

MEETING MINUTES
PUBLIC SERVICES COUNCIL COMMITTEE

Monday, June 12, 2023

City of West Des Moines Training Room

In Attendance:

Council Member – Matthew McKinney
Council Member – Renee Hardman
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
Deputy Public Services Director – Joe Cory
Principal Engineer – Jason Schlickbernd
Transportation Engineer – Eric Petersen
Engineering Tech – Isaac Svoboda

Guests in Attendance:

Item #1 – John & Diane Austin 106 13th Street

Meeting was called to order at 11:33 AM by City Engineer, Brian Hemesath.

1. Drainage Issues at 106 13th Street (JMS)

Issue Summary:

John Austin (property owner) has filed a complaint stating that his existing building at 106 13th Street gets flooded during heavy rainfall events and has been doing so since the reconstruction of Railroad Avenue in the early 2000's. A rudimentary survey of the existing alley and storm sewer infrastructure confirmed that the building is lower than the surrounding topography.

No storm sewer improvements have previously been completed on the 13th-14th Street alley as part of the Valley Junction Alleys Program, possibly because one or more of the adjacent property owners were not cooperative in granting the necessary temporary construction easements initially. As such, the alley is currently categorized as a Priority 3 (no storm sewer improvements, but in a commercial area) and no work is forecasted for at least the next five years or so.

City Staff are seeking guidance from the Public Services Council Committee members on whether or not this alley should be moved up in priorities given the complaint that was filed. If so, the work could possibly be included with the next alley project to be completed in 2024.

Principal Engineer Jason Schlickbernd explained the complaint. John Austin originally contacted Public Services regarding the property at 106 13th Street taking on water during heavy rainfall events since the reconstruction of Railroad Avenue in 2004. Engineering Services became involved shortly thereafter.

Council Member Renee Hardman inquired about the name of the business.

John Austin responded it was previously Austin Trailer Leasing but currently is used for parking.

Mr. Schlickbernd provided an aerial view of the area along with elevation information that showed a low spot near the back door of the Austin's building. He stated there is not much that Public Services Staff can easily do to solve the water issues. One possibility would be to include the alley with the Valley Junction Alleys Phase 8 Project that is currently being considered for construction in 2024.

City Engineer Brian Hemesath added that this alley was considered with the original Valley Junction Alleys Stormwater Improvements Project but did not make it through the process, more than likely because 100% of the property owners adjacent to the alley were not in favor of the improvements. He explained past direction from the Public Services Council Committee has been that if the stormwater improvements were not originally approved fully by residents, then that alley would not be considered for paving until other higher priority phases of the project were complete.

Mr. Hemesath mentioned that there was a request by residents to pave another alley at the Public Services Council Committee on March 13, 2023. The committee's direction was to continue the current course and residents without stormwater improvements who were requesting adjacent alleys be paved would be done after the current alley projects have been completed.

Diane Austin at 106 13th Street stated that after Railroad Avenue was widened a drain was placed at an elevation where nothing could ever drain to it. Ms. Austin explained they would like the drainage issues addressed and are not asking for the alley to be paved.

Council Member Matthew McKinney asked Staff if they were aware of the drain that was installed too high to be used for drainage.

Mr. Schlickbernd responded that there is a drain towards the south end of the alley that is too high and could potentially be modified.

Mr. Austin stated that when Railroad Avenue was raised to meet Fuller Road the grade was changed and since that time his property has been taking on more water.

City Manager Tom Hadden was supportive of moving forward with alley improvements and suggested the policy for Valley Junction Alley's needing 100% approval be re-evaluated.

Mr. Schlickbernd provided some background on the decision made by Council to require 100% approval. He stated that the City was choosing to invest a lot of money in the stormwater and alley improvements so the City Council believed that should be a partnership, with property owners conveying the easements at no cost to the City. He pointed out that if the City had to go to condemnation, we would have to offer fair market value.

Council Member McKinney commented on the subject of paving alleys in Valley Junction coming before the subcommittee several different times and the fact that a policy was developed to sequence the stormwater and paving improvements in a cost-effective way. He stated he wants to be consistent and also find a way to help the Austin's and posed the possibility of an intermediate solution modifying the current drainage pipe.

Mr. Hemesath responded that Staff could proceed with stormwater improvements only for the alley and that would likely help this situation.

Assistant City Attorney Greta Truman clarified that the City is not actively doing anything to contribute to the flooding on the property at 106 13th Street and Staff was not able to confirm that changes made to Railroad Avenue are the cause of their flooding but there are things the City can likely do to help relieve some of the flooding.

Council Member McKinney asked if stormwater improvements were completed for the alley would the work include preparing the alley for paving in the future, and if there would be a significant cost difference between doing the stormwater now and paving in the future versus completing the stormwater and paving at the same time.

Mr. Hemesath responded it would include some additional costs to put down and remove rock as well as possible subgrade preparation under the concrete.

Ms. Truman inquired if condemnation would be required to complete any of the stormwater improvements.

Mr. Hemesath explained that we wouldn't have the details on what easements would be required until the project was designed.

Mr. Schlickbernd added that the properties we would likely need authorization to access would be the car wash and a property located just north of Railroad Avenue on the east side of the alley owned by Ms. Rodish, noting that Ms. Rodish did sign originally but due to the time frame we would need to have her sign again. Mr. Schlickbernd did not find any signed paperwork for the car wash or the property at 106 13th Street.

Ms. Austin stated they signed documents for the carwash and would locate those documents to provide to the City, but possibly there was something that came up during negotiations that kept them from submitting the signed documents to the City.

Council Member Hardman asked for the City's recommendation.

City Engineer Brian Hemesath stated Staff's recommendation is to leave the alley as is or proceed with stormwater improvements only. Adding that paving would be sensitive for others who have asked for their alleys to be paved and haven't been considered.

Council Member McKinney expressed his support for stormwater improvements only but also making sure the alley was ready for future paving.

Council Member Hardman was also in support of stormwater improvements only.

Mr. Austin asked if he would be informed of what improvements would be done and how.

Mr. Hemesath explained that he would be informed, and that permission of the property owner would be required.

Direction: Committee members would like Staff to move forward with stormwater improvements only and make sure the alley would be ready for paving in the future.

2. **Iowa DOT Regional Projects Update (ERP) – deferred**
3. **Ordinance Amendment – MS4 Quarterly Site Visit Fee Structure (BJH) - deferred**
4. **Review of Items for Council Meeting (June 19, 2023)**

ENGINEERING COUNCIL AGENDA ITEMS:

CONSENT AGENDA

Resolution – Accepting Public Improvements

- Stonewood Plat 1

Motion – Approving Change Order No. 1

- **Digital Enterprise Conduit Deployment Segment 5 Phase 3**
(0510-075-2021) Kramer Service Group 670.000.000.5250.490 *General Obligation Bonds*

Resolution – Approving Professional Services Agreement \$150,000.00

- **Construction Testing Services**
(0030-023-2023) TEAM Services 500.000.000.5250.495 *Funding Sources Will Vary*

Resolution – Approving Professional Services Agreement \$148,500.00

- **Westown PCP Drainage Basin 9 Improvements**
(0510-019-2023) Snyder & Associates 660.000.000.5250.490 *Stormwater Fee*

Resolution – Accepting Work \$360,932.27

- **2021 City Parking Lot Repairs**
(0510-043-2021) Caliber Concrete 500.000.000.5250.490 *General Obligation Bonds*

Resolution – Approving Property Acquisition at 1900 Ashworth Road

- **Ashworth Road Reconstruction, 19th Street to 23rd Street**
(0510-050-2021)

PUBLIC HEARINGS

Resolution – Awarding Contract \$312,437.75

- **High Street Storm Sewer Improvements**
(0510-032-2020) Absolute Group 660.000.000.5250.490 *Stormwater Fee*

PARKS & RECREATION COUNCIL AGENDA ITEMS:

CONSENT AGENDA

Resolution – Accepting Work

- **Valley Junction Trail Connection Project**
Jasper Construction

Resolution – Accepting Work

- **Playground Equipment Replacement Project, Peony, Scenic Valley, and Willow Springs Parks**
Caliber Concrete

5. Staff Updates:

None

6. Other Matters:

Council Member Renee Hardman inquired about the Honorary Roadway Naming process and asked Public Services Director Bret Hodne along with his Staff to work with the Long family regarding the installation of the street sign. Public Services Deputy Director Joe Cory explained the mockup design of the sign has been created and submitted to Dr. Vickie Long-Hill for review.

Public Services Director Bret Hodne added that Staff will work with the family regarding the date and time for the installation of the street sign.

The meeting adjourned at 12:13 pm. The next Public Services Council Committee meeting is scheduled for June 26, 2023.

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