

Rochester Post Bulletin

Kasson school gets reprieve, but there's a \$50,000 catch

6/11/2007 2:31:58 PM

By Heather J. Carlson

Post-Bulletin, Rochester MN

KASSON -- A group of local residents has less than two weeks to find \$50,000 if it wants to save the old Kasson Elementary School from the wrecking ball.

District Judge Casey Christian granted the Kasson Restoration Alliance's motion for a temporary injunction -- provided that the nonprofit posts a bond of \$50,000 by 4:30 p.m. June 19. Otherwise, the city can move ahead with demolition of the school as planned.

"We'll find some way to make (posting the bond) happen. We haven't come this far to let that get in the way," said Kent Spading, the nonprofit's chief research officer.

If the alliance posts the bond by the deadline, a trial date for the case would be set for February 11, 2008. That delay would put on hold any plans by the city to build a new library at the old school site.

Kasson Mayor Tim Tjosaas could not be reached for comment Sunday evening.

The squabble over the 89-year-old school building erupted after Kasson voters in November rejected a \$3.9 million proposal to renovate the old school into a library and government center. The school has sat vacant since 1996, and the city acquired the building in March 2006 in exchange for forgiveness of \$320,000 in assessments owed by the Kasson-Mantorville School District.

The alliance filed the motion for a temporary injunction on May 23, just before the city council was expected to vote on accepting bids to demolish the old school. During a June 5 court hearing, the alliance's attorneys argued that the old school is a historic resource and is protected by the Minnesota Environmental Rights Act. The city's attorney George Hoff countered that a historical expert hired by the city had found the building had no historical significance. He added that the city has gone out of its way to let residents decide the building's future by holding an election on the matter.

In his order, Judge Christian wrote that the "plaintiffs have made a sufficient showing that the school may qualify for protection." He also notes that the damage suffered by the plaintiffs would be far worse than to the city, because the building would be demolished. The city's argument that it could mean \$540,660 in damages because of higher demolition bid costs and higher interest rates for a \$4 million loan to build on the site was declared "speculative" by the judge.

However, if the plaintiffs lose at trial, they would be responsible for up to \$50,000 in damages to the city for extra costs associated with the demolition.

Spading says the alliance has developed a plan with help from the Minnesota Historical Society's State Historic Preservation Office. That includes conducting a reuse study plan overseen by a team that includes community leaders, preservation experts, residents and developers. Crafting the plan and gathering public input is expected to take up to a year with a cost of between \$5,000 to \$14,000.

While a lot of work awaits, Spading said the alliance is pleased to have this opportunity.

"We're happy," he said. "This is great news."

<http://www.kassonalliance.org/>