

Dear Mankato City Council,

This letter is to protest the amount of assessment to Grace Lutheran Church in regards to the 4th Street Reconstruction Project.

We have 3 areas in which we are disputing the assessments.

1. We were assessed for 10 square yards of outwalk at the corner of 4th and Main at \$116.52 per square yard for a total of \$1,165.20. This was not originally included in scope of the project, but the contractor damaged this outwalk when removing the sidewalk around it. We expected the contractor would repair what they damaged, but not that we would be asked to pay for it. We never asked for, or authorized the replacement of that outwalk since it was in very good condition before the project began. Furthermore, when a contractor damages property that is outside the scope of a project, the property owner should not be held liable for that damage.
2. We are protesting the amount assessed for the driveway approaches. The approaches themselves totaled 90 Square yards and we were billed for 129 square yards. When we spoke with Kari Lozinski, Engineering Project Coordinator, she stated that the difference was for the sidewalk behind the driveway approach which had to be thicker than the other sidewalk. Since the frontage charge includes sidewalk for the full length of the project we should be credited for that same sidewalk instead. After reviewing the assessment detail, we noticed that the cost per yard that was charged for the outwalk and the cost per square that was charged for the driveway approach were both \$116.25 per square. Therefore, we should not be charged for the sidewalk portion of the driveway approach which amounts to 29 square yards at \$116.52 per square yard or \$3,379.85. This appears to be an unfair double-charge for the same scope of work.
3. Lastly, we are protesting the total amount of the assessment. According to MN statute 429.051 and a memo put out by the Minnesota House Research Department dated October, 2014, the special assessment cannot exceed the amount by which the property benefits directly from the improvement, measured by the increase in the market value of the property. In total the church owns 7 parcels along 4th street with 2 being the church proper and 5 being the parking lot. Parcels 01.09.18.201.014 thru .018 are the parking lot and parcels 01.09.18.201.019 thru .020 are the church building. The assessment proposed on the parking lot area totaled \$57,641.28. Included in the amount is a water and sewer assessment in the amount of \$4,767.48 which Kari said she would transfer to the proper parcel and the outwalk total of \$1,165.20 which should have also been on the building parcel leaving a total of \$51,708.60. The market value for the entire parking lot, according to the County Assessor, before the project was \$89,500 and remains largely unchanged after, according to that same source, thereby clearly demonstrating the project did not increase the value of that property, making those assessments unlawful. Since the sidewalk along the parking lot was in good condition and the driveway approaches were in serviceable condition, we also do not believe that this project increased the value of those parcels. There was no direct benefit that was not necessitated by the project itself, and the structure and function of the street remains largely identical to its previous condition.

We apologize for not bringing this to you during the preliminary assessment hearing but at that time we only received assessment letters on 2 parcels totaling \$25,474.10. At the time, we thought that was a

fair and appropriate amount. We never received the project feasibility packet, or 5 of the assessment letters because they appear to have been sent to the wrong address. Five years ago we changed the entrance location to our offices and the Post Office required us to change our address from 320 E. Main St to 110 N. 4th St at that time. The notices were sent to the old address, even though our correct information was listed on the Blue Earth County Beacon website. We never received those additional notices.

We also would like to bring to your attention other issues we experienced with the project and the contractor.

1. When the contractor removed the sidewalk in front of our building, they cut off access to both our handicapped ramp and street level entrance, making access to our worship space exceptionally difficult for elderly and handicapped members. We sent several emails, and made phone calls to both the city project manager and your engineering department with no action taken. As a result we were without handicapped access or egress to/from our sanctuary and office for over a month. The level of access provided to Riverfront Drive during its recent renovations demonstrate that a faster response to these concerns and greater consideration for those affected by this work was possible but not provided.
2. During concrete removal on the street surface, we had cracks appear in the drywall in our newly renovated offices, and our mural also suffered damage from the violent shaking caused by the work.
3. During the time of this re-construction project, our church hosted MY Place in the lower half of our building. MY Place is a local organization that serves young people in our community, many of which are BIPOC or from low income households. During that time, we were given less than 24-hour notice that water would be shut off, with 40 young people in our building that needed to use bathrooms and have access to drinking water. At the last minute, these children were told by city staff that they could use the porta-potty across the street if needed. These are children, being invited by city staff to cross a busy construction zone to use the bathroom because adequate notice was not given. Again, this demonstrated a lack of concern for the work our church and MY Place does for our community, to improve access to important resources and opportunities for people who need them.

For these reasons, we believe that the city council should reject the proposed assessments against the parcels owned by Grace Lutheran Church, as outlined in this letter. We also hope that the city of Mankato will make it a priority to improve communication with property owners in the future to ensure notifications are received and full understanding of a project's scope is adequately conveyed, to minimize damage done to property during construction, and to maintain access throughout a project.

Thank you for your time and consideration on this important matter. On behalf of Grace Lutheran Church, it's council and members,

Rev. John Odegard, Pastor & Steve Mork, Council Member