

3/7 City Council

Kidney Disease Awareness month proclamation

Municipal Housing Agency Governing Board meeting

1. Roll (7-0)
 2. Approving agenda (7-0)
 3. Setting date of hearing for March 21, 2022 (7-0)
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Cownie: taken away mask requirements but having seen a recent surge locally it is still encouraged

Standard “we welcome germane comments” rules

Shooting at East High School, wants to say to everyone “our thoughts and concerns go out to the victims and their families”

Relationship with Staverpol, sister city. Want to know their stance on the invasion, have not heard back. Recommends suspending relationship with Staverpol. Some disagreement on how this works, Cownie withdraws

Item 1: Roll

Motion to recommend to Sister City program to rescind relationship (7-0)

Item 2: approving agenda (7-0)

Item 3: consent agenda

Item 5 Cownie votes no, item 47 mandelbaum wants to speak, 49 Westergard no, 52 Indira wishes to speak

Item 55: correct vacation of right-of-way on SE 4th street for Market District Redevelopment Project

No public comments

(7-0)

Item 56: Birdland Pump Station Replacement Project

Public comment from Taylor Weber- in general, project seems fine, a portion of the land is not documented on who owns it, lays out future possibility of imminent domain which is troubling in its vagueness

(7-0)

Item 57: conveyance of city-owned property at fourmile creek flood plain to Polk County

No public comment

Indira: what is the reasoning for the seemingly scattered properties

Sanders: likely because we've already conveyed much of it, in stages

(7-0)

Item 58: rezone 205 Land Investments LLC property at 1106 Army Post Road to address alcohol sales within 75 feet of place of worship

Will Reasoner(?) with Dickinson Law Firm for LLC: non-conforming status but wants to keep ability to serve alcohol at restaurant. Planning and Zoning approved unanimously

No public comment

(7-0)

Item 59: on intent to commence public improvement project to construct Watrous Avenue from SW 56th St to SW 61st

Public comment from Taylor Weber: "to authorize acquisition," continued concern over implementing eminent domain at the expense of homeowners
(7-0)

Item 60: ABC partners LP for approval of 2nd amendment to airport business park phase 2. Reduce 10-foot bike path to 5-foot sidewalk & to allow fertilizer product assembly. Continued from 2/22/22 meeting

Parties/interests: Eric Kenan on behalf of Snyder & Associates and a potential developer. 51,000 sq ft building. Vacant parcel for 20 years. Concerns over the last few weeks. Staff has been on-board. Fire department, WRA, and planning & zoning in support. No concerns from neighborhood meeting. Will defer to applicant

Anat Fernato: excited to bring South American project to Iowa. Wants this to be Spraytec global headquarters. Highlighting safety of pesticides being used. No emissions or odor issues. No flammable products used in manufacture. Approached by other IA cities and states but want to be here.

No one within 250 feet to comment

Questions/thoughts from council?

Natalie: no definition for "biodegradable" or "non harmful." Inherently dangerous products, no reason to be making exceptions for this. Should not be waiving bike paths, especially in this area.

Carol Maher: approved on consent agenda for P&Z, which is why there were "no questions." Agrees it looks bad and is short-sighted to waive bike paths. Concerns over drinking water contamination. Are there public funds going to this

Adam: this is inherently about not following requirements. There are odor concerns, so something is off. Owner of ABC has given \$1,000 to Cownie

Taylor Weber: shares concerns, thanks them for wanting to be in Des Moines. No language in the rezoning disallows the dangerous products down the line. Obviously the 250-ft requirement is small if there was an explosion

Bridget Peterson: recent experience with metro area water quality being cloudy and unsafe. Regardless of "good" chemicals, they are not natural to the ecosystem.

Connie: doesn't he get a rebuttal?

Josh: I don't have questions

There is a bike path that will be expanded. Initial PUD included 10-foot bike path loop, which they want to reduce to 5-foot. "Nonflammable and nonhazardous," "less dangerous than a gas station." We can provide paperwork and scientific data. Fire department access, contained facility. No raw materials, they are just mixed here; not a manufacturing site.

Westergaard: clarifying questions re: PUD and rezoning as to whether future users can change specific usages.

Eric Kenan confirms this.

Voss: were there other sites in the running?

: other sites were much more rural/removed, this was already developed and accessible

Gatto: were other sites on SE agriculture portion of interest?

: No

Cownie: how do you receive the "stuff"

Pallets or containers received, usually by truck. Customers in midwest. Our products are very concentrated and less likely to cause contamination.

Cownie: have worked with other companies who use trans/rail load facility

One pallet of product covers 15,000 acres, little product going in and out so transport isn't a huge concern

Westergaard: very attractive building, are you going to have people from other countries flying in and out? Is that why you want to be near airport

Yes, wants to show the building off to international customers/employees

Gatto: heard that if this site is not approved, would take the building to Grimes instead

No conversations with Grimes. Since starting process, no real conversations outside of DSM

Indira: on the real estate side, have there been conversations about Grimes etc?

Once process got started, this DSM property became the focus

Mandelbaum: "no questions but want to share my thoughts." This would be the first industrial fertilizer use in city of Des Moines. As some speakers noted, there are broader questions about fertilizer use. I don't think this should involve this particular decision. This changes the nature of this business park. I understand its a PUD, but I saw the way this was brought to us, without any addressing odor or hazardous materials. I'm not comfortable with this project in this location

Westergaard: surprised we are moving to deny this so quickly. No hazardous materials, no odor, etc. "We can raise your taxes or we can raise revenues." We are so quick to deny this place that will bring revenue and employment. "Disappointing we continue to push people out."

Gatto: this site is not a good fit, and denying this site will push them to move far away from the airport/DSM instead of elsewhere in DSM

Boesen: great project, want to see it in DSM, but not at this site

(6-1, Westergaard the only supporter)

Item 61: 7th amendment to Eastgate Plaza PUD to allow 7,145 foot medical office building

Representative of builder offers to field questions

Public comment, Jolene Prescott: so glad to see development of this plaza, has been a blank eyesore

(7-0)

Item 62: Phase C to reject all bids on Des Moines Levee Alterations

(7-0)

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Item 47 re: SprayTec, Mandelbaum moves to continue since the issue was already addressed.

Some private discussion, moves to continue until there is discussion of DSM ag park

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Item 52: "emergency vehicle" monies

A) Elliot Equipment (Gene Elliot, President)

B) LDV (Kurt Petrie) \$209,153

C) Stivers Ford (Scott Politte, GM) \$356,758.50

D) Keltek INC a division of Rayser Holdings INC (Michelle Jensen) \$113,879.61

Indira moves to pass A, wishes to speak on B, C, and D

52A succeeds 7-0

B in particular, but all three “mobile command unit” used for bomb squad for on-site communication. We have 3 similar vehicles for different units, unclear why we would need a fourth for a specific use when we already have 3. “Don’t think its a responsible purchase, don’t think its necessary.” We see them outside of council meetings, outside of protests, we see how they are used against the public. C and D as equipment for police vehicles. DSM police fleet is already too big, would like to see us reducing it. “I’m not going to make a motion because none of you will second it.” Offers to open for public comment, nobody else wants to.

Reads public comment to the effect that we see how these types of vehicles are used to brutalize the public, non-transparent bidding process.

6-1 passes, Indira against

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Item 63: code modification to modify parking restrictions at East Douglas Ave
(7-0)

Public comment

Cownie reads the rules as usual

A) Natalie Harwood

Franchise agreement between MidAmerican and DSM in June. Calls to not renew this agreement. We can use this arrangement as leverage to improve our state and push them to move away from coal. Turned off energy to 8.100 households. We can use the leverage of this agreement expiring to keep them from turning off. Cownie has donors at Berkshire-Hathaway, otherwise

B) Adam Callanan

We need a mask mandate and hybrid option. These meetings are not “public” because they are inaccessible due to lack of digital option. Call for mutual aid call on Wednesday. Investigations into DMPD abuse and arrests during protests. Using jail and prison to attack speech they do not like. Prison system uses slave labor and are dangerous to all, in particular people of marginalized groups

C) Carrie Gosnell

Feb 23rd press conference to reduce racial profiling, after 6-pt plan presented in 2018. Calls for external board and for Wingert to be fired. Wingert claims to be “working with the community.” Tried to work within this system but all we get is more settlements, lawsuits, treatment of police that ignores and harms community. This community deserves a better chief who will look out for the public.

D) James Grimm (not present)

E) Al Steinsaw (not present)

F) Taylor Weber

I would like to uplift comments so far. Horrible climate disasters. Calls to not work with SprayTec at all. Agrees with MidAmerican comments. Connie and Josh have called for independent investigations into DMPD but have not followed through in any concrete ways

G) Harvey Harrison

After working for 7 years to reform policing, current chief has no interest in reform or public dialog or public safety. What more do you need from us before you act decisively? Sexual harassment, assaults, bogus charges, settlements. Captain Kirk Bagby(?) footage: perhaps this will be enough? Will it take the death of another black man? The buck should have stopped with Wingert but now the responsibility is with you to fire Wingert

H) Carol Maher

"I'm a PITA (pain in the arse)." But willing to do the homework, sit through daylong meetings. Thanks to "worker bees" of city staffers who have worked with her. While only pay raises for DMPD were discussed, urges to raise wages and offer bonuses to city staff. Job retention is difficult at this time and they are an asset. List of many staffers

I) Jolene Prescott has some sort of odd encounter off-camera with previous speaker

"Her two minutes was up"

Calls for moment of silence, says its a mistake to take police out of high schools. "Time to put the police back in there."

Great deal of back and forth with public and council

"Oh you're the loser honey."

"You're out of line" from Cownie

Motion to adjourn, camera cuts off as public and council shout