

City of Monticello, Iowa

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Monticello City Council Special Meeting March 10, 2025 at 6:00 p.m.
Monticello Renaissance Center, 220 E. 1st Street, Monticello, Iowa

Mayor:	Wayne Peach	Staff:	
City Council:		City Administrator:	Russell Farnum
At Large:	Josh Brenneman	City Clerk/Treas.:	Sally Hinrichsen
At Large:	Scott Brighton	Police Chief:	Britt Smith
At Large:	Jake Ellwood	Library Director:	Faith Brehm
At Large:	Dave Goedken	Public Works Dir.:	Nick Kahler
At Large:	Candy Langerman	Water/Wastewater Sup.:	Jim Tjaden
At Large:	Mary Phelan	Park & Rec Director:	Jacob Oswald
		Ambulance Director:	Lori Lynch
		City Engineer:	Patrick Schwickerath

- **Call to Order – 6:00 P.M.**
- Pledge of Allegiance
- Roll Call
- Agenda Addition/Agenda Approval

Open Forum: If you wish to address the City Council on subjects pertaining to today's meeting agenda please wait until that item on the agenda is reached. If you wish to address the City Council on an item not on the agenda, please approach the lectern and give your name and address for the public record before discussing your item. Individuals are normally limited to speaking for no more than three (3) minutes on a topic and the Open Forum is by rule limited to a total of twenty (20) minutes.

Resolutions:

1. **Resolution** Approving Pay Request #10 to Bill Bruce Builders, Inc., Re: Wastewater Treatment Plant Improvement Project in the amount of \$216,552.06

Reports:

2. **Report** on Jones County Transfer Station – Dave Goedken

Adjournment: Pursuant to §21.4(2) of the Code of Iowa, the City has the right to amend this agenda up until 24 hours before the posted meeting time.

Monticello City Council meetings are recorded, by attending and choosing to participate you give your consent to be recorded. If you prefer not to be recorded, you may submit comments in writing.

The meeting will continue to be broadcast on Mediacom (Local Access Channel) and will be accessible via Zoom via the following link.

City of Monticello is inviting you to a scheduled Zoom meeting.

Topic: March 10, 2025 Council Meeting

Time: Mar 10, 2025 06:00 PM Central Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/86038969685>

Meeting ID: 860 3896 9685

One tap mobile

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Dial by your location

• +1 305 224 1968 US

• +1 309 205 3325 US

• +1 312 626 6799 US (Chicago)

• +1 646 558 8656 US (New York)

• +1 646 931 3860 US

• +1 301 715 8592 US (Washington DC)

• +1 346 248 7799 US (Houston)

• +1 360 209 5623 US

• +1 386 347 5053 US

• +1 507 473 4847 US

• +1 564 217 2000 US

• +1 669 444 9171 US

• +1 669 900 9128 US (San Jose)

• +1 689 278 1000 US

• +1 719 359 4580 US

• +1 253 205 0468 US

• +1 253 215 8782 US (Tacoma)

Meeting ID: 860 3896 9685

Find your local number: <https://us02web.zoom.us/j/86038969685>

“This employer is an equal opportunity provider & employer”

March 5, 2025

Mayor and City Council
City of Monticello
200 East 1st Street
Monticello, IA 52310

RE: CONTRACTOR'S APPLICATION FOR PAYMENT #10 - WASTEWATER
TREATMENT PLANT IMPROVEMENTS – BILL BRUCE BUILDERS, INC

Dear Mayor and City Council:

Enclosed for your review and approval is the Contractor's Application for Payment #10 for work completed on the Wastewater Treatment Plant Improvement Project.

Application for Payment includes costs associated with general conditions, continued work on installing rebar, pouring wall sections of the biosolids storage area, doors, gates and valves, plumbing, HVAC and electrical work associated with the biosolids equipment building.

I have reviewed the application for payment and find it in agreement with the work completed to date. I, therefore, recommend approval of the Application for Payment #10 in the amount of **\$216,552.06** to Bill Bruce Builders, Inc.

Respectfully,

SNYDER & ASSOCIATES, INC.



Nick Eisenbacher, P.E.
Project Engineer

Enclosure: Bill Bruce Builders, Inc Contractor's Application for Payment #10

cc: Karen Howe, USDA Rural Development; Russ Farnum and Jim Tjaden City of Monticello

Contractor's Application for Payment

Owner: <u>City of Monticello</u>	Owner's Project No.: <u>120.1109.08</u>
Engineer: <u>Snyder & Associates, Inc.</u>	Engineer's Project No.: <u>120.1109.08</u>
Contractor: <u>Bill Bruce Builders, Inc.</u>	Contractor's Project No.: <u>20231024</u>
Project: <u>Wastewater Treatment Plant (WWTP) Improvements</u>	
Contract: <u>Wastewater Treatment Plant Improvements</u>	
Application No.: <u>10</u>	Application Date: <u>2/26/2025</u>
Application Period: From <u>2/1/2025</u>	to <u>2/28/2025</u>

1. Original Contract Price	\$ 23,448,000.00 -
2. Net change by Change Orders	\$ 763,990.30 -
3. Current Contract Price (Line 1 + Line 2)	\$ 24,211,990.30 -
4. Total Work completed and materials stored to date (Sum of Column G Lump Sum Total and Column J Unit Price Total)	\$ 8,165,411.04 -
5. Retainage	
a. <u>5%</u> X <u>\$5,533,833.22-</u> Work Completed	\$ 276,691.66 -
b. <u>5%</u> X <u>\$2,631,577.82-</u> Stored Materials	\$ 131,578.89 -
c. Total Retainage (Line 5.a + Line 5.b)	\$ 408,270.55 -
6. Amount eligible to date (Line 4 - Line 5.c)	\$ 7,757,140.49 -
7. Less previous payments (Line 6 from prior application)	7,540,588.43
8. Amount due this application	\$ 216,552.06 -
9. Balance to finish, including retainage (Line 3 - Line 4)	\$ 16,454,849.81 -

Contractor's Certification

The undersigned Contractor certifies, to the best of its knowledge, the following:


(1) All previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with the Work covered by prior Applications for Payment;

(2) Title to all Work, materials and equipment incorporated in said Work, or otherwise listed in or covered by this Application for Payment, will pass to Owner at time of payment free and clear of all liens, security interests, and encumbrances (except such as are covered by a bond acceptable to Owner indemnifying Owner against any such liens, security interest, or encumbrances); and

(3) All the Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.

Contractor: Bill Bruce Builders, Inc.

Signature:  **Date:** 2/26/2025

Recommended by Engineer	Approved by Owner
By: <u></u>	By: _____
Title: <u>Project Engineer</u>	Title: _____
Date: <u>3/5/2025</u>	Date: _____
Approved by Funding Agency	
By: _____	By: _____
Title: _____	Title: _____
Date: _____	Date: _____

Progress Estimate - Lump Sum Work

Contractor's Application for Payment

Owner: City of Monticello
 Engineer: Snyder & Associates, Inc.
 Contractor: Bill Bruce Builders, Inc.
 Project: Wastewater Treatment Plant (WWTP) Improvements
 Contract: Wastewater Treatment Plant Improvements

Owner's Project No: 120.1109.08
 Engineer's Project No: 120.1109.08
 Contractor's Project No: 20231024

Application No.: 10 From 2/1/2025 to 2/28/2025 Application Date: 02/26/25

A ITEM #	B DESCRIPTION OF WORK	C SCHEDULED VALUE	D WORK COMPLETED		F MATERIALS PRESENTLY STORED (Not in D or E)	G TOTAL COMPLETED & STORED TO DATE (D + E + F)	H % (G / C)	I BALANCE TO FINISH (C - G)
			FROM PREVIOUS APPLICATION (D + E)	THIS PERIOD				
			Original Contract					
1	Insurance - Bond	175,724.00	175,724.00			175,724.00	100%	0.00
2	Insurance - Builders Risk	36,000.00	36,000.00			36,000.00	100%	0.00
3	Insurance - General Liability	135,000.00	135,000.00			135,000.00	100%	0.00
4	Preconstruction	12,000.00	12,000.00			12,000.00	100%	0.00
5	General Conditions - 36 Months	2,002,468.00	500,616.99	55,624.11		556,241.10	28%	1,446,226.90
6	Submittals	50,000.00	50,000.00			50,000.00	100%	0.00
7	Concrete Reinforcing	1,207,086.00	238,335.13			238,335.13	20%	968,750.87
8	Cast-In-Place Concrete	950,000.00	212,404.55	2,968.56		215,373.11	23%	734,626.89
9	Rebar Labor	1,000,000.00	185,000.00			185,000.00	19%	815,000.00
10	Concrete - Aeromod	1,610,500.00				0.00	0%	1,610,500.00
11	Concrete - BioSolids	927,500.00	570,000.00	50,000.00		620,000.00	67%	307,500.00
12	Concrete - Generator	12,800.00	12,800.00			12,800.00	100%	0.00
13	Concrete - Controls & UV Building	260,000.00				0.00	0%	260,000.00
14	Concrete - Truck Dump Oil Sand Interceptor	30,000.00				0.00	0%	30,000.00
15	Concrete Paving	130,000.00				0.00	0%	130,000.00
16	Mobilization	300,000.00	85,000.00			85,000.00	28%	215,000.00
17	Placement on Project	179,200.00	37,500.00			37,500.00	21%	141,700.00
18	Digging for Electrical/Concrete around pipes	100,000.00	5,000.00			5,000.00	5%	95,000.00
19	Sluice Gates/Slides Gates Install	50,000.00				0.00	0%	50,000.00
20	Liquid Process Pipe Install	50,000.00				0.00	0%	50,000.00
21	Shaftless Screw Conveyor - Labor	20,000.00				0.00	0%	20,000.00
22	Secondary Containment Scale - Labor	10,000.00				0.00	0%	10,000.00
23	Polymer Blending and Feed Equipment - Labor	10,000.00				0.00	0%	10,000.00
24	Rotary Press System - Labor	20,000.00	5,000.00			5,000.00	25%	15,000.00
25	Precast Structural Concrete - Engineering	24,000.00	24,000.00			24,000.00	100%	0.00
26	Precast Structural Concrete - Wall Panels	368,127.00	148,765.35			148,765.35	40%	219,361.65
27	Precast Structural Concrete - 10" Hollow core	96,927.00				0.00	0%	96,927.00
28	Precast Structural Concrete - 8" Hollow core	28,760.00	28,760.00			28,760.00	100%	0.00
29	Precast Structural Concrete - Trucking	16,320.00	5,712.00			5,712.00	35%	10,608.00
30	Precast Structural Concrete - Wash	14,100.00				0.00	0%	14,100.00
31	Precast Structural Concrete - Caulking & Grouting	45,500.00				0.00	0%	45,500.00
32	Precast & Steel Erection	199,400.00	35,340.00			35,340.00	18%	164,060.00
33	Masonry	150,000.00	15,000.00			15,000.00	10%	135,000.00
34	Structural Steel Fabrication	199,750.00	107,000.00			107,000.00	54%	92,750.00
35	Rough Carpentry - Labor	66,000.00				0.00	0%	66,000.00
36	Demolition of Metal Panels	12,800.00				0.00	0%	12,800.00
37	Metal Panel Install	45,980.00				0.00	0%	45,980.00
38	EPDM Roofing	192,400.00	138,540.00			138,540.00	72%	53,860.00
39	Sectional Doors	76,462.00	25,487.34			25,487.34	33%	50,974.66
40	FRP Aluminum Hybrid Doors	77,155.00			77,155.00	77,155.00	100%	0.00
41	Aluminum Framed Entrances and Storefronts	30,090.00	1,500.00	2,764.50		4,264.50	14%	25,825.50
42	Painting	124,931.00	49,000.00			49,000.00	39%	75,931.00
43	Specialties	8,030.00				0.00	0%	8,030.00
44	Lab Equipment - End Loader	179,000.00	179,000.00			179,000.00	100%	0.00
45	Lab Equipment - Hotsy Pressure Washer	7,800.00				0.00	0%	7,800.00
46	Refrigerated Composite Sampler	27,500.00				0.00	0%	27,500.00
47	Plumbing / HVAC	499,980.00	141,687.00			141,687.00	28%	358,293.00
48	Electrical - General Conditions (temp power, submittals & Mob)	144,025.00	144,025.00			144,025.00	100%	0.00
49	Electrical - Service Equipment	675,000.00	135,000.00	54,000.00		189,000.00	28%	486,000.00
50	Electrical - Site Work	310,613.00	37,237.55	3,106.13		40,343.68	13%	270,269.32
51	Electrical - Building Power and Equipment	310,612.00	55,910.16	6,212.24		62,122.40	20%	248,489.60
52	Lagoon Sludge Removal	93,900.00				0.00	0%	93,900.00
53	SWPPP Installation	43,795.00	2,308.00			2,308.00	5%	41,487.00
54	SWPPP Inspections	14,600.00	4,800.00	350.00		5,150.00	35%	9,450.00
55	Retaining Walls	43,207.00				0.00	0%	43,207.00

56	MOBILIZATION	219,649.00	64,844.78			64,844.78	30%	154,804.22
57	TOPSOIL STRIP SALVAGE SPREAD	58,971.00	5,710.00			5,710.00	10%	53,261.00
58	SITE GRADING	148,842.00	11,349.00			11,349.00	8%	137,493.00
59	ROCK SURFACING AND SUBBASE	62,214.00				0.00	0%	62,214.00
60	WATER MAIN AND SERVICES	322,021.00	129,571.98			129,571.98	40%	192,449.02
61	PRV VALVE VAULT	61,312.00				0.00	0%	61,312.00
62	4" SANITARY FORCE MAIN	34,589.00				0.00	0%	34,589.00
63	8" SANITARY GRAVITY MAIN	72,519.00				0.00	0%	72,519.00
64	10" SANITARY FORCE MAIN	19,920.00				0.00	0%	19,920.00
65	16" SANITARY GRAVITY MAIN	21,984.00				0.00	0%	21,984.00
66	18" SANITARY GRAVITY MAIN	128,356.00				0.00	0%	128,356.00
67	SANITARY MANHOLES	254,293.00				0.00	0%	254,293.00
68	MH-11 DIGESTED SLUDGE PS & VV	94,292.00				0.00	0%	94,292.00
69	EFFLUENT PS & VV	424,757.00				0.00	0%	424,757.00
70	BYPASS PUMPING	145,830.00				0.00	0%	145,830.00
71	STORM SEWER AND DRAIN TILE	59,390.00				0.00	0%	59,390.00
72	TRUCK DUMP TANK & SANITARY	52,864.00				0.00	0%	52,864.00
73	STRUCTURE EXCAVATION	334,347.00	38,535.00			38,535.00	12%	295,812.00
74	STRUCTURE BACKFILL	283,748.00				0.00	0%	283,748.00
75	STRUCTURE SUBBASE	204,903.00	21,929.00			21,929.00	11%	182,974.00
76	DEMO	304,279.00	5,878.57			5,878.57	2%	298,400.43
77	DEWATERING	164,411.00				0.00	0%	164,411.00
78	Wall Mounted Walkways - Install	34,000.00				0.00	0%	34,000.00
79	Stop Logs / Stainless Steel Sluices Gates & Slide Gates	94,800.00		52,960.00		52,960.00	56%	41,840.00
80	Split-Clarator Secondary Clarifier	688,417.00			688,417.00	688,417.00	100%	0.00
81	Wall Mounted Aerators	371,879.00			371,879.00	371,879.00	100%	0.00
82	Sludge Management	10,959.00				0.00	0%	10,959.00
83	Plant Process Controls	123,612.00				0.00	0%	123,612.00
84	Wall mounted Walkways	308,612.00			308,612.00	308,612.00	100%	0.00
85	Actuagted Valves	93,971.00				0.00	0%	93,971.00
86	Sluice Gates & Hand Lift Stop Plates	21,206.00				0.00	0%	21,206.00
87	Aeration Blower and Controls	649,681.00				0.00	0%	649,681.00
88	Probe Module & Sensor Probes	19,213.00				0.00	0%	19,213.00
89	Clarifier Algae Control	20,857.00				0.00	0%	20,857.00
90	Bio-P Selector Tank Mixing	65,643.00				0.00	0%	65,643.00
91	Installation Materials and Spare Parts	91,750.00			91,750.00	91,750.00	100%	0.00
92	Manufacturer's Services	14,500.00				0.00	0%	14,500.00
93	Freight	14,400.00				0.00	0%	14,400.00
94	Variable Frequency Motor Controllers / Controls / Submersible Pumps	1,514,000.00			926,601.00	926,601.00	61%	587,399.00
95	Fabricated Stainless Steel - Labor	100,750.00	25,469.00			25,469.00	25%	75,281.00
96	Fabricated Stainless Steel - Materials	170,000.00	9,706.08		121,266.82	130,972.90	77%	39,027.10
97	Ultraviolet Disinfection Equipment - Placement for Fabrication	45,897.00				0.00	0%	45,897.00
98	Ultraviolet Disinfection Equipment - Submittals	45,897.00	45,897.00			45,897.00	100%	0.00
99	Ultraviolet Disinfection Equipment - Equipment	45,897.00			45,897.00	45,897.00	100%	0.00
100	Ultraviolet Disinfection Equipment - Start-Up	15,299.00				0.00	0%	15,299.00
101	Girt Classifying & Washer	104,099.00				0.00	0%	104,099.00
102	Chemical Containments & Scales / Polymer Blending & Feed Equipment Chemical Feed / Shaftless Screw Conveyor	280,527.00	135,627.00			135,627.00	48%	144,900.00
103	Liquid Process Piping - Man Holes, Valves, and Piping	190,648.00	32,345.60			32,345.60	17%	158,302.40
104	Fournier - Rotary Press Submittals	75,220.95	75,220.95			75,220.95	100%	0.00
104.1	Fournier - Rotary Press	426,252.05	319,689.04			319,689.04	75%	106,563.01
105	Utility Materials - Piping, valves, vaults	931,480.00	99,597.51			99,597.51	11%	831,882.49
Original Contract Totals		\$ 23,448,000.00	\$ 4,560,823.58	\$ 227,985.54	\$ 2,631,577.82	\$ 7,420,386.94	\$ 0.32	\$ 16,027,613.06

Progress Estimate - Lump Sum Work

Contractor's Application for Payment

Owner: City of Monticello
 Engineer: Snyder & Associates, Inc.
 Contractor: Bill Bruce Builders, Inc.
 Project: Wastewater Treatment Plant (WWTP) Improvements
 Contract: Wastewater Treatment Plant Improvements

Owner's Project No: 120.1109.08
 Engineer's Project No: 120.1109.08
 Contractor's Project No: 20231024

Application No.: 10 From 2/1/2025 to 2/28/2025 Application Date: 02/26/25

A ITEM #	B DESCRIPTION OF WORK	C SCHEDULED VALUE	D WORK COMPLETED		F MATERIALS PRESENTLY STORED (Not in D or E)	G TOTAL COMPLETED & STORED TO DATE (D + E + F)	H % (G / C)	I BALANCE TO FINISH (C - G)
			FROM PREVIOUS APPLICATION (D + E)	THIS PERIOD				
			Change Orders					
1	Unsuitable Soils	763,990.30	745,024.10			745,024.10	98%	18,966.20
						0.00	#DIV/0!	0.00
						0.00	#DIV/0!	0.00
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						0.00	#DIV/0!	0.00
Change Order Totals		\$ 763,990.30	\$ 745,024.10	\$ -	\$ -	\$ 745,024.10		\$ 18,966.20

Original Contract and Change Orders								
Project Totals		\$ 24,211,990.30	\$ 5,305,847.68	\$ 227,985.54	\$ 2,631,577.82	\$ 8,165,411.04		\$ 16,046,579.26

Stored Materials Summary

Contractor's Application for Payment

Owner: City of Monticello
 Engineer: Snyder & Associates, Inc.
 Contractor: Bill Bruce Builders, Inc.
 Project: Wastewater Treatment Plant (WWTP) Improvements
 Contract: Wastewater Treatment Plant Improvements

Owner's Project No: 120.1109.08
 Engineer's Project No: 120.1109.08
 Contractor's Project No: 20231024

Application No.: 41 Application Period: From 2/1/2025 to 2/28/2025

Application Date: 02/26/25

A ITEM NO. LUMP SUM TAB	B SUPPLIER INVOICE NO.	C SUBMITTAL NO. (WITH SPECIFICATION SECTION NO)	D DESCRIPTION OF MATERIALS OR EQUIPMENT STORED	E STORAGE LOCATION	F APPLICATION NO NO. WHEN MATERIALS PLACED IN STORAGE	G MATERIALS STORED			H INCORPORATED IN WORK		L TOTAL AMOUNT INCORPORATED IN THE WORK (J+K) (S)	M MATERIALS REMAINING IN STORAGE (I-L) (S)	
						PREVIOUS AMOUNT STORED (S)	AMOUNT STORED THIS PERIOD (S)	AMOUNT STORED TO DATE (G+H) (S)	AMOUNT PREVIOUSLY INCORPORATED IN THE WORK (S)	AMOUNT INCORPORATED IN THE WORK THIS PERIOD (S)			
26	Pay App #1		Wall Panels	Advanced Precast	1	130,359.00		130,359.00	\$	130,359.00		130,359.00	0.00
28	Pay App #2		8" Hollowcore	Advanced Precast	1	28,760.00		28,760.00	\$	28,760.00		28,760.00	0.00
49	Pay App #1		Service Equipment - Electrical Distribution Storage	Westphal & Company	2	40,500.00		40,500.00	\$	40,500.00		40,500.00	0.00
49	Pay App #2		Service Equipment - Electrical Distribution Storage	Westphal & Company	2	25,878.74		25,878.74	\$	25,878.74		25,878.74	0.00
96	Pay App #1		Fabricated Stainless Steel - Materials	Dubuque Plumbing & Heating	3	92,818.94		92,818.94				0.00	92,818.94
40	Pay App #1		FRP Aluminum Hybrid Doors	Opening Specilists, Inc	3	17,226.22		17,226.22				0.00	17,226.22
49	Pay App #2		Fabricated Stainless Steel - Materials	Dubuque Plumbing & Heating	4	15,097.90		15,097.90				0.00	15,097.90
	Pay App #2		FRP Aluminum Hybrid Doors	Opening Specilists, Inc	4	52,780.00		52,780.00				0.00	52,780.00
	Pay App #3		Fabricated Stainless Steel - Materials	Dubuque Plumbing & Heating	5	13,349.98		13,349.98				0.00	13,349.98
	Pay App #6		Ultraviolet Disinfection Equipment	Enaqua	6	45,897.00		45,897.00				0.00	45,897.00
	Pay App #1		Split-Clarator Secondary Clarifier	Aero-Mod	7	688,417.00		688,417.00				0.00	688,417.00
	Pay App #1		Wall mounted Walkways	Aero-Mod	7	308,612.00		308,612.00				0.00	308,612.00
	Pay App #3		FRP Aluminum Hybrid Doors	Opening Specilists, Inc	7	7,148.78		7,148.78				0.00	7,148.78
	Pay App #2		Wall Mounted Aerators	Aero-Mod	8	371,879.00		371,879.00				0.00	371,879.00
	Pay App #2		Installation Materials and Spare Parts	Aero-Mod	8	91,750.00		91,750.00				0.00	91,750.00
	28374		Variable Frequency Motor Controllers / Controls / Sub	Electric Pump	8	926,601.00		926,601.00				0.00	926,601.00
								0.00				0.00	0.00
								0.00				0.00	0.00
								0.00				0.00	0.00
								0.00				0.00	0.00
Totals						\$ 2,857,075.56	\$ -	\$ 2,857,075.56	\$	225,497.74	\$ -	\$ 225,497.74	\$ 2,631,577.82

The City of Monticello, Iowa

RESOLUTION

Approving Pay Request #10 to Bill Bruce Builders, Inc., Re: Wastewater Treatment Plant Improvement Project in the amount of \$216,552.06

WHEREAS, The City of Monticello, Iowa is an incorporated city within Jones County, Iowa; and

WHEREAS, Bill Bruce Builders, Inc. contracted with the City for the construction of public improvements described in general, as construction of the Wastewater Treatment Facility Improvements Project, and

WHEREAS, Bill Bruce Builders, Inc. has submitted their tenth pay request in the amount of \$216,552.06, which has been reduced by the contractually agreed upon 5% retainer, and

WHEREAS, The Council finds that the pay request is supported by the work completed and that the City Engineer has recommended approval of said pay request.

NOW THEREFORE, BE IT RESOLVED that the City Council of Monticello, Iowa does hereby approve the tenth pay request from Bill Bruce Builders, Inc., in the amount of \$216,552.06, same reflecting the maintenance of a 5% retainer in the current amount of \$408,270.55 for work completed and stored materials.

IN THE TESTIMONY WHEREOF, I have hereunto subscribed my name and caused the Great Seal for the City of Monticello, Iowa to be affixed. Done this 10th day of March 2025.

Wayne Peach, Mayor

Attest:

Sally Hinrichsen, City Clerk/Treasurer

Senate Study Bill 1190 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
LOCAL GOVERNMENT BILL BY
CHAIRPERSON WEBSTER)

A BILL FOR

1 An Act relating to solid waste collection and disposal by
2 establishing a maximum rate increase charged by governmental
3 entities and creating a property tax rebate for service
4 charges.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 28G.4, subsection 1, Code 2025, is
2 amended to read as follows:

3 1. a. Engage in, manage, own, operate, and regulate the
4 collection, transportation, storage, and disposal or diversion
5 of solid waste including, but not limited to, the designation
6 of a specific facility ~~which~~ that must be used for the
7 collection, transportation, storage, and disposal or diversion
8 of solid waste within its jurisdiction or geographic area.
9 However, the aggregate of the rates and charges for solid
10 waste collection and disposal services shall not exceed the
11 lower of one hundred two percent of the aggregate of the rates
12 and charges from the previous budget year or the percentage
13 increase in the consumer price index for the midwest region as
14 determined by the United States department of labor, bureau of
15 labor statistics, or a successor index.

16 b. Increases to rates and charges for solid waste collection
17 and disposal services planned prior to July 1, 2025, for
18 repayment of debt incurred before July 1, 2025, shall be
19 excluded from rate and charge increase limits established in
20 paragraph "a".

21 c. If rate and charge increases for solid waste collection
22 and disposal services exceed the limits required in paragraph
23 "a", the increased rate or charge shall be effective at the
24 start of the budget year. The legal entity shall direct the
25 county commissioner of elections in each county where the legal
26 entity has jurisdiction to submit to the registered voters
27 of the jurisdiction or geographic area at the next general
28 election the question of whether to accept the increased
29 rate or charge by the proposed amount. The result of the
30 election shall take effect immediately upon certification. If
31 the question fails, all rates and charges paid by customers
32 for solid waste collection and disposal services exceeding
33 the limits established in paragraph "a" from the beginning
34 of the current budget year until the certification of the
35 election shall be refunded by January 1 following the general

1 election and the aggregate of rates and charges for solid waste
2 collection and disposal services shall immediately be reduced
3 to the lower of one hundred two percent of the aggregate of
4 the rates and charges from the previous budget year or the
5 percentage increase in consumer price index for the midwest
6 region as determined by the United States department of labor,
7 bureau of labor statistics, or a successor index.

8 Sec. 2. Section 331.465, subsection 1, Code 2025, is amended
9 to read as follows:

10 1. a. The board may establish, impose, adjust, and provide
11 for the collection of rates to produce gross revenues at least
12 sufficient to pay the expenses of operation and maintenance
13 of the county enterprise or combined county enterprise and,
14 if revenue bonds or pledge orders are issued and outstanding
15 under this part, shall establish, impose, adjust, and provide
16 for the collection of rates to produce gross revenues at least
17 sufficient to pay the expenses of operation and maintenance of
18 the county enterprise or combined county enterprise, and to
19 leave a balance of net revenues sufficient at all times to pay
20 the principal of and interest on the revenue bonds and pledge
21 orders as they become due and to maintain a reasonable reserve
22 for the payment of the principal and interest, and a sufficient
23 portion of net revenues shall be pledged for that purpose.

24 b. Rates shall be established by ordinance. Rates or
25 charges for the services of a county enterprise defined
26 in [section 331.461, subsection 2](#), paragraph "b", if not
27 paid as provided by ordinance, constitute a lien upon the
28 premises served and may be certified to the county treasurer
29 and collected in the same manner as taxes. The treasurer
30 may charge five dollars for each lien certified as an
31 administrative expense, which amount shall be added to the
32 amount of the lien to be collected at the time of payment of the
33 assessment from the payor and credited to the county general
34 fund.

35 c. The aggregate of the rates and charges for solid waste

1 collection and disposal services shall not exceed the lower
2 of one hundred two percent of the aggregate of the rates
3 and charges from the previous budget year or the percentage
4 increase in the consumer price index for the midwest region as
5 determined by the United States department of labor, bureau of
6 labor statistics, or a successor index. Increases to rates
7 and charges for solid waste collection and disposal services
8 planned prior to July 1, 2025, for repayment of debt incurred
9 before July 1, 2025, shall be excluded from rate and charge
10 increase limits established in this paragraph. If rate and
11 charge increases for solid waste collection and disposal
12 services exceed the limits required in this paragraph, the
13 increased rate or charge shall be effective at the start of the
14 budget year. The board shall direct the county commissioner of
15 elections to submit to the registered voters of the county at
16 the next general election the question of whether to accept the
17 increased rate or charge by the proposed amount. The result of
18 the election shall take effect immediately upon certification.
19 If the question fails, all rates and charges paid by customers
20 for solid waste collection and disposal services exceeding the
21 limits established by this paragraph from the beginning of the
22 current budget year until the certification of the general
23 election shall be refunded by January 1 following the general
24 election and the aggregate of rates and charges for solid waste
25 collection and disposal services shall immediately be reduced
26 to the lower of one hundred two percent of the aggregate of
27 the rates and charges from the previous budget year or the
28 percentage increase in consumer price index for the midwest
29 region as determined by the United States department of labor,
30 bureau of labor statistics, or a successor index.

31 Sec. 3. Section 384.84, subsection 1, Code 2025, is amended
32 to read as follows:

33 1. a. The governing body of a city utility, combined
34 utility system, city enterprise, or combined city enterprise
35 may establish, impose, adjust, and provide for the collection

1 of rates and charges to produce gross revenues at least
2 sufficient to pay the expenses of operation and maintenance of
3 the city utility, combined utility system, city enterprise, or
4 combined city enterprise. When revenue bonds or pledge orders
5 are issued and outstanding pursuant to [this subchapter](#), the
6 governing body shall establish, impose, adjust, and provide
7 for the collection of rates to produce gross revenues at least
8 sufficient to pay the expenses of operation and maintenance of
9 the city utility, combined utility system, city enterprise,
10 or combined city enterprise, and to leave a balance of net
11 revenues sufficient to pay the principal of and interest on
12 the revenue bonds and pledge orders as they become due and to
13 maintain a reasonable reserve for the payment of principal
14 and interest, and a sufficient portion of net revenues must
15 be pledged for that purpose. Rates must be established by
16 ordinance of the council or by resolution of the trustees,
17 published in the same manner as an ordinance.

18 b. The aggregate of the rates and charges for solid waste
19 collection and disposal services shall not exceed the lower
20 of one hundred two percent of the aggregate of the rates
21 and charges from the previous budget year or the percentage
22 increase in the consumer price index for the midwest region as
23 determined by the United States department of labor, bureau of
24 labor statistics, or a successor index. Increases to rates
25 and charges for solid waste collection and disposal services
26 planned prior to July 1, 2025, for repayment of debt incurred
27 before July 1, 2025, shall be excluded from rate and charge
28 increase limits established in this paragraph. If rate and
29 charge increases for solid waste collection and disposal
30 services exceed the limits required in this paragraph, the
31 increased rate or charge shall be effective at the start of
32 the budget year. The governing body shall direct the county
33 commissioner of elections to submit to the registered voters of
34 the city at the next general election the question of whether
35 to accept the increased rate or charge by the proposed amount.

1 The result of the election shall take effect immediately upon
2 certification. If the question fails, all rates and charges
3 paid by customers for solid waste collection and disposal
4 services over the limits established by this paragraph from the
5 beginning of the current budget year until the certification of
6 the general election shall be refunded by January 1 following
7 the general election and the aggregate of rates and charges for
8 solid waste collection and disposal services shall immediately
9 be reduced to the lower of one hundred two percent of the
10 aggregate of the rates and charges from the previous budget
11 year or the percentage increase in consumer price index for the
12 midwest region as determined by the United States department of
13 labor, bureau of labor statistics, or a successor index.

14 **Sec. 4. NEW SECTION. 427B.27 Property tax rebate — solid**
15 **waste collection and disposal services.**

16 1. A county board of supervisors or city council, as
17 applicable, shall provide a property tax rebate to real
18 property owners that opt out of using county or city-provided
19 solid waste collection and disposal services when these
20 services are provided to the real property owner without being
21 charged a fee. The rebate shall equal the amount of property
22 taxes paid by the real property owner that is allocated
23 by the county board of supervisors or city council to fund
24 solid waste collection and disposal services for the most
25 recently completed fiscal year. A county board of supervisors
26 shall grant rebates only for property located outside of the
27 corporate limits of a city, and a city council shall grant
28 rebates only for property located within the corporate limits
29 of the city.

30 2. An application shall be filed by a real property owner
31 who opts out of solid waste collection and disposal services
32 for each property for which a rebate is sought. Applications
33 shall be filed with the respective county board of supervisors
34 or the city council by September 30 of the year following
35 the fiscal year for which the owner opted out of solid

1 waste collection and disposal services. After the initial
2 application, the rebate shall continue to be paid each year
3 unless the real property owner opts back in to receiving solid
4 waste collection and disposal services or if title to the
5 rebated property changes from the name of the person or entity
6 originally receiving the rebate.

7 3. The board of supervisors or city council shall
8 approve the application unless the information provided is
9 not satisfactory under this section. Upon approval of the
10 application by the board of supervisors, each year after the
11 applicant has paid any property taxes due, the board shall
12 direct the county treasurer to issue a warrant to the real
13 property owner in the amount of the rebate granted. Upon
14 approval of the application by the city council, each year
15 after the applicant has paid any property taxes due, the
16 council shall direct the city clerk to issue a warrant to the
17 real property owner in the amount of the rebate granted.

18 4. Applications for a rebate shall be made on forms
19 prescribed by the director of revenue and shall contain
20 information pertaining to the real property owner's alternative
21 solid waste disposal service and other information deemed
22 necessary by the director.

23 Sec. 5. CODE EDITOR DIRECTIVES.

24 1. The Code editor shall designate section 427B.27, as
25 enacted in this Act, as a new subchapter within chapter 427B,
26 entitled "Solid Waste Collection and Disposal Services Opt Out
27 Rebate".

28 2. The Code editor may modify subchapter titles if necessary
29 and is directed to correct internal references in the Code as
30 necessary due to enactment of section 427B.27.

31

EXPLANATION

32 The inclusion of this explanation does not constitute agreement with
33 the explanation's substance by the members of the general assembly.

34 This bill creates a maximum yearly increase allowed for
35 solid waste collection and disposal rates charged by counties,

1 cities, and intergovernmental solid waste collection and
2 disposal services. The bill sets the maximum increase of
3 solid waste collection and disposal services rates and charges
4 at 2 percent more than the aggregate of rates and charges
5 from the previous budget year or the percentage increase of
6 the consumer price index for the midwest region, whichever
7 is lower. The bill excludes increases to rates and charges
8 planned prior to July 1, 2025, for repayment of debt incurred
9 before July 1, 2025, from the increase limits. The bill
10 provides that if rate and charge increases exceed the limits,
11 the increased rate or charge shall be effective at the start
12 of the budget year. The relevant authority shall direct the
13 county commissioner of elections to submit to the registered
14 voters of the jurisdiction at the next general election the
15 question of whether to accept the increased rate or charge
16 by the proposed amount. The result of the election shall
17 take effect immediately upon certification. If the question
18 fails, all rates and charges paid by customers for solid waste
19 collection and disposal services exceeding the limits required
20 by the bill from the beginning of the current budget year until
21 the certification of the general election shall be refunded
22 by January 1 following the general election. Additionally,
23 if the question fails, the rates and charges for solid waste
24 collection and disposal services shall immediately be reduced
25 to 2 percent more than the aggregate of rates and charges
26 from the previous budget year or the percentage increase of
27 the consumer price index for the midwest region, whichever is
28 lower.

29 The bill also creates a property tax rebate for real property
30 owners who opt out of solid waste collection and disposal
31 services provided by a governmental entity if the governmental
32 entity does not charge fees for solid waste services and
33 provides relevant information concerning the application and
34 the payment time frame. The amount of the rebate shall be
35 determined by calculating how much of the real property owner's

S.F. _____

1 property taxes were allocated to the costs of solid waste
2 services. To obtain this rebate, the real property owner must
3 submit an application to the relevant authority that provides
4 information relating to its alternative solid waste collection
5 and disposal service provider, along with other information
6 deemed necessary by the department of revenue.