

**MEETING MINUTES**  
**PUBLIC SERVICES COUNCIL COMMITTEE**  
**Monday, November 11, 2019**  
**Public Services Large Conference Room**  
**560 S 16<sup>th</sup> Street**

In Attendance:

Council Member – Jim Sandager	City Engineer – Brian Hemesath
Council Member – Kevin Trevillyan	Public Services Deputy Director – Joe Cory
Assistant City Attorney – Greta Truman	Public Services Superintendent – Kevin Hensley
Comm. & Econ. Dev. Director – Clyde Evans	Transportation Engineer – Jim Dickinson
Principal Engineer – Jeff Nash	Associate Engineer – Jeff Behan

Guests in Attendance:

None

Meeting was called to order at 11:32 AM by City Engineer, Brian Hemesath.

**1. Renewal of West Des Moines Iowa MS4 Permit (JB)**

***Issue Summary:***

The City's Municipal Separate Storm Sewer System (MS4) permit with the Iowa DNR is up for renewal this year. The City's MS4 permit is renewed every five years and was last renewed in 2015. The Iowa DNR recently sent the City a draft renewal MS4 permit for review and comment. Public notices for the permit renew comments have been posted at City Hall, Public Services, the library, and Human Services from October 11, 2019 to November 11, 2019. A public notice for the renewal has been published in the Des Moines Register on October 18, 2019. A copy of the draft renewal MS4 permit is enclosed. Comments for this draft MS4 permit are to be submitted to the Iowa DNR by November 22, 2019. It is expected City's renewed MS4 permit will begin April 1, 2020.

The MS4 permit provide requirements for City to follow for discharging of storm water in West Des Moines from constructions sites, properties, public facilities, etc. The MS4 permit consist of the following major items.

- A. Public Education and Outreach on Storm Water Impacts: The City having storm water information brochures and a page on the City website available to the public. This item is coordinated with the cities of Clive, Waukee and Urbandale.
- B. Public Involvement and Participation: Storm water public meetings, notices and volunteer activities. This item is coordinated with the cities of Clive, Waukee and Urbandale.
- C. Illicit Discharge Detection and Elimination: Requires the City to have an ordinance for not allowing illicit discharges and pollution into the City storm sewer system and public waters from properties or activities in the City. Also requires the City have a program to inspect storm water outfalls for illicit discharges.

- D. Construction Site Storm Water Runoff Control: Requirements for the City to follow for permitting, best management practices, inspection and enforcement of storm water pollution prevention on development and construction sites in the City.
- E. Post-construction Storm Water Management: Requires the City to have a program for compliance and inspection of existing public and private storm water facilities, ponds and detention areas for controlling storm water runoff.
- F. Pollution Prevention/Good Housekeeping: Requires the City to have a program for maintaining City facilities including street sweeping, pesticide and fertilizer management, staff training and other practices to reduce storm water pollution.

This year's draft renewal MS4 permit requirements are similar to the City's previous MS4 permits other than topsoil preservation is more emphasized in the new permit.

The City staff has reviewed the draft renewal permit. Besides some minor corrections needed for the City size, City department name changes, and wording clarifications there were no other staff comments for the draft renewal MS4 permit.

**Direction:** Information only.

## 2. 11<sup>th</sup> & Vine Street (BJH)

### ***Issue Summary:***

It was brought to the attention of City Staff that the intersection of 11<sup>th</sup> and Vine rides rough after the pavement reconstruction. Public Right of Way Accessibility Guidelines (PROWAG) require that crosswalks in a stop condition be installed at 2% cross slope or less. The grade of 11<sup>th</sup> Street is 8% to the north of Vine which caused challenging conditions for both a smooth ride and meeting the federally mandated guidelines for the crosswalk. One alternative would be to remove pavement in the crosswalk area and install the crosswalk with a 5% cross slope which is allowed at uncontrolled intersections. The estimated cost of this change would be around \$12,000. It would have to be done next construction season and would require an exception request to PROWAG. After reviewing conditions in the field, it is Staff's recommendation to move forward with some grinding in strategic locations to help the ride. If this is not successful, Staff will look into more invasive modifications to smooth out the intersection.

**Direction:** The PSCC was supportive of Staff exploring less expensive solutions including grinding and reevaluating if the grinding does not produce the expected outcome.

## 3. Weekend Work Requests

Contractors are requesting permission from the PSCC to work weekends (mainly Saturday from 8am-5pm with possibility of Sunday similar times should weather warrant) on the following projects:

- S. 85<sup>th</sup> Street – Cascade Avenue to Mills Civic Parkway

## 4. Review of Items for Council Meeting (November 18th, 2019)

ENGINEERING COUNCIL AGENDA ITEMS:

**CONSENT AGENDA**

Resolution – Order Construction

- Valley Junction Activity Center Remodel – Phase 3B (*Bids 11/21/19*)  
(0510-018-2018) OPN Architects 500.000.000.5250.490
- MidAmerican Energy RecPlex – General Construction – Phase 4B (*Bids 12/11/19*)  
(0510-055-2018) Larrison Associates 692.400.700.5250.490
- Sheraton Lift Station Generator (*Bids 12/11/19*)  
(0510-028-2019) IMEG Corp 600.200.250.5220.331
- 2018 FEMA Repairs  
(0510-008-2019) Shive-Hattery, Inc. 500.000.000.5250.490

Resolution – Accept Work

- Alluvion Booster Station  
(0510-027-2015) Synergy Contracting & HDR Engineering (\$5,000) 500.000.000.5250.490

Resolution – Approval of Supplemental Agreement

- Middle Creek Trunk Sewer Extension  
(0510-015-2017) Rognes Corporation & Veenstra & Kimm 640.000.000.5250.495

Resolution – Approval of Agreement with Union Pacific Railroad

- Jordan Creek Parkway & Ashworth Road Intersection Improvements  
(0510-052-2018) 500.000.000.5250.490

Motion – Approval of Amendment No. 2 to Professional Services Agreement

- Library Interior Renovations  
(0510-005-2019) Studio Melee 500.000.000.5250.495

Motion – Approving Change Order 3

- 27<sup>th</sup> & Vine Street Box Culvert  
(0510-045-2018) Jenco Construction, Inc. (\$13,767.50) 660.000.000.5250.490

**PUBLIC HEARINGS**

Public Hearing – Award Contract

- 2019 Sewer Cleaning & Televising Program (*Bids 11/13/19*)  
(0510-045-2019) AECOM 640.000.000.5250.490

PUBLIC SERVICES COUNCIL AGENDA ITEMS:

**NEW BUSINESS – Traffic Code Amendments**

Official Traffic Controls

- EP True Parkway and 78<sup>th</sup> Place
- Grand Avenue and Scenic Valley Drive
- Mills Civic Parkway and Eighty Eighth (South) Street

Special Yield Required

- Grand Prairie Parkway (Southwest) and Veterans Parkway

Special Speed Zones

- Veterans Parkway – East corporate limits to Western terminus of Veterans Parkway

#### No Parking Zones

- Veterans Parkway – East corporate limits to Western terminus of Veterans Parkway on the south side
- Grand Prairie Parkway (South) – North corporate limits to Raccoon River on the west side
- Grand Prairie Parkway (Southwest) – Raccoon River to Southern terminus of Grand Prairie Parkway (Southwest) on the west side
- 78<sup>th</sup> Place – EP True Parkway to 185 feet north of EP True Parkway on the west side

#### Through Streets Stop Required

- Veterans Parkway – East corporate limits to Western terminus of Veterans Parkway
- Grand Prairie Parkway (South) – North corporate limits to Raccoon River
- Grand Prairie Parkway (Southwest) – Raccoon River to Southern terminus of Grand Prairie Parkway (Southwest)

#### Truck Routes

- Veterans Parkway – East corporate limits to Western terminus of Veterans Parkway
- Grand Prairie Parkway (South) – North corporate limits to Raccoon River
- Grand Prairie Parkway (Southwest) – Raccoon River to Southern terminus of Grand Prairie Parkway (Southwest)

#### **5. Staff Updates:**

None.

#### **6. Other Matters:**

Councilmember Sandager discussed with the Committee the retaining wall on Fuller Rd, stating the wall is leaning and appears damaged. City Engineer, Brian Hemesath informed the Committee City Staff are aware of the damage and the wall will be replaced by the Contractor.

Mr. Hemesath recently met with West Des Moines Water Works regarding the replacement of water main on Ashworth Road between 1<sup>st</sup> Street and Valley West Drive. WDM Water Works is looking to purchase easements from property owners along Ashworth soon. Some sections of Ashworth Road in the area of the water main replacement are nearing the end of its useful life and will need to be reconstructed. Staff is recommending that the City do a study to determine what the cross section of Ashworth should look like so we can determine how much right of way the City will ultimately need to reconstruct Ashworth. Then the City can work with WDM Water Works to purchase fee title right of way in lieu of easements at this time. This study will likely need to be completed prior to the FY 20-21 budget year to meet the timeline of WDM Water Works. Staff will keep the committee informed of progress on this issue.

Public Services Superintendent, Kevin Hensley advised Committee members the snow manual is out and any complaints can be sent to Public Services. He also expressed his gratitude that their department was able to add additional staff, resulting in them being more efficient.

The meeting adjourned at 12:22 pm. The next Public Services Council Committee meeting is scheduled for November 25, 2019 and will be held at the Police Station.

A recording was made. Respectfully submitted by Juanita Greer, Secretary.

**Timeline:**

1972 amendments to the Clean Water Act (CWA) provided the basis for the **National Pollutant Discharge Elimination System (NPDES)** permit program and the basic structure for regulating the discharge of pollutants from *point sources to waters of the United States*.

1978, the Iowa Department of Natural Resources (IDNR) was delegated by the EPA to administer the federal NPDES wastewater discharge permit program.

1992 IDNR received authorization from EPA to issue permits subject to the federal permit requirements.

1987 Amendments to the CWA, EPA developed Phase I of the NPDES Stormwater Program in 1990. The Phase I program addressed sources of storm water runoff that had the greatest potential to negatively impact water quality including medium and large **Municipal Separate Storm Sewer Systems (MS4s)** located in incorporated places or counties with populations of 100,000 or more and eleven categories of industrial activity which includes construction activity that disturbs 5 or more acres of land.

1999 Phase II Final Rule, requires NPDES permit coverage for storm water discharges from certain regulated MS4s, such as the City of West Des Moines, for construction activity disturbing 1 or more acres of land.

**2005 IDNR issued NPDES permit number 77-85-0-02 to the City of West Des Moines.**

2017 EPA audit of City's storm water management program

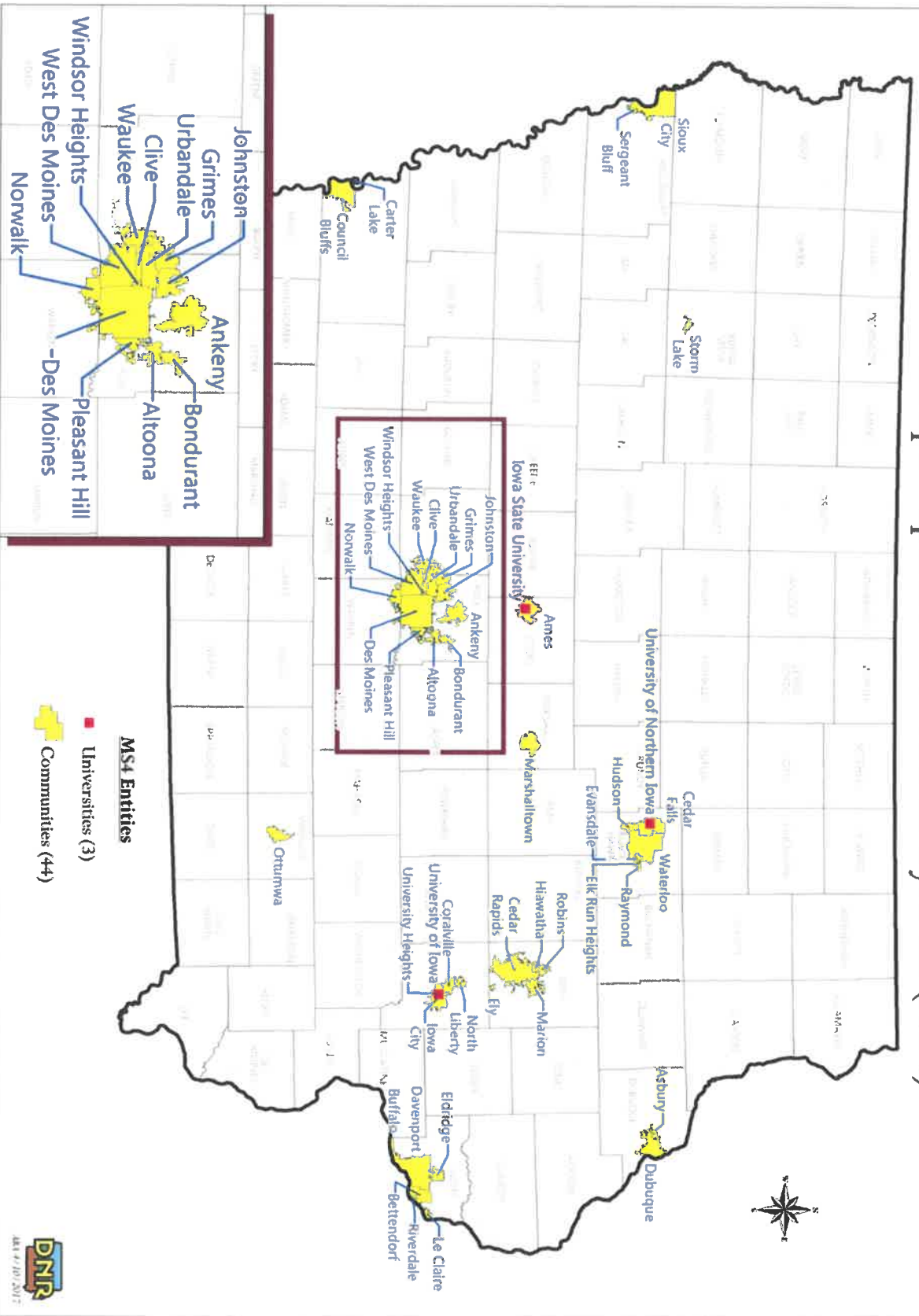
The Phase II permit requires the City to develop and implement a storm water management program that addresses six minimum control measures:

1. Public education and outreach
2. Public involvement and participation
3. Illicit discharge detection and elimination
4. Construction site storm water runoff control
5. Post-construction storm water management
6. Pollution prevention and good housekeeping

Summary of City's actions meeting the permit requirements:

- A. Public Education and Outreach on Storm Water Impacts:
  - a. Storm Water Information Brochures - 2005
  - b. Telephone Hotline - 2005
  - c. Stormwater Web Page - 2005
  
- B. Public Involvement and Participation:
  - a. Storm Water Advisory Committee – 2005 with Clive, Urbandale, and Waukee
  - b. Public Notice Requirements
  
- C. Illicit Discharge Detection and Elimination:
  - a. Illicit Discharge Prohibition Ordinance - *City Council Adopted Ordinance No. 1657, Title 7, Chapter 8E, Illicit Discharge to Storm Sewer System on October 24, 2005.*
  - b. Illicit Discharge Detection and Elimination Program - *An Illicit Discharge Detection and Elimination program was developed and implemented in October 2006.*
  
- D. Construction Site Storm Water Runoff Control:
  - a. Construction Site Runoff Control Ordinance - *City Council adopted Ordinance No. 1710, Title 8, Chapter 6, Construction Site Erosion and Sediment Control on October 23, 2006.*
  - b. Construction Site Review and Inspection Program - *A Construction Site Review and Inspection Program was developed and implemented in October 2006.*
  
- E. Post-construction Storm Water Management:
  - a. Post Construction Site Runoff Control Policy Ordinance - *City Council adopted Ordinance No. 1784, Title 7, Chapter 8G, Post Construction Stormwater Management on October 8, 2007.*
  - b. Site Plan Review of Post Construction Runoff Controls - *As part of the development review and approval process all projects approved after November 1, 2007 must comply with Ordinance No. 1784 and must execute a Stormwater Management Facility Maintenance Covenant and Permanent Easement Agreement as a condition of approval.*
  - c. Inspection of Runoff Control Devices - *A Post-Construction Review and Inspection Program was developed in October 2007.*
  - d. Watershed Assessment Program - *A Watershed Assessment was completed for the City of West Des Moines in October 2007. The Watershed Assessment was revised in 2010.*
  
- F. Pollution Prevention/Good Housekeeping:
  - a. Operation and Maintenance of MS4 - 2005
  - b. Pesticide and Fertilizer Management Program - 2005
  - c. Training Program for City Staff - 2006
  - d. City Facilities BMPs - 2006

# Cities & Universities Required to Obtain Storm Water Permits for their Municipal Separate Storm Sewer Systems (MS4)





Summary of EPA recommendations following the 2017 audit:

- The City is required to implement and enforce its construction site stormwater runoff control program. The EPA recommends that if repeated noncompliance at a site occurs, especially instances in which sediment and runoff is reaching a water or stormwater inlet, the City should seek other escalation actions including penalties as described in the ordinance. Escalating to enforcement actions for repeated noncompliance is a significant deterrent from future noncompliance.
- The NPDES permit requires the City to review and approve the site's stormwater pollution prevention plan (SWPPP) prior to issuance of City construction permits.
- The NPDES permit requires the City to inspect and maintain all municipally owned stormwater control devices. The City must ensure that lists are kept up to date and that all municipally owned stormwater control devices are inspected and maintained.