

Elmer, Linda

From: Owczarski, Jim
Sent: Monday, September 21, 2020 4:56 PM
To: Elmer, Linda
Subject: FW: BID 8 Annexation

For the file.

Jim

From: Little, Kenneth
Sent: Monday, September 21, 2020 4:55 PM
To: Johnson, Cavalier; Coggs, Milele
Cc: Owczarski, Jim
Subject: BID 8 Annexation

To Common Council President Johnson:

We are aware the council has received various emails in opposition to Common Council File No. 20037 relating to the annexation of territory within the Historic King Dr. Business Improvement District (BID) # 8. This email is to clarify a few things as it relates to the annexation process. This writing supplements the data calculations that were submitted to the clerk's office last Friday and is meant purely to clarify information that has been provided to the council by outside entities and does not represent an endorsement of any action pro or con as it relates to this matter.

Please know that all rules related to the annexation of territory have been followed in accordance to "State of Wisconsin Statute 66.1109 Business Improvement Districts". The specific section relating to BID annexations is found in Section (2m) as listed below:

(2m) A municipality may annex territory to an existing business improvement district if all of the following are met:

66.1109(2m)(a) (a) An owner of real property used for commercial purposes and located in the territory proposed to be annexed has petitioned the municipality for annexation.

66.1109(2m)(b) (b) The planning commission has approved the annexation.

66.1109(2m)(c) (c) At least 30 days before annexation of the territory, the planning commission has held a public hearing on the proposed annexation. Notice of the hearing shall be published as a class 2 notice under ch. 985. Before publication, a copy of the notice together with a copy of a detail map showing the boundaries of the territory proposed to be annexed to the business improvement district shall be sent by certified mail to all owners of real property within the territory proposed to be annexed. The notice shall state the boundaries of the territory proposed to be annexed.

66.1109(2m)(d) (d) Within 30 days after the hearing under par. (c), the owners of property in the territory to be annexed that would be assessed under the operating plan having a valuation equal to more than 40 percent of the valuation of all property in the territory to be annexed that would be assessed under the operating plan, using the method of valuation specified in the operating plan, or the owners of property in the territory to be annexed that would be assessed under the operating plan having an assessed valuation equal to more than 40 percent of the assessed valuation of all property in the territory to be annexed that would be assessed under the operating plan, have not filed a petition with the planning commission protesting the annexation.

All of the above provisions have been met with oversight of the Commercial Corridor Team and Planning Division of the Department of City Development.

We've also noticed references to Article V of the City Planning Commission By-Laws which states property owners located within 200 feet of a proposed change shall be notified. According to Assistant City Attorney Jeremy McKenzie; ""Article V applies to zoning changes. There is no zoning change as part of this file, therefore Article V does not apply. The only applicable mailing requirements are found in Wis. Stat. 66.1109(2m)(c)."

Finally, the Commercial Corridor Team has done a screen of the signatures in opposition to the annexation and found the following:

Summary	Amount	Percentage
Total BID Assessable Value	\$ 31,659,538.00	100.00%
Assessable Value of Authenticated Opposition Signatures Submitted	\$ 1,185,739.00	3.75%
Assessment Value of All Opposition Signatures Submitted	\$ 2,713,689.00	8.57%
Total BID Assessment Value	\$ 73,870.25	100.00%
Assessment Value of Authenticated Opposition Signatures Submitted	\$ 5,599.36	7.58%
Assessable Value of All Opposition Signatures Submitted	\$ 11,000.36	14.89%

The above table shows that by both calculation methods required by the statute , value of property (3.75%) and value of assessments(8.57%), the opposition petition has fallen far short of the 40% requirement to halt the annexation. We hope this additional information provides further context to the petition signatures and emails opposing the BID #8 annexation.

Ken Little
 Neighborhood Business Development Manager
 City of Milwaukee
 Department of City Development