

CITY OF DESOTO – REGULAR COUNCIL MEETING MINUTES

November 16, 2021 – Mayor Butch Ostrander called the meeting to order at 7:00pm.

Answering roll call was: Pam Bach, Ted Hansen, Josh Minton and Dustin Padget.

Staff present included City Clerk Marcia Thomas, Public Works Director Dan Van Langen, Police Chief John Sparling, Fire Chief John Booth and City Attorney Dalen.

Motion by Bach/Minton to approve the agenda; Bach, Hansen, Minton and Padget in favor; Motion carried 4-0.

Motion by Padget/Bach to approve the consent agenda; Bach, Hansen, Minton and Padget favor; Motion carried 4-0.

Motion by Hansen/Bach to approve Resolution 2022-06; A Resolution setting the compensation for Utility Billing Clerk; effective date 12/01/21; Bach, Hansen, Minton and Padget favor; Motion carried 4-0.

Motion by Hansen/Padget to approve Squire Hutcheson with J and D Computers move the website account; Bach, Hansen, Minton and Padget favor; Motion carried 4-0.

Motion by Bach/Minton to approve the rezoning application from Courtyard Apartments, LC, property located at 1204, 1204 ½, 1210, 1220 Guthrie Street, De Soto, IA; existing zoning designation is R-3 Multi-Family Residential and the proposed zoning designation is C-1 Community and Highway Service Commercial District; Approve second reading of Ordinance # 345, An Ordinance amending the Code of Ordinances of the City of De Soto, Iowa, 2009 by rezoning 1210 Guthrie Street from R-3 to C-1 Zoning District; Chapter 165 Zoning Regulations; 165.04 Establishment of Districts; provisions for official zoning map; Bach, Hansen, Minton and Padget favor; Motion carried 4-0.

Motion by Bach/Minton to suspend the rules and waive the third reading of Ordinance #345, An Ordinance amending the Code of Ordinances of the City of De Soto, Iowa, 2009 by rezoning 1210 Guthrie Street from R-3 to C-1 Zoning District; Chapter 165 Zoning Regulations; 165.04 Establishment of Districts; provisions for official zoning map; Bach, Hansen, Minton and Padget favor; Motion carried 4-0.

Motion Bach/Minton to adopt Ordinance #345, An Ordinance amending the Code of Ordinances of the City of De Soto, Iowa, 2009 by rezoning 1210 Guthrie Street from R-3 to C-1 Zoning District; Chapter 165 Zoning Regulations; 165.04 Establishment of Districts; provisions for official zoning map; Bach, Hansen, Minton and Padget favor; Motion carried 4-0.

Motion by Minton/Bach to approve Construction Plans for Paige's Landing Plat 1; Rick Madden Construction; Bach, Hansen, Minton and Padget favor; Motion carried 4-0.

Motion by Padget/Hansen to approve Public Construction Plans for Warren Street Extension; Rick Madden Construction; Bach, Hansen, Minton and Padget favor; Motion carried 4-0.

Motion by Padget/Bach to approve the cost of the easement agreement between the City of De Soto and Tim and Virginia Hoover; not to exceed \$2,900.00; for the Warren Street Extension Project; Bach, Hansen, Minton and Padget favor; Motion carried 4-0.

Motion by Hansen/Bach to approve the site plan for Parallel Infrastructure; they are proposing to construct a 220-foot self-support telecommunications tower located east of Noble Court in the City of De Soto; De Soto Code of Ordinances Chapter 165 Zoning Regulations, 165.28.1 Exceptions, Modifications and Interpretations gives the City Council the authority to approve the cell tower height; Bach, Hansen, Minton and Padget favor; Motion carried 4-0.

Motion by Minton/Bach to approve Keystone De Soto Preliminary Plat 3; Bach, Hansen, Minton and Padget favor; Motion carried 4-0.

Motion by Bach/Hansen to approve the first reading of Ordinance # 347; An Ordinance amending the Code of Ordinances of the City of De Soto, Iowa, 2009 by amending section 92.09 Customer Deposits for Water Service; Bach, Hansen, Minton and Padget favor; Motion carried 4-0.

Motion by Hansen/Bach to approve the third and final reading of Ordinance # 344; An Ordinance setting the compensation of the Mayor; Bach, Hansen, Minton and Padget favor; Motion carried 4-0.

Motion by Padget/Minton to approve Shank Constructors, Inc., pay application #11 for \$421,773.40; Contract 2019-04 (WTP Project); Bach, Hansen, Minton and Padget in favor; Motion carried 4-0.

Motion by Padget/Bach to approve the Certificate of Substantial Completion for MB Construction, LLC; Retainage due \$5,306.15; Bach, Hansen, Minton and Padget favor; Motion carried 4-0.

Motion by Hansen/Padget to approve the Standard Agreement for Professional Services from Allender Butzke Engineers Inc for the Adair Street Distress Project; scope of services \$4,990.00; Bach, Hansen, Minton and Padget favor; Motion carried 4-0.

Motion by Padget/Bach to approve Ben Wakefield handrail design with 2" sq tubing for the sidewalk on Spruce Street near the Dollar General Store; Bach, Hansen, Minton and Padget favor; Motion carried 4-0.

Motion by Hansen/Bach to approve V & K Engineering create an updated punch list for the Oak Hill Development Plat 2 with the cost being paid by the developer; Bach, Hansen, Minton and Padget favor; Motion carried 4-0.

Motion by Hansen/Bach to approve Resolution 2022-07; A Resolution approving the Tax Increment Financing (TIF) Indebtedness Certification Forms to the Dallas County Auditor; Bach, Hansen, Minton and Padget favor; Motion carried 4-0.

Motion by Hansen/Bach to go into closed session to discuss Fire Department; Fire Chief John Booth job performance; Pursuant to Iowa Code Section 21.5(1)(i): A government body may hold a closed session only to the extent a closed session is necessary for any of the following reasons; To evaluate the professional competency of an individual whose appointment, hiring, performance, or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session; Bach, Hansen, Minton and Padget favor; Motion carried 4-0.

Motion by Bach/Minton to go back into open session; Bach, Hansen, Minton and Padget favor; Motion carried 4-0.

Motion by Hansen to remove Mark Arnold as the De Soto Fire Department Assistant Chief immediately and he would not be able to hold any officer position with the Fire Department indefinitely; the motion failed for lack of a second. Motion by Padget/Hansen to remove Mark Arnold as the De Soto Fire Department Assistant Chief immediately and he would be able to hold any officer position with the Fire Department after the next term expires; Bach, Hansen, Minton and Padget favor; Motion carried 4-0.

Having no other business Mayor Ostrander asked for a motion to adjourn; Motion by Padget/Bach to adjourn @9:32p.m.; Bach, Hansen, Minton and Padget in favor; Motion carried 4-0.

Mayor: Butch Ostrander

Attest: City Clerk, Marcia Thomas

These minutes are subject to approval by the City Council at its next regular meeting.