

**MEETING MINUTES**  
**PUBLIC SERVICES COUNCIL COMMITTEE**

**Monday, May 24<sup>th</sup>, 2021**

**Via Microsoft Teams**

**This meeting was held electronically because of the State Public Health Emergency Declaration regarding Covid-19 and will be conducted pursuant to Iowa Code 21.8 and the Proclamation of Governor Kim Reynolds dated March 19, 2020.**

In Attendance via Microsoft Teams:

Council Member – Matthew McKinney  
Council Member – Kevin Trevillyan  
City Manager – Tom Hadden  
Deputy City Manager – Jamie Letzring  
Assistant City Attorney – Greta Truman  
Finance Director – Tim Stiles

City Engineer – Brian Hemesath  
Public Services Director – Bret Hodne  
Public Services Superintendent – Kevin Hensley  
Principal Engineer – Jason Schlickbernd  
Principal Engineer – Ben McAlister  
Principal Engineer – Jim Dickinson  
Principal Engineer – Jeff Nash

Guests in Attendance:

**Item #4** Tom Stull 3530 Commerce Drive West Des Moines, IA 50265 – in attendance via telephone

Meeting was called to order at 11:30 AM by City Engineer, Brian Hemesath.

**1. Microsoft Fiber Interconnect Pink Route Easement (BJM)**

***Issue Summary:***

Since development of the Alluvion data center began in 2014 the City has worked under agreements with Microsoft to construct fiber optic conduits to interconnect the data centers. Microsoft's fiber optic architecture requires two connections per data center, an east path and west path. The two paths must be separated by a physical object, such as a road, or a minimum of 50'. East and west paths may never cross.

With the Osmium data center nearing completion Microsoft has a need to connect the Osmium and Mountain sites by the end of 2021. The agreement to construct this connection was approved on April 19, 2021 and the first phase is currently under construction. These connections will be provided via both sides of Veterans Pkwy and SW Grand Prairie Pkwy. As the routes near the Mountain site alternative alignments are necessary due to the lack of roadways and right-of-way. The Orange route will turn west at Raccoon River Dr, circle around the west side of the proposed Ginger West site, along Booneville Rd, and the west side of S 88<sup>th</sup> St to reach Mountain from the north. The Pink Route will turn east along Raccoon River Dr. However, the original Red and Blue routes to Alluvion occupy both sides of S 88<sup>th</sup> St and the Blue and Pink routes may not cross, preventing the Pink Route from reaching the next public street.

An alternative alignment has been developed along the westernmost boundary of the Public Services property. This proposed 15' easement will be located on the boundary between the site and future Sugar

Creek greenbelt. The easement is located in an unbuildable portion of the property and is outside the excavation limits of the Sugar Creek floodplain grading.

Councilmember Kevin Trevillyan inquired if the easement would be exclusively for Microsoft conduit to which Principal Engineer Ben McAlister responded it would.

Mr. McAlister also stated he was able to confirm with Public Services Director, Bret Hodne, and Public Services Superintendent Kevin Hensley that the granting of the easement should not interfere with any potential expansions in the future.

Councilmember Matt McKinney confirmed with Staff that if the City received a similar request Staff would approach it in the same manner.

City Engineer, Brian Hemesath added that once Grand Prairie Parkway is constructed and development starts to occur in that area, as well as the connecting roads and streets there will be more places for these fiber routes to go. Noting that conduit will be installed on majority of the roads as a part of the open access conduit network project.

Councilmember McKinney confirmed with Staff that a dig once philosophy would be used to which Mr. McAlister affirmed the open access conduit is included with these projects where appropriate.

***Direction:*** Committee members were supportive of granting an easement on City property to allow Microsoft to install, operate, and maintain a fiber optic conduit.

## **2. Overhead to Underground Electric Conversion – 8<sup>th</sup> Street Reconstruction, I-235 to Clegg Road (JMS)**

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

The City contracted with SEH on August 3, 2020 to commence preliminary design for the reconstruction of 8th Street from I-235 to Clegg Road. 8th Street from Center Street to Office Park Road will be reconstructed from an existing 4-lane undivided urban facility to a 4-lane urban divided facility with a median and dedicated left turns. 8th Street from Office Park Road to just north of Clegg Road will be reconstructed from an existing 4-lane urban section to a 5-lane urban section with a continuous center two-way left turn lane.

Right-of-way acquisitions and utility relocations are anticipated to take place in 2021-2022 with reconstruction in 2023. As part of the necessary utility relocations, MidAmerican Energy will be responsible for relocating existing overhead electric to accommodate the project. If the electric relocations remain overhead, there is no cost to the City. If the City desires to relocate the electric underground, the City would be responsible to cover the cost difference between the overhead-to-overhead electric modifications versus the overhead-to-underground electric relocations. Initial estimates from MidAmerican Energy for relocating electric underground along 8<sup>th</sup> Street within the project limits range from \$360,000 to \$480,000. The lower estimate does not involve relocation of any overhead electric as it relates to the railroad crossing near Center Street. The higher estimate involves relocation of any overhead electric as it relates to the railroad crossing near Center Street.

Councilmember McKinney inquired if this conversion was in the 2020-2021 budget.

Principal Engineer, Jason Schlickbernd responded the right of way acquisition is in the 2021-2022 budget and construction of the project would be in the 2022-2023 budget noting that the City would not be able to use STBG dollars for private utility relocations on the project.

Finance Director, Tim Stiles explained the conversion would not be eligible for federal funding, but the City could use Tax Increment Financing (TIF) that hasn't been spoken for.

Councilmember McKinney asked why the item was being brought forward if construction wouldn't take place for another year.

Mr. Schlickbernd stated it would give Staff time to get the money into the budget and Staff will be able to investigate further into the use of TIF dollars. In addition, the electric relocation could be completed in advance of the street reconstruction project.

Mr. Stiles added in other areas of the City, such as Grand Avenue and University Avenue, a significant amount was paid to convert the power to underground. He noted it is a preference and depends on whether or not the City would want the aesthetic of overhead power lines.

Councilmember Trevillyan stated he did not see the return on the investment, since everything south of Clegg Road would remain overhead.

Councilmember McKinney expressed that he would like a list created with a hierarchy of priorities for The Mayor and City Council members to review during budget time.

Mr. Stiles asked if there was a timeframe MidAmerican Energy Company would need the City's decision on the overhead to underground conversion. Mr. Schlickbernd explained the time frame is based on allowing a year to complete design and a year to negotiate right of way and utility relocation.

Mr. Stiles expressed that it would be best to wait until this Fall, allowing time to explore funding options/sources as part of discussions related to the next CIP budget cycle. Mr. Schlickbernd was okay with this timeframe.

***Direction:*** Staff will explore funding options and revisit this item in this Fall. Councilmember Trevillyan was not in agreement and did not see the benefit of converting to underground for two blocks.

### **3. Audible Pedestrian Pushbuttons (JD)**

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

We have received two requests to install audible pedestrian pushbuttons at four signalized intersections. These buttons emit a locator sound so the visually impaired can find the button easier. If the pedestrian display is DON'T WALK, the pedestrian will hear a voice message to wait when the button is pushed. When the pedestrian display changes to WALK, the pedestrian will hear a voice message to cross the street.

Jim Dickinson, Principal Engineer stated that some Cities install new signals with audible pedestrian pushbuttons while others install audible pedestrian pushbuttons on an as requested basis.

The costs can range from approximately \$500 to put the buttons to approximately \$5500 for audible buttons, equipment, and cabinets. Mr. Dickinson noted the pushbuttons are easy to retrofit and the install can be done by city employees.

Mr. Dickinson noted that if the City were to choose not to update the pushbuttons the potential for complaints to the justice department may arise impacting all of the Cities ADA activities.

Councilmember Treillyan inquired if the City has funding to install the audible pedestrian pushbuttons in multiple areas, if the City were to receive several requests. Mr. Dickinson responded that no funding has been budgeted this fiscal year for the pushbuttons and suggested looking at installing the audible pedestrian pushbuttons with new construction and work in a program to retrofit signals over several years' time.

Councilmembers Treillyan and McKinney expressed interest in Staff seeking federal grants for the program if possible as well as looking at high traffic areas of the City to be prepared for these requests. Finance Director Tim Stiles commented that the significant grants for the adaptive system that the City received were state and not federal grants.

**Direction:** Committee members were supportive of installing audible pedestrian pushbuttons at the four signalized intersections and moving forward on an as requested basis.

#### **4. High Street Storm Sewer (BJH)**

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

As part of the High Street Storm Sewer project, a pipe is being extended north through the McCullough and Anderson properties to help drain High Street and solve standing water issues in the High Street right of way. While designing the storm sewer, some private drainage issues were noted on the McCullough and Anderson properties. It is not intended, but it is possible that altering the topography in the area with the construction of the pipe may exacerbate a preexisting private drainage issue on the Anderson property.

The City could preemptively install an additional pipe and intake to drain water from the Anderson property. The cost of this additional construction would be less than \$5000. The potential benefit to the public may be a lower cost to remedy any exacerbation of the preexisting drainage issue that may arise, since the contractor is already on site. However, the public would be undertaking additional costs for a problem that may not materialize and only result in a benefit to private property owners. It should be noted that Anderson has requested the right to remove the additional pipe and intake in the future.

Tom Stull, 3530 Commerce Drive, asked Committee members if the area being discussed was for the new homes that were built on High Street and discussed at a Public Services Council Committee (PSCC) meeting approximately 2 years ago. Mr. Stull referenced the discussion regarding an issue of how the water historically went South but because of the houses that were built on High Street not being part of a development plan the water now proceeds to the north.

City Engineer, Brian Hemesath confirmed the drainage of the High Street homes was discussed at a previous PSCC meeting with Principal Engineer, Jason Schlickbernd providing an exhibit showing the drainage patterns.

Mr. Stull expressed his concern with moving the original flow of the water to the south resulting in an increase in the flow to the channel of Hidden Creek, stating he's experienced substantial erosion on his property south of Grand Avenue from the development that has occurred south of Grand Avenue.

Mr. Stull referenced Section 4 of West Des Moines code saying that the portion of Hidden Creek that goes through his property is his responsibility to maintain as part of the stormwater utility. He explained a lot of debris is being dumped into Hidden Creek from landowners upstream resulting in constant cleaning and

maintenance of his stream bed. Mr. Stull inquired if the portion of Hidden Creek on his property would be eligible for a Capital Improvement Project such as the Channel Repair Program due to the erosion to his property.

Mr. Hemesath explained the Channel Repair Program is used for preserving public infrastructure such as roads, sidewalk, trails, and/or sanitary sewer that are being threatened by erosion, noting the City would not typically use the Channel Repair Program for private property.

Mr. Stull asked for clarification regarding the Sugar Creek Conveyance Phase 2 project being private or City right of way. Mr. Schlickbernd explained the project involves making improvements to the channel so it can carry more flow and keep the flow channelized and was purchased as a greenway.

Mr. Stull asserted that his property is at the confluence of Hidden Creek and Raccoon River and has experienced similar erosion as Sugar Creek. He is required to maintain a stream bed that is taking on more water due to development that caused drainage to flow in another direction and believed that is against City code.

Mr. Schlickbernd showed the area north of High Street and explained that it is difficult to determine which way it drains today because high street cuts off the flow causing water to pond. Also, the installation of the piping will move the flows down to the channel in advance of the peak of the storm, limiting downstream effects.

Councilmember Trevillyan suggested utilizing the city lot south of High Street to install piping down to the Raccoon River instead of Hidden Creek as a way to alleviate the issue of erosion. He commented that these issues exist around the City due to new development and more concrete causing creeks in resident's backyards to flood when they did not prior.

Principal Engineer, Ben McAlister stated that Staff did look at alternate piping options but were not able to find a clear route between High Street and Commerce Street and it would also be difficult getting the pipe from Commerce Drive down to the Raccoon River.

Councilmember Trevillyan brought up a previous discussion to purchase a property owned by Don Newquist that would allow for natural drainage. He suggested the City take action to prevent more water from going into Hidden Creek whether that included buying the property or condemnation.

Councilmember McKinney remarked that if the City is pouring more water into the creek, we need to be aware of the impact even if minimal. He continued the water may drain slower, but it is still more water and how can the City participate to make sure we are not facilitating or accelerating the erosion of private property.

Mr. Stull stated that the discussion to run pipe to the Raccoon River arose due to the increased water flow Don Newquist experienced after the High Street development. He believes that historically the water north of High Street drains to the south. If the flow is going to be increased, he would like the City to aide in a solution whether that be hardening the banks on his creek, a detention pond, or slowing down the flow.

Mr. Schlickbernd provided an update that Staff has the necessary easements for the High Street properties and are working with the two homeowners Ms. Anderson and Mr. McCullough. Construction for the project was ordered May 17, 2021 and bid letting is scheduled for June 2, 2021.

Bret Hodne, Public Services Director brought up the extreme challenges Staff now face to maintain the area due to the High Street homes. They built up Commerce area along with the High Street area with asphalt millings several years ago which further prevented stormwater from going to the south from this area. Since the homes on the north side of High Street have been constructed, the storm water on the north side of the road is trapped and creates a muddy mess as it pools on the adjacent right of way generating a lot of complaints from the north and south side homeowners. Director Hodne stated that in his years with the City he and his staff have never seen the water travel from the north side of High Street to the south across the road.

Mr. Hemesath brought the conversation back to the initial discussion regarding the installation of a pipe to deal with potential drainage issues that may arise on the Anderson and McCullough properties and the use of public dollars to drain a private area that may not have drainage issues. He pointed out the cost saving benefit would be substantial to install the pipe with the other construction.

Greta Truman, Assistant City Attorney added it is a solution to a problem that may not come to fruition because we could install this project with no increased water on the Anderson property, which would be a private benefit.

Councilmember McKinney asked Staff what the potential would be for the 2 properties to experience an increase in water.

Mr. Schlickbernd explained water currently ponds there and the installation of the pipe would help with that problem, if the City chooses not to put the pipe in ponding will continue.

Mr. Hemesath stated Staff can document what the area looks like today to have as a reference.

Councilmember McKinney inquired if the two property owners were interested in sharing the cost if the City can eliminate the risks.

Mr. Schlickbernd responded that both parties are aware of the ponding water issues but nothing was presented to them regarding the option of cost sharing.

Councilmember McKinney expressed that this did not feel like there would be a public purpose to install the additional pipe with the project and stated when we install the project we need to do it in a manner that doesn't negatively impact private property.

Mr. Schlickbernd stated that before the area north of High Street was developed water never made its way across High Street and with the new construction and foundations, main floor and finished elevations above the roadway it forced the water to drain to High Street, not going across but ponding.

Councilmember Trevillyan disagreed and commented that the City has heard from residents that the water comes across High Street down to Commerce and it did not prior to the new construction on High Street. He stated the acquisition of the Newquist property was a viable option that Staff should pursue.

Director Hodne added that when the homes were built on the north side that is when Staff began to see a lot of problems with the water standing and ponding across High Street. Staff built up the streets several years ago using a substantial amount of millings so the streets can be maintained at a higher level of standard than just typical rock. Those changes could have affected drainage over the years.

Councilmember Trevillyan stated he would like to look at the issue globally throughout the City and find a better solution as far as how do we address erosion issues due to development.

**Direction:** If the project moves forward the committee was not supportive of the additional pipe to the Anderson property. Staff will document the area prior to any construction to ensure liability as well as constructing the project based on the approved plans and specifications, keeping a close eye on the area after construction as well. Staff will suspend the June 2<sup>nd</sup> bid letting and resubmit an order of construction after this item is discussed at the June 14<sup>th</sup> Public Services Council Committee meeting.

## **5. 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:

- West Grand Business Park, Booneville Road to Grand Avenue
- Booneville Road, South 100<sup>th</sup> Street to South 115<sup>th</sup> Street
- Grand Avenue West Segment 5B & 7A Sewers

The committee approved the above weekend work.

## **6. Review of Items for Council Meeting (June 7, 2021)**

### ENGINEERING COUNCIL AGENDA ITEMS:

#### **CONSENT AGENDA**

#### **Resolution – Approving Amendment No. 2 to Professional Services Agreement**

- **MidAmerican Energy Company RecPlex – Architectural Services**  
(0510-005-2018) Shive-Hattery, Inc. 692.400.700.5250.49 *General Obligation Bonds backed by Local Option Sales Tax*

#### **Resolution – Approving Amendment No. 3 to Professional Services Agreement**

- **Library Interior Renovations**  
(0510-005-2019) Studio Melee 500.000.000.5250.495 *General Obligation Bonds, Private Contributions, Private Contributions, and Local Option Sales Tax*

#### **Motion – Approving Change Order #20**

- **MidAmerican Energy RecPlex, General Construction BP #4**  
(0510-055-2018) ATO Building, LLC 692.400.700.5250.490 *General Obligation Bonds backed by Local Option Sales Tax*

#### **Resolution – Ordering Construction**

- **Fiber Optic Interconnect Pink Route Phase 1**  
(0510-070-2020) Civil Design Advantage 523.000.000.5250.490 *Microsoft Osmium Escrow*

### **Resolution – Ordering Construction**

- **Fiber Optic Interconnect Orange Route Phase 2**  
(0510-069-2020) Civil Design Advantage *This project includes two divisions for Division 1 the City is acting as the coordinating agency; Microsoft is providing all funding and will reimburse the City as invoiced. Division 2 to be paid from the Mills Parkway TIF*

### **Resolution – Establishing a Public Hearing Regarding the Final Design, Site Selection and Consideration of Acquiring Agricultural Property**

- **SE County Line Road, Veterans Parkway to SE Soteria Avenue**  
(0510-015-2021)

### **PUBLIC HEARINGS**

### **Resolution – Awarding Contract**

- **South 35<sup>th</sup> & Grand Valley Culverts**  
(0510-033-2020) 660.000.000.5250.490 *Stormwater Fee*

### **Resolution – Awarding Contract**

- **Digital Enterprise Conduit Deployment Segment 3, Phase 3**  
(0510-066-2020) 670.000.000.5250.490 *General Obligation Bonds*

### **Resolution – Awarding Contract**

- **Digital Enterprise Conduit Deployment Segment 4, Phase 1**  
(0510-060-2020) 670.000.000.5250.490 *General Obligation Bonds*

### **Resolution – Awarding Contract**

- **88<sup>th</sup> Street & Ashworth Road Traffic Signal**  
(0510-042-2020) 550.000.000.5250.490 *Ashworth Road Urban Renewal Area TIF*

### **NEW BUSINESS**

### **Traffic Code Amendments**

- **S. 88<sup>th</sup> Street & Ashworth Rd**
- **S. 88<sup>th</sup> Street & Raccoon River**
- **41<sup>st</sup> Street & Mills Civic Pkwy (H.A.W.K. signal)**
- **Grand Avenue and Raccoon River Drive**

### **PUBLIC SERVICES COUNCIL AGENDA ITEMS:**

### **Motion – Approving the Sell of Surplus City Equipment**

- **Plow Truck**

### **7. Staff Updates:**

Public Services Director Bret Hodne mentioned an upswing in neighborhood complaints from residents with regards to tall vegetation due to last week's weather and Community Compliance



staff are working to get caught up on the complaints. Noting that park maintenance crews are caught up.

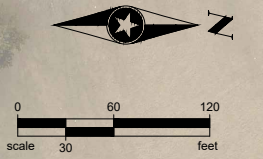
**8. Other Matters:**

Tom Hadden, City Manager discussed the Raccoon River District Basin Connection fee and would like to leave property owners who signed the petition against the fee district in the proposed Madison county area out of the fee district. He stated he would also like to re-evaluate how the per acreage costs are determined for the sanitary sewer.

The meeting adjourned at 1:05 pm. The next Public Services Council Committee meeting is scheduled for June 14<sup>th</sup>, 2021.

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

Item #2



EXISTING ROW

OFFICE PARK RD

PROPOSED STORM SEWER IMPROVEMENT

66 LF

8TH ST

115 LF

73RD ST

PROPOSED R.O.W. - MIDTOWN DEVELOPMENT PUD

100 LF TRENCHLESS STORM SEWER

STORM SEWER REPLACEMENT TO OUTFALL AT WALNUT CREEK

CENTER ST

CLEGG RD



CITY OF WEST DES MOINES, IOWA  
8TH STREET RECONSTRUCTION  
I-235 TO CLEGG ROAD  
CONCEPTUAL LAYOUT

# Item #4



CITY OF WEST DES MOINES

**SHIVEHATTERY**  
ARCHITECTURE+ENGINEERING

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HIGH STREET STORM SEWER IMPROVEMENTS  
FIGURE 1 - PROJECT OVERVIEW  
MAY 2021