

CITY OF DESOTO – REGULAR COUNCIL MEETING MINUTES

February 15, 2022 – Mayor Mitch Crozier called the meeting to order at 7:00pm.

Answering roll call was: Ted Hansen, Josh Minton, Mark O’Leary, Dustin Padget and Mat Sanders.

Staff present included City Clerk Marcia Thomas, Police Chief John Sparling, Fire Chief Tim Murray and City Attorney Dalen.

Motion by Hansen/Minton to approve the agenda; Hansen, Minton, O’Leary, Padget, Sanders in favor; Motion carried 5-0.

Motion by O’Leary/Hansen to approve the consent agenda; Hansen, Minton, O’Leary, Padget, Sanders in favor; Motion carried 5-0.

Mayor Crozier opened the Public Hearing @ 7:26P.M. on the proposed property tax levy for fiscal year beginning July 1, 2022 and ending June 30, 2023. City Clerk Thomas said she had received a phone call from a De Soto resident asking if his property taxes were increasing. Thomas said the current levy rate for De Soto is \$12.68 per 1000 of taxable valuation and the proposed levy rate for next fiscal year is \$12.79. Thomas also said you would need to include the levy rate for Dallas County and ADM School District to get the total levy rate. Clerk Thomas said a De Soto resident posted a question on De Soto Rant and Rave if someone could explain the proposed property tax levy for next fiscal year. Thomas replied the Public Hearing on the proposed property tax levy for De Soto is for the General Fund, Emergency Fund and Special Revenue for Employee Benefits Fund; it excludes the Debt Service Levy. With no questions or comments from the audience Mayor Crozier closed the Public Hearing @7:29P.M.

Mayor Crozier opened the Public Hearing @7:30P.M. to consider the request for re-zoning the property owned by JTB Investments, L.L.C., site location approximately 5.5 acres, Adams Township in Section 24-78N-R28W, generally located on the north side of I-80, on the west side of HWY 169; the current zoning designation is A-1 Agriculture and the owner is requesting a zoning designation of M-2 Heavy Industrial District; Todd Bohlender, representing JTB Investments, L.L.C. said the permanent operation facility would be built using pre-cast concrete; the facility would have 9-12 foot capped high wall to make the property look better for travelers driving by; hours of operation would be 7am to 5pm Monday through Friday and sometimes on Saturday morning; 6-8 trucks would operate out of this facility with 25-30 trips in and out daily; it would employ 8-10 people with an hourly wage of \$27.00/hr; this facility would use approximately 2,000,000 gallons of water annually; Mr. Bohlender stressed they want to be good neighbors of the community and to serve a purpose with the support of the community. De Soto resident David Voll spoke against the re-zoning; he felt it was not fair the city made the Auto Auction move to the back of their property and paid for the entrance off of Hwy 169; Mr. Bohlender said they would be willing to reimburse Auto Auction for their share; Clerk Thomas read a statement from the owner of Auto Auction, Scott Fulkerson: “City of De Soto Mayor Mitch Crozier and Distinguished Council Board Members; For the record I am the landowner on 3 sides of this project, and strongly oppose the use of a concrete plant at this location, for the following reasons: (1) When I originally started developing my property it was understood with the prior administration that this area would be set aside for retail to include restaurants, small retail shops and establishments and hotels. This concrete plant would create a major hardship in the type of development. The large semis and concrete truck traffic will create a major issue in an area that is experiencing problems. My engineer, Mr. Pelds is present at this meeting to provide you with some renderings of what we envision this area could be like without a concrete plant. (2) My question to you, is there not a more suitable location in the De Soto area for this type of use? If JTB Investments, L.L.C. were to develop their property in a more suitable manor to appeal to the growth that De Soto is experiencing. (3) In recent years I have passed on potential tenants with this type of use because it was my understanding we were setting aside this area for a more community friendly environment. My previous potential clients were: CTI Ready Mix and Frontier Material Company, an Asphalt Plant. Additionally, I have spoken with Mr. Chapman who is also affected and happens to be out of town also; he also strongly opposes the use. I have never been afforded the opportunity to review the engineering or design of this project. In closing I would like to say that I’m for anything good for De Soto and if this is allowed to be the model for this area I would hope you would afford me the same type of zoning. This use will deteriorate and erode the possibilities we’ve envisioned; I Remain, J. Scott Fulkerson, Owner. Mr. Pelds, representing

owner Scott Fulkerson, emphasized JTB Investments would have to comply with Chapter 156, Site Plan, Arterial Corridor Overlay. Mr. Bohlender said they would comply with all City Codes. With no further questions from the audience, Mayor Crozier closed the Public Hearing @ 7:57p.m.

Motion by Hansen/O'Leary to approve appointments of Samantha Long and Dean Petty to fill the vacancy on the City of De Soto Board of Adjustment; Hansen, Minton, O'Leary, Padget, Sanders in favor; Motion carried 5-0.

Motion by Padget/O'Leary to approve Resolution 2022-13; A Resolution approving fiscal year 2022-2023 Maximum Property Tax Dollars; Hansen, Minton, O'Leary, Padget, Sanders in favor; Motion carried 5-0.

Motion by Padget/O'Leary to approve the zoning application submitted by JTB Investments, L.L.C. to rezone their property located in Adams Township in Section 24-78N-R28W, generally located N of I-80, on the west side of Hwy 169;; the current zoning designation is A-1 Agriculture and the owner is requesting a zoning designation of M-2 Heavy Industrial to construct a ready-mix facility in De Soto, IA; Minton, O'Leary, Padget, Sanders in favor; Hansen opposed; Motion carried 4-1.

Motion by Minton/Sanders to approve Shank Constructors, Inc. pay application #14 for \$81,454.90; Hansen, Minton, O'Leary, Padget, Sanders in favor; Motion carried 5-0.

Motion by O'Leary/Sanders to approve Signarama bid of \$575.77 for the Public Safety Building; Hansen, Minton, O'Leary, Padget, Sanders in favor; Motion carried 5-0.

Motion by O'Leary/Padget to approve Mainstay bid of \$807.00; adding a camera to the south side of the Public Safety Building; Hansen, Minton, O'Leary, Padget, Sanders in favor; Motion carried 5-0.

Motion by Minton/O'Leary to approve Sarah Pfau to clean the Police Department building for \$40.00 per month; Hansen, Minton, O'Leary, Padget, Sanders in favor; Motion carried 5-0.

Motion by Minton/O'Leary to approve no parking on both sections of Madison Street behind the new parking areas of the Public Safety Building; City Attorney Dalen will write the new ordinance; Hansen, Minton, O'Leary, Padget, Sanders in favor; Motion carried 5-0.

Motion by Minton/O'Leary to approve Public Works Director Van Langen purchase up to \$20,000 for lab equipment at the new water treatment plant; Hansen, Minton, O'Leary, Padget, Sanders in favor; Motion carried 5-0.

Motion by Minton/O'Leary to approve Price Electric bid of \$34,225.00 to bore new electrical lines to both wells; Hansen, Minton, O'Leary, Padget, Sanders in favor; Motion carried 5-0.

Motion by O'Leary/Padget to set March 15, 2022 @7:00p.m. for the Public Hearing for the adoption of budget and certification of city taxes for fiscal year July 1, 2022 to June 30, 2023; Hansen, Minton, O'Leary, Padget, Sanders in favor; Motion carried 5-0.

Having no other business Mayor Crozier asked for a motion to adjourn; Motion by O'Leary/Padget to adjourn @8:50p.m.; Hansen, Minton, O'Leary, Padget, and Sanders in favor; Motion carried 5-0.

Mayor: Mitch Crozier

Attest: City Clerk, Marcia Thomas

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