

★ **Roll Call Number**

Agenda Item Number

49

.....
Date June 25, 2012

**INFORMAL HEARING ON CONSTRUCTION OF THE
E. PARK AVENUE SIDEWALK FROM S.E. 14th STREET TO S.E. 18th COURT**

WHEREAS, on August 29, 2011, by Roll Call No. 11-1532, the City Council approved a revised assessment policy for new sidewalk construction, wherein sidewalks that meet multiple criteria would be considered High Priority Sidewalks and would be exempt from assessment to the abutting property owners; and

WHEREAS, on August 29, 2011, by Roll Call No. 11-1533, the City Council authorized the City Manager to proceed with a High Priority Sidewalk project on the south side of E. Park Avenue from S.E. 14th Street to S.E. 18th Court; and

WHEREAS, preliminary design has determined that the construction of the High Priority Sidewalk on the north side of E. Park Avenue from S.E. 14th Street to S.E. 18th Court would have lesser impact to the abutting property owners; and

WHEREAS, an information notice was sent to adjoining property owners advising them of the project, that the project would not be assessed to them and that they would be responsible for future maintenance and repair costs of the sidewalk; and

WHEREAS, the information notice further advised the adjoining property owners of an informal hearing on the project on June 25, 2012 at 5:00 p.m. in the City Council Chambers.

(Continued on Page 2)

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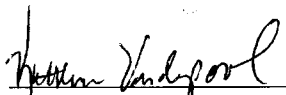
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa:

1. That the informal hearing on the construction of the E. Park Avenue Sidewalk from S.E. 14th Street to S.E. 18th Court to allow property owners to express their opinions either for or against the project is hereby closed and all comments are hereby received and filed.
2. That the City Manager be and is hereby authorized to proceed with the preparation of plans and specifications for the construction of the E. Park Avenue Sidewalk from S.E. 14th Street to S.E. 18th Court as a high priority sidewalk.

(Activity ID 09-2011-007)

Moved by _____ to adopt.

FORM APPROVED:



 Kathleen Vanderpool
 Deputy City Attorney

JB

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
TOTAL				

MOTION CARRIED APPROVED

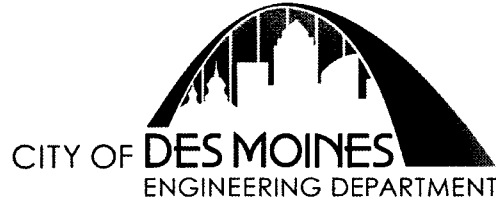
 Mayor

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

 City Clerk



INFORMATION NOTICE

On August 29, 2011, by Roll Call No. 11-1533, the Des Moines City Council authorized City staff to proceed with the construction of a sidewalk project on E. Park Avenue from S.E. 14th Street to S.E. 18th Court as a high priority sidewalk, and that the construction cost will not be assessed to the adjoining property owners. Also on August 29, 2011, by Roll Call No. 11-1532, the Des Moines City Council approved a revised Assessment Policy for New Sidewalk Construction to include high priority sidewalk, which is based on multiple criteria. High priority sidewalk construction will not be assessed to the adjoining property owners and the City of Des Moines will be responsible for the construction cost. However, per City Code, the property owner will be responsible for all future maintenance and repair costs of the sidewalk.

The purpose of this letter is to inform you of an important meeting that will be held as follows:

INFORMAL CITY COUNCIL HEARING - Monday, June 25, 2012
5:00 p.m.
City Council Chambers
City Hall
400 Robert D. Ray Drive

The City Council will hold this Informal Hearing on the above date to allow property owners to express their opinions either for or against construction of the sidewalk proposed. At the completion of this Informal Hearing, the City Council will review the presentations and make a decision whether construction of the proposed sidewalk should proceed. All written comments or petitions either for or against the sidewalk should be directed to the attention of Jeb Brewer, City Engineer, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa, 50309-1891, prior to June 20, 2012, so that the information can be tabulated and submitted to the City Council for its consideration at the June 25, 2012 Informal Hearing. The City Council gives final authorization to proceed with the proposed improvements at this meeting.

PROJECT DESIGN AND CONSTRUCTION

The sidewalk project will be designed the summer of 2012. Construction will begin the fall of 2012 and will be completed spring of 2013.

A. Right-of-way and Easements

In cases where the City right-of-way needs to be graded for construction of the sidewalk, temporary slope easements on private property are obtained in order to re-grade the driveway and yards to meet the new sidewalk grade. Property owners will be contacted by the Engineering Department's Real Estate Division when easements or additional rights-of-way are required.

Existing improvements within the easement areas on private property such as sod, driveways, walks, walls, fences, etc., which will be disturbed by construction are either included in the

sidewalk contract for replacement by the Contractor or the property will be compensated for these items with the right-of-way or easement purchase.

The Real Estate Coordinator will make it clear, at the time of easement purchase, which items are included in the sidewalk contract for replacement and which items are not. The Contractor will sod the parking and graded areas within the easement area.

It is a City Council policy not to compensate property owners for any improvements located within the City right-of-way of existing streets. These improvements include such items as trees, shrubs, fences, and other improvements located within City right-of-way which may be disturbed by construction.

B. Access During Construction

Sidewalk construction cannot take place without inconvenience. However, the City will do what it can to minimize the inconvenience; and the property owners' cooperation and understanding in this matter are appreciated. Residential driveways that do not already have sidewalk sections will have to be closed a minimum of 1-2 weeks for the Contractor to complete their work and for the concrete to acquire the necessary strength to drive on. You will have to make arrangements to park your vehicles at other locations or on the street while your driveway is closed. Access to commercial properties will be maintained at all times by closing only one driveway at a time if more than one driveway exists, or by other methods, such as a temporary driveway, if only one driveway is available.

If you have special problems requiring access, such as medical treatment for handicapped persons, please contact the Engineering Department prior to construction activities so that the work may be coordinated or arrangements may be made to solve these problems.

Enclosed is a map of the proposed sidewalk. If you desire additional information, please telephone Roger Joanning of my department at 283-4076. Roger is normally available from 8:00 a.m. to 4:30 p.m.

Sincerely,



Jeb Brewer, P.E.
City Engineer

JB:cbm