

## Memorandum

To: City of La Crosse Common Council

From: CM Mark Neumann

Date: January 6, 2023

Re: Correction of a Misconception Pertaining to the Harry J. Olson Building

I have made it known that I regret the public accusations that our City has endured concerning a presumed obligation to sell certain property with regard to a potential transfer of ownership of the Harry J. Olson building to the HJO Senior Center, Inc. I believe that the accusations are not true and their presence in our public discourse do not facilitate a happy outcome of an important issue for the people of our town.

After studying the public record, available in Legistar, of legislative actions taken by our Common Council in the past, I came to an appreciation that there is no obligation to sell this property in question.

Here, I share with you my findings and a time-line of the actions that I discovered.

I found no legislative action or resolution of the Common Council (CC) to support the claim for anyone's right to purchase the HJO building for \$1.00. There is a 01/14/2016 resolution, **#15-1219**, that includes the following WHEREAS statement, "the City's Board of Public Works (BPW) has recommended that the City enter into final five-year lease renewal agreements for the period 2015-2020, and that the facilities be offered for sale upon expiration of said leases for \$1.00 each to the respective lessee's ..."

This "WHEREAS" statement is not a "BE IT RESOLVED" statement, which is the binding part of all CC resolutions. The recital of a BPW recommendation provides no legal right for the HJO Senior Group, Inc. to purchase the HJO building. It is only a recommendation and not a CC legislative action.

- > **1/5/2015** The Board of Public Works (BPW) approved amended resolution **#14-1347**.
- > **1/6/2015** The Finance and Personnel Committee (F&P) recommended to be adopted as amended **#14-1347**.
- > **1/8/2015** The Common Council (CC) amended and then adopted the amended resolution **#14-1347**. This resolution effectively extended a one-year lease to the HJO Multipurpose Senior Citizen Center, Inc., to allow time for more study of plans for various City community centers. There was no mention of an option for purchase at the expiration of the lease agreement.
- > **12/10/2015** The Common Council referred (without action) resolution **#15-1219**, approving final lease for the Harry J. Olson Multipurpose Senior Citizen Center, Inc., and the La Crosse Senior Citizens Multiple Service Center, Inc. (and it was taken up in the subsequent legislative cycle).
- > **1/4/2016** The BPW approved by voice vote resolution **#15-1219**, without a recording of a recommendation for the eventual sale of the property to the lessee.
- > **1/4/2016** The City Plan Commission (CPC) held a public hearing on resolution **#15-1219**, amended the resolution and approved the resolution as amended.
- > **1/7/2016** The F&P Committee recommended to be adopted resolution **#15-1219** to the CC by unanimous vote.
- > **1/14/2016** The CC took up resolution **#15-1219**, to approve final lease for the Harry J. Olson Multipurpose Senior Citizen Center, Inc., and the La Crosse Senior Citizens Multiple Service Center, Inc. The resolution was adopted after amendment. It provided for a five-year extension of the lease to the Harry J. Olson Citizen Center, Inc., for the use of the HJO building until December 14, 2020.
- > **12/14/2020** The term of the five-year lease extension for the HJO building expired.

- > **2/10/2022** The CC met in closed session, **#22-0202**, for discussion and update on Senior Programming.
- > **2/21/2022** The BPW exercised its authority, **#22-0256**, to terminate the lease for the HJO building as stipulated in the expired lease agreement's Ninth Part. Respecting a 90-day advance notice, the lease agreement was terminated effective **May 31, 2022**.
- > **11/17/2022** Resolution **#22-1426** sponsored by Council Member Richmond, regarding Harry J. Olson Multipurpose Senior Center, Inc., was added to the 01/05/2023 agenda of the Finance and Personnel Committee.