

City to award demolition bid; KARE expected to post bond

The city of Kasson went through the motions of setting a special meeting date for Wednesday, June 20 to accept the low bid by the Rachel company for asbestos abatement, demolition and removal of the former elementary school at a cost of \$198,484.

The council set the meeting date realizing that KARE is most likely going to be able to post bond in the amount of \$50,000 by 4:30 p.m. Tuesday, June 19 for a temporary injunction to delay demolition of the school. If bond is posed the council will reject all bids and no further action will be taken. KARE representatives have said they will be able to post bond by the deadline order by Judge Christian.

Judge Casey Christian granted the temporary injunction with the stipulation KARE post bond. His ruling came two days after hearing from attorneys on both sides in Dodge County District Court.

Judge Christian's order to require a bond is to help defray any costs, in the form of damages, that may be incurred by the city if KARE does not prevail on their merits. Costs in the form of damages are to be construed as those costs incurred in excess of

\$198,483 that are directly related to notice and advertising requirements of any future bidding process, and those costs that may be incurred if a future re-bidding process results in a higher low bid.

If the bond is posted a trial to allow the judge to hear more evidence about the case will be held February 11, 2008. The trial is expected to last three days. At that time the judge will hear from the lawyers on both sides and witnesses could also be called to testify.

KARE will now have time to find other uses for the building. When the trial does take place in February the judge will determine if KARE is to be given additional time to find reuse of the building.

City administrator Randy Lenth said once the judge made his ruling to grant the temporary injunction there is not an appeal process for the city. "This was an all or nothing issue," said Lenth. Once a decision is made following the February trial there is a right to appeal.

At least until after the February court date, the school will continue to sit vacant.

KARE (Kasson Alliance For Restoration) supporters exit the courthouse in Mantorville, awaiting the judge's decision on the fate of the former elementary school. Diane Berge, second from left, and Spencer Stevens, right, formed the non-profit KARE organization in an effort to prevent the city from having the building demolished. Judge Christian ruled in favor of KARE and they have until Thursday to post bond in the amount of \$50,000.

