



Document 2025 3282

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BRANDY MACUMBER, COUNTY RECORDER  
MADISON COUNTY IOWA

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Prepared by and Return to:

Andrew Barden  
City of Winterset  
124 W. Court Avenue  
Winterset IA 50273  
515-462-1422

### CERTIFICATION

The undersigned, the duly appointed and acting City Administrator of the City of Winterset, Iowa, does hereby certify the following described documents as true and authentic copies of the official records in the custody of the Office of Clerk of the City of Winterset, Iowa.

Ordinance No. #671 for the amending of code section 4.12064.6 for the purposes of implementing a formal review policy for Planned Unit Development submittals.

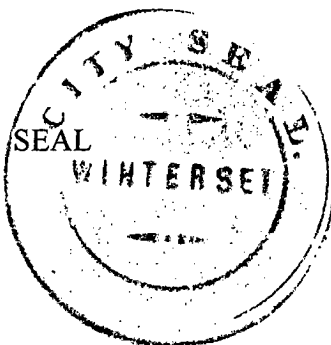
Relating to documents:

- 1) Resolution 2025-52 A Resolution to set a date for public hearing, passed and approved on September 15, 2025
- 2) Affidavit of Publication for Public Hearing dated September 24, 2025
- 3) City Council Meeting Minutes for the Public Hearing held on October 6, 2025, the first reading of Ordinance #671, waiving of the second and third reading, and final adoption
- 4) Affidavit of Publication of Ordinance #671 following Council approval on October 8, 2025

The undersigned further certifies the Resolution described above were duly passed by the Council and approved by the Mayor on the dates shown thereon.

---

Andrew Barden  
City Administrator/City Clerk  
City of Winterset, Iowa



RESOLUTION NO. 2025-52

A RESOLUTION SETTING A DATE FOR PUBLIC HEARING ON  
AMENDMENTS TO WINTERSET MUNICIPAL CODE

**WHEREAS**, it is the desire of the city council to support and ensure quality of life amenities are enforced and connected throughout the city, a new section shall be added to Title IV, Chapter 17, Sections 4.1701 through 4.1711; and,

**WHEREAS**, the city shall repeal and replace current Municipal Code sections 4.1601 through 4.1606 with Municipal Code sections 4.1601 through 4.1610, as provided by the DNR; and,

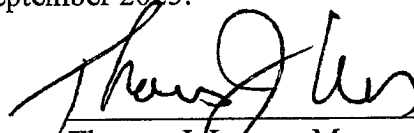
**WHEREAS**, the desire to create a more standardized process for reviewing a Planned Unit Development submittal and create a review policy by updating the Municipal Code section 4.12064.6; and,

**NOW THEREFORE**, It Is Resolved by the City Council of the City of Winterset, Iowa, as follows:


The City Council of the City of Winterset, Iowa, will meet on October 6<sup>th</sup>, 2025 at the City Hall in the City, at 7:00 p.m., for the purpose of instituting proceedings Amendment to Winterset Municipal Code Sections 4.1701 through 4.1711, 4.1601 through 4.1610 and 4.12064.6.

**BE IT FURTHER RESOLVED** that the City Administrator is hereby authorized and directed to cause notice of this public hearing to be published.

Passed and approved this 15<sup>th</sup> Day of September 2025.

  
\_\_\_\_\_  
Thomas J. Leners, Mayor

ATTEST:

  
\_\_\_\_\_  
Andrew J. Barden  
City Administrator/ City Clerk

STATE OF IOWA  
SS  
MADISON COUNTY

## AFFIDAVIT OF PUBLICATIONS

SUE SMITH being duly sworn says she is the Publisher of The WINTERSET MADISONIAN, a once weekly paper of General Circulation, published in Winterset, Iowa, and that the notice, a copy which is annexed and made part hereof was correctly published in said paper.

### Notice Of Public Hearing On Amendments To Winterset Municipal Code

Notice is hereby given that the City Council of the City of Winterset, Iowa, will conduct a public hearing in accordance with Resolution No. 2025-52 for the purpose of amendment to the Winterset Municipal Code Sections 4.1701 through 4.1711, 4.1601 through 4.1610 and 4.12064.6.

Copies of the proposed code of ordinances are available at the city clerk's office as this notice states.

The public hearing will be held on October 6<sup>th</sup>, 2025, at 7:00 PM, at the City Hall. City Council will receive oral or written objections from any resident or property owner of the City; written objections must be received at City Hall prior to the beginning of the hearing. All interested persons are invited to attend this hearing. This notice is given by order of the City Council of Winterset, Iowa, in accordance with Section 362.3 of the Code of Iowa.

For the period of 1 consecutive weeks, the last Publication thereof being

On the 24 day of Sept. 20 25

Susan R Smith

Subscribed and sworn to before me this

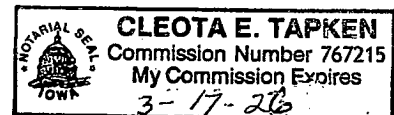
25 day of Sept. 20 25

Cleota Tapken

NOTARY PUBLIC  
In and for Madison County

Fee

\$ 14.67



Governmental Body: Winterset City Council

Date of Meeting: October 6, 2025


Time of Meeting: 7:00 PM

Place of Meeting: City Hall - 124 W Court Ave

PUBLIC NOTICE IS HEREBY GIVEN that the above-mentioned governmental body will meet at the date, time and manner set out. The tentative agenda for said meeting is as follows:

- 1) **Call to order, Pledge of Allegiance, roll call, adopt agenda**
- 2) **Consent Agenda**
  - a) City Council Meeting Minutes from September 15, 2025.
  - b) Parks and Recreation Board minutes from September 10<sup>th</sup>, 2025
  - c) Tree Commission Minutes from September 3<sup>rd</sup>, 2025
  - d) Library Board Minutes from September 17, 2025
  - e) Class C Retail Alcohol License - The Drift LLC
  - f) Class C Retail Alcohol License - Pheasant Run Pub & Grill, Inc.
  - g) Class B Retail Alcohol License - Git-N-Go Convenience Stores, Inc.
  - h) Class C Retail native Wine License - Durnan Wine LLC
  - i) Special Class C Retail Alcohol License - Oviatt Enterprises LLC
  - j) Special Assessment Grant Program Reimbursement - 402 N 9<sup>th</sup> St. & 421 E Green St.
  - k) Utility Bill adjustment 812 S 4<sup>th</sup> Ave
- 3) **Receipts, Filings, and Affidavits**
  - a) Claims in the amount of \$240,861.98
- 4) **Reports from City Boards and Departments**
  - a) Street Superintendent Ryan Flaherty
  - b) Library Director Dave Hargrove
  - c) Park & Recreation Director Sky Smothers
  - d) Fire Chief Jayson McDonald
  - e) Police Chief Ryan Pittman
  - f) Code Enforcement Officer Hollie Burgus
  - g) City Administrators Report
- 5) **Public Comment**
- 6) **Public Hearing**
  - a) Public Hearing(s) for Ordinances #669, #670, & 671
- 7) **Resolutions and Actions**
  - a) Res No. 2025-55 a Resolution setting a Date of Public Hearing for reclassifying land use from the R-2 single and two-family residential district to R-3 multi-family residential zoning district
  - b) Res No. 2025-56 Resolution Set a Date of Public Hearing for an Amendment to FY 25-26 Budget
- 8) **Ordinance Reading and Consideration**
  - a) Ordinance No #669 Addition of Title IV, Chapt. 17, Sec. 4.1701 through 4.1711 (Parkland Dedication)
    - i) Possible waving of 2<sup>nd</sup> and 3<sup>rd</sup> readings of Ord #669
    - ii) Possible final reading and adoption of Ord #669
  - b) Ordinance No #670 Amendment of Title IV, Chapt. 16, Sec. 4.1601 through 4.1610 (Floodplain Management)
    - i) Possible waving of 2<sup>nd</sup> and 3<sup>rd</sup> readings of Ord #670
    - ii) Possible final reading and adoption of Ord #670
  - c) Ordinance No #671 repeal and replacement of Title IV, Chapt. 12, Sec. 4.1601 through 4.1610 (Planned Unit Development)
    - i) Possible waving of 2<sup>nd</sup> and 3<sup>rd</sup> readings of Ord #671
    - ii) Possible final reading and adoption of Ord #671
- 9) **Council Considerations and Discussions (work session)**
  - a) BTWI Tower
- 10) **Mayor and Council Discussion**
- Adjournment**

DATE POSTED: 10/3/2025

  
 \_\_\_\_\_  
 Andrew Barden, City Administrator/City Clerk

The City Council of the City of Winterset, Iowa met on October 6, 2025 in accordance with the above Notice and Call of Public meeting. The meeting was called to order at 7 P.M. by Mayor Leners and recited the pledge of allegiance.

PRESENT:     Michael Cook, Christopher Fairholm, Michael Eller  
                  Mike Fletcher, Mary Ann Orr

ABSENT:       none

The Mayor asked for a motion to adopt the presented agenda. Item 8.a. will be tabled for Parks and Recreation Board review and recommend. There being no further additions or deletions to the agenda and no further discussion, Council Member Fairholm made a motion, seconded by Council Member Eller. On roll call vote, all Council Members present voted Aye.

Whereupon the Mayor declared that the motion carried.

**Consent Agenda**

- City Council Meeting Minutes from September 15, 2025.
- Parks and Recreation Board minutes from September 10<sup>th</sup>, 2025
- Tree Commission Minutes from September 3<sup>rd</sup>, 2025
- Library Board Minutes from September 17, 2025
- Class C Retail Alcohol License – The Drift LLC
- Class C Retail Alcohol License – Pheasant Run Pub & Grill, Inc.
- Class B Retail Alcohol License – Git-N-Go Convenience Stores, Inc.
- Class C Retail native Wine License – Durnan Wine LLC
- Special Class C Retail Alcohol License – Oviatt Enterprises LLC
- Special Assessment Grant Program Reimbursement – 402 N 9<sup>th</sup> St. & 421 E Green St.
- Utility Bill adjustment 812 S 4<sup>th</sup> Ave

The Mayor stated that the minutes of the September 15, 2025 City Council meeting were previously distributed to the Council Members for their review. There being no further discussion; a motion was made to approve the Consent Agenda by Council Member Fletcher and seconded by Council Member Cook to approve the minutes as submitted. On roll call vote, all Council Members voted Aye.

Whereupon the Mayor declared that the motion carried.

**Receipts, Filings, and Affidavits**

The claims submitted are in the amount of \$240,861.98

The Mayor called for a report on the claims. Council Member Eller stated that he reviewed the claims and moved to approve the following list of claims. Council Member Orr seconded the motion. On roll call vote, all Council Members voted Aye.

Whereupon the Mayor declared that the motion carried.

GENERAL

<u>POLICE:</u>	
Ahlers & Cooney PC, contract	175.00
Brandon Douglas, training	21.00
Centurylink, phone service	1,178.92
Iowa Dept of Public Safety, computer services	300.00
Madison Co Sheriffs Office, dispatch service	7,500.00
Payroll Account, salaries	31,904.26
Quality Car Care, repairs	757.65
Scott Merriman Inc, supplies	432.00
Stopstick, Ltd., equipment	5,944.00
T-Mobile, phone service	1,429.27
Unplugged Wireless LLC, repairs	150.00
<u>FIRE:</u>	
Adel Winterset TV & Appliance, repairs	747.00
Centurylink, phone service	689.48
Fire Service Training Bureau, training	50.00
Mediacom, phone/internet service	601.92

MMIT Business Solutions Group, copier maintenance	40.00
Outback Embroidery, uniforms	313.24
Pye-Barker Fire & Safety LLC, repairs/maintenance	1,988.50
Reliant Fire Apparatus Inc, repairs	153.90
Verizon Wireless, cellular service	305.83

ADMINISTRATION:

Holly Williams-Pena, sister city gift	157.28
IA Municipalities Workers Comp, work comp premium	9,693.00
Iowa League of Cities, dues	30.00
Madison County Recorder, recording fees	231.00
Payroll Account, salaries	1,175.00
Payroll Account, salaries	8,571.92
Winterset Madisonian, publications	670.71
World Ins Associates LLC, insurance	504.13

ANIMAL CONTROL:

Winterset Veterinary Center, impound fees	69.30
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AIRPORT:

Winterset Airport Authority, appropriation	5,532.33
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ECON DEVELOPMENT:

Madison Co Alliance Group, appropriation	4,697.91
Madison Co Historic Preservation, annual allocation	2,000.00

BUILDING INSPECTOR:

Payroll Account, salaries	3,185.68
Veenstra & Kimm Inc, Building permit fees/professional services	3,533.90

## GARBAGE FUND

SOLID WASTE/GARBAGE:

Payroll Account, benefits	473.91
Payroll Account, salaries	1,065.86

## INTERNAL SERVICE FUND

ADMINISTRATION:

Access Systems Leasing, service contract	171.43
D & D Pest Control, pest control	45.00
First Citizens Bank & Trust Co, copier lease	357.00
GreatAmerica Financial Services, server lease	349.72
Mediacom, phone/internet service	583.71
MMIT Business Solutions Group, copier maintenance/repairs	279.86
Quill Corporation, office supplies	189.95
Warren Water District, reading fees	25.00

## ROAD USE TAX

ROADWAY MAINTENANCE:

Alexander Construction, repairs	7,437.00
Barco Municipal Products Inc, supplies	160.00
Bill Jensen Heating & Cooling, replace venting	2,100.00
Centurylink, phone service	229.15
Freightliner of Des Moines Inc, repairs	4,320.67
Iowa Prison Industries, supplies	68.90
Payroll Account, salaries	9,480.61
Ziegler, repairs	472.04

STREET CLEAN:

Payroll Account, salaries	262.40
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SNOW REMOVAL:

Ziegler, repairs	893.62
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SEWER UTILITY FUND

SANITARY SEWER:

Centurylink, phone service	625.37
Iowa Pump Works Inc, repairs	938.85
Marco Technologies LLC, supplies	1,174.51
Payroll Account, benefits	905.51
Payroll Account, salaries	2,279.55
Vanderpool Construction Inc, repairs	43,680.00

SEWER IMPROVEMENT PROJECT

SANITARY SEWER:

Sewer Improvement Project Fund, transfer	20,000.00
Sewer Revenue Bond Sinking Fund, transfer	25,091.42

TRUST & AGENCY

POLICE:

Payroll Account, benefits	7,183.74
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ADMINISTRATION:

Payroll Account, benefits	5,156.47
Payroll Account, benefits	5,156.47

ROADWAY MAINTENANCE:

Payroll Account, benefits	4,970.13
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**Reports from City Boards and Departments**

Street Department Ryan Flaherty provided written report including preparation of Covered Bridge Festival. Providing assistance with the street debris stockpiling and future projects. Stump grinding, Street Improvements, and selling street signs.

Library Director Dave Hargrove acknowledged Sally Morris' 30 years of service and pending retirement. Friends of the Library will be hosting Chamber Coffee on Friday Oct 24<sup>th</sup> and celebrating "National Friends of the Library Week".

Park & Recreation Director Sky Smothers Reported on Current Programs, Ongoing projects including Field House, Trails, Facilities, and Projects. Notable items included Friend of Parks and Recreation establishment and managing downtown flowers, and Fundraising Committee established.

Fire Chief Jayson McDonald reported 20 calls for August and September, New trucks continue on build schedule, ISO rating review was held. Participation in multiple school escorts and parades. Covered Bridge Fundraiser will take place both on Saturday and Sunday. Future community engagement for National Fire Prevention Month. Ryan Breeding retired and was thanked for his 24 years of service. Logan Allen retired and was acknowledged for his 6 years of service.

Police Chief Ryan Pittman provided written report including calls for service, arrests, training, and community event participation.

Code Enforcement Officer Hollie Burgus presented written report for cases, Board of Adjustment and Planning and Zoning. 5 Rental Inspections have been completed and met all requirements and issued permits.

City Administrator Report highlighted work and effort of city staff. Projects, Meetings, Operations, and other items were reported.

**Public Comment** – Individuals wishing to speak shall sign up prior to the meeting. When called upon please stand and give your address for the record. Each person may speak for up to three minutes. Please professionally and tactfully express your specific concerns and not disrespect individuals.

The Mayor noted that no one had signed up for public comment at this time.

## Public Hearing

Public Hearing(s) for Ordinances #669, #670, & 671.

A motion was made by Council Member Cook to enter into public hearing, the motion was seconded by Council Member Fairholm. There being no further discussion; On roll call vote, all Council Members present voted Aye.

Whereupon the Mayor declared that the motion carried.

Public Hearing was entered at 7:37 p.m.

Notice of Publication was on file, no written protests received.

No Public was present to speak on the matter.

A motion was made by Council Member Orr to exit public hearing; the motion was seconded by Council Member Eller. There being no further discussion; On roll call vote, all Council Members present voted Aye.

Whereupon the Mayor declared that the motion carried.

Public Hearing was exited at 7:38 p.m.

## Resolutions

A motion was made by Council Member Eller to approve Resolution No. 2025-55 a Resolution Setting a Date of Public Hearing for Reclassifying Land use from the R-2 Single and Two-Family Residential District to R-3 Multi-Family Residential Zoning District seconded by Council Member Cook. There being no further discussion; On roll call vote, all Council Members voted Aye.

Whereupon the Mayor declared that the motion carried.

### RESOLUTION NO. 2025-55

#### A RESOLUTION SETTING A DATE OF PUBLIC HEARING FOR RECLASSIFYING LAND USE FROM THE R-2 SINGLE AND TWO-FAMILY RESIDENTIAL DISTRICT TO R-3 MULTI-FAMILY RESIDENTIAL ZONING DISTRICT

**WHEREAS**, Kati Brown in her capacity as Operations Manager of 1926, LLC has petitioned the City Planning & Zoning Commission to reclassify land from the R-2 Single and Two-Family Residential District to R-3 Multi-Family Residential Zoning District; and

**WHEREAS** the Planning & Zoning Commission duly approved this reclassification request on September 30th, 2025, and have recommended such land use change to the City Council; and

**WHEREAS**, it is necessary to set a date for a public hearing on the matter of rezoning property; and

**WHEREAS**, Iowa Code Section CITY ZONING, §414.4, 414.4 Zoning regulations, district boundaries, amendments, states, "the regulation, restriction, or boundary shall not become effective until after a public hearing at which parties in interest and citizens shall have an opportunity to be heard. The notice of the time and place of the hearing shall be published as provided in section 362.3, except that at least seven days' notice must be given and in no case shall the public hearing be held earlier than the next regularly scheduled City Council meeting following the published notice; and,

**NOW THEREFORE**, It Is Resolved by the City Council of the City of Winterset, Iowa, as follows:

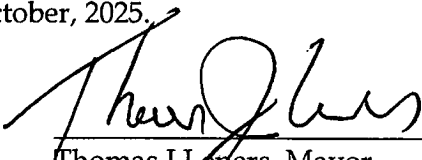
The City Council of the City of Winterset, Iowa, will meet on October 20<sup>th</sup>, 2025 at the City Hall in the City, at 7 o'clock p.m., for the purpose of instituting proceedings on land use classification of the following described real estate is hereby changed to R-3 Multi-Family Residential, to-wit:

A tract of land located in the Northwest Fractional Quarter (1/4) of the Northwest Fractional Quarter (1/4) of Section Thirty-one (31) in Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M., City of Winterset, Madison County, Iowa, more particularly described as follows, to-wit: Commencing at the

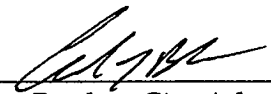


Southwest corner of the Northwest Fractional Quarter (1/4) of the Northwest Fractional Quarter (1/4) of said Section Thirty-one (31), thence South 88°37' East, 935.1 feet along the South line of said Northwest Fractional Quarter (14) of the Northwest Fractional Quarter (1/4) to the point of beginning, thence continuing South 88°37' East, 347.2 feet, thence North 506.5 feet, thence North 88°37' West, 347.2 feet, thence South 506.5 feet to the point of beginning, containing 4.0359 acres.

Passed and Approved this 6th day of October, 2025.

  
\_\_\_\_\_  
Thomas J Leners, Mayor  
City of Winterset, Iowa

ATTEST:

  
\_\_\_\_\_  
Andrew Barden, City Administrator/City Clerk

A motion was made by Council Member Fletcher to approve Resolution No. 2025-56 a Resolution to Set a Date of Public Hearing for an Amendment to FY 25-26 Budget seconded by Council Member Orr. There being no further discussion; On roll call vote, all Council Members voted Aye.

Whereupon the Mayor declared that the motion carried.

RESOLUTION NO. 2025-56

RESOLUTION SET A DATE OF PUBLIC HEARING FOR AN AMENDMENT TO FY  
25-26 BUDGET

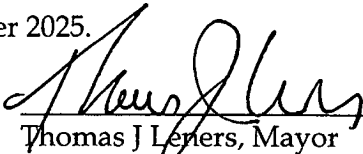
**WHEREAS** it is required by Iowa Code to amend an operating year budget if a total line item is over expended; and

**WHEREAS** a Notice of Public Hearing was published in the regularly occurring newspaper in the City on October 1<sup>st</sup>, 2025, in accordance with the 4 and 20 day requirement; and,

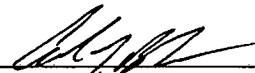
**WHEREAS** the Public Hearing shall be held as published on October 20<sup>th</sup>, 2025, at 7pm at City Hall; and,

**NOW THEREFORE, BE IT RESOLVED**, by the City Council of the City of Winterset, Iowa that the notice of Public Hearing shall be published for an amendment to the 25-26 Budget.

Passed and approved this 6<sup>th</sup> day of October 2025.

  
\_\_\_\_\_  
Thomas J Leners, Mayor

ATTEST:

  
\_\_\_\_\_  
Andrew Barden, City Administrator/ City Clerk

**Ordinance Reading and Consideration**

Ordinance No #669 Addition of Title IV, Chapt. 17, Sec. 4.1701 through 4.1711 (Parkland Dedication)

Council did not vote. Item was tabled until Parks and Recreation Board could recommend.

Ordinance No #670 Amendment of Title IV, Chapt. 16, Sec. 4.1601 through 4.1610 (Floodplain Management)

Possible waving of 2<sup>nd</sup> and 3<sup>rd</sup> readings of Ord #670  
Possible final reading and adoption of Ord #670

A motion was made by Council Member Cook to approve the first reading of Ordinance No #670 Amendment of Title IV, Chapt. 16, Sec. 4.1601 through 4.1610 (Floodplain Management), the motion was seconded by Council Member Fletcher. There being no further discussion; On roll call vote, all Council Members present voted Aye.

Whereupon the Mayor declared that the motion carried.

A motion was made by Council Member Orr to approve the waving of 2<sup>nd</sup> and 3<sup>rd</sup> readings of Ord #670 Amendment of Title IV, Chapt. 16, Sec. 4.1601 through 4.1610 (Floodplain Management), the motion was seconded by Council Member Eller. There being no further discussion; On roll call vote, all Council Members present voted Aye.

Whereupon the Mayor declared that the motion carried.

A motion was made by Council Member Fletcher to approve the final reading and adoption of Ord #670 Amendment of Title IV, Chapt. 16, Sec. 4.1601 through 4.1610 (Floodplain Management), the motion was seconded by Council Member Fairholm. There being no further discussion; On roll call vote, all Council Members present voted Aye.

Whereupon the Mayor declared that the motion carried

Ordinance No #671 repeal and replacement of Title IV, Chapt. 12, Sec. 4.1601 through 4.1610 (Planned Unit Development)  
Possible waving of 2<sup>nd</sup> and 3<sup>rd</sup> readings of Ord #671  
Possible final reading and adoption of Ord #671

A motion was made by Council Member Orr to approve the first reading of Ordinance No #671 repeal and replacement of Title IV, Chapt. 12, Sec. 4.1601 through 4.1610 (Planned Unit Development), the motion was seconded by Council Member Cook. There being no further discussion; On roll call vote, all Council Members present voted Aye.

Whereupon the Mayor declared that the motion carried.

A motion was made by Council Member Fletcher to approve waving of 2<sup>nd</sup> and 3<sup>rd</sup> readings of Ord #671 repeal and replacement of Title IV, Chapt. 12, Sec. 4.1601 through 4.1610 (Planned Unit Development), the motion was seconded by Council Member Cook. There being no further discussion; On roll call vote, all Council Members present voted Aye.

Whereupon the Mayor declared that the motion carried.

A motion was made by Council Member Fairholm to approve final reading and adoption of Ord #671 repeal and replacement of Title IV, Chapt. 12, Sec. 4.1601 through 4.1610 (Planned Unit Development), the motion was seconded by Council Member Eller. There being no further discussion; On roll call vote, all Council Members present voted Aye.

Whereupon the Mayor declared that the motion carried.

### **Council Considerations and Actions**

BTWI Tower location if respective site is not secured around town. Discussion about reliable internet service and potential to reduce ROW directional boring, economic impact and willingness to consider sites was held.

Council Member Fletcher introduced a term "windphone" which is an antique phone that allows persons to make the "one last call" to loved ones in a private/public area and direct links to mental health, grief recovery, and loss of loved ones. Council supported the idea.

Attorney Rosien Discussed HF 706 requiring new elected and appointed officials to attend Chapter 21 and 22 training. A certificate of raining shall be retained on file. Time and location will be determined.

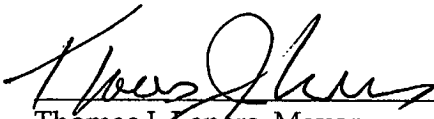
### **Mayor and Council Discussion**

No discussion was held.


The Adjournment

There being no further business, Council Member Fletcher then made a motion to adjourn the meeting. The motion to adjourn was seconded by Council Member Eller. All Council Members voted Aye.

Whereupon the Mayor declared that the motion carried, and the meeting was adjourned at 8:13 p.m.

  
 Thomas J. Leners, Mayor

ATTEST:

  
 Andrew Barden, City Administrator/City Clerk

## ORDINANCE NO. 671

### AN ORDINANCE FOR THE AMENDMENT TO WINTERSET MUNICIPAL CODE TITLE IV, CHAPTER 12, SECTION 4.12064.6 CITY REVIEW OF THE PLANNED UNIT DEVELOPMENT

BE IT ENACTED by the City Council of the City of Winterset, Iowa as follows:

**WHEREAS**, the City Council seeks to update section 4.12064.6 of the Planned Unit Development ordinance to allow the city to adopt a formal review policy for PUD submittals; and

**WHEREAS**, the adoption of a review policy will provide consistency and efficiency in the review process for applicants and staff; and

**WHEREAS**, this will ensure the development will be in compliance with the subdivision regulations and is in uniformity with the city's Comprehensive Plan;

**NOW THEREFORE**, be it ordained by the City Council of Winterset, Iowa as follows:

**Section 1. Amendment.** Sections 4.12064.6 shall be amended to read as follows:

**"4.12064.6 CITY REVIEW OF THE PLANNED UNIT DEVELOPMENT.** The Developer shall present the PUD proposal to the Zoning Administrator as a pre-Application proposal for their comment and discussion. Upon receipt of the Developer's formal Application with the accompanying documents described above, the Zoning Administrator or his or her designee shall review the submitted PUD Application to ensure its completeness and compliance with any policy in effect now or hereafter; may discuss any suggestions or provide additional information to the Developer, and shall present a report together with the Applicant's proposal to the Commission.

A. The Commission shall consider the Application with all accompanying materials pursuant to the following criteria:

1. Compatibility with the City Comprehensive Land Use Plan;
2. Land Use and Density;
3. Building types, functions, architecture, buffers and arrangements;
4. Provision and use of open space and landscaping;
5. Access to and from the site and related traffic circulation; and,
6. General relationship to the adjoining properties and area.

B. The Commission may approve or disapprove the Application, the Master Plan, the Regulations as submitted either in whole or in part and may require the Developer to modify, alter, adjust or amend

the Application and accompanying documents as the Commission may deem appropriate in order to preserve the harmonious intent and purpose of this Chapter and the City Comprehensive Land Use Plan.

C. After the Commission's final review of the Application and accompanying documents, the Commission shall present to the City Council its report and recommendation(s) on the matter.

D. Following the receipt of the Commission's report on the Application, the City Council shall set a date for public hearing before the Council on the Petition for Rezoning the land to the PUD Zoning District and upon the Application for the proposed PUD District with Notice thereof as provided by this Chapter. In addition to the public hearing notice requirements, notice of the hearing shall be sent by regular mail at least seven (7) days prior to public hearing to the owners of property which located within two hundred (200) feet thereof.

Following the public hearing on the matter, the City Council shall approve or deny the Application and the Rezoning Petition. However, such City Council approval shall not be considered as approval of any final plat under Chapter 10 of Title IV of the City Code (the Subdivision Code) unless and until the Developer has complied with that Code Chapter and, in each instance, each phase thereof is to be separately approved by the City as provided by the Subdivision Code."

**Section 2. Severability.** If any portion of this Ordinance shall be held unconstitutional or invalid for any reason, this decision shall not affect the remaining portions of this Ordinance not so declared unconstitutional or invalid.

**Section 3. Effective Date.** This Ordinance shall be in effect from and after its final passage, approval and publication as provided by law. Thereafter, this Ordinance shall be included with and be part of the Winterset Municipal Code, as now amended.

This Ordinance was duly passed and adopted by the City Council of the City of Winterset, Iowa, and approved by the undersigned Mayor on the 6th day of October, 2025.

Thomas J. Leners, Mayor

ATTEST:

Andrew Barden  
City Administrator/City Clerk

## AVIT OF PUBLICATIONS

I, duly sworn says she is the Publisher of The WINTERSET MASONIAN, a once weekly paper of General Publication published in Winterset, Iowa, and that the Ordinance which is annexed and made part hereof was published in said paper.

of 1 consecutive weeks, the last publication thereof being

8 day of Oct 20 25

Susan R Smith

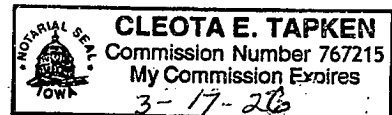
I am sworn to before me this

day of Oct 20 25

Cleota Tapken

NOTARY PUBLIC

In and for Madison County



**ORDINANCE NO. 671**

**AN ORDINANCE FOR THE AMENDMENT TO WINTERSET MUNICIPAL CODE TITLE IV, CHAPTER 12, SECTION 4.12064.6 CITY REVIEW OF THE PLANNED UNIT DEVELOPMENT**

BE IT ENACTED by the City Council of the City of Winterset, Iowa as follows:

WHEREAS, the City Council seeks to update section 4.12064.6 of the Planned Unit Development ordinance to allow the city to adopt a formal review policy for PUD submittals; and

WHEREAS, the adoption of a review policy will provide consistency and efficiency in the review process for applicants and staff; and

WHEREAS, this will ensure the development will be in compliance with the subdivision regulations and is in uniformity with the city's Comprehensive Plan;

NOW THEREFORE, be it ordained by the City Council of Winterset, Iowa as follows:

Section 1. Amendment. Sections 4.12064.6 shall be amended to read as follows:

4.12064.6 CITY REVIEW OF THE PLANNED UNIT DEVELOPMENT. The Developer shall present the PUD proposal to the City Council as a pre-application proposal for their comment and discussion. Upon receipt of the Developer's formal Application, the City Council shall, within 15 business days of receipt, hold a public hearing on the proposal.

4.1601 through 4.1610 (Planned Unit Development), the motion was seconded by Council Member Cook. There being no further discussion, On roll call vote, all Council Members present voted Aye.

Council Member Fletcher to approve waiving of 2nd and 3rd readings of Ord #671 (repeal and replacement of Title IV, Chapter 12, Sec. 4.1601 through 4.1610 (Planned Unit Development)).

A motion was made by Council Member Fletcher to approve waiving of 2nd and 3rd readings of Ord #671 (repeal and replacement of Title IV, Chapter 12, Sec. 4.1601 through 4.1610 (Planned Unit Development)). The motion was seconded by Council Member Cook. There being no further discussion, On roll call vote, all Council Members present voted Aye.

Council Member Fletcher to approve waiving of 2nd and 3rd readings of Ord #671 (repeal and replacement of Title IV, Chapter 12, Sec. 4.1601 through 4.1610 (Planned Unit Development)).

A motion was made by Council Member Fletcher to approve waiving of 2nd and 3rd readings of Ord #671 (repeal and replacement of Title IV, Chapter 12, Sec. 4.1601 through 4.1610 (Planned Unit Development)). The motion was seconded by Council Member Cook. There being no further discussion, On roll call vote, all Council Members present voted Aye.

the Application and accompanying documents as the Commission may deem appropriate in order to preserve the harmonious intent and purpose of this Chapter and the City Comprehensive Land Use Plan. C. After the Commission's final review of the Application and accompanying documents, the Commission shall present to the City Council its report and recommendation(s) on the matter.

D. Following the receipt of the Commission's report on the Application, the City Council shall set a date for public hearing before the Council on the Petition for Rezoning the land to the PUD Zoning District and upon the Application for the proposed PUD District with Notice thereof as provided by this Chapter. In addition to the public hearing notice requirements, notice of the hearing shall be sent by regular mail at least seven (7) days prior to public hearing to the owners of property which located within two hundred (200) feet thereof.

Following the public hearing on the matter, the City Council shall approve or deny the Application and the Rezoning Petition. However, such City Council approval shall not be considered as approval of any final plat under Chapter 10 of Title IV of the City Code (the Subdivision Code) unless and until the Developer has complied with the requirements of the City Code.

Utility Bill adjustment 812 S. 4th Ave  
421 E. Green St.  
The Mayor stated that the minutes of the September 15, 2025 City Council meeting were correct and that the Developer has complied with the requirements of the City Code.

No Public was present to speak on the matter.

Notice of Publication was on file, no written protests received.

Public Hearing was entered at 7:37 p.m.

Whereupon the Mayor declared that the motion carried.

discussion: On roll call vote, all Council Members present voted Aye.

A motion was made by Council Member Cook to enter into public hearing.

the motion was seconded by Council Member Fairholm. There being no further discussion, On roll call vote, all Council Members present voted Aye.

A motion was made by Council Member Cook to enter into public hearing.

the motion was seconded by Council Member Fairholm. There being no further discussion, On roll call vote, all Council Members present voted Aye.

68,38

# AFFIDAVIT OF PUBLICATIONS

UE SMITH being duly sworn says she is the Publisher of The WINTERSET MADISONIAN, a once weekly paper of General circulation, published in Winterset, Iowa, and that the notice, a copy which is annexed and made part hereof was correctly published in said paper.

For the period of 1 consecutive weeks, the last Publication thereof being

On the 8 day of Oct 20 25

Susan R Smith

Subscribed and sworn to before me this

9 day of Oct 20 25

Cleota Tapken

NOTARY PUBLIC  
In and for Madison County

