## **Pinegar, Kimberly**

---

**From:** webinfo@wdm-ia.com  
**Sent:** Thursday, March 12, 2015 3:23 PM  
**To:** Pinegar, Kimberly  
**Subject:** West Des Moines: Public Works Council Committee Meeting

**Public Works Council Committee Meeting**

**Date:** 3/16/2015 11:30 AM - 1:30 PM

**Location:** West Des Moines City Hall - Training Room

4200 Mills Civic Parkway

West Des Moines, Iowa 50265

Agenda: [03 16 15 PWCC Agenda](#)

---

To change your eSubscriptions preferences, click the following link:

<http://www.wdm.iowa.gov/index.aspx?page=340&subscriberguid=963f055f-7359-4858-805f-4b8e2f66a55c>

To unsubscribe from all West Des Moines eSubscriptions, please click the following link:

<http://www.wdm.iowa.gov/index.aspx?page=340&subscriberguid=963f055f-7359-4858-805f-4b8e2f66a55c&unsubscribe=1>

---