CHAPTER 136

SIDEWALK REGULATIONS

136.01 PURPOSE

The purpose of this ordinance is to promote the health, safety and general welfare of the City of Windsor Heights, and to ensure compliance with the following goals in accordance with the City of Windsor Heights Complete Street Policy passed on July 6, 2015:

1. Promoting the safety of pedestrian access, movement, and protection for the physically able, physically challenged, children or seniors (or variously-abled) within the community;

2. Insuring that the ADA guidelines are met for all sidewalk or pathway installations, existing and proposed;

3. Promoting attractive and well-constructed sidewalks or pathways that correspond to the character, aesthetic qualities, natural, environmental, and historical features of developing or existing neighborhoods;

4. Connecting to existing and projected sidewalks or pathways whenever the opportunity arises to insure an interconnected pedestrian system;

5. Insuring that all development actively implements the building of sidewalks or pathways for new construction, reconstruction, or rehabilitation.

136.02 DEFINITIONS. For use in this chapter the following terms are defined:

1. "Pedestrian Friendly" or "walkability" means the presence of facilities and design features that make an environment safe and attractive to pedestrians. These include: walkable distances between uses, (i.e. under ¼ mile); sidewalks, paths and walkways; continuous visual interest (i.e. uninterrupted line of buildings, attractive barrier in front of parking lots, murals on blank walls, infill development, pocket parks, etc.); consumer uses (i.e. restaurants, shops, cinemas, housing); trees for shade; awnings for shelter; buildings and landscaping elements sited to avoid wind tunnel effect, and to provide sheltered areas; visual texture in the streetscape (i.e. interesting storefronts, public art, plantings, pavement patterns, etc.); people presence (i.e. sidewalk cafes, street vendors, late business hours, residents using front porches and yards); good maintenance and inclusion of site amenities; buffers between cars and pedestrians (i.e. planted medians, on-street parking, grade separation); paths connecting adjacent uses; crosswalks and ramps; traffic calming devices; traffic lights.
2. "Crosswalk" means any portion of a roadway at an intersection or elsewhere that is distinctly indicated for pedestrian crossing. If there is no marking, a sidewalk crossing is implied at each leg of every intersection by the extension of the lateral lines of the sidewalk on each side, or where the sidewalk would be if there is none.

~~1.~~3. "Broom finish" means a sidewalk finish that is made by sweeping the sidewalk when it is hardening.

~~2.~~4. "Wood float finish" means a sidewalk finish that is made by smoothing the surface of the sidewalk with a wooden trowel.

~~3.~~5. "Defective sidewalk" means any public sidewalk exhibiting one or more of the following characteristics (Appendix "B"):

a. Sidewalk faulted at joint or crack with 1 inch or more deflection;
b. Sidewalk raised more than 2 inches in 8 feet from normal profile line of sidewalk;
c. Sidewalk sunken more than 2 inches in 8 feet from normal profile line of sidewalk;
d. Sidewalk cracked into 3 or more pieces per panel, or any single crack with ½ inch or greater openings;
e. Sidewalk cracked and/or spalled (small crater line holes deeper than 3/8 inch with part of sidewalk missing, forming holes deeper than 3/8 inch;
f. Sidewalk cross slope is incorrect, greater than 1 inch in 1 foot; and,
g. Sidewalk ~~not present~~is missing panels.

~~4.~~6. "Established grade" means that grade established by the City for the particular area in which a sidewalk is to be constructed.

~~5.~~7. "One-course construction" means that the full thickness of the concrete is placed at one time, using the same mixture throughout.

~~6.~~8. Owner" means the person owning the fee title to property abutting any sidewalk and includes any contract purchaser for purposes of notification required herein. For all other purposes, "owner" includes the lessee, if any

~~7.~~9. "Portland cement" means any type of cement except bituminous cement.

~~8.~~10. "Sidewalk" means all permanent public walks in business, residential or suburban areas. Sidewalks should be a minimum of 4 feet (5 feet recommended) in residential areas and a minimum of 8 feet in commercial areas.

~~9.~~11. "Sidewalk improvements" means the construction, reconstruction, repair, replacement, or removal, of a public sidewalk and/or the excavating, filling or depositing of material in the public right-of-way in connection therewith.

~~10.~~12. "Shared use path" means a paved pathway, typically from eight (8) to twelve (12) feet in width, physically separated from motorized vehicular traffic within the roadway right-of-way or within an easement adjacent to the roadway right of way. Primarily used by pedestrians and bicyclists, shared use paths are also used by joggers, skaters, wheelchair users (both nonmotorized and motorized). A shared use path's primary purpose is to provide pedestrians with connections to trails, other neighborhoods, shopping centers, businesses and other venues of interest. In addition, the shared use path may be used for recreational purposes.

~~11.~~13. "Bicycle/recreational trail" means a PCC, blacktop or gravel bicycle/recreational route developed primarily for outdoor recreational purposes. Trails are largely designed for pedestrians and other users to "experience" the outdoors and may be used by a variety of users, but they are not primarily designed for transportation purposes. Bicycle trails within the city of Windsor Heights should be constructed at a minimum of ten (10) feet in width with a preferred width of twelve (12) feet whenever possible.

14. "Trailhead" means an outdoor system developed to serve as an access point to a bicycle/recreational trail which generally includes an area to park vehicles and typically is a beginning or ending point of a bicycle/recreational trail. The junction of two or more trails, where no other access point is provided to the trails, is not a trailhead.

~~12.~~15. "Mature tree" means any tree with a diameter at breast height of 10 inches or greater.

136.03~~2~~ REMOVAL OF SNOW, ICE, AND ACCUMULATIONS. The abutting property owner shall remove snow, ice, and accumulations promptly from sidewalks. If a property owner does not remove snow, ice, or accumulations within 48-hours following the conclusion of the weather event, the Public Works Director will provide a 24-hour notice in the door. Following the 24-hour notice the Public Works Director may have the natural accumulations of snow or ice removed ~~without notice to the property owner. The Public Works Director~~ and shall give the Council an itemized and verified statement of the costs and a legal description of the property. The costs shall be assessed against the property as taxes. The abutting property owner may be liable for damages caused by failure to remove snow, ice, and accumulations promptly from the sidewalk. Under extreme weather conditions, the Public Works Director may provide additional time for abutting property owners to removes snow, ice, and accumulations from the sidewalk.

(Code of Iowa, Sec. 364.12[2b & e])

136.04~~3~~ PROPERTY OWNER'S RESPONSIBILITY FOR MAINTENANCE. The abutting property owner shall repair, replace, or reconstruct, or cause to be repaired, replaced, or reconstructed, all broken or defective sidewalks and maintain in a safe and hazard-free condition any sidewalk outside the lot and property lines and inside the curb lines or, in the absence of a curb, any sidewalk between the property line and that portion of the public street used or improved for vehicular purposes (Appendix "C"); provided, however, that this section shall not be construed to require a property owner to take any action with respect to a public side walk or shared use path when said action is made necessary by the excavation or other activity of the city or a public utility. The abutting property owner may be liable for damages caused by failure to maintain the sidewalk.

The abutting property owner will not be responsible for the cost of installing ADA ramps. In situations where ADA ramps are required the portion of the cost associated with the ramp ~~will be covered by~~is the economic responsibility of the City.

136.05~~4~~ ANNUAL INSPECTION ZONES. The City will be responsible for inspecting the public sidewalks on a Five (5) year cycle within the city. These inspections shall be made to determine if any of the public sidewalks within a particular zone of the city are defective as defined. The City will be divided into five zones as designated in (Appendix "A"). When a sidewalk defect is found to exist outside of the annual inspection zone, the City will initiate appropriate action as directed by this policy to have the sidewalk reconstructed.

The annual inspections will occur on the following timeline:

a) ~~June 30th~~August – designated zone sidewalk inspections completed
b) ~~July 7-15~~August 31 - Notifications mailed to property owners ~~and 75 day initiated~~
c) October – April – property owner requests bids for repairs and selects contractor
d) May 1 – seventy-five day initiated from May 1.
~~b)~~e) July 15 – deadline for property owners to complete sidewalk repair.
~~c)~~f) ~~October 1 – November 30~~July - October – ~~Eight weeks~~three months for city to coordinate and schedule uncompleted repairs

(Code of Iowa, Sec. 364.12[2c])

136.06~~5~~ CITY SHALL ORDER REPAIRS. If the abutting property owner does not maintain sidewalks as required, the Public Works Director shall serve notice on such owner, by certified mail, requiring the

owner to repair, replace or reconstruct sidewalks within seventy-five (75) days from the date the notice is mailed. . If, upon expiration of the 75 days as provided in said notice, the required work has not been done or is not in the process of completion, the Public Works Director Shall require the work to be done and assess the costs against the abutting property for collection in the same manner as a property tax. No such assessment shall be made for the repair, reconstruction or replacement of a public sidewalk unless the city has served upon the person shown by the records of the Polk County recorder to be the owner of the abutting property, by certified mail, a notice requiring said person to repair, reconstruct or replace the public sidewalk within seventy five (75) days from the date said notice is mailed. All sidewalk improvements shall be performed under the supervision and inspection of the Public Works Director.

If work has not commenced following the 75 day notice, the sidewalk will be placed on a list for repair and the City's contractor notified to proceed with the repairs. Upon completion of the repair the property owner will be sent by regular mail an invoice of the actual cost of the repair with no administration fee. The property owner will have 30 days to pay the invoice. If the invoice is not paid within 30 days, the amount will be certified to the County Auditor to be added to the owner's property taxes.

Any unpaid costs for said repairs over $500 will be assessed and collected in the same manner as property taxes. There shall be returned to the City Council an itemized assessment schedule, verifying expenditures used in doing such work, and the legal description of the lots, or tract of ground abutting the sidewalk on which such work has been performed. Assessments may be spread over a ten-year period at an interest rate of 2% over current bank rates. Any costs less than $500 will be assessed in one installment. There will also be a $50 administrative fee if costs are assessed against the property.

The Public Works Director does not have the authority to assess property owners in cases where there is not an existing sidewalk. New sidewalk installation is the sole discretion of the Council. No openings in the streets, alleys, sidewalks or public ways shall be permitted between November 15th and April 15th except where it is determined by the Director of Public Services or their designee to be an emergency excavation.

(Code of Iowa, Sec. 364.12[2d & e])

136.07~~6~~ NOTICE OF INABILITY TO REPAIR OR BARRICADE. It is the duty of the owner of the property abutting the sidewalk (or of the contractor or agent of the owner) to notify the City immediately in the event the owner is unable to make necessary sidewalk improvements or to install or erect warnings and barricades as required by this chapter.

136.08~~7~~ ECONOMIC HARDSHIP PROCESS. To be eligible for an economic hardship waiver, the applicant must have a recorded legal or equitable title to the parcel and have an adjusted annual income that is at or below 80 percent of the median income guidelines for the Des Moines Metropolitan Statistical Area as established by the U.S. Department of Housing and Urban Development Block Grant (CDBG) programs (called median income guidelines) for the year in which the resolution of necessity for construction, reconstruction, or repair of the public improvement is approved by the city council. Any residential property owner seeking to qualify for economic hardship of sidewalk repair must meet the defined criteria as illustrated in (Appendix "E").

136.09~~8~~ SIDEWALK CONSTRUCTION ORDERED. Based on Iowa Law, the Council may order the construction of permanent sidewalks upon any street or court in the City and may specially assess the cost

of such improvement to abutting property owners in accordance with the provisions of Chapter 384 of the Code of Iowa. The abutting property owner will not be responsible for the cost of installing ADA ramps. In situations where ADA ramps are required the portion of the cost associated with the ramp is the economic responsibility of the City.

(Code of Iowa, Sec. 384.38)

136.10~~09~~ STANDARD SIDEWALK SPECIFICATIONS. The ~~Public Works Director~~City Engineer shall prepare complete plans and specifications for the construction, reconstruction, and repair of sidewalks and driveway crossings in sidewalks, which, upon approval of the Council, shall be kept on file in the office of the Clerk. The specifications shall include descriptions and location of barricades and warning lights. All sidewalk improvements on public property, whether performed by the owner of the abutting property or by the City, shall be performed under the supervision of and subject to inspection by the Public Works Director, and in accordance with the plans and specifications adopted in accordance with this chapter (Appendix "D").

136.11~~0~~ PERMITS FOR CONSTRUCTION OR REPAIR. No person shall make any sidewalk improvements unless such person shall obtain a permit from the Public Works Director. ~~(Appendix "F").~~ The permit shall state that the person will comply with the ordinances of the City and with the specification for sidewalks adopted by the City. The permit also shall state that the work will be done under the direction and approval of the Public Works Director. All such permits shall be issued upon payment of sidewalk construction or repair fee. A copy of such permit shall be filed and preserved in the office of the Public Works Director. The permit shall state when the work is to be commenced and when the work is to be completed. The time of completion for the sidewalk improvements may be extended by the City Engineer. All permits for sidewalk improvements not ordered by resolution of the City Council shall be issued in compliance with this chapter. The Public Works Director may withhold the issuance of any permit for any sidewalk improvements for a sufficient period to determine the necessity for the proposed improvements or when weather conditions will adversely affect the sidewalk improvements. The person who makes a sidewalk construction or repair permit application shall pay a permit fee to the Clerk to cover the cost of issuing the permit and supervising, regulating, and inspecting the work. All permit fees under this chapter shall be fixed and determined by the Council, adopted by resolution, and uniformly enforced. Such permit fees may, from time to time, be amended by the Council by resolution. A copy of the resolution setting forth the currently effective permit fees shall be kept on file in the office of the City Administrator, and be open to inspection during regular business hours.

136.12~~1~~ FAILURE TO OBTAIN PERMIT; REMEDIES. Whenever any sidewalk improvements are made that do not conform to the provisions of this chapter and with the specifications, or when any sidewalk improvements are made without a permit, the Public Works Director shall serve notice to obtain a permit upon the property owner and upon the contractor doing the work. If the sidewalk is in the course of construction, the notice shall order the work to stop until a permit is obtained and the work is corrected to comply with the specifications. If the sidewalk work has been completed, the owner shall obtain a permit immediately and perform any needed corrections within five days from receipt of the permit. If the owner fails to comply with this notice, the Public Works Director shall have the work completed and the costs assessed to the property owner.

136.13~~2~~ INSPECTION AND APPROVAL. Upon final completion, the Public Works Director shall inspect the work. The Public Works Director may order corrections if the work does not meet specifications. When

the work does meet all requirements of this chapter, the specifications, and the permit, the Public Works Director shall indicate this on both copies of the permit.

136.14~~3~~ BARRICADES AND WARNING LIGHTS. Whenever any material of any kind is deposited on any street, avenue, highway, passageway or alley when sidewalk improvements are being made or when any sidewalk is in a dangerous condition, it shall be the duty of all persons having an interest therein, either as the contractor or the owner, agent, or lessee of the property in front of or along which such material may be deposited, or such dangerous condition exists, to put in conspicuous places at each end of such sidewalk and at each end of any pile of material deposited in the street, a sufficient number of approved warning lights or flares, and to keep them lighted during the entire night and to erect sufficient barricades both at night and in the daytime to secure the same. The party or parties using the street for any of the purposes specified in this chapter shall be liable for all injuries or damage to persons or property arising from any wrongful act or negligence of the party or parties, or their agents or employees or for any misuse of the privileges conferred by this chapter or of any failure to comply with provisions hereof.

136.15~~4~~ INTERFERENCE WITH SIDEWALK IMPROVEMENTS. No person shall knowingly or willfully drive any vehicle upon any portion of any sidewalk or approach thereto while in the process of being improved or upon any portion of any completed sidewalk or approach thereto, or shall remove or destroy any part or all of any sidewalk or approach thereto, or shall remove, destroy, mar or deface any sidewalk at any time or destroy, mar, remove or deface any notice provided by this chapter.

136.16~~5~~ DETERMINING LOCATION OF NEW SIDEWALKS. The decision as to where to place new sidewalks, including the side of the street and placement in relation to the curb, should be made at the ~~discretion~~ recommendation of the city engineer and should be based on a number of factors including environmental constraints and costs considerations. The design of sidewalks, necessary retaining walls, and materials will be subject to discussion at a public meeting prior to council providing final approval.

When constructing new sidewalks every effort should be made to limit the number of mature trees removed during the construction process. If a property owner wishes to save a mature tree that otherwise would need to be removed to allow for the sidewalk, that property owner may choose to have the tree saved by providing an easement for the sidewalk to go around the tree. This easement would be provided at no cost to the city. The city is not responsible for replacing or compensating property owners for any landscaping located within the public right-of-way that is removed to allow for the installation of sidewalks.

136.17~~6~~ ENCROACHING STEPS. It is unlawful for a person to erect or maintain any stairs or steps to any building upon any part of any sidewalk without permission by resolution of the Council.

136.18~~7~~ OPENINGS AND ENCLOSURES. It is unlawful for a person to:

1. Stairs and Railings. Construct or build a stairway or passageway to any cellar or basement by occupying any part of the sidewalk, or to enclose any portion of a sidewalk with a railing without permission by resolution of the Council.
2. Openings. Keep open any cellar door, grating, or cover to any vault on any sidewalk except while in actual use with adequate guards to protect the public.
3. Protect Openings. Neglect to properly protect or barricade all openings on or within six (6) feet of any sidewalk.

136.19~~8~~ FIRES OR FUEL ON SIDEWALKS. It is unlawful for a person to make a fire of any kind on any sidewalk or to place or allow any fuel to remain upon any sidewalk.

136.20~~19~~ DEFACING. It is unlawful for a person to scatter or place any paste, paint, or writing on any sidewalk.

(Code of Iowa, Sec. 716.1)

136.21~~0~~ DEBRIS ON SIDEWALKS. It is unlawful for a person to throw or deposit on any sidewalk any glass, nails, glass bottle, tacks, wire, cans, trash, garbage, rubbish, litter, offal, or any other debris, or any substance likely to injure any person, animal, or vehicle.

(Code of Iowa, Sec. 364.12[2])

136.22~~1~~ VEGETATION OVERGROWTH ON SIDEWALK. It is the responsibility of the abutting property owner to make sure that there is no vegetative overgrowth encroaching on the sidewalk. This includes grass encroaching onto the sidewalk thereby reducing the walkway width as well as keeping bushes and shrubs trimmed so that no part of the plant is encroaching on the sidewalk space. Tree branches should be a minimum of eight (8) feet above the level of the sidewalk.

136.23~~2~~ MERCHANDISE DISPLAY. It is unlawful for a person to place upon or above any sidewalk, any goods or merchandise for sale or for display in such a manner as to interfere with the free and uninterrupted passage of pedestrians on the sidewalk; in no case shall more than three (3) feet of the sidewalk next to the building be occupied for such purposes.

136.24~~3~~ SALES STANDS. It is unlawful for a person to erect or keep any vending machine or stand for the sale of fruit, vegetables or other substances or commodities on any sidewalk without first obtaining a written permit from the Council.

APPENDIX A

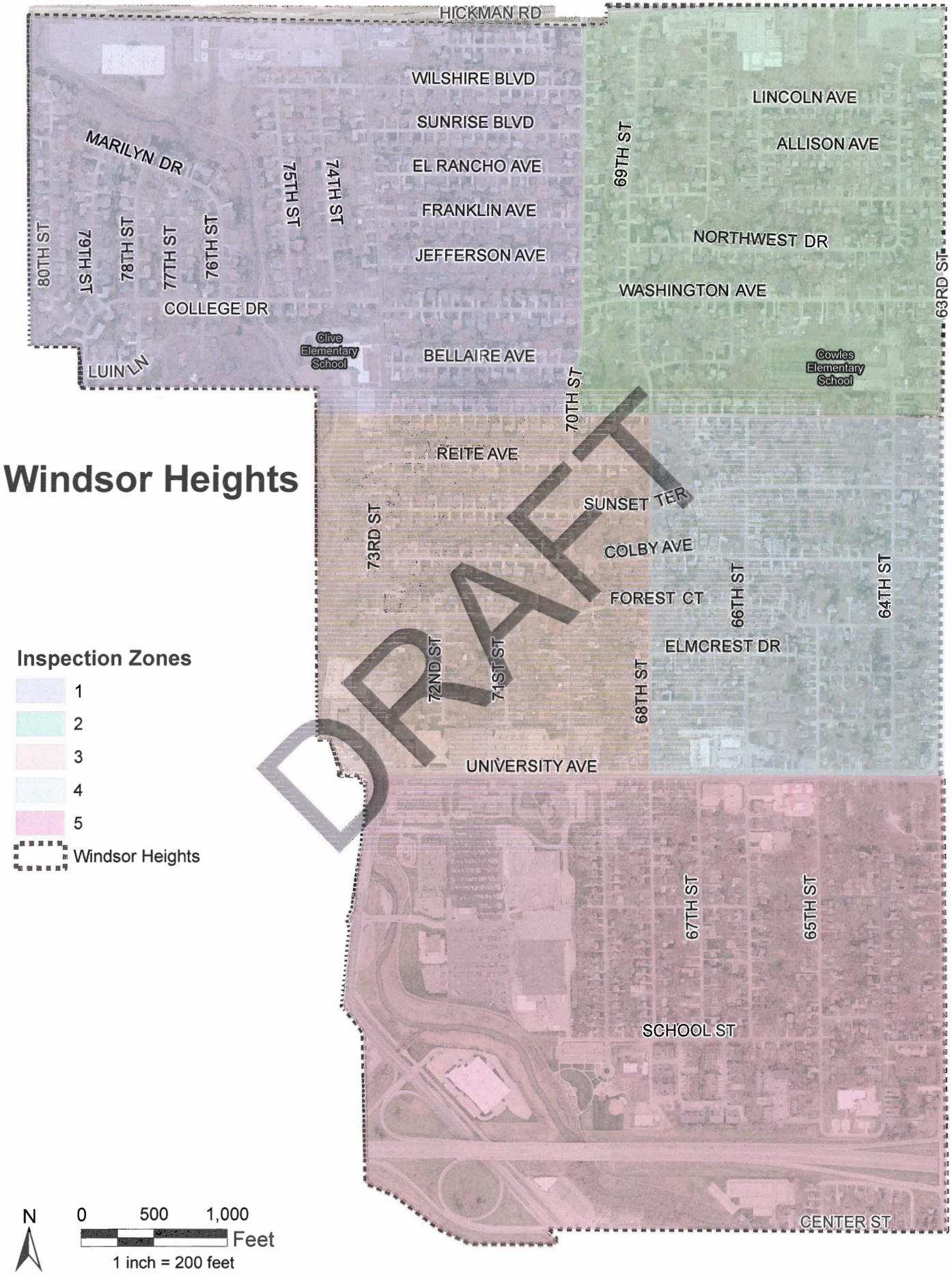
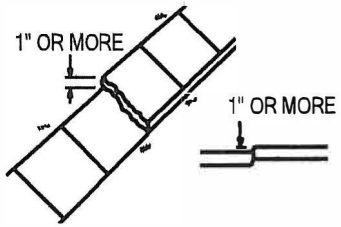
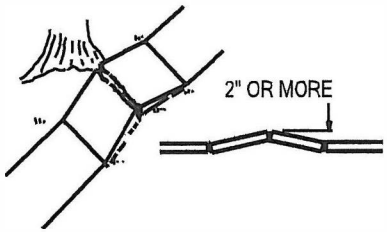

Windsor Heights
HICKMAN RD
WILSHIRE BLVD
SUNRISE BLVD
EL RANCHO AVE
FRANKLIN AVE
JEFFERSON AVE
BELLAIRE AVE
MARILYN DR
80TH ST
79TH ST
78TH ST
77TH ST
76TH ST
75TH ST
74TH ST
COLLEGE DR
LUIN LN
Clive Elementary School
LINCOLN AVE
ALLISON AVE
NORTHWEST DR
WASHINGTON AVE
69TH ST
63RD ST
Cowles Elementary School
70TH ST
REITE AVE
SUNSET TER
COLBY AVE
FOREST CT
ELMCREST DR
73RD ST
72ND ST
71ST ST
68TH ST
66TH ST
64TH ST
UNIVERSITY AVE
67TH ST
65TH ST
SCHOOL ST
CENTER ST
DRAFT
Inspection Zones
1
2
3
4
5
Windsor Heights
N
0
500
1,000
Feet
1 inch = 200 feet

FIGURE "A"



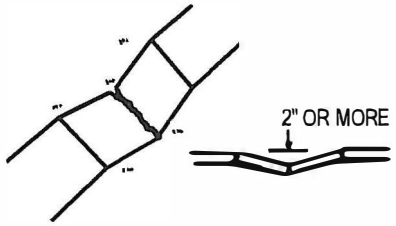
"A" Sidewalk faulted at joint or crack with 1" or more deflection.

FIGURE "B"



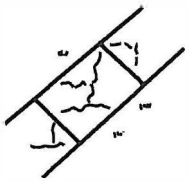
"B" Sidewalk raised more than 2" in 8 ft. from normal profile line of sidewalk.

FIGURE "C"



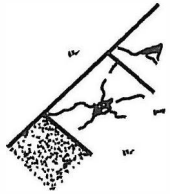
"C" Sidewalk sunken more than 2" in 8 ft. from normal profile line of sidewalk.

FIGURE "D"



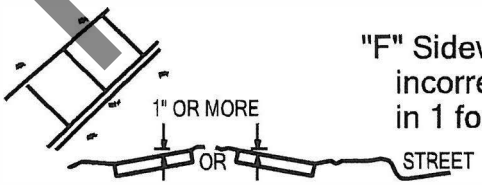
"D" Sidewalk cracked into 3 or more pieces per panel, or any single crack with 1/2" or greater openings.

FIGURE "E"



"E" Sidewalk cracked and/or spalled (small crater like holes deeper than 3/8") with part of sidewalk missing, forming holes deeper than 3/8".

FIGURE "F"



"F" Sidewalk cross slope is incorrect, greater than 1" in 1 foot.

FIGURE "G"

"G" Missing Panels.

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SIDEWALK REPAIR "HOW-TO" GUIDE

Thank you for reviewing the Sidewalk Repair "How-To" Guide. It contains valuable information on completing the necessary corrections to your sidewalk.

A. How to get started:

Examine the markings on your abutting sidewalk:

1. **White paint represents panels that need to be removed and replaced**. If your panel is raised, creating a 1" fault, slab lifting is an alternative option. However, if the panel is cracked or cracks during the slab lifting process, the panel will be required to be replaced. Filling, leveling or ramping of deficiencies with concrete or asphalt material is not an acceptable repair method and will not be allowed.
2. **Review** the Sidewalk Inspection letter thoroughly for pictures and the estimated square footage in need of repair to insure it matches.
3. **Calculate the deadline**: You have **75 days** from May 1st to make repairs utilizing your own contractor or notify the City to make the needed repairs checking appropriate box on the enclosed permit application.

B. A sidewalk permit application is required to work on the sidewalk. Regardless of who will be doing the work, the application must be turned in prior to commencing replacement or slab lifting. A permit application is included with this packet.

C. Sidewalk installation or panel replacement steps:

1. **The sidewalk contractor or property owner must contact IOWA ONE CALL-prior to any sidewalk construction**. http://www.iowaonecall.com/A notice must be given to IOWA ONE CALL 1-800-292-8989 at least forty-eight (48) hours prior to the commencement of your project, excluding Saturdays, Sundays and legal holidays. There is no fee for the service.
2. **The sidewalk contractor or property owner needs to contact the City to schedule a sidewalk installation (pre-pour) inspection 24 hours prior to pouring any concrete**. A City inspector will review the layout and forms to ensure compliance with the minimum Sidewalk Installation Design Standards. Please remember that once sidewalk removal has occurred, barricades need to be installed for the safety of pedestrians until the new sidewalk is completed.
3. **Upon an approved installation (pre-pour) inspection the sidewalk may be poured and finished**. Following the concrete placement and finishing, the sidewalk shall be backfilled with clean dirt and sod. Sidewalk removal, replacement and backfill process should take place within a 14 day period of time.
4. **Once the sidewalk has been poured and finished, the forms removed, the sidewalk has been backfilled, sod applied to the disturbed areas, and any construction debris has been removed, a final inspection needs to occur.** Contact the City to report that the installation has been completed and a City inspector will review the property.

Inspections are available Monday – Friday 7:30 AM - 2:30 PM, by calling 515-279-3662

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SIDEWALK REPAIR & DESIGN INSTALLATION STANDARDS

1. The 4' wide public sidewalk thickness shall be 4" (minimum) of Portland cement concrete, NOT LESS than 4000 psi concrete mix is required. Where the sidewalk crosses the driveway, the thickness shall be 6" (minimum) or the thickness of the driveway, whichever is greater. Sidewalks are generally divided into 4'x4' panels, except through driveway approaches where they may be longer. Partial panel replacements are not allowed.
2. Transverse expansion joints shall be installed whenever sidewalk is placed where the sidewalk meets the driveway and at a property line. Expansion joints shall also be placed along longitudinal joint between the sidewalk and all sides of the driveway.
3. Expansion joints shall be constructed by installing a 1/2 inch thick strip of non-extruded, pre-molded joint material for the full depth of the concrete. Any expansion joint material protruding above the finished work shall be carefully trimmed to the level of the abutting concrete.
4. Contraction joints for sidewalks may be either sawed or formed by a hand jointer or groover tool with less than 1 /2 inch width. In lieu of forming, joints may be sawed with a 1/8 inch blade saw to a depth of 1/3 the pavement thickness. The spacing of the contraction joints will equal the width of the sidewalk.
5. Sidewalk panels that contain a fault of 1" or greater and are without cracks, mud jacking (leveling) may be an option. A uniform horizontal and vertical alignment with all adjoining slabs shall be required. However, if the panel is cracked or cracks during the slab lifting process, the panel will be required to be replaced. Grinding of the fault area is not permitted.
6. It is not an acceptable manner of repair to lay in patch material. Filling, leveling or ramping of deficiencies with a concrete or asphalt type material is not an acceptable repair method and will not be allowed. Contact the City Inspector for more information.
7. Finish edges of sidewalk with an edging tool having a radius of approximately 1/2 inch. Broom the sidewalk surface with a soft broom at right angles to the side forms.
8. The contractor shall remove all the material which will be displaced by the sidewalk, including all soft, spongy and all vegetation or other perishable matter. Sidewalk subgrade should be brought to a firm unyielding surface by tamping with a hand tamper weighting not less than fifty (50) pounds. Vibrating tampers will be permitted when granular subgrade is used. Compacted 1" road stone or approved equal is an acceptable granular sub-grade (sand is not acceptable).

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Windsor Heights Public Works 515-279-3662

CITY OF WINDSOR HEIGHTS
SIDEWALK ECONOMIC HARDSHIP PROGRAM INSTRUCTIONS
August 1, 2016

What is the Sidewalk Economic Hardship Program?
The Sidewalk Economic Hardship Program is adopted by the City Council to assist low and moderate income home owners by completing necessary repairs in conjunction with the City of Windsor Heights Sidewalk Repair Program. Only residential properties where the owner resides are eligible.

- **You must apply for Economic Hardship within one hundred eighty (180) calendar days of the date of the NOTICE TO REPAIR SIDEWALK (Driveway approaches are not included in this program).**

Who Is Eligible For Assistance?
You are eligible if you apply for the subsidy within the specified timeframe listed above, and meet both of the following requirements:

1. You must be either the property owner or the contract buyer, and live at the property at the time the Notice to Repair Sidewalk is issued. The property includes only the land around the home within the single parcel as identified for tax purposes by the Polk County Assessor.

2. The adjusted annual income (as defined below) of your household does not exceed the following limits based upon your household size:

HOUSEHOLD SIZE	ADJUSTED ANNUAL INCOME
1	$43,050
2	$49,200
3	$55,350
4	$61,500
5	$66,450
6	$71,350
7	$76,300
8	$81,200

What Is My Adjusted Annual Income?
Your adjusted annual income, which is determined as follows:

ADJUSTED ANNUAL INCOME equals HOUSEHOLD INCOME (gross) minus HOUSEHOLD ADJUSTMENTS (A-I below)

HOUSEHOLD INCOME is the total of all income received by the household members residing at the property. It includes the gross income received by all members of the household during the last twelve (12) months. This income includes any wages, unemployment compensation, pensions, Social Security, interest, dividends, board, rentals, public assistance, or any other means of income. Child support received (or difference) is not included. People paying rent (such as where a person is renting space within the owner's home) are not considered household members, and these people's income is not considered as household income. However, the rent paid by these people to the property owner is considered as household income.

HOUSEHOLD ADJUSTMENTS are the total of the following adjustments as they apply to your household:

A. Medical expenses which exceed 7.5% of the total household income and are not covered by insurance are deducted.

B. Income received from a non-profit child-placing agency for care of one or more children placed in property owner's home is deducted.
Occupational expenses not compensated by property owner's employer are deducted.
Expenses paid for the care of children or disabled household members in order for the property owner or spouse to maintain employment are deducted.

C. The income of household members (other than property owner or spouse) that are under the age of 18, full-time students, or disabled or handicapped is deducted.

D. The first three hundred dollars ($300) of spouse's income is deducted.

E. Three hundred dollars ($300) for each dependent of the property owner is deducted, who lives at this property and meets one of the following criteria:
   - Under the age of 18
   - Disabled or handicapped (regardless of age)
   - Full-time student

F. Non-recurring income, such as an inheritance is deducted.

G. Five percent (5%) of the household income is deducted if the property owner and/or spouse are under the age of 60. If the property owner and/or spouse are 60 years old or older ten percent (10%) of the household income is deducted.

EXAMPLE: Adjusted Annual Income Calculation
Household has 5 members as follows:

Property Owner is 50 years old w/salary of	$32,000
Spouse is 50 years old w/salary of	20,000
20 years old non-student child w/ salary of	10,000
18 years old student child w/salary of	3,500
16 years old student child w/salary of	2,000
Household Income equals	$67,500

The allowable Household Adjustments are as follows:

5% of Household Income	Item A	$3,375
$300 for each dependent	Item B	600
$300 of Spouse's Income	Item C	300
Income of the two students	Item D	5,500

Total Medical Expenses	$11,650	
Minus Insurance Covered expenses	5,000	
Minus 7.5% of Household Income	4,200	
Equals Household Medical expense adjustment		2,450
Total Household Adjustments		$12,225

ADJUSTED ANNUAL INCOME equals HOUSEHOLD INCOME minus HOUSEHOLD ADJUSTMENTS:
$67,500 - $12,225 = $55,275

The Adjusted Annual Income for the example household was $55,275. This amount is less than the income guideline limit for a household size of five (5) as shown in the table on page one. Therefore, the example household qualifies for Economic Hardship, and the City of Windsor Heights would complete all of the necessary sidewalk repairs for this property.

How Much Must I Pay if I qualify for Economic Hardship?
If the property owner meets the above program requirements, the City of Windsor Heights will complete all of the necessary repairs for your property. You will not be required to pay for any of the repair costs.

When and Where Do I Apply for Economic Hardship?
Only the property owner or contract buyer can apply for sidewalk repair subsidy. For assistance in filling out the application form, please call or visit the City of Windsor Heights City Hall.

You will need to provide verification of all income received on a regular basis. A **copy** of your most current Federal Income Tax return and or pension, social security benefits and interest on savings must be provided with the application. Statements made on the application must be sworn to and are subject to verification by the City of Windsor Heights Public Works Department. If you have any questions or need additional program information, call 515.279.3662.

Mail to: City of Windsor Heights
1145 66th Street, Suite 1
Windsor Heights, Iowa 50324

APPENDIX E

City of Windsor Heights

SIDEWALK REPAIR ECONOMIC HARDSHIP PROGRAM APPLICATION

1. Name _____ 2. Address _____

3. Date of Birth _____ 4. Age _____ 5. Race / Ethnic Group _____

6. Number of Family Members _____ 7. Telephone No. _____ 8. S.S. No. _____

9. Email Address (Please Print if Applicable) _____

If you wish to receive notification of decision by email, please circle appropriate response: YES NO N/A

10. OWNERSHIP: Applicant/Head of Household must have legal or equitable title to the parcel and reside at this location.

A. If Titleholder, give date your deed was recorded _____ Book _____ Page # _____

B. If Contract Buyer, give date your contract was recorded _____ Book _____ Page #_____

Schedule A -Annual Gross Income

List all amounts of income received during the last 12 months. Be sure to include the income of all members of the family who share the household and include any funds contributed or paid on a regular basis to the family by a household resident who is not a member of the family.

1. WAGES – HEAD OF HOUSEHOLD _____
2. WAGES – SPOUSE _____
3. WAGES – ADDITIONAL HOUSEHOLD MEMBERS * _____

* * * _____

* * * _____

4. UNEMPLOYMENT COMPENSATION _____
5. SOCIAL SECURITY _____
6. RETIREMENT/PENSIONS _____
7. FIP/RELIEF _____
8. RENT/BOARD _____
9. CHILD SUPPORT _____
10. OTHER (List) _____

TOTAL ANNUAL GROSS INCOME _____

Schedule B -Miscellaneous Information

Do you have the following information? (may not need depending on adjustments)

Yes	No		
☐	☐	1. Medical Expenses	_____
☐	☐	2. Amount of medical expenses covered by insurance.	_____
☐	☐	3. Amount received from non-profit child placing agency for care of one or more persons under 18 placed in your household by such agency.	_____
☐	☐	4. Any unusual occupational expense not compensated for by your employer.	
☐	☐	5. Amount paid for care of children/sick/incapacitated family members in order that head of household or spouse can work.	_____

* Indicate if additional household member is one of the following:
(a) Under 18 (b) Full-time Student (c) Disabled or handicapped

I hereby swear that the foregoing statements are a full, fair and truthful disclosure to the best of my knowledge and belief of the information sought. I certify that I have recorded title to, make my domicile in and that I am head of the household of the property for which I am making application for Economic Hardship. I further certify that I fully understand that any person or persons involved in making or conspiring to make false statements, claims, or affidavits in support of this application are subject to criminal prosecution. I do hereby give permission to the City of Windsor Heights to obtain pertinent information verifying my household income from my employer, bank and other income sources including federal, state, county and other agencies. This statement is my voluntary waiver of my rights to privacy strictly for the purpose of obtaining verification of my eligibility for this program only. This waiver is given with the understanding that complete privacy will be maintained by the City, as required under the Privacy Act of 1974.

I have read and understand this statement.

_____

Applicant (Head of Household) Date

_____

Application taken by Date Location

City of Windsor Heights
COMPUTATION OF ECONOMIC HARDSHIP
(This page for office use only)

NAME _____
(Head of Household)

RECORDED LEGAL/EQUITABLE TITLE _____
(Date)

1. TOTAL ANNUAL GROSS INCOME -FROM SCHEDULE A. _____

2. ADJUSTMENTS:

a) Medical expenses (Line 1 Schedule B) not covered by insurance (Line 2 Schedule B) in excess of 7.5% of TOTAL ANNUAL INCOME _____

b) Sum of Lines 3 thru 5 of Schedule B _____

c) Income of family member(s) (other than head of household or spouse) under 18 or a full-time student. (Schedule A) _____

d) First $300 of income of spouse (Schedule A) _____

d) $300 for each family member (other than head of household or spouse) under 18, or 18 and either disabled, handicapped, or a full-time student (Schedule A) _____

f) Non-recurring income (Schedule A) _____

g) 5% of household income or 10% of household income if over 60 _____

TOTAL ADJUSTMENTS _____

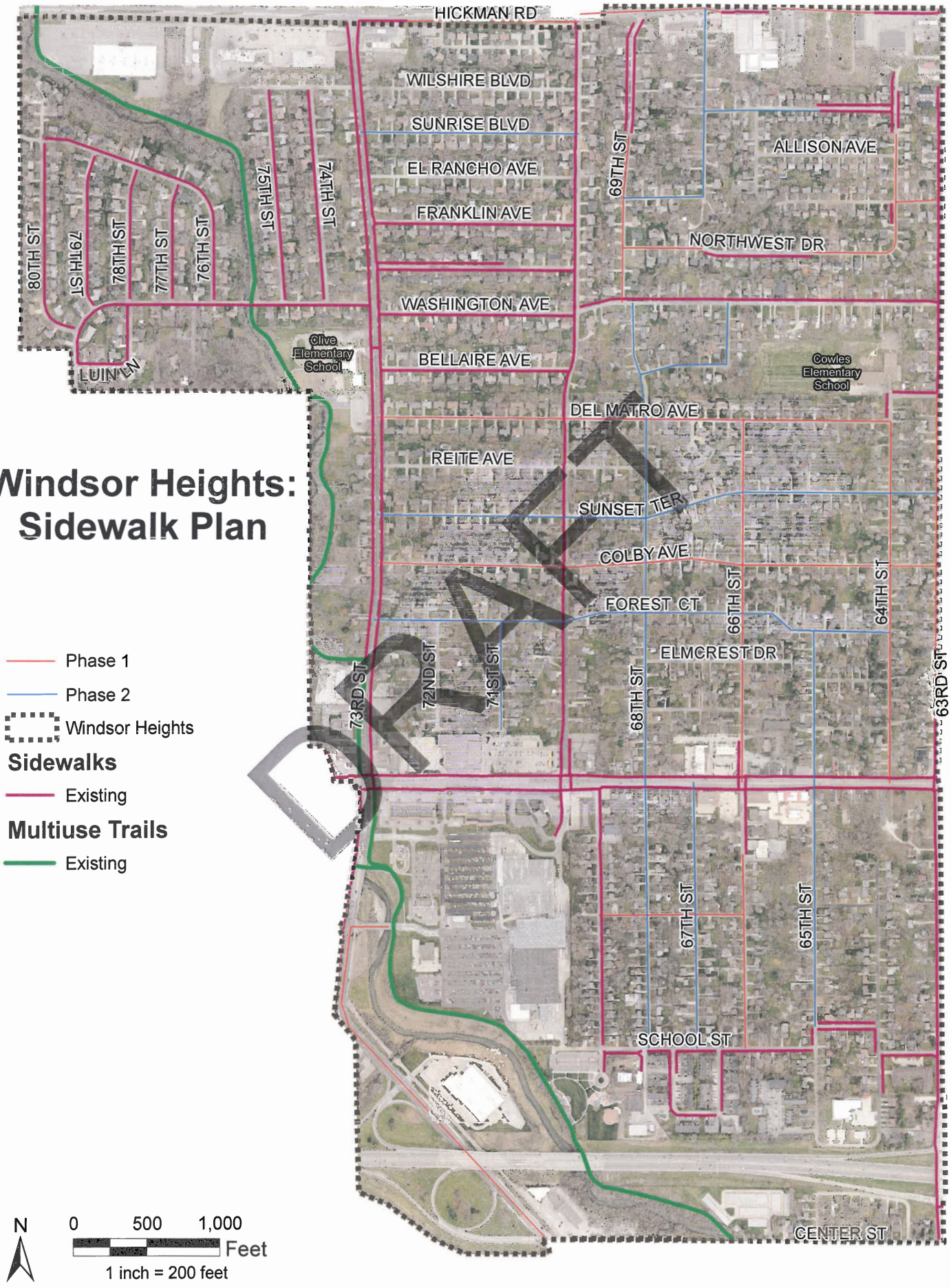
3. ADJUSTED ANNUAL INCOME (Line 1 less Line 2) _____

4. _____ % OF ADJUSTED ANNUAL INCOME _____

FAMILY SIZE	ADJUSTED ANNUAL INCOME
1	$43,050
2	$49,200
3	$55,350
4	$61,500
5	$66,450
6	$71,350
7	$76,300
8	$81,200

NO. OF FAMILY MEMBERS _____

_____
APPROVED BY DATE


Windsor Heights:
Sidewalk Plan
Phase 1
Phase 2
Windsor Heights
Sidewalks
Existing
Multiuse Trails
Existing
N
0
500
1,000
Feet
1 inch = 200 feet
HICKMAN RD
WILSHIRE BLVD
SUNRISE BLVD
EL RANCHO AVE
FRANKLIN AVE
WASHINGTON AVE
BELLAIRE AVE
DEL MATRO AVE
REITE AVE
SUNSET TER
COLBY AVE
FOREST CT
ELMCREST DR
SCHOOL ST
CENTER ST
ALLISON AVE
NORTHWEST DR
LUIN LN
80TH ST
79TH ST
78TH ST
77TH ST
76TH ST
75TH ST
74TH ST
73RD ST
72ND ST
71ST ST
69TH ST
68TH ST
67TH ST
66TH ST
65TH ST
64TH ST
63RD ST
Clive Elementary School
Cowles Elementary School
DRAFT

Additional Sidewalk Comments

I want to go on record as being opposing the new sidewalks that are proposed for my street - Sunrise Blvd. At one of the previous meetings someone inquired which side of the street this sidewalk is proposed for and no one present knew the answer but said they would find out. Nothing has been said in answer to this question. My parents moved into Windsor Heights in 1971 because it was a nice, quiet, friendly area with NO SIDEWALKS. They are gone now but we moved once, from 68th St. to my present address of 7100 Sunrise Blvd., in 1972 where we have no sidewalks and don't want them. This is a community with green spaces, quiet streets, low traffic, good neighbors and up til now, city leadership that kept the community uppermost in their minds and striving to please the majority of the residents. This issue has come up before and the residents made it known that we don't want sidewalks. A survey done in the past few months specifically asked if we wanted sidewalks and at least 69% said NO! Therefore, I don't understand why the Council is attempting to cram this down our throats. It should be a non-question since we have already let our opinion be known.

I am a disabled senior citizen who lives alone and I am not able to clear a sidewalk of snow, debris, weeds, cracks, breaks, whatever. I am on a low fixed income and cannot afford to pay someone to do this for me. What am I supposed to do - move?! Is the city going to come and maintain my sidewalk? No, I don't think so. I am a fairly computer savy person and on my computer quite a lot. I don't remember seeing this issue brought up to the residents before the Council took it upon themselves that we needed these sidewalks and voted to do it. **There should have been notification to EVERY household and I don't mean digital notification because, whether you want to acknowledge it or not, there are a good number of households in Windsor Heights without internet access.** Yes, contrary to the life of many of you, there are a good number of residents who get along very well without the internet directing their every move, be it a computer, smart phone or tablet. Many seniors use internet access ONLY to communicate with their children or grandchildren through email or pictures, they don't look at anything else online and still lead very productive lives. Notification could have been made via paper notifications in every door of every house, in the Windsor Heights publication which we all receive with our water bill, in the Windsor Heights Live booklet we receive each month in the mail. I have attended all 3 of the Council meetings at which many residents attended to voice opinions and ask questions and feel that **the Council is NOT listening** to the wishes of the majority. Something I heard over and over was that "it is on our web page" or "you can pick up a copy at City Hall". Well that's just peachy if you have transportation or internet access, which many people do not, and several residents said they attempted to access the city web page but have never been able to since it went up. Many people who may have a computer don't know how to search the internet for web pages. What I'm trying to impress upon you is that you simply can't rely on digital notification of your residents when so many don't have the access. Let's go back to my disability - I am pretty mobile (I am on crutches and have a car) and could attend these meetings but you are missing a very large number of people who are unable to attend, be it due to a disability or lack of transportation - but their opinion is not being heard. **This is a proposed change that will impact a lot of your residents and shouldn't be taken lightly.** There is a lot of dissension right now in our "Heart Of It All" so it would seem to me that if you were to put it to a city-wide vote a solution would be garnered.

I also heard at these meetings that priority was given to streets that lead to schools or parks. Well, my street, Sunrise Blvd., doesn't lead anywhere - its only 3 blocks long with no through streets. So why should I have to foot a bill I can ill afford, taxes I can ill afford and increased property assessment when Wilshire Blvd and El Rancho don't have to? And Wilshire Blvd. at least continues across 73rd St. I have not yet found any explanation of Phase 2 which includes my street. Am I to blindly accept whatever you want to do because it was included along with Phase 1, which has a detailed explanation? Don't expect people to not question a change without even knowing what streets or changes are to be made!

Please don't fall into the trap of thinking residents don't care if they aren't visible or heard from. I am fully aware of all the great things that go on in Windsor Heights but cannot participate due to my disability even though I used to and would love to. You have a lot more dedicated residents than those you see -
WE LOVE OUR COMMUNITY TOO but can't come out to play. We may be unsung and unseen but we are passionate about a community we have built up and lived in longer than some of you have been alive.

Thank you for listening,

Chris White

7100 Sunrise Blvd,

cwhitewow@aol.com

Thank you, Jessica, for your prompt response. I did find it and note it appeared to be the same policy.I look forward to seeing the updated committee report and hope it may include some true revisions, per the desires of the Windsor Heights citizens and taxpayers who have taken the time to come to the meetings. Many have spoken against sidewalk additions, and we did so in the hopes the Council was listening. We have resoundingly voted AGAINST sidewalks when given the opportunity; this feels like a "back door" way for the Council to go against the wishes of a majority of it's citizenry. I have not yet spoken at the meetings, due to the volume of speakers against, but I am willing to do so.

Since I am within the response time for new comments, may I reiterate my lack of desire for sidewalks on my property at 1911 69th Street. I feel very strongly about this. Never have I felt threatened or in danger as I walked near the curb on the streets surrounding my property. My husband and I bought this home in 1989, noting and desiring the fact that there would not be sidewalks with which to contend, other than the one from the mailbox to our front door. Now that I am a senior citizen, and widowed, please do not change one of the exterior advantages of my home in Windsor Heights.

Thank you very much for your help on this matter.

Sincerely,

Nancy J. Bunker

1911 69th Street

Windsor Heights, IA. 50324

278-1222

Committee members:
We strongly support the recommendations to enhance our city and its walkability by expanding the use of sidewalks in Windsor Heights.
We presently enjoy having a sidewalk on the 73rd Street side of our property and encourage the committee to expand the use of sidewalks in Windsor Heights.
We believe that enabling more citizens and visitors to use sidewalks will increase the safety of our citizens as they pursue a healthy lifestyle by walking and will increase the attractiveness of our city to families with young children.
We commend our city leaders for their vision in pursuing this project.
Susan Burden Leonard
Richard Burden Leonard
7254 Wilshire Blvd.
Windsor Heights, Iowa 50324

Dear Betty,

I've been watching the sidewalk controversy resurface with a mixture of consternation and dismay. It's disappointing that the argument has grown heated and seems to have resulted in poor behavior from supporters of both sides. I've been reluctant to join the fray but it's time that I make my own opinion known and also offer what may be a partial solution. I'm addressing this letter to you and will ask, if you think it is worthy, that you forward it to the rest of the Council. My opposition to sidewalks has not changed. I understand why people would prefer to have sidewalks but I think they either don't understand or grossly underestimate the challenges of installing them where they have not previously existed. My guess is that many people envision adding sidewalks is as simple as pouring cement on flat ground that's devoid of obstructions. A quick survey of the affected area demonstrates the fallacy of that belief.

The reality is that the city was designed and built without sidewalks and attempting to add them now would lead to innumerable conflicts with trees, shrubs, and other private landscaping and government infrastructure (signs, poles, drains, etc.). Additionally, new sidewalks would require the topography of some sloping yards to be changed to accommodate new retaining walls and all affected residents would see a loss of privacy as sidewalks infringe on their yards, many of which are already shallow. With the exception of 63rd street I think we already have adequate sidewalks on the arterial streets and in my opinion they're not necessary on the interior streets. I have lived in Windsor Heights for 33 years, 30 at my current address, and have never felt uncomfortable walking on our streets. Thus my opposition. It seems to me that the loudest complaints originated with the Cowles School parents. The irony is that the traffic they want their children protected from comes largely from other Cowles School parents! Local traffic coming from 64th Street and Del Matro is relatively minimal given that neither street goes through to 63rd. So in essence, the parents want sidewalks that are available 24/7/365 and last forever to protect their kids for about 30 minutes/day five days a week for nine months/year. It doesn't help my attitude that the vast majority of complaining parents are from outside Windsor Heights. Frankly, I think the issue of sidewalks in the Cowles School area has been framed incorrectly. The parents argue that Windsor Heights has a sidewalk deficiency. I disagree. I think the issue is that Cowles School has a parking problem. Because Cowles has very limited parking and even more limited vehicle entrance and egress the parents are forced to park on the street. If Cowles had adequate parking for the needs of their students and parents the sidewalk issue would largely go away. With that in mind I've been giving some thought to how to eliminate the parking problem and I think I may have a solution. My suggestion is to change 64th to be one way between Sunset Terrace and College, flowing north, with College also being one way flowing east from 64th to 63rd. With this change the only access to Cowles would be from either 64th or turning north onto 64th from Del Matro. With this flow it would be easy to establish the left (west) lane between Del Matro and Cowles School as a drop-off lane, whereby parents could safely, easily, and efficiently drop their children off within a few yards of the school without having to park or leave their car. In fact, parking would not be allowed. The kids wouldn't even have to cross the street and surely the school could provide a competent person to assure that the kids walk the few yards to the school door. A second drop zone could be established on the north side of College. This would assure that several cars could drop off their kids simultaneously. Given the volume of traffic on 63rd street at that hour of the morning I suspect it would be a good idea to install a traffic control device, whether a lighted signal or stop sign, to assist those who need to turn north from College onto 63rd. Otherwise I suspect traffic will back up on College as parents quickly drop off their kids but then have to wait while cars at the intersection of College and 63rd try in vain to turn north. Frankly, that's a challenge that already exists. You might recall that a school crossing light once existed at that very intersection, but was removed some years ago. If desired, this traffic control could be placed on a timer and activated only when school-related traffic is most active, typically 8:00-8:30 am, per my observation. The impact of my idea on local residents would be minimal. There are only a handful of residences in the affected area of 64th, along with another handful on Del Matro between 66th and 64th. I believe it would be easy for these residents to adjust to the new street configuration. So there's my idea for the Cowles School area. Let me know if you need me to clarify anything. As for the rest of the city, I guess I'll continue to disagree with those who think sidewalks are necessary. Best wishes to you and Mike, and thanks for all you do serving on the Council.

Sincerely,

David Lange

6503 Del Matro

I would like this comment to be included and I think it should be in light of Ms. Dickel's editorial in Saturday's Des Moines Register. One of the reasons she cited for sidewalks is the city's trend toward an average lower age. She

argues that is a reason for sidewalks. I would cite the same data and say it is a great argument against sidewalks for two reasons. First, it shows the willingness of the younger people to move to Windsor Heights knowing that we do not have sidewalks everywhere. Secondly, the most recent survey in which the vast majority are against sidewalks would have included higher numbers of young people.
Jeff Aten

Hello, I am writing in support of sidewalks in our community. As a resident of Windsor Heights for 11 years, I'm a bit surprised that we haven't corrected this issue before. When recent new Council Members ran on the issue and were elected, I was hopeful that change was near.While I understand that change is difficult for some people, particularly older adults, I think that most of us recognize the **safety hazard** that walking in the street presents to all community members, including Cowles school children, Mothers pushing strollers (like myself), and our friends and family who live in neighboring communities but visit Windsor Heights. We're in the midst of new times and distracted drivers are a real threat to walkers and stroller pushers. Please do not allow the rude and inappropriate behavior that proponents of your project display to cloud your judgement. As leaders on this matter, you can rise above any emotionally charged reactions to the plans and vote what is right for **all** community members, not just the irate folks who have the time and the nerve to disrupt meetings and actual progress. There are just as many of us who would never dream of behaving in that manner who are truly counting on your common sense vote on this issue.Please move forward on sidewalks; the change will only become harder to accept if we continue to delay what we all know needs to be done. Thank you for your time and consideration.Sincerely,

Patricia Christiansen

6816 Sunset Terrace

Windsor Heights, Ia 50324

July 29, 2016

To: Windsor Heights City Council Members

When we moved to Windsor Heights over 23 years ago, one of the features we liked about our corner lot was the lack of sidewalks. Hopefully that will not change.

It’s exciting to watch new families move into our neighborhood. We truly enjoy having young children living nearby. Our neighborhood has seen several generations of children safely raised here. They enjoy playing, walking and riding their bikes just like kids in any neighborhood. We also have a lot of adults who enjoy walking in the neighborhood. The lack of sidewalks doesn’t seem to hinder any of these activities. Unfortunately my husband’s failing health means all of the outside work falls on me. It is getting more and more difficult for me to shovel our driveway. The addition of sidewalks would be more than I could handle. The one neighbor who occasionally helped moved last year to a newer, larger home in Grimes. The younger, newer neighbors haven’t offered any assistance. Nor would I expect to rely on them. The current sidewalks on busy streets like University, 70th and 73rd are great. Sidewalks on Hickman would also be appropriate. But I’m opposed to sidewalks on all residential streets. The former council members were not against sidewalks, they just listened to the majority of us who didn’t want them on every street where the property owners didn’t want them and traffic patterns didn’t justify them.

Please listen to all of the citizens, not just those with a sidewalk agenda.

Sandie Sydnes2012 66th StWindsor Heights, IA

Dear Council Members and Sidewalk Committee,

I spoke at July 18, 2016 in support of having sidewalk in Windsor Heights.

On my way home from the meeting I was driving down 68 th street where there are no side walks I encountered and jogger and mother your child on bikes. As a driver I had be aware of the pedestrian and the cars parked on the street an on coming traffic. It was not safe situation at dusk.

Before I retired I worked as City Planner for the City of Des Moines for 33 years, so I am fully aware how intense, negative and difficult these decisions are for elected officials. I like to proposed an alternative solution for those streets that do not have sidewalks.

Ban on the street parking and Paint a pedestrian/ biking lane and you could also add some barricades to protect the pedestrian or bike rider. This type of lane is used Copenhagen Denmark as well other communities. It would be less costly, sidewalk opponents win they do not have a sidewalk in their front yard or do they have to shuffle.

I live 6781 Washington and I have a sidewalk. I like it and want to see more side walks on busy streets such as Hickman and 63rd Street.

Good Luck

Kathy Kahoun

6781Washington

515-252-0338

Council,

I would like to share my input regarding sidewalks. I would like to present this idea this evening however, I feel the topic has become so emotionally charged by a minority of citizens that sharing my opinion publicly would create a lasting division between me and some of my neighbors.

I am 58 years old. I do not have children but as I walk our wonderful city I see children playing in the streets every night. They are on scooters, skates, bicycles, tricycles and just running to visit a neighbor. I also see adults with dogs, Grandparents and parents with strollers. I was driving slowly behind a family walking down the street on Saturday night, but because of the sun coming from the west, they could not see me. When I slowly came up behind them they were alarmed that a car was so close. What if I was the one driving west and could not see them.

I personally walk my dogs throughout the neighborhood of Windsor Heights. Many times I have had to jump the curb for my safety. With blind hills cars do not see pedestrians.

I have been told by neighbors that they have called the police because they feel uncomfortable playing in the street. They are neighbors who have openly opposed sidewalks. I wonder what their solution would be.

I have heard strong concern for the trees and landscaping. Why have residents planted or landscaped in the area where the City has the right of way? I think we assume the risk of removable when we landscape in these areas.

I strongly support sidewalks and I think every citizen of Windsor Heights should contribute towards making our City more walkable. If we want Windsor Heights to remain a destination where people want to raise their families we must be competitive with the amenities and services that new neighborhoods in our metro area are providing.

I hear people say, I raised my children here and they were fine without sidewalks. This is not 1960. Life is different, Mothers work, our traffic has increased and our city is in transition. If we want to keep Windsor Heights from becoming an investor rental area we need to get serious about providing a lifestyle conducive to today's home buyer.

Thank you for your serious consideration and your service. Stay strong.

Respectfully,

Julie Reeves

6616 Forest Court

Windsor Heights, IA

This email is directed to the sidewalk committee. Please see that they get it:

I wrote this original email and sent it to the city council before the meeting on July 18th:

Council Members and Mayor:

I was planning on trying to speak tonight but my comments are more in answer to what I heard last week than to the Ordinance itself. So I will send them instead.

I am curious as to why 68th wasn't included until the next phase as is a major street that runs the length of the city (switching to 69th) I suppose not tearing up all the North / South streets at the same time might be part of it. I also think a four way stop at Del Matro would help slow things down. Often times people blow through the stop signs there on 68th.

How about protected lanes like they have used in Johnston and were written up in the Sunday Register? I don't know how that would work with snow removal but I am sure Johnston has addressed that.

Even a scaled down version of the plan is better than nothing. Especially on the routes used by the school kids. Kids walking and standing in the streets, around parked cars and waiting for a bus really is no long acceptable in this day and age. Sorry that would have to include Del Matro and 64th and 66th. Please keep in mind that just because the sidewalk haters are the loudest and have the ugliest rhetoric, they should not be the only ones heard. I think many who support walkability, do not want to get into the fracas and alienate our neighbors, it has gotten that nasty.

Janet O'Brien 6521 Del Matro

I support the addition of sidewalks in Windsor Heights. Many of my comments are to the sidewalk objectors and some of the comments I heard last week. I have no illusions that what I say will change anyone else's mind.

I have lived in Windsor Heights for 30 years, first at 68th and Carpenter then the last 16 years on Del Matro. We raised our kids here and they went to Cowles, Windsor, Merrill and Roosevelt with my youngest just graduating. When met people in the neighborhood it was always "oh you're the one with kids"

I have always supported sidewalks the many, many times it has come up during the last 30 years. My kids have walked the streets to and from school, stood in the street waiting for the bus etc. And yes, none of them were killed

but I remember several close calls. Kids shouldn't have to stand and walk on the streets and go around cars out into the street to get to school.

To those who say yes but it won't affect my yard, you are right I live on the north side of Del Matro and the sidewalks are now proposed for the south due to the telephone poles and the parking which are both on the north. It would probably make more sense to put the side walk on the north side to get to Cowles since they wouldn't need to cross Del Matro once they get to 64th. But maybe cost effect because of the poles. Earlier proposals did have them on the north side and I was in favor then, knowing it would cut down my yard and would need a retaining wall.

I disagree with the people who are saying there isn't that much traffic or walkers on Del Matro and 64th. I see a lot of people walking. I drive 64th to avoid turning left off 63rd. And alot of people drive down Del Matro as a cut though. In my opinion, most of the people objecting are not the people out walking.

To those who say there were no sidewalks when you moved here, so you can't have them now. You are correct but there also was no Hyvee, Cowles soccer fields, the town center, the building Questar is in, Walmart and Sam's, no Doctor clinic, new kum and Go, no trails and the park was a mess with a building that always smelled like sewer. Every one of these projects were met with resistance from the citizens. Many of the meetings against these projects were every bit as heated as these meetings. I couldn't come up with a project that hasn't been objected to. Windsor Heights is truly a "Not in My back yard" community. But PLEASE think about what the taxes would be like without any of this redevelopment. What Windsor Heights would look like with those crappy old buildings. And the services you couldn't get here before these building were built. How many citizens now use these businesses they once objected to?

There is a saying that you do not plant a tree for yourself, you plant it for your grandchildren. Let 's step back and think of sidewalks in that same way.

Thank you for listening.

Janet O'Brien

I sent this email to councilors yesterday and it was recommended last night at the meeting that we copy the committee on our emails. Therefore I am sending this to you for consideration:

"I am sending this email to express my disagreement with the proposal to install additional sidewalks in Windsor Heights.

I bought my house nearly nine years ago and two of the main reasons were the lovely old trees on the property and the fact that there are no sidewalks to worry about maintaining, especially as the house is located on a corner lot.

Now because of a vocal minority that is all set to change. You are proposing to build a sidewalk along my property line which is about half a block. In the process you will be destroying a butterfly garden, my hedge and old lilac trees. Depending on how far back this sidewalk will be, I may also lose my fence and cherry blossom trees that are as old as the house. For this I will not be compensated and to add insult to injury be expected to pay for and maintain this sidewalk?!

It is clear that Windsor Heights does not have the money for this scheme so it would seem the favored proposal is to plunge the city into debt to pay for it. A debt that will ultimately be paid for by the homeowners in the form of higher property taxes no doubt. We already have the highest property taxes of all the metro suburbs, second only to Des Moines itself. Higher taxes will not be attractive to people thinking of moving to the area and be an additional burden for those of us already living here.

It has been claimed that the addition of sidewalks will result in more people walking. I dispute this. This past year I have spent a lot of time canvassing throughout Windsor Heights, especially in the areas where there are sidewalks. I never saw another person out walking. In contrast, in my neighborhood, I often see people walking: families, couples, dog walkers, children on bicycles/scooters. A sidewalk would limit people to walking single file and I doubt anyone would actually use it. Everyone I have spoken to does not see the need; if they see a car approaching they step up onto the curb. Our neighborhood is not exactly busy with traffic and when I walk my dogs I probably see two or three cars at most.

But if traffic and cars are the main driving concern here, especially close to Cowles, what traffic calming ideas have been considered, if any? Four-way stops? One-way systems? Crosswalks? Speed bumps? Anything?! Has the school been involved in the discussions?

Overall what I am most upset about is the underhand and undemocratic manner in which this whole issue has been handled. Residents' concerns and feelings have been disrespected. Like others, I have not once been contacted about this matter. I have received numerous emails and mail drops about the 75th anniversary celebrations but nothing about this issue. Considering you plan to spend $3 million, disrupt the entire neighborhood and destroy my property, don't you think we deserve some respect and to be actively included in the discussions, instead of being dismissed? We should have been treated better than this and you should be ashamed of yourselves."

In addition, I would like to add the following:

I learned at the meeting last night that the proposed sidewalk will be possibly four foot wide? This is a horrifying amount of concrete that will destroy the park-like feeling of the neighborhood. Not to mention it will substantially add to water run-off issues which can cause a lot of damage in addition to not exactly being very eco-friendly. Also,

in the winter, substantial amounts of salt/de-icer will be applied by homeowners to the sidewalks no doubt, again adding to the toxic load in the environment.

As a working single parent I will not have the time or money to maintain such a vast sidewalk on my property and be forced to move which makes me very upset as I had no intent of doing so. Like others, when I purchased the house I was told no sidewalks would be put on my property but that looks set to change. I bought my house when I was pregnant and my daughter has lived there since she was 2-days old. Never has the lack of side-walks in the area been an issue. From pushing her in a stroller to now walking and biking with her the only problem we have had has been with potholes and broken curbs. The single-minded arrogance and rudeness I observed at the meeting last night from several of the supporters of the sidewalks is also disturbing. Division is being created in Windsor Heights and they are clearly not listening to anyone else's concerns, particularly those of elderly residents and those that have lived here all their lives. The way in which Betty Glover was spoken to by a couple of them was particularly disrespectful. I feel we should all be working for a solution that benefits every one but it is just not happening.

Samantha Meyers

6551 Forest Court, Windsor Heights, IA 50324

Good Evening Mayor Willits and Members of the City Council:

Attached are our comments in opposition to the sidewalk plan. We are unable to make the meeting tomorrow evening in person. We hope you will take our comments into consideration. Here are the areas of concern and comment you will find in the attached document:

- Cost
- Environmental factors
- Traffic analysis
- Sidewalk inspection
- Updated sidewalk requirements
- Property owner responsibilites
- Process
- Solution and conclusion

We have put much time, effort and thought into our comments. No matter what side of the issue, residents want to do what is best for those around us and for our entire community. The community is saying no to sidewalks and we respectfully ask that you do the same.

Thank you for your service and for listening to our concerns. Please contact either of us if you have any questions about our opposition to the plan or the comments attached.

Respectfully submitted,

Josh and Nicole Crain 7022 Del Matro Ave. Windsor Heights, IA 50324

To Whom It May Concern:

I am writing to you after the recent public hearing for the sidewalk ordinance. I would like to express my displeasure and disappoint in you as City Council Members and Mayor Willits, with the exception of Betty Glover. I feel as if the residents of Windsor Heights have been bullied into having sidewalks even though there is overwhelming support against having sidewalks. I also feel that the way that the public hearing was handled was not acceptable. The big slap in the face is that two of the city council members were not present and one of them was the chairperson of the sidewalk committee. There was no discussion made by the City Council to address some of the ordinance issues that were brought up. How could there be no discussion about things that are brought up, multiple times, by the residents of Windsor Heights? Another big problem that I have is how the meeting was handled. We were above fire capacity in the hallway and the chamber was completely full yet the residents were told to either be quiet or they would be asked to leave because we were above capacity. I do not feel that it was a safe environment for the resident's to be in and I question how the hearing could continue when resident's couldn't hear plus we were above capacity in at least the hallway. I understand that no one thought that the resident's would actually come out to this public hearing especially since it was planned the day after a holiday and without much publication about the public hearing but something should have been done to ensure that everyone could hear what was being said within the chamber. There were also approximately 20-25 people that left due to the lack of space, how hot it was in the hallway and that they were required to stand the whole time. These resident's should have been able to have had their voice heard instead of being turned away due to the lack of planning on the city council's part.

I will start by asking who handpicked the sidewalk committee members? How was this decision made? Was the committee a 50/50 split between for/against sidewalks or was the committee handpicked by someone to further their sidewalk agenda? I have heard several resident's say that they looked online and could not find the paperwork to fill out to be on the sidewalk committee. I also could not locate the paperwork to submit to request to be on the sidewalk committee. I also question how the chairperson of the sidewalk committee can not show up to at least two of the public hearings about the sidewalk issue and yet make a decision based on living in Windsor Heights for just over a year. Did Mr. Bales- Henry even listen to what the residents had to say and their concerns? If so, how did he receive this information since I observed Ms. Harms moving her hair about and yawning while Mr. Timm continually yawned during the sidewalk hearing at the community center? It is sad that the sidewalk committee has had only 2 meetings and has made a decision for a $2.8 million dollar project yet the committee for the Windsor Heights 75th Anniversary has met double, triple and even quadruple the number of times. I do believe that the committee for just the Fourth of July events met more times than the sidewalk committee did and how much money did the resident's of Windsor Heights spend on both events combined? I am guessing that we spent way less than

$2.8 million dollars for both events combined. A woman at the public hearing stated that she purchased her house using Mr. Bales- Henry as a Realtor. She was specifically looking for a certain style of house and did not want sidewalks. She purchased in Windsor Heights because of there not being sidewalks and specifically asked Mr. Bales- Henry if there would be sidewalks through her yard. His response was absolutely not yet he has been the fighting force behind sidewalks in Windsor Heights. I find it appalling and unprofessional, if these statements are true, of Mr. Bales- Henry. If this actually did occur, as the woman who went on public record has stated, then Mr. Bales- Henry should, at the very least resign, from his position as a City Council member due to his conduct.

What studies were done to look at where sidewalks, cross walks, stop lights, etc would be useful at? What other options, other than sidewalks, have been looked at? Why has no one talked with the resident's who live on 64th Street to see what they feel is the problem with the congestion on 64th Street? Has anyone talked with resident's on Colby, Sunset or DelMatro to see if they have any valid and more cost effective options? I have seen Ms. Glover in our area several times and I watched Ms. Harms pass by once walking on her phone without ever looking at the 6 neighbors standing in front of the house but I haven't seen anyone else around our neighborhood asking for recommendations or to even view the "problem" area. With all the pedestrian traffic that Windsor Heights saw this Fourth of July I wonder how many calls were placed in regards to pedestrians being hit by motor vehicles versus how many calls were placed to Colby Park since not all the streets in that area have sidewalks.

I have to wonder why this sidewalk issue has been pushed through so quickly and has been attempted to be run under the radar. A person would be led to believe, with the number of people in attendance at the public hearing last night, that there is a lack of communication between the city and its resident's since many did not know that this public meeting was only for the sidewalk ordinance. They believed that this would be a public hearing on the options of a sidewalk. Many also were unaware that this sidewalk issue was NOT just a 64th Street issue but that the resident's were being forced into having sidewalks all over Windsor Heights. Why is it that nothing was sent out to the resident's about this sidewalk ordinance but we have received numerous mailings about the 75th Anniversary of Windsor Heights?

After leaving the city council meeting and having a talk with the family about the outcome my 16 year daughter asks a very valid question. If the city council members are elected by the resident's of Windsor Heights, there were only 3 people that spoke for the sidewalks and there were probably 50 people that spoke against the sidewalk ordinance how did the city council vote to approve the ordinance? The city council is supposed to be the voice for the majority of the resident's not taking on their own agenda and forcing it on the resident's. Going to the survey that was released by Quester, in 2014, 75% of resident's did not want a sidewalk and then in 2016, 69% of the resident's do not want sidewalks. How can a city council vote to put sidewalks in when the overwhelming majority of resident's do not want it? Why were the resident's not made more aware of something as financially costly as a sidewalk that could cost the city and resident's over $2 million dollars? I find that irresponsible by the city leaders.

I firmly believe that the City Council members need to stop this action and take a step back to re-evaulate this issue. I am not sure what action can be taken to make a motion to re-evaluate the sidewalk ordinance but I believe that it is what should be done- for the Resident's of Windsor Heights. I also believe that since only Ms. Glover has

listened and stood up for the majority of the constituents of Windsor Heights that the rest of the City Council should turn in their resignations as council members. How am I supposed to put my trust in elected officials when they are running on their own agenda not the agenda of the majority of the citizen's in the city.

Feel free to contact me with any questions or concerns you may have concerning my email.

Respectfully,

Susan Skeries

1441 64th Street

Windsor Heights, IA 50324

smskeries@gmail.com

Dear Mayor Willits,

As it is clear this sidewalk issue is out of control, why can't you pull executive power and do what President Truman said and say the buck stops with you. Please be a leader and stop this. This is looking bad for you and for Windsor Heights.

Windsor Heights has survived and thrived for many years without sidewalks in much of its neighborhoods. Colby designed areas of the city without the need for sidewalks. It will loose its charm as households will undergo transformation from green lawns, shrubs, trees and landscaping to concrete or brick of some sort. It will decimate trees and landscaping - both of which property owners took great pride in spending blood, sweat, and tears / lots of time & money installing and taking care of - which was their decision, by the way. Now its going to be ripped up? Plus, considering when people walk or ride now, they are either on one side of the street or the other which will now bring people and/or strangers up to 20 feet closer to the front doors and windows of my family and my neighbor's families. This disruption, inconvenience, intrusion, and bullying from my city government is not what my wife and I expected when we moved here. If we wanted to have sidewalks and walk-ability, we would have moved to a community that had sidewalks. Others can make that choice to NOT live or travel through our streets versus projecting their (a minority) wants on the majority. This is not progress, but regress.

This will add liability, responsibility and obligation to my family and my already busy life. Now it will be one more big thing to attend to when caring for my property. I have to keep it clear of snow and ice in the winter and trimmed and mowed around in the summer. Will they then become cracked and/or grass and weed growing up through them? Will it be my responsibility to care for it? It doesn't seem to be the city's for their existing sidewalks are in disrepair and is an eyesore. Aren't those a legal liability if someone gets hurt of dilapidated infrastructure. Who's responsible

if someone gets hurt? Will it be me? Speaking of, why can't the city take care of the streets and certain sidewalks in disrepair? Spend your time and money on that before adding to more liabilities. If you don't have the means to take care of what you already have, you shouldn't have implemented in the first place. If you want something in the future, be sure you have the means to take care of it.

I hear a lot about Cowles Elementary being an important point with this sidewalk issue. Cowles is a Montessori school where kids attending are in families from surrounding cities. How many are from Windsor Heights? And, do the kids walk to that school or do their parents drive them - as with the other kids from other cities? So, is having sidewalks to and from Cowles a non-issue? Sounds like weak reasoning.

During a time when there is social unrest in our country and the world, it is things like government overreach that fuels fires. It is evident that in presidential politics, citizens are rising up and propelling Trump and Bernie because they are standing up against the government establishment. This sidewalk thing is a prime example of what people are fed up about! This is a bad time for this to happen (it will never be, actually). Thus the outrage from your citizens.

During Mayor Sullivan's watch this sidewalk walk-ability was presented. It was rejected then. Why is this being forced upon us again? Why did the city have to spend money on a study that was against the will of the people as it was put in front of the them and rejected in the past? Did the walk-ability change during that time? No. Waste of money? Yes.

Who elected this council? Yes, supposedly me - not entirely though. And, no - not to do this kind of thing. Did I hear a couple council members ran on this sidewalk issue? I don't remember seeing that - even then, I wouldn't have voted for them - seems like other citizens wouldn't have either. Now these two think they can be pompously defiant and force their will on the majority - who, as I stated, rejected it in the past! If this issue ever should go forward, it should be put to a vote by individual citizens in November. And if it passes, since it is for the greater 'good' of the city, it should be paid for by the city not individuals - who, if like me, can't afford the steep price tag. That is why I am asking you, the Mayor, to step in and correct this out of control issue. This is clearly not conceived right and is is against the majority's will.

So, yes, I can't afford the cost the city is forcing me to pay for this unwanted 'amenity'. When taxes, fuel, food, commodities, healthcare has doubled or tripled over the past few years to a decade, I barely have enough money to keep my family afloat. At times - perhaps too often, we haven't had enough money and gone in to more debt to make ends meet. And, now this...

Can the city even afford this? I doubt it. Is that why you/they are putting the cost on it's citizens? As I just stated, we can't afford this either. This is really bad. Really really bad. I would hate to think my city is overspending. Is Windsor Heights going to go bankrupt in one way or another and/or at least become financially strapped and will thus be leaving the clean-up to its citizens to bail them out. Again, quite like national politics and the ever growing national debt. So, this is morally bankrupt when doing this to your citizens - to our property and our personal financial well being.

Please, Mayor Willits, correct this situation, show leadership and either cancel this entirely or put it to a city-wide vote in November.

Thank you for reading and hearing,

Glen Cornell

1511 66th St.

A wife and 2 kids -- Residents for 12 years (And, my parents lived on Colby from 1968 to 1972, then with me from 1991 to 2000)

To: Mayor Willits & Members of the City Council

From: Nicole and Josh Crain, Residents
7022 Del Matro Ave., Windsor Heights, IA 50324

Subject: Comments on Council Agenda Item 8

Date: July 17, 2016

Mayor Willits and Members of the City Council,

We are unable to attend the meeting on Monday, July 18. We would like to take this opportunity as Windsor Heights residents to comment on Item 8 of the city council agenda. First, we support safe streets, we support walkability, we support Windsor Heights. However, we are opposed to the proposed updates to the existing sidewalk ordinance, the sidewalk map master plan and the inspection schedule. Based on the comments at last week's public hearing we are clearly not alone in our opposition. Below are several factors we hope you as the council will take into consideration before a decision is made.

Cost

Our street is included in the first phase of the draft sidewalk proposal. The first phase will cost the city almost $3 million *if* you choose general obligation bonds rather than property owner assessment. In review of the comments you received from residents the cost concern is echoed many times.

We appreciate the walkability committee's attempt at addressing the financial burden, but a family income limit does not accurately reflect a homeowner's ability to pay for sidewalks. Even if they do qualify; installing a sidewalk could be up to 10% of their annual income if the city chooses to assess individual homeowners. Cost estimates for a sidewalk are comparable to the cost for homeowners to repair their roof or air conditioning system—both of which *do* improve home values. Most people do not have $4,000-6,000 in a bank account waiting to spend on sidewalks. We fear some individuals will be forced out of a community they love because of this proposal.

Will there be a competitive bid process for this work? What factors will be taken into consideration? What protections will the residents and city have for the work? Will the city require the contractor to guarantee the work? For how long?

Environmental Factors

Windsor Heights is in "the heart of it all," at the center of our metropolitan area. Storm water runoff is a problem and as a community we have seen the existing storm drains struggle to keep up with the rainfall. According to the Iowa Department of Natural Resources website, a challenge of communities (especially growing communities) is increased impervious surface areas. The DNR also references a six year EPA study that mentioned "urban storm water contains concentrations of pollution equal to or greater than non-urban runoff". The city has recommended the use of permeable pavers rather than portland cement, but this will not prevent runoff. In fact, the Iowa DNR defines stormwater runoff as water that "runs off permeable surfaces or impervious surfaces". Miles of permeable pavers *will* contribute to an even greater storm water runoff problem.[1]

[1] http://www.iowadnr.gov/Environmental-Protection/Water-Quality/Watershed-Improvement/Stormwater

Traffic analysis

While reviewing the website, we noticed the committee of the whole meeting will review and discuss a traffic study. We have reviewed the traffic study and see nothing that clearly points to the need for sidewalks (especially as a first option).

Additionally, we have a couple of questions related to the traffic study and pedestrian count. Why is this only now part of the community discussion? How does one traffic study in one location prove a need throughout the city?

Without a comprehensive study, we are left with one opinion pitted against another. We feel it is unfortunate that this is how the city council has chosen to make it's case for this proposal. If there was a comprehensive (and impartial) study our community would have facts to help shape the solution instead of varying opinions. Therefore, we respectfully request before any decision is made on determining the final comprehensive sidewalk map that the city do a traffic study on all streets.

Sidewalk inspection

The most recent version of the plan included city inspection zones. Some areas that currently do have sidewalks are not in zone one of the inspection schedule. It would make sense that the areas of the city that have new sidewalks would be the last to be inspected not some of the first. The areas of the city that have existing sidewalks (specifically 73rd, University, and west of 73rd st) should be the first areas to get inspected.

Updated sidewalk requirements

The proposed ordinance requires four foot sidewalks which is wider than many existing sidewalks in the city. Is there a plan for homeowners and/or the city to retrofit existing sidewalks that do not meet the requirement to be in compliance? If an existing section is to be replaced will it be required to comply with the new regulations? There are times when we are walking on major thoroughfares and the sidewalks are not wide enough for two people to walk side-by-side. However, we also understand this will be a large cost burden on those existing homeowners and perhaps the city. Once again the city should study what is best for all residents and if four foot sidewalks are really necessary in both existing and proposed new sidewalks.

Property owner responsibilities

When reading through the initial proposal, there was something at the bottom of the cost estimate regarding placement of the sidewalks. Will the city have to secure more land than the right of way to put in sidewalks? Will the city have to go through eminent domain to do this? Additionally, when the residents have to dig up their yard to pay for a new sewer, who pays for the sidewalk repair? The city? Des Moines Water Works? The contractor? We would like more information available to homeowners about what will take place.

Process

It is clear the residents of Windsor Heights were surprised to see a plan that would pave the entire city. Especially when the city has had such a focus on limiting storm water runoff and improving the city's existing infrastructure. The council agendas provided on the website gave no indication a comprehensive sidewalk plan would be moving forward just that a sidewalk committee would be appointed. The city newsletter gave indication residents could sign up to be a part of the committee. However, no future communications from the city to residents notified them of any public meetings (which is required under Iowa code chapter 21.2 if a policy committee has been appointed by an

executive body and puts forward recommendations[2]). We are disappointed at the way the city and our elected officials have chosen to communicate with all residents of Windsor Heights.

Until very recently the conversation was about making the Cowles School area safer; which should be a joint project between Des Moines Public and Windsor Heights-not just for the city of Windsor Heights to address. We are not angry about sidewalks or the parents and children advocating for sidewalks, we are upset with the process or lack thereof and the way the city council has refused to respect and listen to the residents who are in opposition to the plan. Communities work best when they work together to come up with a solution.

Solution and conclusion

We believe the solution (whatever that may be) could be a proud accomplishment for the city council and Windsor Heights.

We don't believe paving the city with sidewalks, without any meaningful facts gained from a comprehensive study, and against the wishes of the majority of residents will be an accomplishment for the council. We do think there is a solution Windsor Heights and the council can be proud of, however that solution requires a few things:

- The council should be open to compromise.
- The council should be open to a comprehensive study and analysis to shape the needs of Windsor Heights, not "best practices" or where one opinion (or neighbor) is pitted against another.
- There should be clear goals and they should be measurable. "Walkability" is not a goal unless it can be measured.
- The council should recognize the majority of the community is not behind the proposal as it is today based on public comments[3] and the community survey[4].
- The council should recognize many residents (including ourselves) will experience a hardship.
- The council should work to educate the community on benefits and work to gain buy-in (not just the formalities required by law) prior to any action.

Thank you for the opportunity to comment and for your service to all the citizens of Windsor Heights. Please vote no on the recommended changes to the sidewalk ordinance.

Respectfully submitted,

Josh and Nicole Crain

[2] https://ipib.iowa.gov/chapter-21-official-meetings-open-public#definitions
[3] http://www.windsorheights.org/media/38598/Sidewalk-info-final.pdf
[4] http://www.windsorheights.org/media/38186/Windsor-Heights-Report-2016-0324.pdf

NEW COMMENTS ON SIDEWALKS 7/19-current

1. City of Windsor Heights. Walkability Committee:

Thank you for your work on this project. I wish to state my hope that those of us who do not wish to have new sidewalks installed, will not be forced to do so. I don't wish to have the extra liability, maintenance, and expense of sidewalks along my yard. We have many senior members in our population who would be unnecessarily burdened by being forced to install sidewalks.

As well, it takes away a good portion of my greenspace, since my back yard is negligible.

An issue of such importance to Windsor Heights citizens should be put to a vote. When this has happened in the past sidewalks have been voted down. As years pass and more houses turn over to younger families in them, the result maybe different. That is the way of democracy. I object to the lack of notification from the City regarding the discussion of walkability and sidewalks. I receive endless mail from City Council hopefuls at elections time . . . . . And yet, not one piece of U. S. Postal Service mail on this issue. Please USE the Windsor Heights magazine . . . . USE the Windsor Heights newsletter which comes with our water bills. We really do wish to be informed!I thought the Council handled themselves well last evening, but I was embarrassed by the abruptness of both the City Attorney and the Windsor Heights Police Department. Citizens are understandably frustrated by their inability to be heard!Although I have attended the last two meetings at the Community Center, I was one of the silent majority who did not speak. I had planned to speak on July 18, but honored Mayor Willits' request that we not reiterate anything which had already been discussed. However, my feelings are heartfelt. LET US VOTE!!

Respectfully Submitted,

Nancy J. Bunker

1911 69th Street

Windsor Heights, Iowa 50324 (since 1989)

2. I believe sidewalks will keep our residents safe and add value to our properties.

Kerry Bowen
7215 Reite Ave
515-556-5415

3. Good afternoon! I would like to express my support for the addition of sidewalks in Windsor Heights. As a mother of two young children and an avid reader, I've read that the conversations around this issue have been lengthy and heated - two characteristics that won't allow me to bring my children to a council meeting. I chose to move to Windsor Heights in 2007 because of its location and small town feel. I appreciate that I can take walks with my family around the neighborhood. We have coped without sidewalks. However, with more and more distracted driving occurring in our society, I am more concerned about the lack of sidewalks in Windsor Heights. A recent Des Moines Register article said that traffic-related fatalities due to distracted driving increased drastically in the last year. I want my kids to play outside and walk to school

without fear that they will be hit by someone who is on their phone or distracted otherwise. By adding sidewalks, we decrease the likelihood of a tragic accident. I appreciate the in-depth study of this issue and want to show my support for sidewalks since I am unable to attend the meetings. I am excited about the progressiveness of Windsor Heights. With the recent news of the local restaurant developments on University, I take pride in our community. I applaud the efforts for walkability, local restaurants, and the bicycle hub. All of these things will help to put Windsor Heights on the map and make it a hip place to live with character and a value set that celebrates what our community and its members can provide. We need that connectedness. Thank you for all you do to represent Windsor Heights. I hope that you take my thoughts into consideration while you look at all of the elements of this issue. I wish the affected residents could see how taking responsibility for the sidewalk is something that is commonplace in nearby communities. The benefits of sidewalks far outweigh the drawbacks. I'm hoping we can "meet in the middle" somehow in order to make this sidewalk plan happen without undue stress on residents. Please know that there are many people who are quietly supporting sidewalks - those of us who can't attend the meetings or who don't want to engage in heated discussions with neighbors around this issue. I appreciate your time in reading this message. Again, thank you for your service to Windsor Heights.

Sincerely,

Emily Johnson
6621 Elmcrest Drive
Windsor Heights, IA 50324

4. The streets themselves are for cars, bicycles and evidently its fine for everyone else. I am elderly and find that it is hard to walk near the curb and hard to get up on the curb for passing cars when no sidewalk is available. I've only fallen once on 64th street once into the grass when I was in better shape. A school is a school and should have sidewalk access regardless of how many students from Windsor Heights attends. Employees of the school should also have a safer access via a sidewalk to reach a business or bus stop on University Avenue. Have sidewalks, families will use in either direction. Dog walkers as well. City snowplows can not clear curb to curb cleaning majority of the time. Slush and ice accumulates as rain run offs would interfere occasionally. I've been caught in that, but not in Windsor Heights. I feel the hatred that is being conveyed may also impact current/future developments. I have no problem with differences of opinion.
   Bill Maxwell
   1126 69th Street
   Windsor Heights, Iowa 50324-1508

5. I've lived here on Del Matro for 40 years and have not wanted sidewalks even when my children went to Clive school. Having to deal with ice and snow in winter would be so

difficult at my age. Wouldn't it be better to call for a vote from the people who would have to deal with problems in winter and more important (to me) would be to lose trees and shrubs and the use of a large section of driveway. I wasn't aware that a few people could take over a section of everyone's property without permission-----were there notices on the town website or notices in the mail?? Aren't there any laws to protect property owners?? Hoping to see info on website or in the mail. Patricia Brigance 7214 Del Matro Ave.

6. Thank you for providing this means of communication and the opportunity to provide my thoughts on this subject. I am against new sidewalks. I have lived here nearly 30 years.

1. Our taxes are high enough.
2. Sidewalks may be desirable, however, street and sewer maintenance are necessary expenditures that deserve much higher priority.
3. Expenditures such as this should be driven by data. No data has been presented supporting the necessity of additional sidewalks. Conversely, a survey concludes that the majority of citizens is against additional sidewalks. Please note that I find all kinds of problems with alleged "data" supporting sidewalks, particularly that provided Monday by AARP. For example, Austin, Texas is cited. Austin proper (not the entire Austin metro area) is over 900,000 people. What works for Austin should not be compared to a city of 5,000. Another example of misleading information in this flier was that "sidewalk maintenance costs are real-estate tax deductible." It is not a simple, blanket deduction for maintenance costs; there are several conditions that must be present. That statement is completely out of context. It would be unusual for those costs to be deductible.
4. Regarding the proposed sidewalk for 73rd St south of Buffalo Rd, our city should not bear the entire burden. Wal-Mart and citizens of West Des Moines would receive nearly all of the benefit of this section so they should share the burden.
5. I think too many pro-sidewalk people lack common sense. If they do not feel safe walking in the street, step off the street and onto the grass when a car comes along!
6. It seems most pro-sidewalkers are newer to Windsor Heights. Why did they move here knowing certain areas lack sidewalks yet they still want sidewalks? This is like people who buy a house near the airport and then complain about the noise.
7. Do the pro-sidewalk people know that you are supposed to walk against traffic? Do they wear bright colors to make themselves more visible? Do they wear reflective clothing or have lights when walking at night? Do they know it is not trespassing if they walk on the grass? I think these are problem areas for which the solution is simple education.
8. The mayor has always been concerned about the "identity" of our city. Well, part of our identity is that many streets lack sidewalks and the majority of citizens prefer it that way. Our residents have consistently rejected additional sidewalks multiple times over many years.

9. The AARP flier indicates home values will increase and Mr. Bales-Henry told me in an email that, "The value added is typically $4,000+." Therefore, if the new sidewalk plans are implemented, I expect that the City of Windsor Heights will notify the Polk County Assessor that all property values have increased and everyone should expect higher assessed valuations for property taxes.
10. Several proposed segments make no sense. For example, my street, 68th, from Hickman south to Timmons. Not a through street, does not connect to a school, a park, or significant retail. Why was it chosen along with the connecting segments which also are not through streets?
11. I walked up and down my street Sunday and also stopped at a house on 69th and another on 66th. Of 15 residents I found at home, one was for additional sidewalks. One other thought they are a good idea but she does not want to pay for them. Everyone else is against the additional sidewalks for one reason or another, particularly the segment on our street (without knowing which side of the street it is planned for) . If you need me to get an affidavit with signatures, I can certainly do that.
12. I am also concerned about the increased amount of runoff water.
13. Safety? A few years ago a child was killed on Cummins Pkwy (close to Windsor Heights). The driver simply left the road -- the child was not in the street. Accidents will happen and nothing can prevent them.

Jeff Aten
2206 68th St

7.The purpose of this e-mail is to register my opposition to new side walks in Windsor Heights (i.e. phases I, II, & III). I have nothing more to add because it's clear to me that it won't be heard.

Mark Condon (a Windsor Heights resident since 1987)
7131 EL Rancho Ave

8. How curious I find that not one of you has bothered to respond to my message. I just learned (from a non-Windsor Heights resident) that there is a meeting tonight. NONE of you felt it was appropriate to respond to a city resident and mention this? Convenient, as now I can't make arrangements to attend the meeting.So this person tells me that the local news reports that 70% of Windsor Heights residents oppose the sidewalk plan as I do…. You all clearly have NO regard for the interests of the majority of the city residents. This is priceless! Our "representative" government in action. I thought there was nothing worse than our federal government – but you guys take the cake! Grow up and do your jobs of representing the residents. Or at least, one of you, find the guts within yourself to respond. I dare you.

"The evil that men do lives after them;"…as will these stupid sidewalks.

I strongly oppose the plan to require sidewalks in the city of Windsor Heights. My husband and I walk regularly in the community and we see many people doing the same – on the streets, as they have for years, with no safety issues or concerns.

Regardless of the funding via assessment or bond issuance, the property owners will bear the cost of this, and our property taxes are already too high. The installation of additional sidewalks, and their maintenance, is a totally unnecessary expense. Where do you get these stupid ideas – a bike lane down the center of University was another priceless idea!! And why aren't you representing the opinions of the residents? Who wants sidewalks – no one I've spoken with during our walks.

Get with it and represent your constituents – or you won't hold office after the next elections.

Denise H. Peterson

6415 Forest Court - 4 ½ years

Formerly 1236 65th St. – 14+ years

9. Mayor Willits and members of city council,

This morning, as I was walking from my home on Elmcrest to 66th to the bus stop on University, I reflected on how nice it will be to have a full sidewalk on from 66th to University.

Not only will it be enjoyable as a pedestrian, but as a member of the community it will be a great opportunity to get to know my neighbors who will take to the sidewalks.

This is a historical movement and like all historical movements, there is a strong opposition to change. As a 7-year resident of Windsor Heights, I am excited about this growth for my famiy and my community and hope that you will continue forward as planned with the sidewalks.

Hope

10. Janet O'Brien 6521 Del Matro

I support the addition of sidewalks in Windsor Heights. Many of my comments are to the sidewalk objectors and some of the comments I heard last week. I have no illusions that what I say will change anyone else's mind.

I have lived in Windsor Heights for 30 years, first at 68th and Carpenter then the last 16 years on Del Matro. We raised our kids here and they went to Cowles, Windsor, Merrill and Roosevelt with my youngest just graduating. When met people in the neighborhood it was always "oh you're the one with kids"

I have always supported sidewalks the many, many times it has come up during the last 30 years. My kids have walked the streets to and from school, stood in the street waiting for the bus etc. And yes, none of them were killed but I remember several close calls. Kids shouldn't have to stand and walk on the streets and go around cars out into the street to get to school.

To those who say yes but it won't affect my yard, you are right I live on the north side of Del Matro and the sidewalks are now proposed for the south due to the telephone poles and the parking which are both on the north. It would probably make more sense to put the side walk on the north side to get to Cowles since they wouldn't need to cross Del Matro once they get to 64th. But maybe cost effect because of the poles. Earlier proposals did have them on the north side and I was in favor then, knowing it would cut down my yard and would need a retaining wall.

I disagree with the people who are saying there isn't that much traffic or walkers on Del Matro and 64th. I see a lot of people walking. I drive 64th to avoid turning left off 63rd. And aot of people drive down Del Matro as a cut though. In my opinion, most of the people objecting are not the people out walking.

To those who say there were no sidewalks when you moved here, so you can't have them now. You are correct but there also was no Hyvee, Cowles soccer fields, the town center, the building Questar is in, Walmart and Sam's, no Doctor clinic, new kum and Go, no trails and the park was a mess with a building that always smelled like sewer. Every one of these projects were met with resistance from the citizens. Many of the meetings against these projects were every bit as heated as these meetings. I couldn't come up with a project that hasn't been objected to. Windsor Heights is truly a "Not in My back yard" community. But PLEASE think about what the taxes would be like without any of this redevelopment. What Windsor Heights would look like with those crappy old buildings. And the services you couldn't get here before these building were built. How many citizens now use these businesses they once objected to?

There is a saying that you do not plant a tree for yourself, you plant it for your grandchildren. Let 's step back and think of sidewalks in that same way.

Thank you for listening.

Janet O'Brien

11. Windsor Heights City Council,

We are happy that the city council is doing something about the lack of sidewalks in Windsor Heights. During the last city election, the three of us voted for council members who were in support of a better Windsor Heights with more sidewalks. We have a sidewalk in front of our house which is constantly used by walkers of all ages and by children on bikes, skates, and scooters. One of the reasons my husband and I bought this house 26 years ago was that it had a sidewalk. Other cities in the metro area have had programs to add sidewalks to their city and it only makes sense that Windsor Heights keep up with the

times by adding more sidewalks in order to attract more residents. In the last couple of years, we have added 15 new children to our street (along with their parents) and expect another new family to move in this summer with an additional 6 children. All on a block with a sidewalk.

Thank you for not backing down on this sidewalk issue.

Sincerely,

Jean and Tom Tauber Alyssa Tauber
7208 Franklin Ave.Windsor Heights Iowa

12. I am sending this email to express my disagreement with the proposal to install additional sidewalks in Windsor Heights.

I bought my house nearly nine years ago and two of the main reasons were the lovely old trees on the property and the fact that there are no sidewalks to worry about maintaining, especially as the house is located on a corner lot.

Now because of a vocal minority that is all set to change. You are proposing to build a sidewalk along my property line which is about half a block. In the process you will be destroying a butterfly garden, my hedge and old lilac trees. Depending on how far back this sidewalk will be, I may also lose my fence and cherry blossom trees that are as old as the house. For this I will not be compensated and to add insult to injury be expected to pay for and maintain this sidewalk?!

It is clear that Windsor Heights does not have the money for this scheme so it would seem the favored proposal is to plunge the city into debt to pay for it. A debt that will ultimately be paid for by the homeowners in the form of higher property taxes no doubt. We already have the highest property taxes of all the metro suburbs, second only to Des Moines itself. Higher taxes will not be attractive to people thinking of moving to the area and be an additional burden for those of us already living here.

It has been claimed that the addition of sidewalks will result in more people walking. I dispute this. This past year I have spent a lot of time canvassing throughout Windsor Heights, especially in the areas where there are sidewalks. I never saw another person out walking. In contrast, in my neighborhood, I often see people walking: families, couples, dog walkers, children on bicycles/scooters. A sidewalk would limit people to walking single file and I doubt anyone would actually use it. Everyone I have spoken to does not see the need; if they see a car approaching they step up onto the curb. Our neighborhood is not exactly busy with traffic and when I walk my dogs I probably see two or three cars at most.

But if traffic and cars are the main driving concern here, especially close to Cowles, what traffic calming ideas have been considered, if any? Four-way stops? One-way systems? Crosswalks? Speed bumps? Anything?! Has the school been involved in the discussions?

Overall what I am most upset about is the underhand and undemocratic manner in which this whole issue has been handled. Residents' concerns and feelings have been disrespected. Like others, I have not once been contacted about this matter. I have received numerous emails and mail drops about the 75th anniversary celebrations but nothing about this issue. Considering you plan to spend $3 million, disrupt the entire neighborhood and destroy my property, don't you think we deserve some respect and to be actively included in the discussions, instead of being dismissed? We should have been treated better than this and you should be ashamed of yourselves.Samantha Meyers 6551 Forest Court Windsor Heights, IA 50324

13. Attached to the July 18th Committee of the Whole documents was a street inventory and rating chart. Most of the streets are rated "poor" or "very poor", and yet the Council insists on moving ahead with walkability and construction of new sidewalks. Citizens have been complaining about the condition of the streets at the public meetings on sidewalks and attempting to tell the Council that the emphasis should be street repairs and not new sidewalk as the City can not afford both. This report validates what the citizens have been telling the Council that the streets are in poor condition and should be repaired before beginning a new sidewalk program.

Also attached to the July 18th Committee of the Whole documents was a Levy Impact Estimator showing 15-year and 20-year bond costs, which is not very clear or understandable. I was in attendance at the June 20 Committee of the Whole meeting where your financial advisor told the Council that the effect of the $2.89 million Phase 1 project would be an annual cost of $187,000 if 20-year bonds were sold which equates to tax cost of $72 per year per $100,000 of property tax valuation. If 15-year bonds were sold the annual cost would be $238,000, which equates to $93 per year per $100,000 of property tax valuation. If you examine the Estimator closely, the numbers are close to matching, but the simple sentence is much more understandable. I have attempted to tell the Council the tax implication twice and have attached my July 5, 2016 comments to the Council for your quick reference where I attempted to explain the issue.

These comments also stated that your financial advisor said that Windsor Heights has a GO Bond limit of $16 million of which $7 million has been used, leaving $9 million available. If $3 million is spent on Phase 1 Sidewalks, $3 million on Phase 2 Sidewalks, and $3 million on the bicycle hub, then the City's entire bonding capacity is spent, and no funds are available for street repair. According to the Windsor Heights Indebtedness Report, most of the larger bond issues do not mature until 2021, 2028, and 2033; so the City will not have significant bonding capacity available for some time. The City of Windsor Heights simply can not afford this large

Walkability program and maintain its streets. Look at the condition of University Avenue. The sidewalk program should be delayed until the streets are repaired.

The attached July 5th comments also request that the City's assessment policy be clarified under Section 136.08, where the document simply states that the City may order construction of new sidewalks and may specially assess the costs. What is the City's assessment policy? This policy should be included in Section 136.08. I have given suggestions in my comments. I understand that the Committee unanimously recommended that the City of Windsor Heights pay 100% of the costs related to the Walkability Program since it is a City program. If so, why did the Committee include the reference to special assessments in 136.08? This section should be revised to strike the references to special assessments and state that the City of Windsor Heights should pay 100% of the cost of the new sidewalk.

Section 136.07 Economic Hardship also needs to be redone as many people have commented.

Early in the process, before the Committee was established, the Council requested suggestions from the public on alternatives to sidewalk. This was when the focus was on 64th Street and Cowles School. I made the recommendation to the Council that 64th Street be closed at College Avenue. I think that this should be evaluated by the Committee. On April 15, 2016, I visited Cowles School and counted 101 vehicles entering the school driveway between 8:10 and 8:40 am. At the school's driveway exit there is a sign that says "No Left Turn", (which was apparently recommended by the Windsor Heights Police according to the principal) that forces all the 100 plus vehicles southbound on 64th Street into the residential neighborhood. This traffic is what originally prompted the petition for sidewalk on 64th and statements that it is a busy, dangerous street. The Committee should consider putting large moveable "Road Closed" barricades across 64th Street immediately south of the College Avenue intersection. This would effectively turn College Avenue into an extension of the school driveway. All school vehicles would then enter and exit on College to 63rd Street. This would make 64th Street a dead end street. Closing 64th at College would not block any driveways on 64th Street. With the school traffic removed from 64th Street, the Council will have improved the 64th Street neighborhood and reduced the need for sidewalk. I presented this idea to the previous city administrator and planning coordinator, who were concerned about traffic delays exiting College to 63rd. My response was that there could be delays, but the individuals creating the problems would be the only ones experiencing the delays. The City could post a "No Left Turn" sign at 63rd Street to reduce delays. The City could also consider eliminating parking on College and creating one westbound lane and two eastbound lanes - one for left turns (northbound) onto 63rd Street and one for right turns (southbound) onto 63rd Street. This would also greatly reduce the delays. The City's engineer would need to evaluate the street width, and some widening on the south curb line may be required. However, this would be an improvement for the school traffic and could be a shared cost with the school district.

John McKee

My name is John McKee and I live at 1423 64th Street.
I do not have any major objections to the maintenance sections of your proposed Sidewalk Regulations, Chapter 136, but I oppose the new sidewalk section. I have submitted written comments to the Mayor, and offer the following:
136.08 Sidewalk Construction Ordered. This section simply states that the City may order construction of new sidewalk and assess the property owner. I believe that if the City is proposing a Walkability Program for Windsor Heights, then the City should pay 100% of the costs. This is a fairness issue. Why should a selected few citizens who the City has chosen to put sidewalk in front of their homes be required to pay for the City's Walkability Program? The City is pitting neighbor against neighbor to argue which side of the street the sidewalk should be built on, and who gets to pay. On 64th Street the engineer's estimate is $230,000, and there are 35 houses on the east side that was surveyed by the engineer. Simple math gives an average of $6,572 per home if 100% assessed or $3,286 if 50% assessed. Property owners on the west side would pay nothing if 100% assessed. How is this fair? If 50% assessed, the west side would still pay $3,286 less than the east side. An appraiser said at the first public meeting that there is no consideration given to sidewalk on an appraisal, so there is no increase to the property value on the east side yet the owners have paid $3,286 plus the privilege to remove snow and maintain the sidewalk forever.
New Sidewalk Construction Costs
The engineer's estimate for Phase 1 is almost $2.9 million. This is a very expensive program. If the Phase 2 estimate is similar, Windsor Heights will have spent approximately $6 million to construct sidewalks on one side of most streets. Do the benefits equal the costs? Your bond counsel stated that Windsor Heights has a $16 million G.O. bond limit of which $7 million is used. If the Council sells bonds for Phase 1 at $3 million, Phase 2 at $3 million, and $3 million for the bicycle hub ($1.6 million to acquire property plus improvements), then the Council has used its entire bonding capacity. What will happen to other priorities? University Avenue is an embarrassment. Your bond counsel stated that 19-year bonds would cost $72 per year per $100,000 of valuation. These

three projects will add $216 per year per $100,000 of valuation, and given that the average home is close to $200,000, the tax load would increase $432 per year for 19 years. Windsor Heights' taxes could be the highest in the Metro! You are five days into your new budget year, and I do not believe that any of this Walkability Program is budgeted. Where are you going to get the funds? Remember the City must pay its contractor, so you will need to sell bonds to finance the project regardless if you attempt to assess part of the cost or not. Consideration should be given to reducing the scope of the Walkability Program. Phase 1 should be reduced first by delaying at least 63rd and 73rd sidewalks. These two streets are both on the perimeter of Windsor Heights and benefits to citizens may not justify the $1,138,750 cost, which is almost 40% of the Phase 1 cost. 73rd Street has major railroad involvement and agreements with the railroad take time. Additionally, the railroad is the abutting property owner south of the railroad crossing, so who will remove snow in the winter?

What is the City's assessment policy? Which construction items and costs are assessable and which construction items are City responsibility and costs? I feel that the following items should be 100% City cost:

 Driveway removal and replacement. If the City's Walkability Program requires the driveway to be removed because it is not at the proper elevation or cross-slope for the new sidewalk, it is the City's problem. The owner has constructed a driveway and the City has inspected it, so any adjustments should not be the property owner's cost.

 Grading, walls, and restoration. The City constructed the street and graded the parking at that time. In the older sections of town the street was not graded for sidewalks and the slopes are too steep. Grading will be required and in some location several feet of soil must be removed and walls built. Again this is not the fault of the property owner as the City did the work originally and should now pay to have it redone. Likewise, the property owner has established grass in the yard, and the City should pay to replace that yard with sod at its expense and not with seed.

 Tree Removal. Again this should not be the property owner's expense. Tree removal should be kept to a minimum, and the Council should approve any tree removal.

This leaves only the actual cost of the sidewalk and the cost of the soil that must be removed and replaced with concrete that should be considered assessable items**.**

136.15 Determining location of new sidewalk. The policy states that the engineer should determine the location of new sidewalk including the side of the street and the distance from the curb. If sidewalk is only constructed on one side of the street, the Council should make the final determination based on the engineer's recommendation and public input before the plans and specification are prepared. The location of poles should not be the only consideration. The original petition on 64th Street requested the sidewalk on the west side, same as Cowles School. The engineer's recommendation (and survey) is the east side. Several people have raised the safety issue of having the children, mostly coming from the west side, cross 64th street twice to get to school – once at their side street and once at School Street where all the traffic and congestion is. This does not make sense and should be changed. If sidewalk were to be constructed on both sides, the location of the utility poles would not make a difference. We have poles on both sides of 64th Street. I assume the Windsor Heights has a franchise with Mid-American Energy that requires the utility to move its poles at the utility's expense if they interfere with the City's construction, so why is it more expensive for the City project?

136.0.2 Removal of Snow. The 48 hour period to remove snow before the Public Works Director removes the snow without notice is too short. If the owners are gone for a weekend, they could find the City shoveling their walk Monday morning and assessing them. Require the PW Director to give 24-hour notice in the door after the 48-hour period has expired.

136.04 Annual Inspections. Why does the annual inspection schedule give the PW Director until June 30th to inspect the walks? This inspection could be done late

winter or early spring before May 1st. Then move the entire schedule forward so work is not done in late fall**.**

136.07 Economic Hardship. The Regulations do not state the minimum qualifications or what the property owner receives if the minimum qualifications are met. The Hardship Application is to invasive and should be revised. The HUD Guidelines are income guidelines only and not asset guidelines. When the application is submitted to the City it becomes a public document and therefore anyone can get the property owner's bank account information. This form is very condescending and embarrassing to the applicant. Who is going to verify and analyze this information and against what standard? The City should require the applicant to submit the last income tax statement which will show the income from all sources.

14. July 22, 2016

Dear Windsor Heights City Council Members and Mayor Willits,

We regret that we have not made it to the recent city council meetings regarding the addition of sidewalks to Windsor Heights, as we are very much in favor of adding sidewalks.

When we were shopping for homes three years ago, we very much liked Windsor Heights due to its central location, proximity to bike trails, local businesses, schools, and restaurants. The one thing we did not like was the lack of sidewalks in some areas. In fact, we actually chose not to even consider looking at several houses due to the complete lack of and sidewalks on the street in Windsor Heights.

We settled on our current house and were glad that at least the North side of the street had a sidewalk. I find it interesting that I know the neighbors only on the North side, as we frequently walk and stop and talk with the neighbors as we see them outside. Our oldest child will begin kindergarten in the fall, and walking to Windsor Elementary would be a much shorter and safer walk, were there sidewalks the entire way.

We asked our 5 year old daughter why she likes sidewalks, she responded "Because we can walk on them and we don't have to walk on the grass. Also I can ride my bike on them!"

If we want to bring in younger people and families to keep Windsor Heights vibrant, we must keep up with the times. Younger generations want communities to be accessible in all ways and all modes of transportation.

We are looking forward to a great neighborhood restaurant opening in the former Mustards location, and the new development at 66th an University. We hope these will be walkable destinations.

We include a fact sheet for your consideration.

http://www.healthbydesignonline.org/documents/HbDFSSidewalks.pdf

Thank you,

Eric Hayes and

Chelsea Bredeson Hayes

6321 Washington Ave.

Windsor Heights

515.412.4950

You must be the change you wish to see in the world. ~ Mahatma Gandhi

15. I moved to Windsor Heights in 2009. I am still surprised at the lack of sidewalks in the neighborhoods.

I walk my dog every day, several times a day and usually take one route because of the LACK of sidewalks going other places. I see people walking home with shopping bags from Windsor Heights and Hy-Vee - I think that is a great sign. Our neighbors WALKING and SAVING energy and exercising. If you continue to add businesses to University Ave - more restaurants etc, it would be great to have sidewalks for the neighbors and encourage supporting our local businesses.

The home owners insurance SHOULD cover for the liability issue on icy/snow covered walks. If the issue is being unable to shovel the walks, maybe we could work with the area high schools (Dowling, Roosevelt, Valley, etc) to earn service hours in exchange for shoveling. Losing trees seems a weak argument as well, If they want to save the tree, cement around it.

Just my two cents worth.

Sorry I could not make it to the open forum meeting.

Thanks for continuing to work on making Windsor Heights more Livable!!

Therese M. Schimek

6750 School St Unit 644

Windsor Heights, IA 50324

515-238-2087

Comments from council meeting 7/18

George Hanusa:

Sense of vision for the community, changes need to happen to help our community

Ann Burgess: against?

Mike Draper: Sidewalk to the school would make it safe for the kids

Kathy Calhoun: Tax increment finance dollars, thanking for looking into sidewalks

Cory: 63rd st entrance into Cowles, crossing guard on 63rd, stoplight

Nancy: maintain and replace sidewalks, it floods on the sidewalk on 73rd, street repair, infrastructure first

Darren: Traffic studies done on the roads, runoff effecting the sewer, walnut creek, concrete impact on storm sewers and waterways

Jodi- walkable community for young families

Sarah- get budget impact for families on how it will impact their budget, talk about different alternatives

Mike- felt unsafe a few times when using my bike, walkability

Glen- get rid of the plan

Chris- maintenance, handicap and mobility issues, wont be able to remove snow or pay someone to remove snow

Jill- get information from all the neighborhoods and blocks

Harold- increased auto traffic

Mary- dangerous to go to Cowles during the winter, flat street with a sidewalk on the side,

Colleen- shared streets, widen the streets

Jaz- ballot for the vote

Dena- Walk children to school

Rick- road conditions aren't good, many breaks in the roads, bike riders ride in the roads

Dennis- proper installation, who will decide if it was a proper installation or not

NOTES FROM PLANNING AND ZONING MEETING

Item 4 – Presentation by Zach Young of the MPO proposed sidewalk ordinance from walkability committee.

The P&Z Commission unanimously recommended the following:

- The City should undertake a general obligation bond to finance sidewalk construction. This is a city project and should not be assessed. Property owners will have to maintain the sidewalks in-they should not have to pay for the initial construction through assessment.

- The City Engineer, not the Council, should decide which side of the street sidewalks should be built. To do so otherwise would politicize the decisions and should be avoided.

- The engineering estimates should include sod, not seed, for the project. Water to establish the sod should also be included in the costs. The city should water to establish the sod.

- Section 136.15 should be amended to define what a "mature tree" is and should be amended to say mature trees will not be removed.

- The hardship application is too invasive. Nothing more than a citizen's tax return should be required. Providing bank account information and the like should not be required.

- Create a process for citizens to request a waiver for a sidewalk for unique circumstances where it is not feasible to place a sidewalk on a property.

- The section proposed along 73rd Street from Buffalo Road to Center Street should be revisited. It represents 1/3 of the total cost of Phase I and the use does not justify the cost.

- recommendation to use permeable pavers

Meeting adjourned at 6:45 PM

Public Comments on the proposed amendments for the chapter 136- July 5th

1. Sam Reese, 6408 Del Matro
   -Read my letter and where I stand on this issue. Sidewalks are dinosaurs now and nobody uses them. 70 percent of mothers drive kids to school, 20 percent the school bus takes them, and 5 percent walking.
   If I had a sidewalk in front of my house, three people would be walking it and I don't think that's a very good investment.
   Dealing with government subsidy, you have got to connect to bike paths and so forth to help get the government subsidy
   Keep the us government out, keep it small or keep it low.
   As for paying you or me, you don't have a clue how much it will cost
   Besides concreate you will have Landscaping, terracing, excavating, and the sidewalks are to keep the kids off the street, they aren't on the streets they are on their cellphones

2. Donald Bustell, 6520 Del Matro
   Resident 14 years
   Proposal phase 1- change the seed grass to sod, it's a like process for seeding.
   Pavers- bad idea, every crack will grow weeds and couple years they will heave and nightmare for snow blowing
   Repair information only mentions concrete doesn't even mention pavers
   Cost- discard 73rd and 63rd portions
   Then you end with 220 houses and that's 8,000 a house
   Newer driveway and the entire front will need an retaining wall will cost me about 25,000

   3.Rober t Lewis- Lewie
   6715 Del Matro
   14 years
   No difficulties getting around.
   I told the police I will be out walking a lot, the police officer told him
   Only two times I haven't felt safe that's morning when kids are getting dropped out and in the afternoon getting picked up
   Speeders
   Quester just did a survey, where we did a quality of life survey and it was completed in March and we had a viable sample and only 100 people and that makes it viable sample, and only 69 percent don't want sidewalks.
   This is a democracy and 69 percent don't want it
   Go to the ballot box to vote people and vote no

4. Robert Aukes
   6505 Sunset Terrace

I walked my neighborhood before I bought my house and notice there were no sidewalks neighbors told me that were 100 opposed to sidewalks if sidewalks were that important to me that I wouldn't buy that house. I bought a house in a neighborhood were they don't like concrete. Windsor Heights is different, we are quirky. We drive a different speed here. Every street is not lined with sidewalks. If we get all normal and regular and put in those da*n sidewalks, why then maybe people can start driving faster like everyone else. I worried that Windsor Heights that will lose that cache that makes us Windsor Heights.

5. Bridget Mc Nerney
   6411 Sunset Terrace
   The Hickman sidewalk should be wider with the new mix use housing and the sidewalk should accommodate
   That would be a good corridor and entryway into the city
   General fund bond- not in favor of the bond
   I think a bond that would absolutely delineate the project and would like a more specific bond towards the project
   Do you vote on a bond? (a separate public hearing on the bond)
   Discouraging that you have so much for lack of support of sidewalks but your still moving forward

6. Nicole Crain
   7022 Del Matro Ave
   1)I would request you remove Del Matro Ave. from the plan. The residents on the street do not want sidewalks. There have been no studies done to show a sidewalk is necessarytraffic, pedestrian or otherwise.
   2)There is precedence for the city to pay for sidewalks. All the property taxpayers of Windsor Heights have had to pick up the cost of a few streets in the past and this should be no different.
   3)The proposal before you was put together in two meetings and with the input of a few residents. More than that, the proposal before you this evening recommends paving a whole lot more of a city that already has a crumbling infrastructure. In the recent Quester survey which was posted online June 29, 2016, the priority of residents are the streets. Only 9% of those who answered the survey said sidewalks were a priority. Changing the sidewalk ordinance at this time will only require more maintenance and upkeep on the part of the city, taxpayers and homeowners.
   4)The guidelines proposed are more costly and stringent than the existing sidewalk policy. Will all current homeowners have to dig up their sidewalks and install the new sidewalks? Regarding costin
   the proposed ordinance it does appear that homeowners will not have to pay when the city digs up the yard for utility work, sewer work, water work or anything else. Is that the case?
   5)I have so many items regarding the details of the plan, for example; 75 days to repair your sidewalk in the height of summer or in the middle of winter may not be doable. Environmental conditions may be a factor that would prevent the sidewalk from being repaired. There are no

considerations in the proposed language for an extension of time.
In conclusion, I hope the city council will listen to those individuals; more than 75 percent on my street alone who do not want sidewalks. Windsor Heights needs to reduce stormwater runoff, replace streets and continue protecting residents as we have done for 75 years. A policy change as large as this needs more time. Thank you for the opportunity to comment.

7. James Addy
   7015 Colby Ave
   Resident for 30 years
   Last time they had a government grant and it didn't get through then
   People don't want sidewalks
   Moved into Windsor Heights for the ambiance
   Jamming this down our throats and 69 percent don't want sidewalks
   Do you care what the citizens are saying
   Everyone was happy without sidewalks

8. Diana Foss
   6608 Del Matro
   Thank you John McKee for the comments and did a great job going through the oridnance
   Irrigation systems, pulled up and redesigned to put sidewalks in
   2 councilmembers missing from tonight's hearing and they are the two newest councilmembers
   I feel like this process is rushed and that other options should be considered.

9. Dwane Estes
   1507 66th St
   Do not asses the homeowners
   I don't follow council as closely as I should
   Streets are in bad shape
   And sidewalks don't bother me and we weren't assessed last time for sidewalks, if you are going to sidewalks in and you should take the money out of taxpayer money and we shouldn't have to pay for it again.

10. Frank DeBartolo
    6705 Del Matro
    Friendly place to live and very little angst
    And now the sidewalks are causing angst
    How do you think these people will think and feel and their lawn is tore and then get the special assessment and the taxes go up.
    Flamingo nights will be ruined
    We will talk about how much we dislike the council and city administration
    You are creating division and angst and if you go through with it

11.Olivia Coil
6916 Del Matro
You think I would be in favor of the sidewalks but I'm not but there are so many sidewalks in disrepair that I have to travel in the streets sometimes not on the very busy roads. The sidewalks are not maintained, I have to be so careful on sidewalks since so many are in disrepair.
Teenagers don't walk
We will have a lot more problems with sidewalks then we can solve.

12. Gary Coil
6916 Del Matro
Cost of maintenance
Who will pay for it? (general obligation bonds)
It should be spread over the whole city and the city should pay for it

13. Verlyn Larson
7215 Sunset Terrace
I have lived here for 42 years and I have seen a lot of changes.
Would like to know what the changes are there?
(information given by Steve Peterson)
Majority from the residents don't want it from the survey

14. William Strate
7015 Sunset Terrace
Favor in the amendments, well written amendments
Bonding seems the best way, make sense in today's market
Walkability
Wise investment
Boost property value

15. Larry Petersen
6804 Del Matro
Opposed to sidewalks
A reason we came because we had no sidewalk
Take Del Matro off the proposal
If we are going to pave sidewalks then it should be a general obligation bond

16. Wanda Hornsby
6421 Del Matro
Information from the Cowles School
Increased traffic around the area and the drivers are not good drivers around the school, they don't slow down, they run stop signs

More consideration on 63rd and more police monitoring

17. Bette Reeves
    1035 66th
    Letter from her neighbor
    Potential from a class action lawsuit

18. Glen Cornell
    1511 66th
    Take 66th St off
    Plenty of things to pay such as our horrible streets
    Pay for our streets instead of sidewalks
    It brings people 20 ft closer to my front door and closer to my children

19. Mary Beth Kucharo
    7209 Colby Ave
    15 years
    Moved to WH because of the yards, wonderful homes, super great community
    Removed Colby
    I don't want my yard or neighbor's yard destroyed
    It needs to go to a vote
    I have two young children and a dog and we can navigate the streets just fine

20. Ray Ramirez
    6711 Colby Ave
    Remove Colby Ave
    I would lose 25 percent of my yard
    I would lose parking spaces in my driveway
    What will happen during snow?
    Will get ticketed for parking in the sidewalk area or the street because I can no longer park in my drive
    This is being forced down our throats
    And now you will be taking 10 ft or 12 ft of my drive and people don't want it
    Take it for a vote

21. Mike Mc Guire
    7223 Franklin
    Other forums in the past where people have support his measure
    136.07 economic hardship
    Are we taking into account the diverse hardship demographic?

Can we budget for the expenses of proper sidewalk repairs and helping people with repairs if needed
The disrepair sidewalks need fixed and we should a line on the budget for sidewalk repairs

22. Cristina Ramirez
6711 Colby
Should be voted on
And if our community votes for it then we deal with it and if people vote no then we go with it
It will affect everyone differently
Better streets with no potholes would be nice
The whole community should pay for it

23. Darren Fife
6410 Sunset Terrace
Ordinance well done
A lot of important changes to have a comprehensive policy
We voted already when we voted you into office
A very positive change in Windsor Heights
Support the amendments

24. Larry Woodworth
7237 Sunrise Blvd
Agree with the changes in the ordinance
But do not agree with the way it happened
Replace a street, you will replace the water main, the street and add a sidewalk that way we get the streets we need and sidewalsk

25. Jan Stueckrath
7037 Sunrise Blvd
We have raised two children here including an autistic son who has no problem navigating the streets
The residents shouldn't be responsible
How can the elder afford to pay for it?
The council shouldn't have made this decision and it should have went for a vote

26. Linda Bacon
6409 Sunset Terrace
I agree with the people against sidewalks
Kids walk on my lawn
I walk on the streets all the time

Sidewalks wont solve walkability issues
I want sunset terrace removed
I'm a senior citizen and living on fixed on an fixed income
About snow and ice, how can I maintain it?
And if I cant pay the fine for not shoveling snow

27. Joyce Mulhern
7122 Del Matro
Zachary Bales- Henry was my realtor and I asked for a Colby ranch and no sidewalks and he said there would be no sidewalks and now it's happening

28. Bill Donohoe
7005 Colby Ave
I don't want sidewalks especially if 70 percent of the people don't want them and if it will pit one side of the street against each other.
Remove Colby Ave
Lose half of my driveway
If a plow comes by then I will have shovel again
Sidewalks should be on both sides

29. Darren Skeries
1441 64th st
Remove 64th from the proposal
The sidewalk is place on the east side of the street it should be removed and put on the west side
They have to cross multiple sections to get to the sidewalk
They don't pay attention to stop sign and they wont pay attention to a crosswalk
They speed on that street
If 90 day repair process then 75
If a resident couldn't pay the repair in the first place and they get a higher bill from the engineering if they don't get it fixed in time how can the pay a bigger bill if they couldn't pay for the repair in the first place.

30. Linda Hickman
7160 Sunrise Blvd
48 year resident
Take Sunrise Blvd off the list for sidewalks

31. Nancy Rambo
6520 Del Matro

City council need to review the amendment and determine how much the city can afford and break it down into small phases that city could afford to pay for

32. Jonathan Neiderbach
    1440 63rd st
    Happy 63rd is on phase 1
    63rd is unsafe and dangerous
    Go bonds

33. Jon Abrahamson
    1449 64th st
    49 years lived there
    Sidewalk on 64th st removed from this plan
    Don't remove the trees
    On the south there are a lot of telephone poles and trees
    We want green areas
    Very few children walk the streets
    For funding it should put to vote for the community to decide
    75 to 90 percent don't stop at the stop sign, they may be slow down
    We shouldn't have to pay for it
34. Paul Wellman
    7114 Del Matro
    How did this project get going without anyone knowing about it?
    How soon can we get rid of city council

35. John McKee
    1423 64th St
    Submitted written comment on the ordinance
    136.08 sidewalk construction may order construction and assess the owner. The city should pay the cost, why should a few selective citizens have to pay for a sidewalk
    Pitting the neighbors against each
    If you put the sidewalk on the east side of the street, there are 32 house and the west side would pay nothing
    3,286 pay towards the sidewalks
    If phase two is cost to the same amount then they would be pay 6 million
    Eliminate 73rd street
    What is the assessment policy for it?
    Homeowners shouldn't have to repay for driveway placement
36. Laura ward gave her time to john mckee

37. Collen Kelleher
   6529 Colby
   Remove Colby Ave from the plan
   Make the city responsible for it
   City should be responsible for the cost of sidewalks and the maintenance
   Pay for landscaping and terracing if needed

38. Min
   7215 Del Matro
   I have gotten hurt walking the sidewalks that are in place right now because the sidewalks are not maintained and prefer to walk the streets
   Elderly parents who live here and they cant take care of the sidewalk and removing the snow
   My parents travel and wont be there and will get fined for snow if they are gone
   Please consider the demographic of Windsor heights
   Remove Del Matro
   Most residents are retired and want to enjoy their retirement and not have to deal with the maintenance

39. Alex Todd
   1411 64th
   Moved in March
   Enjoy not having to maintain to
   And enjoy the extra yard and sidewalks are a hassle to deal with
   This whole thing is splitting people
   Remove 64th

40. Susan Skeries
   1441 64th
   Removal of 64th st
   The placement of the sidewalk now in the plan will have the kids crossing college, sunset, Colby defeating the purpose of being safe
   Parents aren't stopping at the stop signs at 64th and sunset

41. Glenda Graf
   6600 Colby Ave
   Remove 66th and Colby
   People don't stop at the stop sign

Maybe put in speed bumps by the stop signs

42. Sharon Cummins
    1051 66th st
    Remove their street, are you seriously not going to put sidewalks where the people have said to remove their street? If so remove 66th st
    And the city should for it

43. Bill Elliott
    7023 Del Matro
    Remove Del Matro and our property off the list
    Very ill-conceived plan and that you will listen to the residents

44. Carole Tillotson
    1418 64th st
    Vice chair of planning and zoning
    Issue go bonds
    Removal of 73rd piece
    Consider sod instead of seed
    90 percent of 64th st doesn't want it
    Other streets don't want it
    2 councilmember aren't here
    If you pave 63rd then take out 64th. 63rd provides connectivity to Cowles

45. Thomas Mc Mahon
    1227 64th st
    Read the masterplan and how questions on the construction on phase 1 and phase 2 and it's a very aggressive plan and has time been added in for adverse weather and other issues that could come up.

46. Kory Hirth
    6825 Del Matro
    Thank you for the Fourth of July
    Contributors to campaigns should not get projects. That the campaign donors don't get these contracts. And there are no kickbacks to friends
    Quester did a great survey. 69 percent doesn't want sidewalks
    We have streets falling apart
    Re rod is showing in the street and the street repairs need to happen
    Cellphone ordinance
    Citizen vote

47. Pat Mc Manus

7119 Colby Ave
I knew Mr. Colby and he thought about the layout of the city.
It will eliminate parking stalls
Take Colby out of the process
2 parking stalls will be eliminated

48. Jan DeBartolo
6705 Del Matro
Trash the whole plan
Extremely expensive- the city shouldn't pay
The streets are horrible
If the funds are being funneled towards sidewalk instead of streets
Money should go towards the streets not sidewalks
No streets are being fixed by public works

49. Juanita Lightbody
7208 Sunset Terrace
47 years
The City needs to pay it
And I have a fixed income and I cant pay for it

50. Dave Miller
1300 64th st
15 mature trees that would be removed
East side of university
Take 64th st off

Written comments submitted

1. **John McKee-**

Comments on Sidewalk Regulations, Chapter 136

I offer the following comments by section number:

136.0.2 Removal of Snow. The 48 hour period to remove snow before the Public Works Director removes the snow without notice and assesses the cost is too short a time period. If the snow stops on Friday night and the property owners have left for the weekend to return Monday morning, the Public Works Director could be out shoveling their walk Monday morning and assessing them. If you are going to use a 48-hour period, then require the PW Director to give notice in the door after the 48-hour period has expired that the property owner has 24 hours to clear the walk or the City will do it and assess the property owner.

136.03 Maintenance. Thank you for having the City accept the responsibility to construct the ADA ramps. I believe that this is a City expense and not a property owner expense as the ramps do not abut the property.

136.04 Annual Inspections. Why does the annual inspection schedule give the PW Director until June 30th to inspect the walks? This inspection could be done late winter or early spring before May 1st.Then the property owners will have the opportunity to contact contractors to do the repair work early in the construction season before the contractor's get busy and hopefully get a better price. Additionally, the work could be completed before late fall when the weather is questionable. 136.04.d now states that the PW Director will do the repair between October 1 and November 30, which violates the last paragraph of Section 136.05 which states that no openings will be permitted on sidewalks between November 15th and April 15th.

136.07 Economic Hardship. The Regulations do not state the minimum qualifications or what the property owner receives if the minimum qualifications are met. Appendix E includes two different guidelines (HUD and SHTF) with four sets of limits (30%, 50%, 80%, and 100%) for each guideline. The City of Des Moines uses the 80% HUD income guideline as its assessment subsidy threshold. If the property owner's income is less than the 80% for the number of members in the family, then the City pays the entire assessment. The Hardship Application is to invasive and should be revised. The HUD Guidelines are income guidelines only and not asset guidelines. When the application is submitted to the City it becomes a public document and therefore anyone can get the property owner's bank account information. This form is very condescending and embarrassing to the applicant. Who is going to verify and analyze this information and against what standard? The City should require the applicant to submit the last income tax statement which will show the income from all sources. If the property owner cheats on income tax, there are other penalties involved.

136.08 Sidewalk Construction Ordered. This section simply states that the City may order construction of new sidewalk and assess the property owner**. I believe that if the City is proposing a Walkability Program for Windsor Heights, then the City should pay 100% of the costs.** This is a fairness issue. **Why should a selected few citizens who the City has chosen to put sidewalk in front of their homes be required to pay for the City's Walkability Program?**

The City is pitting neighbor against neighbor to argue which side of the street the sidewalk should be built on, and who gets to pay. On 64th Street the engineer's estimate is $230,000, and there are 35 houses on the east side. Simple math gives an average of $6,572 per home if 100% assessed or $3,286 if 50% assessed. Property owners on the west side would pay nothing if 100% assessed. If 50% assessed, the west side would still pay $3,286 less than the east side. How is this fair? An appraiser said at the first public meeting that there is no consideration given to sidewalk on an appraisal, so there is no increase to the property value on the east side yet the owners have paid $3,286 plus the privilege to remove snow and maintain the sidewalk forever.

I understand that West Des Moines and Clive have undertaken sidewalk policies in recent years and that they both ordered sidewalk on both sides of the street. At least they were fair and consistent with all their property owners. Ordering sidewalk on only one side and assessing the costs simply is not fair. Windsor Heights is allowing its engineer to decide who will pay for the walkability program and it appears that she has made her decision solely on the location of the utility poles. 64th Street has poles on both sides. If Windsor Heights was ordering sidewalk on both sides of the street, then the location of utility poles would not matter. I assume the Windsor Heights has a franchise with Mid-American Energy that requires the utility to move its poles at the utility's expense if they interfere with the City's construction, so why is it more expensive for the City project?

What is the City's assessment policy? Which construction items and costs are assessable and which construction items are City responsibility and costs? I feel that the following items should be 100% City cost:

☐ Driveway removal and replacement. If the City's Walkability Program requires the driveway to be removed because it is not at the proper elevation or cross-slope for the new sidewalk it is the City's problem. The owner has constructed a driveway and the City has inspected it, so any adjustments should not be the property owner's cost.

☐ Grading, walls, and restoration. The City constructed the street and graded the parking at that time. In the older sections of town the street was not graded for sidewalks and the slopes are too steep. Grading will be required and in some location several feet of soil must be removed and wall built. Again this is not the fault of the property owner as the City did the work originally and should now pay to have it redone. Likewise, the property owner has established grass in the yard, and the City should pay to replace that yard with sod at its expense and not with seed.

☐ Tree Removal. Again this should not be the property owner's expense. Tree removal should be kept to a minimum, and the Council should approve any tree removal.

This leaves only the actual cost of the sidewalk and the cost of the soil that must be removed and replaced with concrete that should be considered assessable items.

136.15 Determining location of new sidewalk. The policy states that the engineer should determine the location of new sidewalk including the side of the street and the distance from the curb. If sidewalk is only constructed on one side of the street, the Council should make the

final determination based on the engineer's recommendation and public input before the plans and specification are prepared. The location of poles should not be the only consideration. The original petition on 64th Street requested the sidewalk on the west side, same as Cowles School. The engineer's recommendation (and survey) is the east side. Several people have raised the safety issue of having the children, mostly coming from the west side, cross 64th street twice to get to school – once at their side street and once at School Street where all the traffic and congestion are. This does not make sense and should be changed. If sidewalk were to be constructed on both sides, the location of the utility poles would not make a difference. We have poles on both sides of 64th Street.

136.21 Vegetation overgrowth of sidewalk. The committee recommendation includes bidding both concrete and pavers for construction of new sidewalk with the Council to make the decision on materials. The Council should consider that the pavers will require continual maintenance from the property owner to remove grass and weeds in the joints. In addition, settling will be a problem resulting in uneven sidewalk.

New Sidewalk Construction Costs

The engineer's estimate for Phase 1 is almost $2.9 million. This is a very expensive program. If the Phase 2 estimate is similar, Windsor Heights will have spent approximately $6 million to construct sidewalks on one side of most streets. Do the benefits outweigh the costs? Your bond counsel stated that Windsor Heights has a $16 million limit of which $7 million is used. If the Council sells bonds for Phase 1 at $3 million, Phase 2 at $3 million, and $3 million for the bicycle hub ($1.6 million to acquire property plus improvements), then the Council has used its bonding capacity. What will happen to other priorities? University Avenue is an embarrassment. Your bond counsel stated that 19-year bonds would cost $72 per year per $100,000 of valuation. These three projects will add $216 per year per $100,000 of valuation, and given that the average home is close to $200,000 the tax load would increase $432 per year. Windsor Heights' taxes could be the highest in the Metro!

Consideration should be given to reducing the scope on the Phase 1 by delay of 63rd and 73rd sidewalks. These two streets are both on the perimeter of Windsor Heights and benefits to citizens may not justify the $1,138,750 cost, which is almost 40% of the Phase 1 cost. 73rd Street has major railroad involvement and agreements with the railroad take time. The street is graded as a rural cross-section without sidewalk. Additionally, the railroad is the abutting property owner south of the railroad crossing, so who will remove snow in the winter?

The estimates include seeding as the restoration method. This should be changed to sod so that the city does not look like a war zone and require the owners to attempt to establish grass.

The estimate for 64th Street shows sidewalk on the east side of the street and is dated 06/06/2016, which is 9 days before the survey was done on 06/15 & 16/2016, so I question how much information the engineer used for the estimate.

2. Nancy Oldham-6816 Colby Ave

Ms. Willits, I am copying you on a email I have today sent to the five city council members. Thank you, Nancy Oldham

I would like city council members to hear my opinion about the sidewalk plan for the City of Windsor Heights. I am frequently unable to attend meetings due to my health, so I want to thank you for taking the time to read about and consider my opinion.

First, many residents have fought against sidewalks repeatedly and apparently unsuccessfully. The unique and beautiful streets of Windsor Heights will certainly be devalued as a result of these sidewalks, and the property owners who own land on the sides of the street where sidewalks are built will lose the use of their property in several important ways, parking space being one. Privacy is another important consideration, especially when so many homes have shallow front yards already and floor-length windows facing the street. However, a majority of council members have chosen to proceed with a sidewalk plan, and now we are learning they also want to assess at least part of the cost to homeowners.

Has it been considered that a majority of homeowners either do not use their garages for parking or have more vehicles than fit in their garages? The sidewalk plan will force many more vehicles onto street parking, homeowners and visitors alike, due to the decrease in the amount of parking at homes that will have sidewalks. Where do council members propose those homeowners and visitors park vehicles surrounding a snow day, once parking capacity is greatly reduced?

The appearance of the neighborhoods will be forever changed, from peaceful, residential streets to congested streets lined with parked cars. One can easily imagine that more safety problems might be caused than solved, especially when considering that pedestrians don't always cross at intersections, and bicycles are to remain on the streets. Bicycles and pedestrians will be darting in and out of more parked cars with the sidewalk plan. Our streets will become more like some of those in Valley Junction, with cramped front lawns and parked cars rather than the green, peaceful lawns you see now when you drive down a Windsor Heights street. *Besides posing safety problems that don't currently exist in great numbers. this lowers property values, deprives property owners of some of the current uses of their property and changes the face of the affected streets forever.*

In summary, it's my belief the sidewalk plan is irresponsible, unnecessary and ill-conceived, will pose more safety problems than solutions, devalue property and reduce privacy for residents on streets affected and permanently change the look of our beautiful streets in a negative manner. To also assess any part of the costs associated for sidewalks to homeowners would be to add insult to injury.

Thank you again for taking the time to consider my opinion.

Nancy Oldham
6816 Colby Ave
Windsor Heights, IA 50324
youneekone@gmail.com
515-229-0476

3. **Beth Blay**

   To Whom it may Concern:

   I wanted to write to express my opinion about the issue of adding sidewalks to residential areas of Windsor Heights. I have been a Windsor Heights property owner/resident for 17 years now. I have spent the better part of these 17 years doing my best to update and improve my home so that it is something I and Windsor Heights can be proud of. Late in 2014 I was finally able to finance my biggest home improvement yet. I tore out my old hideous, but functional, driveway and replaced it with one I couldn't be happier with. The slope of my drive is also extremely steep and cars always scraped when they backed out until my remodel. To add a sidewalk would only make this problem return. I also repaired my front yard with sod and have successfully turned my front yard into one that is all grass & practically weed free. I feel great pride when I pass one yard after another taken over by dandelions and clovers

knowing I have managed what I have. I spent just shy of $18,000 dollars on this home improvement knowing that even if I sold my house I wouldn't get it back but wanted it done anyway so that my home was as beautiful as it could be. I will finish paying off this home improvement at the beginning of 2018. I have chosen to continue to drive my 18 year old car and to live with my kitchen and bathroom that are in desperate need of a remodel so that I could get my driveway fixed first. Imagine my surprise when a neighbor informed me this weekend that before I even manage to pay off my home improvement the city might make me tear up my yard and driveway and pay for it again. I am a single woman who was thrilled to not only be able to keep my home after my divorce but was even happier when I was able to start making improvements to it as well. What are the odds you think I can afford to destroy the new drive and yard I have only enjoyed for almost 2 years to abide by some new regulation that was not in place when I decided on my home improvement?

Yet, the money isn't even my greatest concern. If I thought it was actually necessary for safety I could rationalize it but I have only heard of one person actually being hurt in Windsor Heights by walking or biking in the streets since I have lived here. That was at the intersection of 70th and University. A place that has sidewalks and walking lights. This same spot is the only place I have ever been scared because someone ignored the walking lights and flew through the intersection and almost hit me. I walk around Windsor Heights twice a day on most days, for the last 17 years, so I can say I cover a great deal of the area and have never been worried about safety on any of the streets that sidewalks are being proposed for. Maybe if statistics proved our no sidewalks lifestyle to be a danger the expense to the homeowner and to the city could be understood but at this point it seems as though we are trying to fix something that is not broken.

So with this opinion, let me add this: Have you noticed how awful the sidewalks we currently do have in Windsor Heights look? Look at the weeds growing in all of them. The block between the city hall and the police station looks awful. Check out the sidewalk in front of the church on 66th Street. Look at the grass between the curb and the sidewalk all the way down University and next to the Windsor Town Center on 66th. Is there actually any grass growing in these spot or is it all weeds? In addition to them being an eyesore, in the winter I find it is safer to walk in the street than to use the sidewalks that currently exist. Many are never cleaned until they are pure ice and no one seems to enforce whatever the code for sidewalk snow cleanup is. So, we want more people to have sidewalks to not maintain? Our neighborhoods are beautiful and safe as is. Why scar them up with more sidewalks?

4. **Diane Foss- 6608 Del Matro**

   Dear Mayor and City Council persons

   I want to add one more comment to my comments made tonight at the public hearing on the amending of the WH sidewalk ordinance.

I would like you to amend out of the ordinance the Phase 1 piece that concerns Del Matro Ave. I think you will find that more than 75% of those on Del Matro Ave. have no wish for a sidewalk on Del Matro Ave.

5. Elsie Henry-
I do not think the home owners should be responsible for the cost of this project. Many of us are on a fixed income and barely able to pay for taxes now. The city is responsible for the ten feet from street into the yards. And it makes no sense to put sidewalk on east side of 64th when entrance to school is on west side and there is all ready a block of sidewalk on the north west side of 64th just before the school.
Last nights meeting was a total mess, why not have it held at Colby park where accommodations would of been much more satisfactory? It was ridiculous and city council played such a poor part in this agenda. I have very few words to say about this city council except that it sucks. Listen to the PEOPLE!!
Thank you.
LC

6. Nancy and Ed Greenman- 7218 Sunset Terrace
Hi Diana, we strongly reject your perposal to more sidewalks in Windsor Heights! We arrived at city hall last night at 5:50. But could not get in to meeting room. Nancy and Ed Greenman 7218 Sunset Terrace. 515.277.3141 Thank you, Nancy

7. Mayor & Council,
A friend posted an article about opposition to sidewalks in your town.

As a disability advocate, I find the idea that lawn is a higher priority than accessibly rather upsetting. After a search of your city's website it doesn't appear you have the required ADA Transition Plan -- this is where you document all the areas where you fail to meet the American's with Disabilities Act of 1990 -- and prioritization and timeline estimate for correction of the violation. This includes public buildings but also the public rights-of-way.

Many cities that haven't created their own transition plan and made their PROW compliant have found themselves in the crosshairs of the US Dept of Justice.

If you have public right of way for sidewalks but don't install them it'll look bad in court.

Steve Patterson, disabled/blogger
St. Louis Missouri

8.Nicole Crain- (Her other comments were listed in the public comments since she also gave them orally)

Hi Diana,
Please find attached a copy of the public comments I gave orally this evening. Just to clarify and confirm what is in my comments-I understand June 29 was the date the survey was posted on the city webpage-not the date the survey was conducted. I'm not sure if its autopopulated or what, but wanted to let you know this is where I found the date in case Council Member Peterson has any additional questions: http://www.windsorheights.org/city-news/quester-survey.aspx.
I know it will be a little while before the public hearing documents are uploaded. Will the city be doing a responsiveness summary?
Also, I think there was some confusion tonight around the plan. Just to confirm:
1)Plan approved in March was for complete streets which includes a variety of options to improve walkability not just sidwalks.
2)The city already has a chapter 136-which deals with sidewalks. The bulk of the proposal was to update Chapter 136.
3)The map provided in the packet is the outline for where the sidewalks will be placed and the timeline. Meaning is it okay for any resident who will be affected to comment on sidewalks to their city council members?
I just want to make sure I am understanding everything correctly when people ask questions as I know this is a very sensitive topic. Thank you to you and the other council members who attended the meeting tonight.
Please let me know if you have any questions about my comments attached. I may provide additional comments between now and the meeting on July 18 as unfortunately I will be out of town for both meetings.
Thanks again!
Nicole

9. Dave and Mart Bass-
We've lived in Windsor Heights for over 30 years and during that time we've enjoyed living in this nice quiet community. We have seen a lot of changes most for the better some not. The sidewalk proposition would fall into the not category. We side with the majority of our neighbors (70 to 80%) that think the sidewalks are a very bad idea. The idea of not only forcing the sidewalks on the community but also having to pay for the installation and the maintaining of the sidewalks year-round is going to be a real burden on a lot of the members of the community. We raised our two children in Windsor Heights teaching them not to use the street as their playground. There was never a problem with them riding their bikes, walking to school or to a friends house. This needs to start with parents supervising their kids when they're playing outside. This all started with a ridiculous proposition to put sidewalks in at Cowles school, which by the way is a private school attended by roughly 20 Windsor Heights children. This community was designed to not have any sidewalks, more green space than cement. Windsor Heights wants to be perceived as a green community, yet you want to destroy a lot of mature trees if this sidewalk proposition is carried through. We are asking the mayor and the council to please reconsider their position on this matter. Thank you,

10. Janet Mamberg- 66th St
    Scan in and attached- with an additional note from Bette Reeves who also gave a public comment on July 5th.

11. Juanita Krueger- (

Comments after the hearing:

1. **Susan Skeries:**

   To Whom It May Concern:

   I am writing to you after the recent public hearing for the sidewalk ordinance. I would like to express my displeasure and disappoint in you as City Council Members and Mayor Willits, with the exception of Betty Glover. I feel as if the residents of Windsor Heights have been bullied into having sidewalks even though there is overwhelming support against having sidewalks. I also feel that the way that the public hearing was handled was not acceptable. The big slap in the face is that two of the city council members were not present and one of them was the chairperson of the sidewalk committee. There was no discussion made by the City Council to address some of the ordinance issues that were brought up. How could there be no discussion about things that are brought up, multiple times, by the residents of Windsor Heights? Another big problem that I have is how the meeting was handled. We were above fire capacity in the hallway and the chamber was completely full yet the residents were told to either be quiet or they would be asked to leave because we were above capacity. I do not feel that it was a safe environment for the resident's to be in and I question how the hearing could continue when resident's couldn't hear plus we were above capacity in at least the hallway. I understand that no one thought that the resident's would actually come out to this public hearing especially since it was planned the day after a holiday and without much publication about the public hearing but something should have been done to ensure that everyone could hear what was being said within the chamber. There were also approximately 20-25 people that left due to the lack of space, how hot it was in the hallway and that they were required to stand the whole time. These resident's should have been able to have had their voice heard instead of being turned away due to the lack of planning on the city council's part.

   I will start by asking who handpicked the sidewalk committee members? How was this decision made? Was the committee a 50/50 split between for/against sidewalks or was the

committee handpicked by someone to further their sidewalk agenda? I have heard several resident's say that they looked online and could not find the paperwork to fill out to be on the sidewalk committee. I also could not locate the paperwork to submit to request to be on the sidewalk committee. I also question how the chairperson of the sidewalk committee can not show up to at least two of the public hearings about the sidewalk issue and yet make a decision based on living in Windsor Heights for just over a year. Did Mr. Bales- Henry even listen to what the residents had to say and their concerns? If so, how did he receive this information since I observed Ms. Harms moving her hair about and yawning while Mr. Timm continually yawned during the sidewalk hearing at the community center? It is sad that the sidewalk committee has had only 2 meetings and has made a decision for a $2.8 million dollar project yet the committee for the Windsor Heights 75th Anniversary has met double, triple and even quadruple the number of times. I do believe that the committee for just the Fourth of July events met more times than the sidewalk committee did and how much money did the resident's of Windsor Heights spend on both events combined? I am guessing that we spent way less than $2.8 million dollars for both events combined. A woman at the public hearing stated that she purchased her house using Mr. Bales- Henry as a Realtor. She was specifically looking for a certain style of house and did not want sidewalks. She purchased in Windsor Heights because of there not being sidewalks and specifically asked Mr. Bales- Henry if there would be sidewalks through her yard. His response was absolutely not yet he has been the fighting force behind sidewalks in Windsor Heights. I find it appalling and unprofessional, if these statements are true, of Mr. Bales- Henry. If this actually did occur, as the woman who went on public record has stated, then Mr. Bales- Henry should, at the very least resign, from his position as a City Council member due to his conduct.

What studies were done to look at where sidewalks, cross walks, stop lights, etc would be useful at? What other options, other than sidewalks, have been looked at? Why has no one talked with the resident's who live on 64th Street to see what they feel is the problem with the congestion on 64th Street? Has anyone talked with resident's on Colby, Sunset or DelMatro to see if they have any valid and more cost effective options? I have seen Ms. Glover in our area several times and I watched Ms. Harms pass by once walking on her phone without ever looking at the 6 neighbors standing in front of the house but I haven't seen anyone else around our neighborhood asking for recommendations or to even view the "problem" area. With all the pedestrian traffic that Windsor Heights saw this Fourth of July I wonder how many calls were placed in regards to pedestrians being hit by motor vehicles versus how many calls were placed to Colby Park since not all the streets in that area have sidewalks.

I have to wonder why this sidewalk issue has been pushed through so quickly and has been attempted to be run under the radar. A person would be led to believe, with the number of people in attendance at the public hearing last night, that there is a lack of communication between the city and its resident's since many did not know that this public meeting was only for the sidewalk ordinance. They believed that this would be a public hearing on the options

of a sidewalk. Many also were unaware that this sidewalk issue was NOT just a 64th Street issue but that the resident's were being forced into having sidewalks all over Windsor Heights. Why is it that nothing was sent out to the resident's about this sidewalk ordinance but we have received numerous mailings about the 75th Anniversary of Windsor Heights?

After leaving the city council meeting and having a talk with the family about the outcome my 16 year daughter asks a very valid question. If the city council members are elected by the resident's of Windsor Heights, there were only 3 people that spoke for the sidewalks and there were probably 50 people that spoke against the sidewalk ordinance how did the city council vote to approve the ordinance? The city council is supposed to be the voice for the majority of the resident's not taking on their own agenda and forcing it on the resident's. Going to the survey that was released by Quester, in 2014, 75% of resident's did not want a sidewalk and then in 2016, 69% of the resident's do not want sidewalks. How can a city council vote to put sidewalks in when the overwhelming majority of resident's do not want it? Why were the resident's not made more aware of something as financially costly as a sidewalk that could cost the city and resident's over $2 million dollars? I find that irresponsible by the city leaders.

I firmly believe that the City Council members need to stop this action and take a step back to re-evaulate this issue. I am not sure what action can be taken to make a motion to re-evaluate the sidewalk ordinance but I believe that it is what should be done- for the Resident's of Windsor Heights. I also believe that since only Ms. Glover has listened and stood up for the majority of the constituents of Windsor Heights that the rest of the City Council should turn in their resignations as council members. How am I supposed to put my trust in elected officials when they are running on their own agenda not the agenda of the majority of the citizen's in the city.

Feel free to contact me with any questions or concerns you may have concerning my email.

Respectfully,

Susan Skeries
1441 64th Street
Windsor Heights, IA 50324
smskeries@gmail.com

2. **Tracy Rodgers-**
   Mayor Willits and Council Members Peterson, Glover, Timm, Harms, and Bales-Henry:

   Please accept this letter (attached) as my public comment and LACK OF SUPPORT regarding sidewalks in Windsor Heights. Regretfully, I am unable to participate in the meeting on

Monday, which I have seen (via the local news) will include discussion about sidewalks in Windsor Heights.

In addition to my letter, please consider the following story, which happened just last week: A friend from a large suburb of Dallas stopped to see me on her way through town. She had her dog with her. We walked to Grounds for Celebration to get coffee and catch up. As we walked, she made several remarks about the "feel" of Windsor Heights and how much she loved the look of the houses and streets. As we approached the Lutheran church, we crossed the street and the three of us – my friend, myself, and the dog – attempted to walk on the sidewalk in front of the church, but there wasn't enough room. There wasn't even enough room for just her and the dog. So we went back out to the street. As we did so, she commented, "In my neighborhood, my neighbors and I never use the sidewalks. It is just too difficult for more than one person to fit, especially when you've got dogs." Touché.

Tracy Rodgers
6706 Forest Court

Her Letter:
July 7, 2016
Mayor Diana Willits and Windsor Heights City Council
C/O City of Windsor Heights
1145 66th Street, Suite 1
Windsor Heights, IA 50324
Dear Mayor Willits and Windsor Heights City Council Members:
I am writing to indicate that I am adamantly against the proposed sidewalk ordinance and the intention to install sidewalks throughout Windsor Heights.
I am a long-time resident, choosing to move to Windsor Heights in 1996. I loved how Windsor Heights felt like a village nestled within a city. Part of the appeal that drew me to this home, neighborhood, and city was the lack of sidewalks along the street which added to the feel of a quaint village.
I am not against walking, biking, or running. Quite the opposite – I use our streets to walk and bike, recreationally, as well as to and from businesses or events. I've never had a problem or concern getting where I needed to be; I've never felt threatened. Not only has a lack of sidewalks not deterred me from walking, it is also not deterring several other residents. I see dozens pass my house every day – walking, running, biking – recreationally, with dogs, with coffee or ice cream, and even carrying bags, to indicate they are returning from a shopping trip. Visitors nearly always comment about how active the neighborhood is. We are a walkable and connected city.
Some of my concerns regarding the city creating/changing ordinances and forcing installation of sidewalks within residential neighborhoods include:

1) The use of tax dollars for sidewalks in residential areas is not needed and not acceptable. Windsor Heights has limited revenue options due to being "landlocked". Squandering that revenue on something unwanted and unnecessary is ridiculous.
2) The future expense to residents is also unacceptable. After the city uses our tax dollars for the initial installation, homeowners are then additionally burdened with the maintenance and any liability that may arise. I, for one, am very concerned about taking on these risks.
3) Many homes, including mine, include a separate parking pad next to the driveway and the street. Installation of a sidewalk would render mine, and likely many others, useless. This is yet another burden, expense, and inconvenience to residents. The result will be even more cars parked on the street, disrupting traffic and causing more risk of accidents.
4) For many residents, snow removal is another burden, particularly older residents who are not as agile and able to shovel. Snow removal near the street is particularly difficult to achieve, full of heavier, icier accumulation from snow plows. Whether through physical labor or expense to hire the job out, the resident would once again be on the losing end. (I won't even get into the difficulty removing snow after people have walked on it during the day.)
5) Many homes in Windsor Heights have old sewer systems which will eventually need to be replaced, if it has not yet occurred. The expense is tremendous on its own - I have experienced it. With the addition of a sidewalk to replace, the expense will be oppressive for many.
When approaching this issue, I also urge the city to be more transparent. Putting sidewalks throughout town is now being called "connectivity" and "walkability". As someone who works within public health, I fully understand those terms. And I am also aware that many people may not. Please, do not veil what you are trying to do.
Windsor Heights is walkable and people are walking. We are not a city of multi-lane highways and thoroughfares that make it difficult to get somewhere on foot. The "walkability" argument just doesn't cut it. Nor does the "connectivity" argument. We have roads, and even some occasional sidewalks on our main streets leading us to wherever it is that you want us connected. What I would prefer our elected officials spend time and money on is attracting businesses and events that are worth walking TO. In my opinion, that is what we lack.
Please don't make Windsor Heights a city that is over-regulated, governed without concern for residents, and designed to look like larger suburbs. We are not any of those things and many of us have chosen to live here because of that. Thank you for your consideration.
Sincerely,
Tracy Rodgers
6706 Forest Court

3. **Jeremy Kelly- 1241 66th**
   I want to voice my support for the city's sidewalk plan. I know some people are unhappy, but this is a basic public good that every urban community should offer, and in the long run, it can only help the city. I want to thank everyone at city hall for tackling this controversial issue.

I went to Tuesday's council meeting to oppose the suggestion that the abutting property owner make a direct contribution to the construction costs; since the sidewalks are a public good (and since that property owner is already to be burdened by the sidewalk upkeep) it makes sense that the community as a whole should fund the construction. I left the meeting when I saw how many people were waiting to speak, but it sounds like the council agreed on those points. I'm glad to hear that.

4. Jill Elbert-
   Hello!

   I attended last night's city council forum. I live at 1100 66th Street, and I've lived in Windsor Heights for exactly *36 days now.* My perspective is pretty fresh.

   As a first-time home buyer, I was disappointed to learn that so soon after my big purchase, I may be footing the bill for a sidewalk. If new sidewalks are indeed going to be installed (sounds like that train has already left the station?), I ***urge*** you to find a way in the city's budget to pay for it. Windsor Heights is a wonderful, quiet community and it seems a lot of residents are either senior citizens or first time home buyers. Senior citizens are on a fixed income; first-time home buyers are on a limited budget. The house I purchased had three offers the first day it was on the market, and I am buying a new roof, new front door and new kitchen window. Now sidewalks?! (It was hard enough to scrape together a down payment! Please, no.)

   One angle that was not brought up last night is the sell-ability of the homes in Windsor Heights. Soon after I moved in, the house next door to me went up for sale. The owner bought the house in the 1960s and passed away in December and her son is selling his childhood home as he now lives in Madrid with his family. With the age demographics of this lovely community, I unfortunately predict this situation will play out again and again in the next 5 years and its going to be tougher to sell these houses to qualified buyers if they know right off the bat they are going

   to have to spend $5000+ on a new sidewalk. Moving is expensive enough! Potential buyers are most likely going to try to negotiate the price down to compensate for the new sidewalk cost. This will affect all of us!

   Being at the meeting last night, some of the comments were a bit brutal. Being an elected official, I know you have nothing but the best intent for the community we live in. I'm trying a more tactful approach with my feedback; please take my comments into consideration when contemplating this important decision.

5. Robin Salsberry 7036 Sunrise Blvd
   Windsor Heights City Council Members,

   Tonight, I attended tonights City Council meeting and listened to many people who opposed the plan. One person specifically asked if the plan to move forward with the installation of sidewalks was a done deal. Mayor Willits - on two separate occassions you confirmed that the City Council had voted to move forward with the sidewalk plan, 4-1 done.

Yet, when I review the prior Council Agenda's and minutes (please note not all appear to be posted), there is Resolution 16-0656 published that references setting a public hearing date for July 5th to consider PROPOSED Ordinance changes. This doesn't appear to be a done deal.

Mayor Willits - why did you state to the citizens present that this was a done deal? Isn't Resolution No 16-0656 an opportunity for the citizens of this community to make public comments about PROPOSED CHANGES to Chapter 136? And 99% of those that spoke were against the plan?

Please help me out and explain. Also, if the Council has already voted to replace Chapter 136 in its entirety, please direct me to the public notice that was given, and the minutes of this meeting.

In addition, there were times when the Mayor and a couple of other members were being disrespectful to a few people who were given their two minutes…you were talking amongst yourselves. You ask for respect in your forum and yet you displayed lack of respect to some speakers. I would like to add that the young lady to the right of the Mayor, in order to be taken seriously and professionally needs to stop chewing gum throughout the meeting.

Obviously, there are many unhappy people and I hope you REALLY LISTENED to their concerns. I was very disappointed on many different levels, the way the meeting started with a smart aleck remark about "getting this many people to volunteer", asking people to stop clapping (this is a democracy and during the political campaigns there is a lot of clapping and booing, it didn't slow things down a bit (as someone stated), people stopped when the next speaker was at the podium), when questions were asked to the council, specifically to the Mayor there were blank stares. As if the answer was unknown. Many of you had to of known, there was going to be many people at the meeting tonight, how about being prepared?
Don't assume everyone looked online at the information, that was a very poor response and came across condescending. Quite frankly, from the beginning it has been very kludgy to navigate.

There has been a lot of good done in Windsor Heights, and there are reasons why people want to live here, don't give them reasons to leave.

Speaking of reasons for leaving, why has there been such a high turnover with the City?

6. Jan Stueckrath 7037 Sunrise Blvd

Hello Windsor Heights City Council Members - I attended tonights City council meeting and spoke regarding the sidewalk plan. I specifically asked if the plan to move forward with the

installation of sidewalks was a done deal. Mayor Willits - on two separate occassions you confirmed that the City Council had voted to move forward with the sidewalk plan.

Yet, when I review the prior Council Agenda's and minutes (please note not all appear to be posted), there is Resolution 16-0656
published that references setting a public hearing date for July 5th to consider PROPOSED Ordinance changes. This doesn't appear to be a done deal.

Mayor Willits - why did you state to the citizens present that this was a done deal? Isn't Resolution No 16-0656 an opportunity for the citizens of this community to make public comments about PROPOSED CHANGES to Chapter 136? And 99% of those that spoke were against the plan?

Please help me out. Would someone please explain to me? Also, if the Council has already voted to replace Chapter 136 in its entirety, please direct me to the public notice that was given, and the minutes of this meeting.

Kind regards,

7. Mary Kilburn 1411 66th
Hi Diana,
I was asked by a neighbor to write to you about the sidewalk ordinance proposal for Windsor Heights.
I live at 1411 66th Street and would like the ordinance for all sidewalks to be removed.

Your statement, "Windsor Heights is the best place to live! We celebrate the citizens and staff, past and present that have contributed to our safe, enjoyable living environment, community spirit and civic leadership." is a contradiction of what you are proposing. The city Cuncil is not celebrating citizens past nor present, and are not demonstrating civic leadership at any acceptable standard.

Clearly, the residents do not want sidewalks. The survey says that 70% are opposed. However, given the number of residents who did not know about the meeting or found out at the last minute clearly did not take the survey, and the numbers will grow. The 70%, while statistically high, does not fully mirror the community's sentiments and is indeed much higher. Nor do we need to bare the financial burden and hardship the expense and ongoing maintenance will place on us-the residents who do not want a sidewalk.

It is disheartening to be a part of a community where you rely on you leaders to do what is best for you as an individual, as well as what is best for the community, only to have them put forth their own self-serving efforts that are causing civil unrest on so many levels from the individual

residents, to the environmentalists, to the city historians, to the artistic & eclectic, to the communities and to future generations.

It is appalling that there was so much of this not pulicized and efforts to keep residents uninformed. I don't understand how the City Council can take away our very right to vote and become a dictatorship and rape its community. You have completely disrespected the very historical value of Windsor Heights, the current desires of the community you are supposed to represent, and have consciously decided to continue to rape us with every step you take.

Again, I ask that you remove the sidewalks from the ordinance and leave Windsor Heights a tight knit and caring community who can trust in their city leaders again.

8. Maryann Mori- Des Moines Resident

Dear Mayor Willits and Windsor Heights City Council Members:

I just read the news article about your decision to move forward with plans to implement sidewalks on various residential streets in your city.
http://whotv.com/2016/07/12/community-members-speak-out-against-citys-plan-to-add-sidewalks/?utm_source=feedburner&utm_medium=feed&utm_campaign=Feed%3A+wholocalnews+%28WHOtv.com+-+Iowa+headlines%29

I want to say a huge "Thank you!" for being forward-thinking in your plans to develop Windsor Heights as a walkable and friendly city for alternative transportation options. According to the news story, there was opposition, but you opted to do what is best for the city's future. I know that one citizen was quoted as saying the sidewalks aren't needed on some streets because there is low traffic. I can testify otherwise. I live on such a street and within such a neighborhood in Des Moines. I have to say that I am extremely thankful for the sidewalks in my neighborhood, and on those occasions I do have to walk on the adjoining streets without sidewalks, I do not feel safe and often have to walk in the gutter area when cars do pass.

Although I don't live in Windsor Heights, I think that having surrounding towns in the metro area attempt to further connect to each other and further develop sustainable, alternative transportation modes (such as walking, cycling, etc.) is a good thing for everyone. Keep up the good work! You are setting a fine example for other metro cities!

9. Nancy Bunker
Dear Mayor Willits and Members of the City Council:

Thank you for your response, Mayor Willits.

However, your response implies the installation of sidewalks is a "Done Deal." Citizens need the opportunity to respond in time to help influence this decision, which affects us a great deal. I received NO USPS MAILINGS of any discussion regarding sidewalks or walkability. Regarding your comment, "We have sent out notices," can you tell me what those were? NOTHING of this matter was sent to me at my mailing address of 1911 69th Street in Windsor Heights. It is absolutely WRONG for the Council to try to "ramrod" this through, without citizen input.

I look forward to your response. I would also like to hear from any others of the City Council in regard to their willingness to consider the will of the people of Windsor Heights. PLEASE LISTEN TO US!!

Sincerely,
Nancy J. Bunker (Windsor Heights resident and taxpayer since 1989)

10. Ronda McCarthy- 1629 66th
    Good morning, I want to give my opinion of the sidewalk issue that is being proposed. I did not attend the meeting as I needed to work that evening. I have been a resident of Windsor Heights for almost 20 years. We have raised my family here. I regularly walk and run through the streets of Windsor Heights and have taken my kids for walks and runs through these same streets for many years. I have taught them how to ride their bikes, rollerblade, skateboard, and play on our street and in my neighborhood. We love Windsor Heights and chose to live here and raise our family here. Recently, I have noticed more families with young children making that same choice.
    I am concerned, however, that this trend will not continue with the increased taxes that more sidewalks would certainly cause. With increased property taxes, more families with these young children may look elsewhere with lower property taxes. I would hate for this to happen. Also, with the majority of residents that actually live here being opposed to this move, it seems to me that the city government should follow the wishes of the residents that live, work and play in Windsor Heights. I for one have enjoyed welcoming more families into our neighborhood and would hate to have these families choose a different place due to the high taxes placed on Windsor Heights homeowners. I do hope you rethink this plan or we could be faced with houses that do not sell, young families that choose West Des Moines or Waukee to raise their family, and long time residents leaving because they are seeking less property taxes.
    Thank you for reading this.

11. Tom Martindale- 1049 64th
    I am a 4th generation resident of Windsor Heights My great grandfather built at 1052 63rd in 1919 and my grandfather built my house at 1049 64th in 1956. All of us walked around this city even back before it was incorporated, on streets with no sidewalks and none of us have died because of it nor been injured. I have 2 daughters ages 7 and 4 so I actually do have a dog in the fight when it comes to "walkability".
    I think putting this burden on the home owner without having it put to a vote is apalling.

There are many residents that are retired and on a fixed income, so this would not only burden them financially to maintain these sidewalks, it also potentially could adversely affect their health being forced to shovel these sidewalks in the extreme cold.
I was unable to make the meeting last night due to work, however I read about it on KCCI. I saw that the new council members were defending it by saying that is the platform they ran on. With Harms getting 35.28% of the vote and Bayles-Henry getting 23.9% last November I would hardly consider that to be overwhelming support from the community for them or their platforms.
I feel that any council member that approves this is not following the will of the people. And hopefully it will enpower people to vote for candidates that are more in line with the will of Windsor Heights citizens in future elections. I know this matter has me definately wanting to get more involved in making sure we aren't unfairly assessed taxes and financial burdens that we do not want, also to do what I can to make sure that politicians who are deaf to the voice of the people are never again elected.
My street is not on any of the planned phases however many people that were friends and colleagues of my grandparents are, I feel that someone needs to advocate for them.

Hopefully as elected representatives of the residents of this city you will do what is right and not force this agenda on residents that clearly and overwhemingly do not want it.

12. Lynn Ethington- Des Moines Resident
    Thank you for continuing to fight for sidewalks in Windsor Heights! I live in Des Moines but my sons went to Cowles and it always amazed me that there were no sidewalks around the school. At your last meeting I saw a mother with a baby talking against sidewalks, unbelievable! The sidewalks in front of my house are used constantly with mom's and strollers, kids walking to school, and pet owners. STAY STRONG AND KNOW THERE IS SUPPORT OUT THERE!

13. Linda Moore- 1225 64th st
    I am so angry right now. You and the council are not listening to the people. You should all be ashamed of your behavior.
    I resent the fact that you think it's okay to force us to install sidewalk, destroy beautiful trees in my neighborhood, make us pay to remove said trees and landscaping, which we enjoy much more than a dam sidewalk. Further make us pay to maintain these sidewalks. and access property tax, what the heck are you thinking.
    I pray for your soles

14. Grover Kirkman- 6500 Sunset Terrace
    Mayor and City Council Members,

    My name is Grover Kirkman.

    For the past 19 years, I've lived at 6500 Sunset Terrace (the Plymat home), along with my wife, several big-hearted dogs and at least one very good cat.

We've loved being in Windsor Heights. Our home fits our lifestyle perfectly, and we've invested countless thousands of dollars renovating and preserving it. We have a huge well-landscaped yard and the best neighbors you could ask for.

I participated in the 2002 committee tasked with addressing Windsor Heights' image problem. And I am the author of the city's current slogan, "The Heart of it All".

And yet, we are very seriously considering leaving Windsor Heights forever ...

What we witnessed at last night's City News Hour meeting has me extremely concerned about our elected officials' willingness to listen to, respect and serve the citizens who elected them.

Clearly, there is an overwhelming contingent of folks who don't want sidewalks, including my wife and me. And yet, it seems this fledgling Council is ready to charge ahead with their version of the truth, regardless.

I suspect the "Historical Perspective" collateral piece was an attempt to play up the Council's credibility and competence, but as 30-year veteran of advertising and current Creative Director, I must say, it failed miserably. If I were trying to assuage the opposition, I certainly wouldn't do it by blatantly aligning them with all the "fools" who've disagreed with the vision of city leaders in the past.

I can't imagine the thinking behind focusing on that piece while excluding printouts of the sidewalk plan map, poster presentations and an actual working PowerPoint map. Especially at a meeting guaranteed to be so contentious -- and especially by those who claim to be so closely in touch with all the citizens of Windsor Heights, young and old alike.

Please keep in mind that part of the allure of Windsor Heights may well be its point of difference from the surrounding communities. I would suggest that our beautiful, sidewalk-free yards are a part of that. And part of why people -- young and old -- choose to live here.

I must admit, I have known Diana a long time and have always trusted her judgment and advice. But last night was a poor showing for our city government as a whole. I now seriously question the thinking, vision and agendas of all involved.

If it is not the duty of you, our elected officials, to listen to the people who put you in office, address our concerns thoughtfully and put us first in all decisions -- regardless of your own "vision" of what's best for us -- please let me know.

15. Donald Bustell- 6520 Del Matro
    Dear Mayor Willits and members of the Windsor Heights City Council,

At the public meeting on July 11 I asked if the sidewalk construction plan included costs for replacing entire driveways and installing retaining walls. The presenter replied that it did. I reviewed sidewalk-final-combined-UPDATED-62216.pdf and can find no mention of replacing entire driveways or installing retaining walls where needed.

1. May I please have the name of the engineer who prepared the cost estimates so that I can verify whether or not these ancillary costs are actually included?

2. Will my driveway be replaced with the same level of workmanship and detail as the five year old hand finished driveway I have now?

3. Will I have any say in the design and materials of the retaining wall so that I can maintain the overall aesthetics of my property?

4. How will I be assured that the retaining wall is installed by an experienced contractor who can correctly handle the situation of a constantly varying foundation angle and wall height since I will become responsible for the maintenance of the wall?

I invite each of you to visit my property, review my situation, and answer my questions. I am retired and at home most of the time. For your convenience, please call ahead and if I am at the grocery store I will return your call as soon as I return.

16. Denise Peterson - 6415 Forest Ct

I strongly oppose the plan to require sidewalks in the city of Windsor Heights. My husband and I walk regularly in the community and we see many people doing the same – on the streets, as they have for years, with no safety issues or concerns.

Regardless of the funding via assessment or bond issuance, the property owners will bear the cost of this, and our property taxes are already too high. The installation of additional sidewalks, and their maintenance, is a totally unnecessary expense.

Where do you get these stupid ideas – a bike lane down the center of University was another priceless idea!! And why aren't you representing the opinions of the residents? Who wants sidewalks – no one I've spoken with during our walks.

Get with it and represent your constituents – or you won't hold office after the next elections.

Denise H. Peterson
6415 Forest Court - 4 ½ years
Formerly 1236 65th St. – 14+ years

17. Mark Stewart- Northwest Drive

Hello Mayor Willits,

I wanted to express to you my support for the sidewalk plan. I live on Northwest Drive and walk Jasper, my Yorkshire Terrier, up and down the street daily. The portion of Northwest Drive with no sidewalk is especially hazardous due to cars coming up a hill in both directions, and a blind uphill curve from 64th to Northwest Dr. On almost every walk I have to quickly move out of the street and into someone's yard to dodge oncoming traffic. Luckily I can be somewhat evasive with just a 10 Ib dog to move out of the street, but I imagine it's not that easy when pushing a stroller or walking with young children. I should add that most drivers are courteous and slow down, but definitely not all.

I took some time last night to review the plan (though not with a fine tooth comb), and just thought I'd add some input, or questions for the Des Moines Metro Planning Organization and walkability committee on financial considerations:

- An estimate of how much of the cost can be offset with grants? The Committee recommended seeking a grant for phase one plans to build sidewalks on 73rd and 63rd. If I recall correctly, the cost for those portions represented something like 40% of the total $2.8 million and would be a lot less of a burden on us tax payers.

- What would the cost be to the city to take on maintenance costs for current sidewalks? Seems like it might be helpful to start fresh, but then make the homeowner responsible for maintenance and repairs effective on a prospective basis.

I appreciate you allowing me the opportunity to reach out to you, and hope you are supportive of the initiative. Feel free to contact me with any questions or other input. Thanks!

7205 Colby Ave.
Windsor Heights, IA 50324
June 30, 2016.

Dear City Council,

Due to a previous engagement, I'm unable to attend this meeting. I'm writing to share my thoughts about the proposed implementation of sidewalks in Windsor Heights. I am 100% against it. My philosophy has always been if it ain't broke, don't fix it. Our streets and neighborhoods are a beautiful and safe place to live. It ain't broke. Don't mess with it. There is minimal traffic on the residential side streets. Installing sidewalks is a very costly proposition that will destroy trees and other vegetation, some of which has been growing for over 50 years.

I purchased my home in Windsor Heights in 2009. A couple of factors for my selection of property included a beautiful 25' mature evergreen in the front yard. Unless the sidewalk is placed next to the road, I'm afraid that the city will remove one of the most beautiful trees on my street. There are other mature trees that beautify and shade the neighborhood that will also, most likely, be removed. Please do not destroy our front yards by demolishing the beautiful trees, shrubbery and bushes that people have meticulously maintained for decades. I don't think that the city will compensate me with an equally mature tree in another part of my yard.

The other reason that I chose where to live was the fact that there was NO sidewalk. It's a pain to have to shovel a sidewalk in the winter. Besides this, from what I understand, it's been proposed that I would have to pay for the city to take what belongs to me. My neighbors across the street who get to keep their trees and vegetation wouldn't have to pay for this, nor would they be responsible for the upkeep (shoveling) of the sidewalks. How do you feel that this is fair?

Please reconsider the decision to put in sidewalks. Let's keep Windsor Heights beautiful by leaving our front yards alone.

Thank you for your consideration,

Juanita L. Krueger, homeowner

Juanita L. Krueger

Council members,

On this, the 5th of July, it seems necessary to remind you of the duties of a government "by the people and for the people." As elected representatives of this council it is your duty to faithfully execute the will of the people you represent. We have repeatedly stated that we do not want a sidewalk on our property. The council, few of which live in the affected area, has shown support in favor of a sidewalk. Now, the City Council is demanding property owners pay half of the cost of proposed sidewalk. My question to you is this: how many other sidewalks in Windsor Heights have been constructed and how many homeowners have had to pay for said sidewalk? Forcing the homeowners to pay for it when the precedent is that the city pays 100% is a violation of ethics and opens the city to a class action lawsuit.

It seems as if the city council members have a will of their own beyond that of the constituents. We ask you listen to what the homeowners have to say. We moved into Windsor Heights because it was a law abiding community who respected the rights of the people. This is not eminent domain, where you can take our land and give us a "fair price" for it. You are proposing to take our land for city use and make us pay twice- once for the land and once for a sidewalk we don't even want in the first place. I am not sure of the legality of this, but I am sure it is ethically circumspect. Once again, the only recourse we have left is to consult a lawyer and block those very people who were elected to represent our interests.

We are asking that you please reconsider your recommendation of forcing the homeowner to carry the burden of this cost.

Thank you.

Janet Mamberg (teaches DMACC English class Tuesday nights).
10 66TH ST

Since there is a precedent for sidewalk construction costs being paid by the city (i.e. taxpayers), there is potential for a group of home owners to pursue a class action lawsuit.

Bette Reeves
1035 66TH ST
Since 1975
7/5/2016

Sidewalk Comments from previous meetings:

March 21-

Carole Tillotson- 1468 64th St- Presented a petition from the residents on 64th Street. 55 households out of 65 on 64th St said no to sidewalks on 64th St
Roger Maxwell-7803 College- we need sidewalks for the children
John Giblin- 1516 64th St- look into no parking on 64th St or a bike trail
Mike Draper-6525 Forest Ct- There is no bus service to Cowles. Cowles is the only public building that doesn't have sidewalk leading to it. Presented a petition on for sidewalks
Olivia Fife-6410 Sunset Terrace- I walk to school with my brother and we need sidewalks to be safe
Bill Bishop-6459 Washington- I almost got hit by a car and being visual handicap it would be very helpful to stay safe.
Dan Brown- 6700 University-Kids need sidewalks to get to school, I saw three kids struggling in the winter to get to Cowles
Sean Oaks- 949 65th St- Nicer curb appeal from sidewalks
Kat Dickel-1007 64th St- Public safety issue and the safety of our children.
Dwight Taylor- 6434 Washington- Cowles located behind my house. The traffic on Washington is impossible during drop off/pick up times and my driveway is constantly blocked and used for turn arounds.
Andy McBeth- Del Matro- sidewalks should be looked at on 63rd
Sandy Davidson-1014 69th St- FEMA flood map. Will there be a protection in place for the area near the park?
Charles Williams- 1146 63rd Purchase of church land

April 4th COW- Received a letter from Cowles regarding sidewalks. Complete streets repave and we can look at all options. Discuss are we going to have a sidewalk program and what we will do. Council discussion on sidewalks

April 18th- we only allowed two comments

Greg Grylls- Prinicpal of Cowles Montessori spoked on working together for the community and about the sidewalk on 64th St.

Carole Tillotson- 1468 64th St- The petition has 90 percent of residents on 64th saying no to sidewalks.

May 9th- City News Hour on Sidewalks. Meeting was recorded

May 16th Council Meeting-

John McKee 1423 64th – Considered Traffic calming on 64th St and other possibilities for the roads.

Louisa Dykstra 6620 College- Cowles Montessori is planning an expansion and will be staying in Windsor Heights.

June 6th Council meeting- a hard copy of petition was given to each councilmember and to walkability committee