

Elsen, Nikki

From: Will Hoeschler <will@hoeschlercorp.com>
Sent: Wednesday, August 6, 2025 5:34 PM
To: ZZ Council Members
Cc: jay hoeschlercorp.com
Subject: Request for Referral – Resolution 25-0809 (Remnant Parcel at Rivercrest Village)
Attachments: Letter to City 07.30.25 .docx

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Members of the Finance & Personnel Committee and Common Council

(zzcouncilmembers@cityoflacrosse.org)

City of La Crosse

Dear Committee and Council Members,
6, 2025

August

I'm writing as the Managing Director of Juniper Partners, which owns and operates Rivercrest Village. I appreciate your time and service to the City, and I'm attaching a letter sent to the City Attorney on July 30, 2025, which outlines our legal, logistical, and community-based concerns regarding the proposed lease agreements for the six mobile homes located on the remnant parcel.

Our primary concern is that Resolution 25-0809 would authorize new leases without resolving the underlying issue of legal access, which does not currently exist following the expiration of our lease with the City. Continued use of our private road and infrastructure—without agreement—raises significant liability, property management, and legal and fairness concerns for us, our residents, and the City.

That said, we believe there is a practical and mutually beneficial resolution. We are willing to sit down with the City Attorney and the City Engineer to explore a path forward—one that maintains the City's access needs and long-term goals for the Pammel Creek wall, while also respecting our legal rights and acknowledging possible resident concerns. In addition, such a resolution would save a significant amount of taxpayer dollars.

Therefore, we respectfully request that Resolution 25-0809 be tabled until at least the September committee and council meetings to allow time for these discussions and to reach a mutually agreed-upon solution.

Thank you for your time and consideration of our request. I'm hopeful we can work together to find a solution that serves the best interests of all parties involved—including the City, our company, and the residents we all serve.

Respectfully yours,

Will Hoeschler
Managing Director
Juniper Partners (Rivercrest Village)

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July 30, 2025

Stephen Matty, City Attorney (mattys@cityoflacrosse.org)
City of La Crosse
400 La Crosse, Street
La Crosse, WI 54601

Re: Resolution 25-0809

Greetings:

I write on behalf of our client, Juniper Partners DBA Rivercrest Village and commonly referred to as Rivercrest Village Partners (hereinafter, Rivercrest). As you are aware, Rivercrest owns a mobile home park, adjacent to which is a remnant parcel from the Pammel Creek project that is presently owned by the City of La Crosse (17-50325-200). This remnant parcel currently houses six mobile homes on Rivercrest Drive, a private road.

Based upon our review of the title for the relevant parcels, the City holds no easement for ingress and egress to the remnant parcel. Through the end of 2024, the City leased the parcel to Rivercrest. According to the terms of that lease, Rivercrest provided the six mobile home residents with access to the parcel via Rivercrest Drive, along with private water and sewer service. The lease has terminated, and neither the tenants, nor the City, have legal access for ingress to the remnant parcel.

We understand that the City's Chief Engineer has identified a need to access the remnant parcel for ongoing maintenance of the Pammel Creek canal because of a concern for potential wall failure, leading to the position that the City should not sell the parcel (see Resolution 24-0701). The City is now considering Resolution 25-0909 to authorize leases between the City and the residents of the remnant parcel, with the intent to phase out tenancy over the next 10 years and create a permanent 100-foot setback from the canal.

Our client understands the goals of the City. However, moving forward with the proposed leases, with no legal ingress and egress, does not appear to be the most prudent path forward for anyone. While access was previously given with permission via the now-lapsed lease, there is presently no agreement. Continued use of our client's property by the City, or the anyone, to access the remnant strip constitutes a trespass. Furthermore, the issue is not solely the lack of legal access. The proposed resolution itself would create a myriad of complications related to property management, enforcement, liability, and community standards—all of which our client has previously expressed concern about -- challenges that would create an untenable situation, damaging my client's

interests and just as importantly, the interests of the 172 homes and more than 250+ residents in the park.

The City should not enter into leases (which carry with them the implied right to access the rented property) without actually having legal access.

The City may initiate eminent domain proceedings to attempt to provide legal access to the remnant parcel, but that would not immediately resolve the current, ongoing trespass. Furthermore, our client would vigorously oppose condemnation. Even if successful, the cost to acquire the approximately 2000 linear feet of roadway necessary to connect with a public road would be exorbitant. Apart from the uncertainty and high cost of an eminent domain proceedings, the City would also be in the unfortunate position of having to provide water and sewer to the parcel. This too would be expensive. There are already privately owned water and sewer lines providing service to the remnant parcel.¹ It would not seem fiscally responsible for the City to incur expense to provide public service to six residents, especially if the City's intent is to phase them out over the next decade.

We believe there is a resolution that accommodates the concerns of the City, the residents of the remnant parcel, and our client, while also saving substantial taxpayer dollars. The City previously viewed this parcel as unsellable, but our client is a willing buyer and, in fact, expressed interest in purchasing the land as early as 2022. While circumstances have since evolved, we are willing to come to resolution that would meet the lease parameters set forth in Resolution 25-0809; including phasing out residency on the remnant strip over a 10-year term, guaranteeing a permanent 100-foot buffer for the canal wall, and granting the City lawful access for maintenance of the Pammel Creek canal. At the expiration of the 10-year term, our client agrees that no permanent improvements will be made to the land, and the property will be restored to its original condition as a vacant parcel. Rather than incur the cost of condemnation to provide access and utilities, the City would avoid further liability stemming from ongoing trespass and be paid for the property that was thought to be unsellable.

We suggest that the best next step is a phone conference between myself, our client, yourself and Mayor Washington-Spivey to discuss the details of a potential agreement. We ask that the resolution currently scheduled to be heard by the Finance and Personnel Committee on August 7 be removed from the agenda, and that that same be removed from the August 14th City Council agenda. The resolution could be taken up at a later date but passing it now would be problematic to reaching an amicable resolution. In a show of goodwill and desire to reach an amicable resolution, our client will continue to provide water and sewer to the six homes and allow the residence access.

If the Committee recommends passage of the resolution, that will likely force our hand into issuing a Notice of Circumstances of Claim and Claim to the City. We will also need to notify the six occupants of the remnant parcel that they lack lawful access and determine next steps to end an ongoing trespass. Our client does not want to create friction with the city or cause additional stress for the residents if it can be avoided --particularly the kind a lawsuit would bring-- but moving forward with the resolution now may leave us no choice.

¹ Relatedly, the current six occupants of the remnant parcel have been receiving water and sewer services without paying since termination of the lease. The current proposed leases appear to be retroactive, and the City is attempting to collect rent (inclusive of water and sewer) to recoup costs that have been borne by our client.

Please notify myself and my partner, John Carlson, via email whether the resolution regarding leases for the remnant parcel will be removed from the agenda for the August 7 committee meeting to allow us to discuss the situation no later than Monday, August 4th, 2025. We are hopeful you will agree that, with the myriad issues presented by this situation, it makes sense to take time to discuss options rather than rushing into passing resolutions that may instigate unnecessary legal actions.

Regards,

/s/ Linda I. Coleman
Linda I. Coleman

CC: Shaundel Washington-Spivey, Mayor
(via electronic mail: washingtonspiveys@cityoflacrosse.org)