

**MEETING MINUTES
PUBLIC WORKS COUNCIL COMMITTEE
West Des Moines City Hall Training Room
March 30, 2015**

Attending:

| | |
|---|---|
| Council Member – Rick Messerschmidt | Development Services Planner – Linda Schemmel |
| Council Member – Kevin Trevillyan | Principal Engineer – Brian Hemesath |
| City Manager – Tom Hadden | Principal Engineer – Ben McAlister |
| Finance Director – Tim Stiles | Principal Engineer – Jason Schlickbernd |
| Assistant City Attorney – Greta Truman | Communication Specialist – Lucinda Williams |
| City Engineer – Duane Wittstock | Police Chief – Shaun LaDue |
| Public Works Director – Bret Hodne | Guests – Residents Mary & Jorge Guzman |
| Public Works Deputy Director – Joe Cory | |

Meeting called to order at 11:34 am.

1. Michael’s Landing Streetlight Replacement

Issue Summary:

Principal Engineer Brian Hemesath stated at the PWCC meeting on February 17, 2015, staff informed those in attendance that Mid-American Energy (MAE) would start converting all high-pressure sodium fixtures in the City with LED fixtures as they fail. In addition, MAE will not replace the decorative shepherd hook light fixtures in the Michael’s Landing development in kind as they fail. There are two types of replacement fixtures available in Michael’s Landing, either an acorn style fixture which is similar in height to the shepherd hook fixture or a cobra head style LED fixture which would have a black pole and is approximately 4 feet taller than the shepherd hook style. Either option would cause some inconsistency with the look of the current shepherd hook fixtures. Mid-American Energy’s preference for replacements is the LED fixture. Staff doesn’t have a preference of either replacement fixture, staff is seeking direction from the PWCC on what type of light fixture replacement pole to use to replace lights as they fail at Michael’s Landing. Council Members Rick Messerschmidt and Kevin Trevillyan are in agreement to use the cobra head style LED fixture with the black pole to stay as consistent as possible with the current shepherd style fixture that also has a black pole. Mr. Hemesath stated that with this direction from the PWCC, staff will move forward in this direction on future streetlight replacements in Michael’s Landing without coming back to a PWCC meeting for each replacement. Staff also recommends since the cobra head style LED has been selected, replacements of light fixtures as they fail in other areas also use the cobra head style LED fixture.

Direction: The PWCC concurs that light fixtures in Michael’s Landing should be replaced with cobra head style LED fixtures with a black pole as they fail.

2. Quail Cove/Eagle Crest Drainage

Issue Summary:

Principal Engineer Ben McAlister stated there is a drainage issue staff has been working on for a couple of years and staff is seeking direction from the PWCC on how to proceed. Mr. McAlister distributed a vicinity map of the area in discussion, which is located west of South 50th Street north of Grand Avenue (Exhibit 2). The two properties claiming damage are located in Quail Cove. Water from the public storm sewer outfall and the Eagle Crest Subdivision runs north and spills over the old

50th Street road embankment, makes the property owner's yards wet and deposits silt in their yards. There is no structural damage flooding. Mr. McAlister displayed historical photos over time showing the development of the area beginning in 1998. Aerial topography from 2003 shows a non-descript flow path immediately after development. A similar drainage pattern can be seen in 2008 aerial topography.

Eagle Crest was the first to develop. Mr. McAlister stated the original intent was to use vacated South 50th Street as a berm to separate the two subdivisions and all the water from the Eagle Crest development was intended to go north to a detention basin located in the area. However, water is not getting to the intended area because the berm isn't adequate enough to direct the water there.

Page 2 of the handout is an excerpt of the approved preliminary plat for Eagle Crest from March 1998 that indicates where water was intended to go north. Mr. McAlister pointed out that the 150 contour ties right into the cul-de-sac and there's an approximate 4 foot difference between the top of the old road and the backyards. The drainage calculations received in April 1998 (page 3 of the handout) were different than the March 1998 preliminary plat indicating the cul-de-sac has risen by 2 feet with barely 2 feet separating the two subdivisions. The May 1998 approved construction plan (page 4 of the handout) shows further discrepancy from the March 1998 preliminary plat indicating the cul-de-sac has risen approximately 8 feet. By the time City inspectors were on site in 1998, the grading was already completed. Council Member Messerschmidt asked why there was so much discrepancy between the plans. Mr. McAlister stated that staff has been unable to locate documentation as to why the difference in grading from March 1998 to May 1998. There has not been a lot of change from when the grading was done in 1998 to today as the current contours match closely with the May 1998 plan. The Quail Cove subdivision was developed in 2001 and the grading from the preliminary plat matches aerial photography from 1997 so it does not appear the engineer took into account the grading of the Eagle Crest subdivision. Mr. McAlister stated that generally in these circumstances, staff provides notice to the developer and engineer of record that grading does not comply with the preliminary plat. There are two engineering firms involved with this issue, Eagle Crest was designed by Engineering Design Services (EDS) and Quail Cove was designed by Civil Engineering Consultants (CEC).

Mr. McAlister stated that there are different options for solutions. First, the property owners can settle the dispute between themselves. Council Member Messerschmidt asked if EDS had dissolved with the retirement of the two principals. City Engineer Duane Wittstock stated it probably does not matter because the engineer who signed the plans would normally still be responsible. Another direction staff could take would be to set up a small assessment district with the affected property owners and the City could establish a design that could solve the issue and assess the properties. Council Member Messerschmidt stated a meeting of everyone who was involved may be the direction to take. Council Member Trevillyan suggested the City's role in the meetings would be to act as mediator between the responsible engineers and the property owners without taking on any liability. Council Member Trevillyan asked what level the City is at fault. Mr. Wittstock replied that somehow the grading on Eagle Crest doesn't match what was approved in the preliminary plats. Assistant City Attorney Greta Truman stated the issue is between the affected property owners and the engineers. Ms. Truman was not sure if the statute of limitations has passed in this case but cautioned if the City does act as a mediator, it could be observed as accepting responsibility. Mr. Wittstock stated from a code enforcement perspective the water that is supposed to be detained is bypassing and the City could direct the residents of Eagle Crest to fix it since it's not functioning as approved by the preliminary plats.

Mr. McAlister stated there are various technical solutions to the issue. One option would be to grade a swale and funnel water to the retention basin where it's supposed to go, however, property fences and utilities would be a concern. Another option would be to elevate the road berm so it acts as somewhat of a levee to funnel the water. Another option would be to construct a combination of the two to mitigate the difference by raising part of the berm and cutting part of it down. The difficulty with any solution will be access to the property to get equipment in place. Mr. McAlister stated he was initially contacted in 2010 by the property owners at 5045 in Eagle Crest after heavy August rains. At that time, Mr. McAlister contacted Legal and City Attorney Dick Scieszinski sent a letter to the 5045 Eagle Crest property owner informing them to repair the berm.

Discussion included what other areas of the City may experience similar issues. Council Member Messerschmidt stated that staff should advise the property owners they need to contact the engineers responsible for the initial engineering of the two subdivisions. Mr. Wittstock stated another notice could be sent to the affected property owners advising they are not in compliance and the property owners are responsible for resolving the issue.

Direction: The PWCC concurs that the affected property owners should be notified that the drainage is out of compliance and it is their responsibility to resolve the issue.

3. 550 South 35th Street – Guests Jorge and Mary Guzman, Residents

Issue Summary:

Guests Mary and Jorge Guzman, residents at 550 South 35th Street, were in attendance to discuss their concerns with criminal activity in Southwoods Park next to their house and near the sidewalk. Mrs. Guzman stated that over the years they have dealt with a lot of traffic from Southwoods Park and they have communicated regularly with the police department when issues arise regarding vandalism, loitering, and public intoxication next to or on their property. Mrs. Guzman stated they have called the police on every occasion when their property has been vandalized or there are trespassers on their property. Mrs. Guzman stated they have also worked with the Parks department in years past to get signage installed designating where the park property ends and their private property begins, however, within just a couple weeks of signs being posted, they are usually torn down so they have to repeatedly be installed. Mrs. Guzman stated that since the new sidewalk was installed last year on 35th Street, they have seen an increase of criminal activity. Council Member Messerschmidt asked why the Guzman's think the sidewalk installation has triggered more criminal activity. Mrs. Guzman stated the sidewalk seems to be a highway for pedestrian traffic and they've also noticed a younger age of the pedestrian traffic on the sidewalk. Mrs. Guzman stated where the sidewalk ends, the pedestrian traffic has worn down a path to the park and the sidewalk seems to be a direct link to their property.

Mrs. Guzman provided various pictures of graffiti and littering that has occurred this March (Exhibit 3); they are very concerned with this vandalism on and near their property. The area approximately 20 yards from their property line where the grass has been worn down that has been littered with bottle caps. Mrs. Guzman stated their mailbox was vandalized three different times last summer and their car has been broken into. The Guzman's feel they have done everything possible to protect their private property and don't know what else they can do to address the issues. Mrs. Guzman stated that after reporting several incidents to the police, it was suggested to them to install a privacy fence or a security camera. In Mrs. Guzman's opinion, there seems to be an entirely different type of pedestrian traffic using the sidewalk and her primary concern is with the sidewalk connecting to their property. Council Member Trevillyan stated it may be more of a coincidence between the increased vandalism and the

installation of the sidewalk. Mrs. Guzman disagreed stating that as residents living next to the park, they have seen a dramatic increase in pedestrian traffic and vandalism since the sidewalk was installed. Mrs. Guzman stated their neighbors have also seen an increase over the last year in pedestrian traffic and vandalism. Council Member Messerschmidt expressed his appreciation to the Guzman's for bringing the issue to the PWCC's attention and understands their concern. Council Member Trevillyan stated the Parks department may need to change a few things about signage in the park to clearly indicate the disc golf course and where park property ends and private property begins.

Council Member Messerschmidt stated the issue should be deferred to a Public Safety meeting with Parks staff attending. Police Chief Shaun LaDue stated he would like to address the issue directly with the residents and communicate with the Parks department to obtain resources to help resolve the issue. Council Member Trevillyan stated that similar issues were experienced in Riverside Park and that area has been cleaned up, so he is confident that the Police Department and Parks can resolve the issue at Southwoods Park. Public Works Director Bret Hodne added that he would contact Mid-American Energy to notify them of the graffiti on the utility box.

Direction: The PWCC concurs that the issue should be addressed in a meeting with Public Safety and Parks.

4. Review of Public Works Items for Council Meeting (April 6, 2015)

- A. Establish Public Hearing Date – Principal Engineer Jason Schlickbernd stated that City staff would like permission to send a 30 day notice letter to residents in the proposed Barnes Heights Sanitary Sewer Connection Fee District area, at the south west corner of 60th and Ashworth, indicating a May 4th public hearing date. The proposed connection fee is approximately \$7,700 for a low-pressure sewer in the ROW and there could potentially be 3-5 residents who would initially hook up.
- B. Award Contract:
- i. Thornwood Sanitary Sewer Phase 3 – Mr. Schlickbernd reported this is the last planned phase of the Thornwood Sanitary Sewer. It is the gravity portion of the sewer with approximately 1500 feet of sewer on the east side of South 35th Street north of Grand Avenue and will serve approximately 6 properties on the west side of South 35th Street. The sewer will be constructed on the east side of South 35th Street because there is not enough room to install a gravity sewer on the west side of the street. Staff anticipates this phase being completed prior to the beginning of the Grand Avenue widening project.
 - ii. 2015 Sewer Cleaning and Televising Program – As part of the annual sewer cleaning and televising program, the 2015 program involves approximately 50,000 feet of 8-18” sewer to be cleaned and televised. Mr. Schlickbernd explained the City has been using a standardized system, the Pipeline Assessment Certification Program (PACP), which has standardized coding of defects for sewer. The City started using the PACP standards approximately 9 years ago and many other communities have adopted the same standards.
- C. Order Construction:
- i. 2015 Sewer Lining Program – Based on pipeline condition information City staff gathers from sewer cleaning and televising activities, annual sewer lining rehabilitation are typically performed. Mr. Schlickbernd mentioned that this year's sewer lining program was compiled to

address and 18” reinforced concrete pipe trunk sewer north of The Village of Ponderosa that was in need of rehabilitation.

ii. 2015 Sump Pump Sewer Program

Mr. Schlickbernd reported that this year’s annual sump pump sewer program was going to take place in the general vicinity of Stonebridge Road and Elm Street from 47th Street to 49th Street. Council Member Trevillyan asked what kind of return on investment the City was seeing for the installation of sump pump sewers. Council Member Messerschmidt asked if staff has information on how many residents hook onto a line after it’s been installed. Mr. Schlickbernd replied that since the property owner does not have to obtain a permit to hook onto the line, it’s very difficult to track. City Manager Tom Hadden stated some other cities have a sump pump ordinance that requires residents to hook up in a certain amount of time and they may also provide incentives for hooking up. Council Member Messerschmidt stated it would be beneficial to establish a method to track residents who hook up after installation. Council Member Trevillyan is also in favor of some type of tracking method. Deputy Director of Public Works Joe Cory stated that staff prioritizes by neighborhood those that want the sump pump sewer and want to make the connection, so currently the construction for these is taking place in areas that are requesting it. Council Member Messerschmidt requested that staff bring this topic to a future PWCC meeting with various options for a reasonable solution to tracking the use of sump pump sewers after installation.

iii. Grand Avenue Improvements - Phase 6

iv. Alluvion Blue Fiber Route (Tentative) – Mr. Wittstock stated that staff is working to resolve a ROW issue with Des Moines Water Works and Microsoft also needs to escrow additional funds and to sign off on the plans and specs before ordering construction.

v. 2015 Valley Junction Brick Paver Repair Program

D. Accepting Work

i. 2013 PCC Patching Program – Phase 2

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

5. Staff Updates

A. 139 6th Street Renovation – Development Services Planner Linda Schemmel provided a handout of what staff anticipates is the final change order for the project (Exhibit 5A). Change Request 34 regarding the repairs for the existing gas lines was previously discussed at the March 2, 2015, PWCC meeting. Change Request 35A is due to the contractor notifying staff of a fee that was omitted in error. Change Request 42 regarding the relocation of the condenser units was discussed at the March 16, 2015, PWCC meeting. The contractor has requested an early release of partial retainage and staff is determining what the proper portion of the retainage should be released. Council Member Trevillyan asked why staff would release an early retainage. Ms. Schemmel replied that staff wants to be fair to the contractor on the work that has been completed and inspected but assure that adequate amounts are held to guarantee completion of the remaining items and final acceptance documentation. Recommendations on the amount of

retainage for early release will be brought forward to the Subcommittee and the full City Council for review and approval.

Direction: The PWCC concurs with staff recommendations.

6. Other Matters

A. 39th Street Paving Project

Mr. Wittstock stated that historically the City's practice is to sod areas disturbed by construction that have finished yards and to seed unfinished areas. The contract for this project is set up as a combination of sodding and seeding. The contractor has requested to seed all of the areas which would result in a deduct of approximately \$5,600. This would be a change in practice to what the City has done historically. Council Member Trevillyan asked what the benchmark was on seeding. Mr. Wittstock's recollection was that there is a 50% benchmark for growth on seeding. City Manager Hadden asked if the contractor is responsible for watering the seeding. Mr. Wittstock stated the contractor is responsible for watering to a point and they are also responsible for establishing growth. Mr. Wittstock added that seeding looks nearly identical to sodding if the right weather conditions exist. Council Member Messerschmidt stated that protocol should be followed since that is what has been contractually agreed to.

Direction: The PWCC concurs that the contractual agreement for sodding and seeding should be followed for the project.

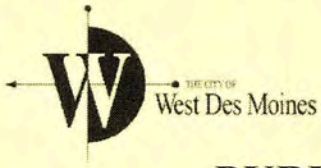
B. Linnwill Place ROW Maintenance

Mr. Hodne stated that at the last Council meeting a petition was brought forward by residents along 1st and Linnwill Place. These properties back up to the IDOT highway along 1st and Linnwill Place and have been maintained by City staff for several years due to past agreements with the DOT and other past practices. Along with this area, another resident was recently notified that they need to begin removing snow from an adjacent sidewalk that fronts a drainage structure in the 17th and Center Street area. In that case the City had maintained the sidewalks also in the past. Mr. Hodne and City Manager Hadden have reviewed these ROW maintenance issues as well as other ROW areas of the City. Based on the past practices and other issues involved with these two areas, staff recommends that the City continues maintaining the ROW in these locations. Mr. Hodne stated that a notice will be sent to the property owners advising of the decision. Council Member Trevillyan asked if there are others areas in the City where ROW maintenance has changed from being state or City responsibility to the responsibility of the property owner. Mr. Hodne replied he is currently not aware of any other areas where Public Works or Parks are planning to send out notifications to property owners that there needs to be changes to ROW maintenance responsibilities. Council Member Messerschmidt asked if staff becomes aware of other areas in the City that encounter this issue, to bring it to the PWCC for discussion.

Direction: The PWCC concurs with staff recommendation.

Meeting adjourned at 1:02 PM. The next Public Works City Council Subcommittee meeting is scheduled for April 13, 2015.

Copies of handouts are available at Public Works upon request. A recording was made. Respectfully submitted by Kim Pinegar, Secretary.



REVISED

**PUBLIC WORKS COUNCIL COMMITTEE MEETING
AGENDA**

Monday, March 30, 2015 – 11:30 AM

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

1. Michael's Landing Streetlight Replacement
2. Quail Cove/Eagle Crest Drainage
3. Review of Public Works Items for Council Meeting (April 6, 2015)
4. Staff Updates
 - A. 139 6th Street Renovation
5. Other Matters

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.

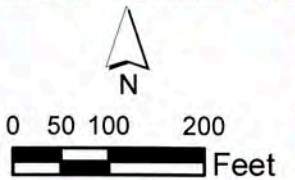
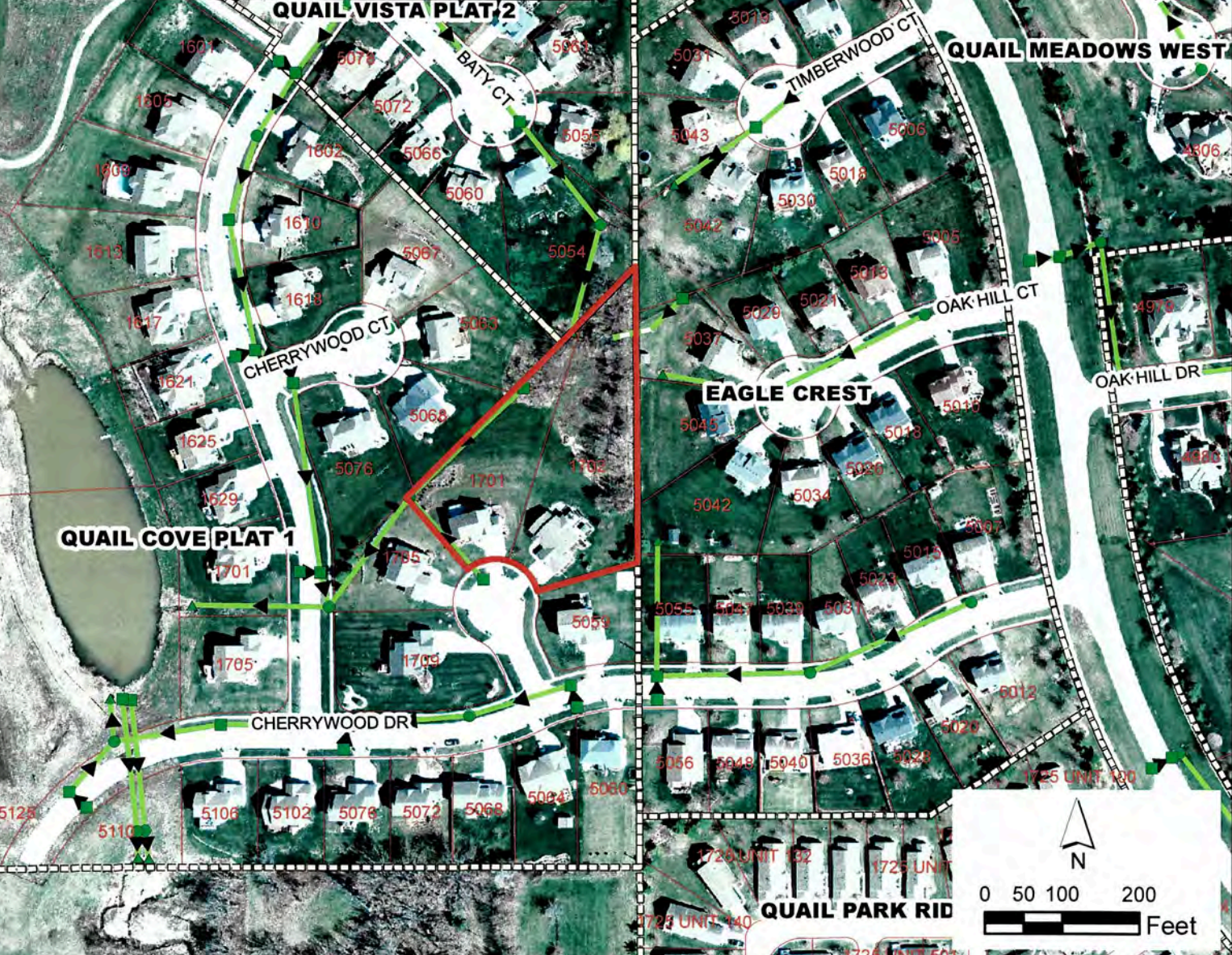
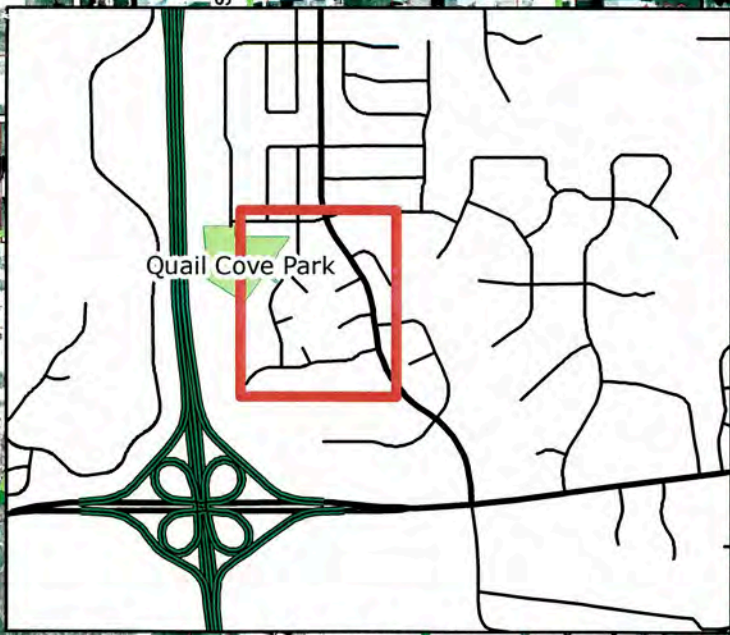
All visitors to the Public Works Council Committee meetings are asked to sign in.

Thank you!

**PUBLIC WORKS COUNCIL COMMITTEE MEETING
GUEST ATTENDANCE**

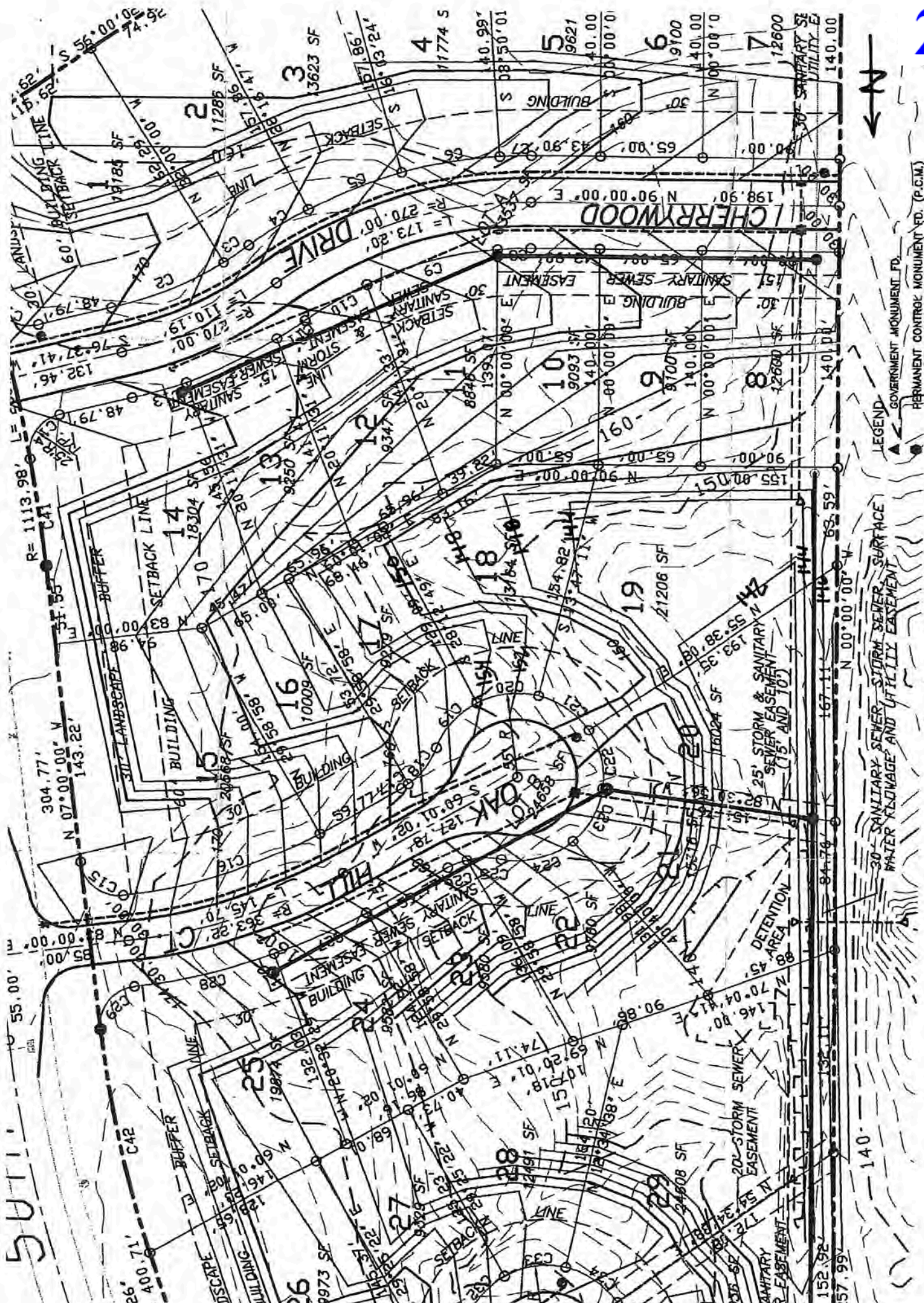
Date:

| Printed Name & Organization | Address / E-mail | Day time phone # | Topic |
|-----------------------------|---|------------------|-------|
| Jorge & Mary Guzman | 550 S. 35th St. WDM FA 50265 Guzman-family@live.com | 515-221-1555 | |
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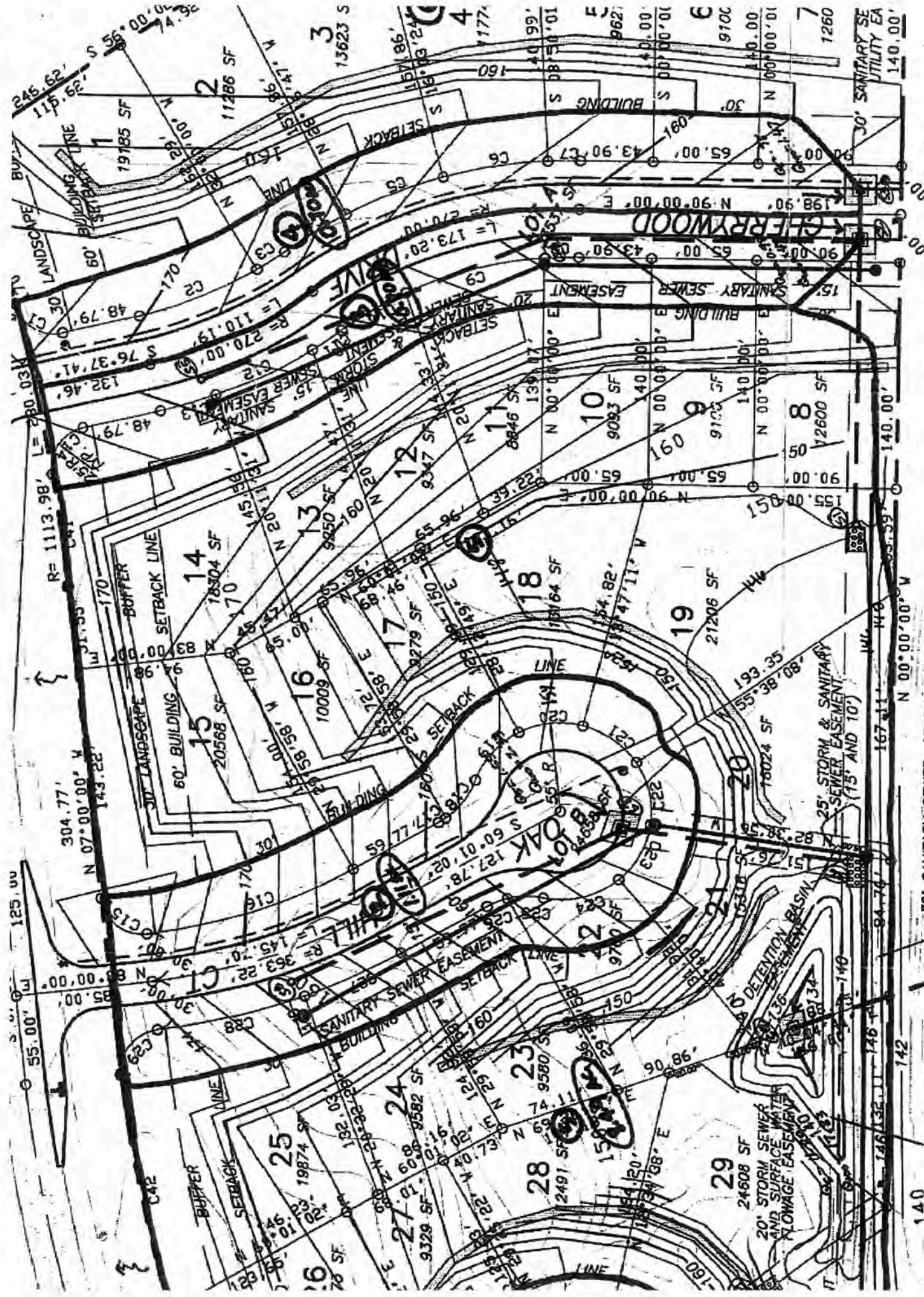
DEPARTMENT OF PUBLIC WORKS
 ENGINEERING DIVISION
 560 S. 16TH STREET (515)222-3475
 WEST DES MOINES, IOWA 50265
 FAX NO. (515)222-3478

| | | | |
|-----------|--------------------------------|-------|----------------------------------|
| PROJECT: | Eagle Crest Drainage | | PROJECT NO. - EAGLE CREST PLAT 1 |
| LOCATION: | Figure 1 - Location Map | | |
| DRAWN BY: | BJM | DATE: | 07/22/2014 |
| | | SHT. | 1 OF 13 |



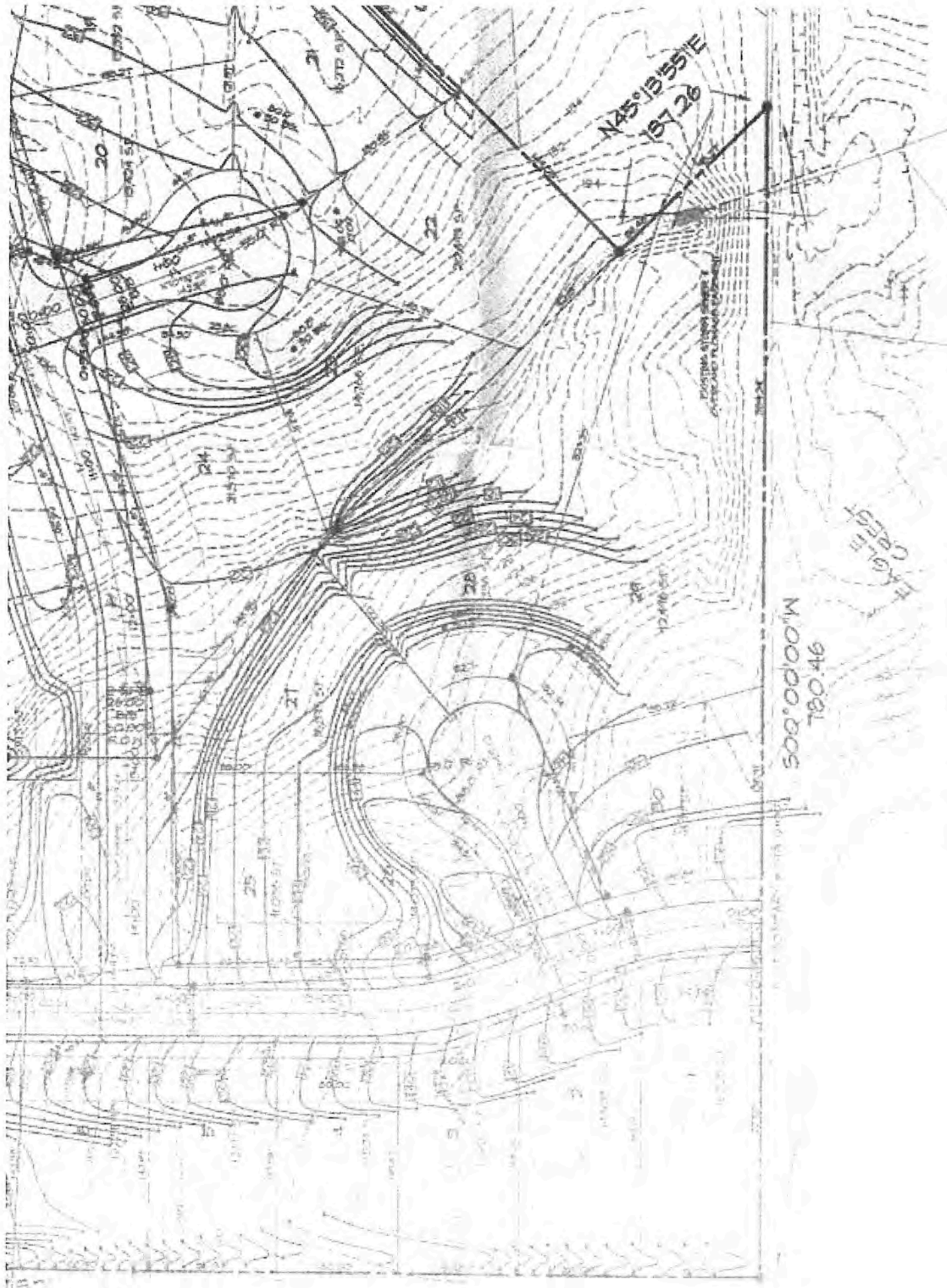
30' SANITARY SEWER, STORM SEWER SURFACE WATER FLOWAGE AND UTILITY EASEMENT
 PERMANENT CONTROL MONUMENT FD. (P.C.M.)
 LEGEND
 ▲ GOVERNMENT MONUMENT FD.

EAGLE CREST 3/23/98 PRELIMINARY PLAN



EAGLE CREST 4/10/98 DRAINAGE CALCULATIONS





Quail Cove Preliminary Plat 9/17/01

500°00'00" W
780.46

N43°13'55" E
187.26

Quail Cove
SE 1/4

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Graffiti
March 2015











Beer bottle tile









Park Attempt to control traffic



New - Neighbors also having
issues since new sidewalk.



These signs are posted each year and destroyed each year.

**139 6th Street Renovation
Summary of Construction Contract Changes**

| Pending Requests as of 3/30/2015 | Price | Description | Staff or Architect's Recommendation |
|--|-----------------------|--|--|
| Change Request 34 | \$1,724.06 | Repairs for existing gas lines | Recommending \$1,724.06 (cost revised per engineer's review) |
| Change Request 35A | \$331.75 | Window sash replacement – Contractors fee omitted in error | Recommend approval |
| Change Request 42 | \$10,676.71 | Relocate condensing units on south side of building | Recommend Approval |
| Total Contract with Pending amounts | \$1,513,844.57 | | Construction Cost Estimate \$1,666,917.00 |

Pinegar, Kimberly

From: webinfo@wdm-ia.com
Sent: Thursday, March 26, 2015 3:33 PM
To: Pinegar, Kimberly
Subject: West Des Moines: Public Works Council Committee Meeting

Public Works Council Committee Meeting

Date: 3/30/2015 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 30 15 PWCC Agenda](#)

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