

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

**Monday, February 27, 2023**

**City of West Des Moines**

**In Attendance:**

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

Parks & Recreation Director – Sally Orgies

Assistant Director Parks & Recreation – Ryan Penning

City Engineer – Brian Hemesath

Public Services Director – Bret Hodne

Deputy Public Services Director – Joe Cory

Principal Engineer – Jason Schlickbernd

Principal Engineer – Ben McAlister

Principal Engineer – Nick Rentel

Park Superintendent – Marco Alvarez

Transportation Engineer – Eric Petersen

**Guests in Attendance:**

Item # 1: Marcia & Ken Weite – 1900 Ashworth Road

Meeting was called to order at 11:29 AM by City Engineer, Brian Hemesath.

**1. Property Purchase at 1900 Ashworth Road – Ken & Marcia Weite (JS)**

***Issue Summary:***

City Staff have been in contact with the property owners (Ken & Marcia Weite) of 1900 Ashworth Road throughout the preliminary design process for the Ashworth Road Reconstruction project from 19<sup>th</sup> Street to 23<sup>rd</sup> Street. The Weite's feel the Ashworth Road project negatively impacts their property and reduces their usefulness and enjoyment of their property regardless of what design is chosen.

Shive-Hattery is the Engineering Consultant working on this project and they have shared with City Staff that the possible purchase of this property and use for stormwater detention greatly reduces street flooding downstream and has much benefit to the City. Other properties near the 19<sup>th</sup> & Ashworth and the 23<sup>rd</sup> & Ashworth intersections that are impacted similarly by the proposed Ashworth Road Reconstruction project do not offer the same level of stormwater detention that the Weite property does, purely due to its location and elevation.

City Staff approached the Weite's about possibly purchasing their property a few months ago and they were receptive to the idea. The purchase would have to be voluntary and will not be entertained if the Weite's are no longer interested. An appraisal has been completed and possible offers discussed, but no commitments have been made due to the unknown status of the project progressing.

Principal Engineer Jason Schlickbernd provided a map showing the location of storm sewer or lack thereof in the area. He explained the drainage path that the water currently takes through an 18" storm sewer pipe to the Fairmeadows School detention basin. With the purchase of the property Staff hopes to be able to detain as much water as is possible on the property. A proposed 42" pipe would come into the

stormwater basin on the Weite's property where the water would then be detained and any excess would spill over and head south on 19<sup>th</sup> Street, as it currently does today.

City Engineer Brian Hemesath added the intent is to try and mitigate localized flooding on 19<sup>th</sup> Street, noting that it doesn't meet design standards due to the current 18" pipe size.

Mr. Schlickbernd explained during the preliminary design process Shive-Hattery pointed out the opportunity to utilize this property for stormwater detention due to the low elevation, noting that there have been verbal conversations between Staff and the Weite's with everything up until this point being voluntary.

Council Member Kevin Trevillyan expressed he had never been aware of any flooding issues in that area.

Mr. Hemesath explained when reconstructing a road all aspects have to be taken into consideration, including stormwater. If the stormwater is not meeting current design standards, which is the case on 19<sup>th</sup> Street due to the inadequate pipe size, Staff must look at what can be done to make improvements. Mr. Schlickbernd further explained that a Fairmeadows Creek drainage basin study had been completed by HDR a few years ago, and that study included this area.

Council Member Trevillyan asked what the storm water detention would include.

Mr. Schlickbernd responded it would consist of a dry pond and Staff would attempt to maximize the entire property to get as much capacity as possible.

Council Member Matt McKinney asked about design and storm water standards not being met under the current road design as well as the proposed design.

Mr. Hemesath stated that if the Weite's property is not purchased the City would be even less in compliance with design standards. He noted that if every possibility is looked at to try to fix the stormwater issues he would, as the City Engineer, be able to explain that due to design criteria and constraints we were not able to make the improvements. He added that if we have the opportunity to improve drainage on that street, we should consider those options.

Council Member McKinney stated he would like to know if the City purchases the Weite's property for detention what would be the percentage of improvement to drainage. Council Member McKinney expressed that he was in favor of the voluntary discussions as well as the need to meet design guidelines. He asked Staff to provide information on exactly how much of an improvement to drainage the project would be, evaluating the cost as compared to the benefit.

Mr. Schlickbernd explained that at the time Staff didn't know exactly what the rehabilitation of Ashworth Road from 19<sup>th</sup> Street to 23<sup>rd</sup> Street would look like so Shive-Hattery was not asked to provide those calculations.

Council Member Trevillyan was also interested in how much of an improvement this would have on the area.

Mr. Hemesath commented that if committee members would like data on how much the detention pond would contribute to reducing localized flooding in that area Staff can proceed with that direction.

If the PSCC members are supportive of the purchase of the property at 1900 Ashworth Road, additional guidance is being sought regarding demolition or moving/relocation of the house. One moving company was contacted and roughly estimated it would cost about \$60,000 to move the house within a couple

miles, however the estimate was provided sight unseen. The layout of the house may make it difficult to move in one piece. Demolition of the house may be the best option, but City Staff wanted to approach the PSCC members about this given previous direction provided on similar projects.

Council Member Trevillyan and Council Member McKinney both recommended moving the house.

***Direction:*** Committee members would like Staff to provide a cost-benefit analysis. Council Member McKinney and Council Member Trevillyan were in favor of purchasing the property for stormwater detention if the cost benefit analysis makes financial sense. If the City were to move forward with the purchase of the property for stormwater detention committee members were in favor of relocating the house as opposed to demolition.

## **2. MidAmerican Energy New Service Pole Installations (NR)**

### ***Issue Summary***

MidAmerican Energy hired a 3<sup>rd</sup> party inspection firm to identify electric facilities in need of repair or locations where minimum clearances are in violation. This inspection noted several locations within residential areas throughout the City where minimum clearances have not met MidAmerican standards. These inspections are driven by the Iowa Utilities Board and MidAmerican Energy, not by the City.

MidAmerican has proposed to install new service poles within City right-of-way to gain proper clearances. These would be standalone poles on the opposite side of the street from the mainline distribution poles. City Code 7-14-2 restricts the installation of new utility poles and would require the service line to be installed underground. The overhead to underground service connection conversions would have a financial impact to each affected property. The cost of this conversion is roughly \$3000 - \$5000 and the current proposal for 9 new poles would affect 15 properties.

The general area of the proposal is south of Ashworth Rd, between Valley West Dr & 27<sup>th</sup> St. The utility corridors along these streets are narrow and congested. With clear zone requirements and location of existing utilities, installation of new poles within the right-of-way will be difficult.

Options for consideration:

1. Require service connections in violation be installed underground.
2. Permit new poles to be installed within City right-of-way by exception within City Code 7-14-2. "When the public works director deems an exception to be in the best interest of the city."
3. Require MidAmerican to acquire easements and install poles on private property.

City Engineer Brian Hemesath and Principal Engineer Nick Rentel provided a synopsis to committee members. Mr. Rentel explained these areas currently have utility poles and the 9 proposed new poles would be located on the opposite side of the street.

Deputy City Manager Jamie Letzring asked if Staff has had discussions with MidAmerican telling them new poles would not be allowed based on City Code.

Mr. Rentel responded that there have been discussions regarding the design and MidAmerican would prefer the addition of new poles but are open to underground conversion.

Mr. Hemesath emphasized that if option 1 was considered the cost burden of switching the connection from overhead to underground at the house would be on the homeowner.

Mr. Rentel added that MidAmerican does not provide installation inside of the home or any panel work. MidAmerican would provide service from the utility pole to a point on the home and the homeowner

would have to hire an electrician to complete the connection and bring everything up to code which would cost between \$3,000 - \$5,000.

Council Member Matt McKinney asked if there was a change in City Code or if MidAmerican determined themselves that the area was not in compliance.

Mr. Rentel explained that in talks with MidAmerican they stated that the Iowa Utility Board (IUB) inspects a section of the City every 10 years. MidAmerican proactively utilized a 3<sup>rd</sup> party inspection firm to review the area prior to the formal review from IUB.

Council Member Kevin Trevillyan was supportive of allowing the 9 utility poles to be installed on the opposite side of the street, acknowledging that some homeowners may not like having a pole in their yard. He was not supportive of requiring the homeowners pay up to \$5,000 for the underground utility conversion.

Mr. Rentel commented it may not be possible for MidAmerican to install all 9 of the utility poles within the right of way per plan due to the other utilities that are already there, so MidAmerican would have to purchase the easements from the homeowners and place the utility poles on the other side of the sidewalk.

Council Member McKinney asked about the flexibility within our code to waive the requirement. He expressed that it should be the responsibility of the utility company to provide service to the homeowner. Noting that if the homeowner would prefer the underground conversion and is willing to pay for it they could work with MidAmerican on an individual basis.

Council Member Trevillyan agreed, if the homeowner doesn't want the utility pole on their property and is willing to pay associated costs to bury the line, they could work with MidAmerican Energy. He did not support requiring them to pay for underground conversion when we have the ability to move the pole.

**Direction:** Committee members would like MidAmerican to work with each property owner. If the property owner's preference is the underground conversion and they are willing to pay associated fees MidAmerican can proceed with the underground utility conversion. If the property owner's do not want to pay for the conversion committee members were in favor of permitting new poles to be installed within City right-of-way by exception within City Code 7-14-2 and in instances where the utility poles cannot fit within the right-of-way MidAmerican would need to acquire easements from the homeowners.

### **3. Weekend Work Requests**

Contractors are requesting permission from the PSCC to work weekends on the following projects:

- South Service Area Segment 8 Sewer
- 8<sup>th</sup> Street Reconstruction, I-235 to Clegg Road

**Direction:** Committee members approved contractors to work 8am – 5pm on Saturday's and Sunday's

### **4. Review of Items for Council Meeting (March 6, 2023)**

#### **ENGINEERING COUNCIL AGENDA ITEMS:**

##### **CONSENT AGENDA**

#### **Resolution – Ordering Construction Bids: 3/22/23 Eng. Est.: \$354,575.50**

- **2022 Pavement Markings & On-Street Bike Markings Program**  
(0510-004-2022) I+S Group, Inc. 500.000.5250.490 *Road Use Tax Funds*

#### **Resolution – Ordering Construction Bids: 3/22/23 Eng. Est.: \$178,630.00**

- **2022 Parking Lot Repairs Program**  
(0510-010-2022) I+S Group, Inc. 500.000.5250.490 *General Obligation Bonds*

**Resolution – Ordering Construction Bids: 3/22/23 Eng. Est.: \$3,188,383.50**

- **2023 HMA Resurfacing Program**  
(0510-003-2023) I+S Group, Inc. 500.000.000.5250.490 *General Obligation Bonds & Road use Tax*

**Motion – Approving Change Order No. 1 \$69,018.40**

- **South Service Area Segment 8 Sewer**  
(0510-047-2022) S.M. Hentges & Sons, Inc. 640.000.000.5250.490 *Sanitary Sewer Fund*

**Motion – Approving Amendment No. 1 to Professional Services Agreement Resident: \$60,000.00**

- **Blue Creek Stormwater Detention Facilities**  
(0510-048-2019) McClure Engineering Company 660.000.000.5250.495 *Stormwater Revenue*

**Motion – Approving Amendment No. 1 to Professional Services Agreement Basic: \$12,875.00**

- **Law Enforcement Center Garage Conversion & HVAC Improvements**  
(0510-027-2022) Farnsworth Group, Inc. 500.000.000.5250.490 *General Obligation Bonds*

**PUBLIC HEARINGS**

**Resolution – Awarding Contract**

- **Raccoon River East Pedestrian Bridge \$7,856,036.77**  
(0510-030-2018) Herberger Construction Company, Inc. 500.000.000.5250.490 *With the ultimate funding intended to come from Local Option Sales & Service Tax (LOSST), LOSST backed by General Obligation Bonds or General Funds, Private and County Contributions currently pledged at \$1,338,281, Surface Transportation Block Grant (STBG) Set Aside Funds awarded through the Des Moines Area Metropolitan Planning Organization (MPO) in the amount of \$250,000, and Highway Infrastructure Program Funds as part of the 2022 Consolidated Appropriations Act in the amount of \$1,000,000. Grant funding is being administered through the Iowa Department of Transportation (IDOT).*

**Resolution – Awarding Contract \$307,762.40**

- **Valley Junction Alleys Phase 6 & 7**  
(0510-018-2022) All Star Concrete, LLC 500.000.000.5250.490 *General Obligation Bonds*

**Resolution – Awarding Contract \$1,199,558.50**

- **2023 Street Reconstruction**  
(0510-001-2023) Alliance Construction Group, LLC 500.000.000.5250.490 *General Obligation Bonds & Road Use Tax Funds*

**Resolution – Awarding Contract \$774,290.00**

- **Walnut Creek Floodgate Repair**  
(0510-061-2018) Minturn, Inc. 660.000.000.5250.490 *Stormwater Revenue*

PUBLIC SERVICES COUNCIL AGENDA ITEMS:

## CONSENT AGENDA

### **Resolution – Approving Updated 28E Agreement for Street Sweeping for the City of Windsor Heights.**

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

Public Services Director Bret Hodne informed the committee that an update to the 28E agreement with Windsor Heights increasing our street sweeping rates will be on the consent agenda for the next City Council meeting.

City Manager Tom Hadden discussed a bill being proposed at the legislature, SF-34. This bill would eliminate all counties and cities in Iowa abilities to regulate stormwater. He mentioned that Staff would be going to the Capitol to speak with legislative Staff that afternoon regarding the matter.

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

None.

The meeting adjourned at 12:38 pm. The next Public Services Council Committee meeting is scheduled for March 13, 2023.

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