



**City of Columbus**  
**NOTICE OF PUBLIC HEARING IN ALTERNATIVE MEETING FORMAT**  
**City Council Special Meeting**  
**(Statutes section 13D.021)**

NOTICE IS HEREBY GIVEN that the City Council of the City of Columbus, Minnesota (the “City”), will hold a special meeting to conduct a public hearing on Monday, March 1, 2021, at or after 7:00 p.m. and will be conducted via telephone or other electronic means as allowed under Minnesota Statutes, Section 13D.021 relating to a proposal concerning (1) the adoption of a five-year street reconstruction plan (the “Plan”); and (2) the issuance of general obligation street reconstruction bonds (the “Bonds”) to finance the reconstruction of certain streets in the City, all pursuant to Minnesota Statutes, Section 475.58, subdivision 3b. The maximum principal amount of the Bonds that may be issued under the Plan is \$2,470,000, and any premium offered on the Bonds.

If a petition requesting a vote on the issuance of the Bonds signed by voters equal to five percent of the votes cast in the last City general election is filed with the City Administrator within 30 days after the public hearing, the City may issue the Bonds only after obtaining approval of a majority of voters voting on the question at an election.

At the time and place fixed for the public hearing, the City Council will give all persons who appear at the hearing an opportunity to express their views with respect to the proposal. In addition, interested persons may direct any questions or file written comments respecting the proposal with the City Administrator, at or prior to said public hearing. A draft copy of the Plan is on file with the City Administrator and is available for public inspection at City Hall during regular business hours or by email by contacting the City Administrator at [cityadministrator@ci.columbus.mn.us](mailto:cityadministrator@ci.columbus.mn.us).

PLEASE NOTE, due to COVID-19, the public hearing will be conducted via telephone or other electronic means as allowed under Minnesota Statutes, Section 13D.021. Please refer to the City’s website at <https://www.ci.columbus.mn.us/> or call City Hall at 651-464-3120 to learn how to attend the public hearing via telephone or electronically.

Dated: February 18, 2021

BY ORDER OF THE CITY COUNCIL OF THE CITY OF COLUMBUS, MINNESOTA

/s/ Elizabeth Mursko  
City Administrator  
City of Columbus, Minnesota

Proposed

**CITY OF COLUMBUS, MN  
2021 to 2025 STREET RECONSTRUCTION PLAN**

**Public Hearing: \_\_\_\_\_, 2021**

**Adopted: \_\_\_\_\_, 2021**

**Resolution No. \_\_\_\_\_**

**CITY OF COLUMBUS, MINNESOTA**

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION ADOPTING A STREET RECONSTRUCTION PLAN; PROVIDING PRELIMINARY APPROVAL TO THE ISSUANCE OF BONDS THEREUNDER; AND DECLARING THE OFFICIAL INTENT OF THE CITY OF COLUMBUS TO REIMBURSE CERTAIN EXPENDITURES FROM PROCEEDS OF THE BONDS**

BE IT RESOLVED by the City Council (the “City Council”) of the City of Columbus, Minnesota (the “City”), as follows:

Section 1.     Background.

1.01.   The City is authorized under Minnesota Statutes, Section 475.58, subdivision 3b (the “Act”), to prepare a plan for street reconstruction in the City over the next five years that will be financed under the Act, including a description of the proposed work and estimated costs, and to issue general obligation bonds to finance the cost of street reconstruction activities described in the plan.

1.02.   Before the issuance of any bonds under the Act, the City is required to hold a public hearing on the plan and issuance of the bonds.

1.03.   Pursuant to the Act, the City, in consultation with its City engineer, has caused preparation of the 2021 to 2025 Street Reconstruction Plan for the City (the “Plan”), which describes certain street reconstruction activities in the City for the years 2021 through 2025. The reconstruction activities described in the Plan include reconstruction of Hornsby Street (the “Project”). Construction of the Project may take place at any time between 2021 and 2025.

1.04.   The City has determined that it is in the best interests of the City to authorize the issuance and sale of general obligation street reconstruction bonds pursuant to the Act in the maximum principal amount of \$2,470,000 (the “Bonds”). The purpose of the Bonds is to finance the costs of the Project as described in the Plan.

1.05.   On this date, the City Council held a public hearing on the Plan and the issuance of the Bonds, after publication in the City’s official newspaper of a notice of public hearing at least ten (10) days but no more than twenty-eight (28) days before the date of the hearing.

1.06.   The Internal Revenue Service has issued Treas. Reg. § 1.150-2 (the “Reimbursement Regulations”) providing that proceeds of tax-exempt bonds used to reimburse prior expenditures will not be deemed spent unless certain requirements are met. The City expects to incur certain expenditures with respect to the Project that may be financed temporarily from sources other than bonds, and reimbursed from the proceeds of tax-exempt bonds.

1.07.   The City has determined to make this declaration of official intent (the “Declaration”) to reimburse certain costs with respect to the Project from proceeds of the Bonds in accordance with the Reimbursement Regulations.

Section 2. Plan Approved.

2.01. The City Council finds that the Plan will improve the City's street and utility systems, which serves the interests of the City as a whole.

2.02. The Plan is approved in the form on file in City Hall.

Section 3. Bonds Issued under Plan.

3.01. The City hereby provides its preliminary approval to the issuance of the Bonds in a maximum principal amount of \$2,470,000 in order to finance the Project described in the Plan. The Bonds may not be issued without further action by the City Council. Furthermore, the issuance of such Bonds is subject to the terms of Section 3.02 hereof.

3.02. If a petition requesting a vote on the issuance of the Bonds signed by voters equal to five percent (5%) of the votes cast in the last municipal general election is filed with the City Administrator within thirty (30) days after the date of the public hearing, the City may issue the Bonds only after obtaining approval of a majority of voters voting on the question at an election. The authorization to issue the Bonds is subject to expiration of the thirty (30) day period without the City's receipt of a qualified petition under the Act, or if a qualified petition is filed, upon the approving vote of a majority of the voters voting on the question of issuance of the Bonds.

Section 4. Official Reimbursement Intent.

4.01. All reimbursed expenditures will be capital expenditures, costs of issuance of the bonds, or other expenditures eligible for reimbursement under Section 1.150-2(d)(3) of the Reimbursement Regulations.

4.02. This Declaration has been made not later than sixty (60) days after payment of any original expenditure to be subject to a reimbursement allocation with respect to the proceeds of the Bonds, except for the following expenditures: (a) costs of issuance of bonds; (b) costs in an amount not in excess of \$100,000 or five percent (5%) of the proceeds of an issue; or (c) "preliminary expenditures" up to an amount not in excess of twenty percent (20%) of the aggregate issue price of the issue or issues that finance or are reasonably expected by the City to finance the project for which the preliminary expenditures were incurred. The term "preliminary expenditures" includes architectural, engineering, surveying, bond issuance, and similar costs that are incurred prior to commencement of acquisition, construction or rehabilitation of a project, other than land acquisition, site preparation, and similar costs incident to commencement of construction.

4.03. This Declaration is an expression of the reasonable expectations of the City based on the facts and circumstances known to the City as of the date hereof. The anticipated original expenditures for the Project and the principal amount of the Bonds described herein are consistent with the City's budgetary and financial circumstances. No sources other than proceeds of the Bonds to be issued by the City are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside pursuant to the City's budget or financial policies to pay such expenditures.

4.04. This Declaration is intended to constitute a declaration of official intent for purposes of the Reimbursement Regulations.

Section 5. Other Approvals. City staff are authorized and directed to take all other actions necessary to carry out the intent of this resolution.

Adopted by the City Council of the City of Columbus, Minnesota this 1<sup>st</sup> day of March, 2021.

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Mayor

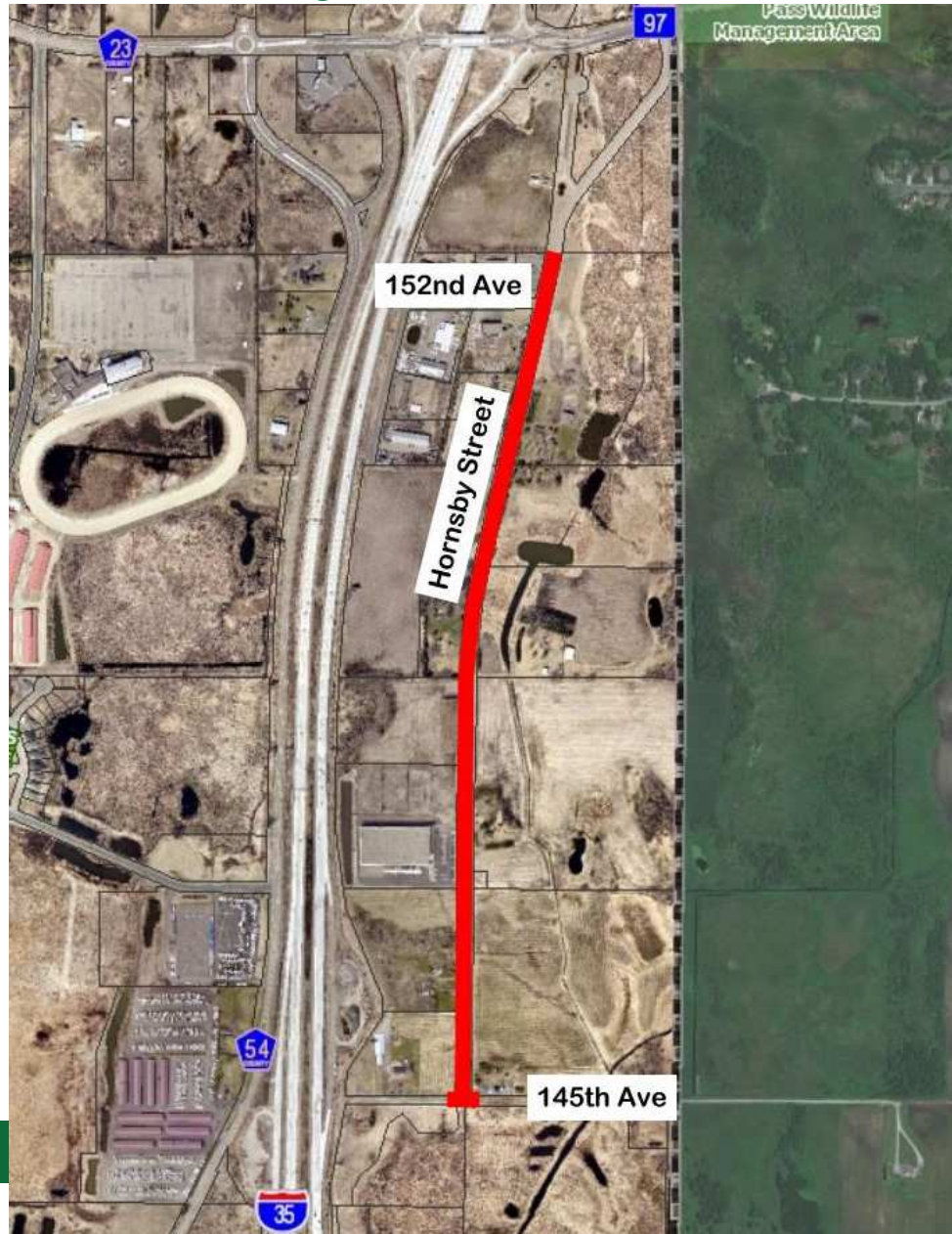
ATTEST:

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City Administrator

CL290-17 (JAE)  
704659v1

# Project Location



with the city clerk within 30 days of the public hearing. If the city decides not to undertake an election, it may not propose the issuance of Street Reconstruction Bonds for the same purpose and in the same amount for a period of 365 days from the date of receipt of the petition. If the question of issuing the bonds is submitted and not approved by the voters, the provisions of Minnesota Statutes Section 475.58, Subdivision 1a, shall apply (no resubmission for same purpose/amount for 180 days).

### History and Existing Street Reconstruction Bonds

At the time of the approval of this Street Reconstruction Plan, the City does not have any outstanding Street Reconstruction Bonds issued under Chapter 475.

### Net Debt Limits

Minnesota Statutes Section 475.53, Subdivision 1 states that no municipality, except a school district or a city of the first class, shall incur or be subject to a net debt in excess of 3% percent of the market value of taxable property in the municipality.

Bonds issued under the authority granted by this Plan are subject to the net debt limit restriction described above. The City has the following net debt capacity.

#### Computation of Legal Debt Margin as of March 2, 2021:

2019/2020 Estimated Market Value	\$ 660,460,800
Multiplied by 3%	<u>          x .03</u>
Statutory Debt Limit	<u>\$ 19,813,824</u>
Less outstanding debt applicable to debt limit:	
\$795,000 General Obligation Bonds, Series 2012A	\$ 410,000
\$545,000 General Obligation Bonds, Series 2018A	230,000
\$2,470,000 G.O. Street Reconstruction Bonds, Series 2021A	<u>2,470,000</u>
Total Debt applicable to debt limit:	\$ 3,110,000
Legal debt margin	<u>\$ 16,703,824</u>

**CITY OF COLUMBUS, MINNESOTA**

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Adopted by the City Council of the City of Columbus, Minnesota this 1<sup>st</sup> day of March, 2021.

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Mayor

ATTEST:

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City Administrator

CL290-17 (JAE)  
704659v1


**BOLTON  
& MENK**

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 Fax: (763) 427-0833  
 Bolton-Menk.com

## MEMORANDUM

**Date:** February 19, 2021  
**To:** Elizabeth Mursko, City Administrator  
 Jim Windingstad, Public Works Director  
 Mayor and City Council Members  
**From:** Kevin Bittner, City Engineer *KFB*  
**Subject:** Bid Results – Hornsby Street Improvements, C.P. 21-01  
 BMI Project No.: R16.120592

Bids were received on the Hornsby Street Improvement project on February 18 and are summarized below:

Contractor	Bid
Forest Lake Contracting, Inc.	\$1,262,879.00
North Pine Aggregate, Inc.	\$1,281,075.15
Dresel Contracting, Inc.	\$1,377,736.06
Peterson Companies	\$1,522,685.05
Veit & Company, Inc.	\$1,557,125.90
Bituminous Roadways, Inc.	\$1,667,403.48
Meyer Contracting Inc.	\$1,677,011.35
T.A. Schifsky & Sons, Inc.	\$1,757,476.22
Ramsey Companies	\$1,779,526.80
Park Construction Company	\$1,836,852.65
Northwest	\$1,882,734.95
<i>Engineer's Estimate</i>	\$1,780,916.00

As has been discussed at the City Council, the base bids listed above include the bituminous pavement mixture with “C” oil. As directed by the Council, we also included a bid alternate for “B” oil bituminous mixture. To describe briefly, the C oil mixture remains more flexible at colder temperatures and therefore reduces pavement cracking due to thermal contraction. In comparing the bid alternate pricing, the B oil alternate would reduce the low bid by about \$35,000. Given the benefits of the C oil mixture to the long-term maintenance of the pavement, I recommend staying with the base bid with the C oil component.

Forest Lake Contracting is recommended to receive the contract award. The bond hearing for funding and subsequent 30-day comment period will need to occur prior to the City Council making the official award. A special council meeting will be scheduled for March 31<sup>st</sup> to make the award.

Please contact me if you have any questions or comments.

**RESOLUTION NO. 21 - \_\_\_\_**

**CITY OF COLUMBUS  
COUNTY OF ANOKA  
STATE OF MINNESOTA**

**A RESOLUTION APPROVING THE SALE OF REAL PROPERTY TO  
LOVE’S TRAVEL STOPS & COUNTRY STORES, INC.**

WHEREAS, Love’s Travel Stops & Country Stores, Inc., an Oklahoma corporation (“Love’s”) desires to purchase from the City of Columbus (the “City”) certain real property consisting of approximately 5.87 acres of land located at the southeast quadrant of the intersection of Highway 97 and Interstate 35 in Columbus, Minnesota (the “Real Property”) pursuant to the terms of that certain Purchase Agreement effective March 6, 2020, as amended by the certain First Amendment to Real Estate Purchase Agreement dated September 18, 2020, and as amended by that certain Second Amendment to Real Estate Purchase Agreement dated October 29, 2020 (collectively, the “Purchase Agreement”); and

WHEREAS, the City Council has reviewed the Purchase Agreement and considers it to be in the best interest of the residents of the City of Columbus to authorize the sale of the Real Property to Love’s pursuant to the terms of the Purchase Agreement.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLUMBUS, MINNESOTA AS FOLLOWS:

1. That the sale of the Real Property to Love’s pursuant to the terms of the Purchase Agreement is hereby ratified and approved.
2. That the Mayor and City Administrator are hereby authorized and directed to execute and deliver any and all documents and instruments as may have been or will be requested in connection with the sale of the Real Property to Love’s pursuant to the Purchase Agreement, to take all actions necessary or appropriate to sell the Real Property, and to execute and carry out the terms of the Purchase Agreement and such related documents and instruments on behalf of the City.

Passed and adopted by the City Council of the City of Columbus, Minnesota, this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

By: \_\_\_\_\_  
Jesse H. Preiner  
Its: Mayor

ATTEST:

\_\_\_\_\_  
Elizabeth Mursko, City Administrator