

MILWAUKEE BUSINESS IMPROVEMENT
DISTRICT #28

**THE HISTORIC NORTH AVENUE
GATEWAY BUSINESS IMPROVEMENT
DISTRICT**

2019 PROPOSED OPERATING PLAN

Table of Contents

| | | |
|--------------|---|----------|
| I. | INTRODUCTION | 3 |
| | A. Background..... | 3 |
| | B. Physical Setting..... | 3 |
| II. | DISTRICT BOUNDARIES | 3 |
| III. | PROPOSED OPERATING PLAN..... | 3 |
| | A. Plan Objectives | 3 |
| | B. Proposed Activities – 2019..... | 3 |
| | C. Proposed Expenditures – 2019 | 4 |
| IV. | FINANCING METHOD | 4 |
| V. | ORGANIZATION OF BID BOARD | 4 |
| VI. | METHOD OF ASSESMENT | 5 |
| | A. Assessment Rate and Method..... | 5 |
| | B. Excluded and Exempt Property | 5 |
| VII. | RELATIONSHIP TO MILWAUKEE COMPREHENSIVE PLAN AND ORDERLY DEVELOPMENT OF THE CITY | 6 |
| | A. City Plans | 6 |
| | B. City Role in District Operation | 6 |
| VIII. | FUTURE YEAR OPERATING PLANS..... | 7 |
| | A. EARLY TERMINATION OF THE DISTRICT | 7 |
| | B. Phased Development..... | 8 |
| | C. Amendment, Severability and Expansion | 8 |
| IX. | APPENDIX | 8 |
| | A. ASSESSMENTS FOR 2018..... | 8 |
| | B. MAP OF NORTH AVENUE GATEWAY DISTRICT BOUNDARIES..... | 8 |
| | C. 2018 ANNUAL REPORT | 8 |
| | D. STATE OF WISCONSIN BID STATUTE..... | 8 |

I. INTRODUCTION

A. BACKGROUND

In 1984, the Wisconsin legislature created 66.1109 (formerly S. 66.608) of the Statutes (see Appendix D) enabling cities to establish Business Improvement Districts (BIDs). The purpose of the law is “to allow businesses within those districts to develop, to manage and promote the districts and to establish an assessment method to fund these activities.” (1983 Wisconsin Act 184, Section 1, legislative declaration.)

The City of Milwaukee created Business Improvement District No. 28 (“BID-28”) and approved its initial operating plan via Common Council Resolution No. 020830, adopted by reference November 6, 2002. Since 2003, BID-28 has submitted yearly-amended plans adding and modifying its plan objectives as part of its ongoing management and promotion of the district, including in some instances its financing arrangements and assessment methodologies. This amended Plan shall govern operation of BID-28 during calendar year 2019.

B. PHYSICAL SETTING

The District covers a commercial area on North Avenue from 27th St west to Sherman Blvd.

II. DISTRICT BOUNDARIES

Boundaries of the proposed district are shown on the map in Appendix B of this plan. A listing of the properties included in the district is provided in Appendix A.

III. PROPOSED OPERATING PLAN

A. PLAN OBJECTIVES

The objective of the BID is to:

- Improve the Image of the District.
- Attract new businesses and retain existing businesses to the District.
- Coordinate public improvements in the Gateway District.
- Support the development of value-added projects in the District.
- Facilitate the development and implementation of the District Redevelopment Plan.
- Market and Promote the District.
- Leverage District resources with the resources of Partners.
- Enforce District zoning policies.
- Ensure that the BID is transparent, accountable and well-governed.

B. PROPOSED ACTIVITIES – 2019

Principle activities to be engaged in by the district during 2019 will include:

- **District Beautification Projects:** Project includes; improving the physical space of the District, including; the landscaping along the District, creating green space, creating natural gathering spaces and enhancing District “gateways.”
- **Façade Improvement:** Improving the façades of buildings in the District, including enforcing City of Milwaukee signage guidelines.

- **Marketing and Outreach:** Includes promoting of District to various stakeholders, including; District owners and investors, potential customers, potential investors and developers.

C. PROPOSED EXPENDITURES – 2019

Proposed 2019 Budget

| | ITEMS | EXPENDITURE |
|---|---|--------------------|
| 1 | Repayment of 2003 loan to the City of Milwaukee | \$9,500.00 |
| 2 | Audit and Accounting | \$2,500.00 |
| 3 | Insurance | \$1,200.00 |
| 4 | Office Supplies | \$500.00 |
| 5 | Beautification Project | \$9,000.00 |
| 6 | Façade Improvement Grants | \$10,000.00 |
| 7 | Marketing & Outreach | \$5,682.34 |
| 8 | Administration | \$8,234.31 |
| | Total | \$46,616.65 |

IV. FINANCING METHOD

It is proposed to raise \$46,616.65 through BID assessments (see Appendix A). The BID Board shall have the authority and responsibility to prioritize expenditures and to revise the budget as necessary to match the funds actually available.

V. ORGANIZATION OF BID BOARD

The Mayor will appoint members to the District Board ("Board"). The Board's primary responsibility is to implement this Operating Plan. This will require the Board to negotiate with providers of services and materials to carry out the Plan; to enter into various contracts; to monitor development activity; to periodically revise the Operating Plan; to ensure district compliance with the provisions of applicable statutes and regulations; and to make reimbursements for any overpayments of BID assessments.

State law requires that the Board be composed of at least five members and that a majority of the Board members be owners or occupants of property within the district.

The North Avenue Gateway BID Board is structured and operates as follows:

1. **Board Size:** At least five and up to 11 Members
2. **Board Composition:** At least six members shall be owners or occupants of property within the district. Any non-owner or non-occupant appointed to the Board shall be a resident of the City of Milwaukee.
3. **Officer Elections:** The Board shall elect its Officers – Chairman, Vice-Chairman, Secretary and Treasurer - from among its members.
4. **Board Term:** Appointments to the Board shall be for a period of three years.

5. **Compensation:** No Board member shall receive compensation from the North Avenue Gateway BID.
6. **Meetings:** All meetings of the Board shall be governed by the Wisconsin Open Meetings Law. The Board shall meet regularly, at least twice each year. The Board shall adopt rules of order (“by laws”) to govern the conduct of its meetings.
7. **Record Keeping:** Files and records of the Board's affairs shall be kept pursuant to public record requirements.
8. **Staffing:** The Board may employ staff and/or contract for staffing services pursuant to this Plan and subsequent modifications thereof.

VI. METHOD OF ASSESMENT

A. ASSESSMENT RATE AND METHOD

The principle behind the assessment methodology is that each property should contribute to the BID in proportion to the benefit derived from the BID. After consideration of other assessment methods, it was determined that assessed value of a property was the characteristic most directly related to the potential benefit provided by the BID. Therefore, a fixed assessment on the assessed value of the property was selected as the basic assessment methodology for this BID.

However, maintaining an equitable relationship between the BID assessment and the expected benefits requires an adjustment to the basic assessment method. To prevent the disproportional assessment of a small number of low value properties, a minimum of \$700 per parcel and a maximum of \$1,500 will be applied.

As of January 1, 2018, the property in the proposed district had a total assessed value of \$10,670,713.23.

This plan proposed to assess the property in the district at a rate of \$5.50 per \$1,000.00 of assessed value, subject to the maximum assessment, for the purposes of the BID. Appendix A shows the projected BID assessment for each property included in the district.

B. EXCLUDED AND EXEMPT PROPERTY

The BID law requires explicit consideration of certain classes of property. In compliance with the law the following statements are provided.

1. State Statute 66.1109(1) (f) lm: The district will contain property used exclusively for manufacturing purposes, as well as properties used in part for manufacturing. These properties will be assessed according to the method set forth in this plan because it is assumed that they will benefit from development in the district.
2. State Statute 66.1109(5) (a): Property known to be used exclusively for residential purposes will not be assessed; such properties will be identified as BID Exempt Properties in Appendix A, as revised each year.
3. In accordance with the interpretation of the City Attorney regarding State Statute 66.1109(1) (b), property exempt from general real estate taxes has been excluded from the district. Privately owned tax-exempt property adjoining the district and which is expected to benefit from district activities may be asked to make a financial contribution to the district on a voluntary basis.

VII. RELATIONSHIP TO MILWAUKEE COMPREHENSIVE PLAN AND ORDERLY DEVELOPMENT OF THE CITY

A. CITY PLANS

In February 1978, the Common Council of the City of Milwaukee adopted a Preservation Policy as the policy basis for its Comprehensive Plan and as a guide for its planning, programming and budgeting decisions. The Common Council reaffirmed and expanded the Preservation Policy in Resolution File Number 881978, adopted January 24, 1989.

The Preservation Policy emphasizes maintaining Milwaukee's present housing, jobs, neighborhoods, services, and tax base rather than passively accepting loss of jobs and population, or emphasizing massive new development. In its January 1989 reaffirmation of the policy, the Common Council gave new emphasis to forging new public and private partnerships as a means to accomplish preservation.

The district is a means of formalizing and funding the public-private partnership between the City and property owners in the North Avenue Gateway BID 28 business area and for furthering preservation and redevelopment in this portion of the City of Milwaukee. Therefore, it is fully consistent with the City's Comprehensive Plan and Preservation Policy.

B. CITY ROLE IN DISTRICT OPERATION

The City of Milwaukee has committed to helping private property owners in the district promote its development. To this end, the City expected to play a significant role in the creation of the Business Improvement district and in the implementation of the Operating Plan. In particular, the City will:

1. Provide technical assistance to the proponents of the district through adoption of the Plan, and provide assistance as appropriate thereafter.
2. Monitor and, when appropriate, apply for outside funds that could be used in support of the district.
3. Collect assessments, maintain in a segregated account, and disburse the monies of the district.
4. Receive annual audits as required per sec. 66.1109 (3) (c) of the BID law.
5. Provide the Board, through the Tax Commissioner's Office on or before June 30th of each Plan year, with the official City records and the assessed value of each tax key number with the district, as of January 1st of each Plan year, for purposes of calculating the BID assessments.
6. Encourage the State of Wisconsin, Milwaukee County and other units of government to support the activities of the district.

VIII. FUTURE YEAR OPERATING PLANS

A. EARLY TERMINATION OF THE DISTRICT

The City shall consider terminating the District if the owners of property assessed under the Operating Plan having a valuation equal to more than 50% of the valuation of all property assessed under the Operating Plan, using the method of valuation specified herein, or the owners of property assessed under the Operating Plan having an assessed valuation equal to more than 50% of the assessed valuation of all property assessed under the Operating Plan, file a petition with the City Plan Commission requesting termination of the District. On or after the date such a petition is filed, neither the Board nor the City may enter into any new obligations by contract or otherwise until the expiration of thirty (30) days after the date a public hearing is held and unless the District is not terminated.

Within thirty (30) days after filing of a petition, the City Plan Commission shall hold a public hearing on the proposed termination. Notice of the hearing shall be published as a Class 2 notice. Before publication, a copy of the notice with a copy of the Operating Plan and a copy of the detail map showing the boundaries of the District shall be sent by certified mail to all owners of real property within the District.

Within thirty (30) days after the date of such hearing, every owner of property assessed under the Operating Plan may send a written notice to the City Plan Commission indicating, if the owner signed a petition, that the owner retracts the owner's request to terminate the District or, if the owner did not sign the petition, that the owner requests termination of the District.

If, after the expiration of thirty (30) days after the date of the public hearing, by petition or subsequent notification and after subtracting any retractions, the owners of property assessed under the Operating Plan having a valuation equal to more than 50% of the valuation of all property assessed under the Operating Plan, using the method of valuation specified in the Operating Plan, or the owners of property assessed under the Operating Plan having an assessed valuation equal to more than 50% of the assessed valuation of all properties assessed under the Operating Plan have requested the termination of the District, the City shall terminate the District on the date that the obligation with the latest completion date entered into to implement the Operating Plan expires.

B. PHASED DEVELOPMENT

It is anticipated that the BID will continue to revise and develop the Operating Plan annually, in response to changing development needs and opportunities in the district, in accordance with the purposes and objectives defined in this initial Operating Plan.

Section 66.1109 (3) (a) of the BID law requires the Board and the City to annually review and make changes as appropriate in the Operating Plan. Therefore, while this document outlines in general terms the complete development program, it focuses upon Year One activities, and information on specific assessed values, budget amounts and assessment amounts are based on Year One conditions. Greater detail about subsequent year's activities will be provided in the required annual Plan updates, and approval by the Common Council of such Plan updates shall be conclusive evidence of compliance with this Plan and the BID law.

In later years, the BID Operating Plan will continue to apply the assessment formula, as adjusted, to raise funds to meet the next annual budget. However, the method of assessing shall not be materially altered, except with the consent of the City of Milwaukee.

C. AMENDMENT, SEVERABILITY AND EXPANSION

This BID has been created under authority of Section 66.1109 of the Statutes of the State of Wisconsin. Should any court find any portion of this Statute invalid or unconstitutional its decision will not invalidate or terminate the BID and this BID Plan shall be amended to conform to the law without need of reestablishment.

Should the legislature amend the Statute to narrow or broaden the process of a BID so as to exclude or include as assessable properties a certain class or classes of properties, then this BID Plan may be amended by the Common Council of the City of Milwaukee as and when it conducts its annual Operating Plan approval and without necessity to undertake any other act. This is specifically authorized under Section 66.1109(3)(b).

IX. APPENDIX

A. ASSESSMENTS FOR 2018

B. MAP OF NORTH AVENUE GATEWAY DISTRICT BOUNDARIES

C. 2018 ANNUAL REPORT

D. STATE OF WISCONSIN BID STATUTE

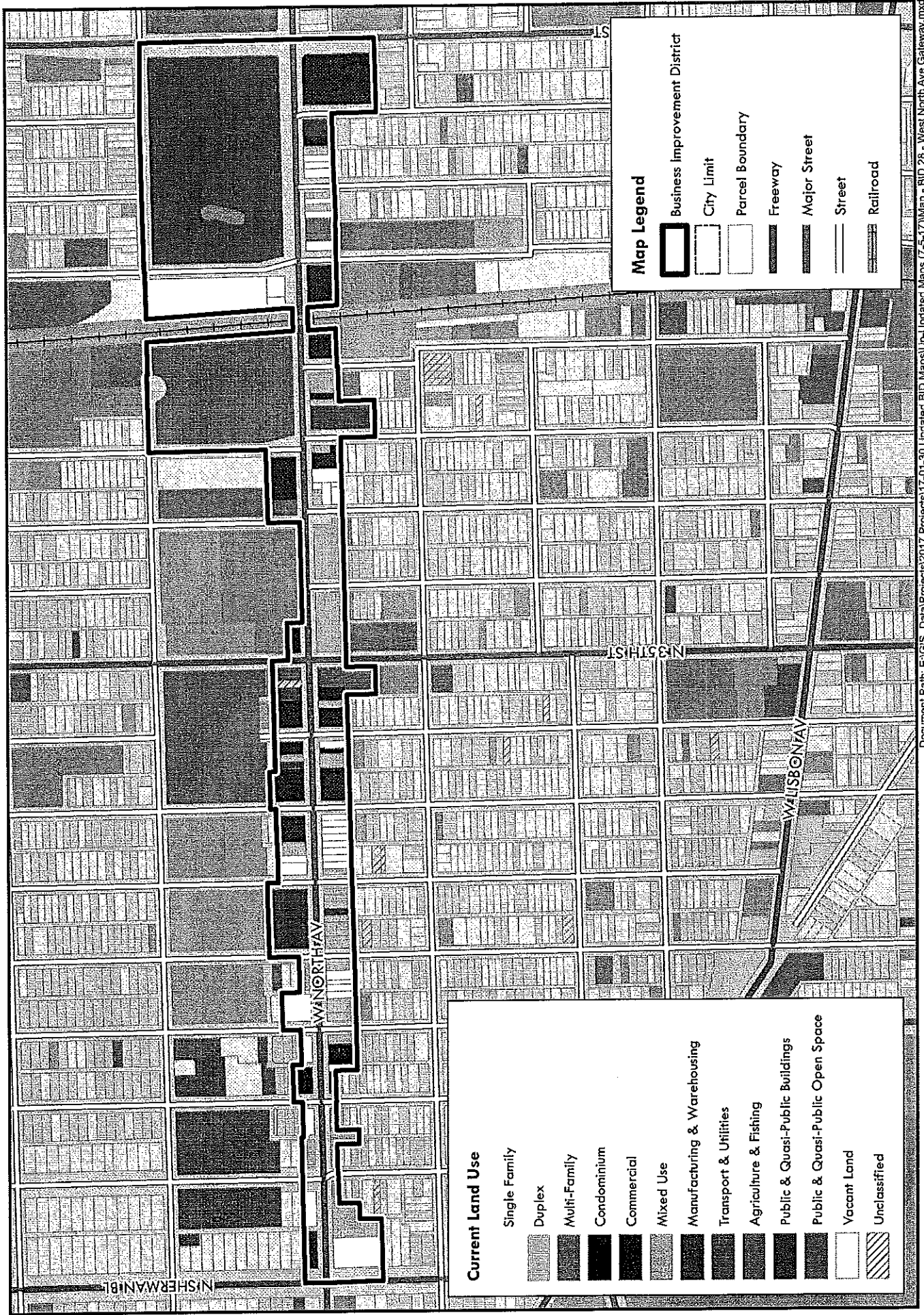
| | | | | | | |
|------------|--------------|------------------------------|----|----------------------|----|------------------|
| 3270020000 | 3624 W NORTH | LIGHTHOUSE GOSPEL CHAPEL INC | \$ | 353,000.00 | \$ | 1,500.00 |
| 3271871000 | 3708 W NORTH | MANDEEP DWAWAN | \$ | 515,000.00 | \$ | 1,500.00 |
| 3270953000 | 3714 W NORTH | KARAH LETHERWOOD | \$ | 215,335.49 | \$ | 1,184.35 |
| 3270954000 | 3724 W NORTH | NEW COVENANT BAPTIST CHURCH | \$ | 1,800.00 | \$ | 700.00 |
| 3480949000 | 3725 W NORTH | ANITA F THOMPSON | \$ | 1,800.00 | \$ | 700.00 |
| 3480950000 | 3727 W NORTH | DOMONIC A PHILLIPS | \$ | 1,700.00 | \$ | 700.00 |
| 3480951000 | 3731 W NORTH | WILLIE E HARRIS | \$ | 68,520.43 | \$ | 700.00 |
| 3480972000 | 3821 W NORTH | KAM HOLDINGS LLC | \$ | 161,748.34 | \$ | 889.62 |
| 3480973000 | 3829 W NORTH | WILLIAMS PROPERTY | \$ | 114,606.74 | \$ | 700.00 |
| 3480401000 | 3901 W NORTH | RONALD R SUNIE | \$ | 49,177.84 | \$ | 700.00 |
| 3480406100 | 3925 W NORTH | DOROTHY J WOOD | \$ | 31,450.00 | \$ | 700.00 |
| 3270116110 | 3928 W NORTH | NEW COVENANT HOUSING | \$ | 11,000.00 | \$ | 700.00 |
| 3480426000 | 4001 W NORTH | EUGENE SMITH | \$ | 58,329.41 | \$ | 700.00 |
| 3481532000 | 4005 W NORTH | 4 ARUBA PROPERTIES LLC | \$ | 83,300.00 | \$ | 700.00 |
| 3481531000 | 4011 W NORTH | 4 ARUBA PROPERTIES LLC | \$ | 69,000.00 | \$ | 700.00 |
| 3270146000 | 4020 W NORTH | JWH INVESTMENT LLC | \$ | 65,000.00 | \$ | 700.00 |
| 3480453000 | 4105 W NORTH | LONNIE & ERNESTINE TUCKER | \$ | 81,793.10 | \$ | 700.00 |
| 3481542100 | 4211 W NORTH | BOULEVARD COMMONS LLC | \$ | 138,925.47 | \$ | 764.09 |
| 3481541100 | 4243 W NORTH | FINNEY ARTS INCUBATOR LLC | \$ | 93,000.00 | \$ | 700.00 |
| | | | \$ | 10,670,713.23 | \$ | 46,616.65 |

| rem_taxkey | addr | rem_owner1 | Assessable Total | Assessment |
|------------|--------------|----------------------------|------------------|-------------|
| 3490205000 | 2242 N 33RD | BACHAN SINGH | \$ 800.00 | \$ 700.00 |
| 3270115000 | 2303 N 39TH | BARBARA HOLZMANN T.O.D. | \$ 48,900.00 | \$ 700.00 |
| 3260628113 | 2700 W NORTH | G & GW INVESTMENT LLC | \$ 2,996,100.00 | \$ 1,500.00 |
| 3491106110 | 2727 W NORTH | VILLANOVA GROUP LLC | \$ 1,597,000.00 | \$ 1,500.00 |
| 3491001000 | 2901 W NORTH | LIVING WELL LLC | \$ 33,121.56 | \$ 700.00 |
| 3491003000 | 2909 W NORTH | SHANITA COTTON | \$ 35,276.09 | \$ 700.00 |
| 3491005000 | 2917 W NORTH | WILLY BRAND LLC | \$ 5,900.00 | \$ 700.00 |
| 3491038100 | 3013 W NORTH | GURPIAR SINGH | \$ 146,200.00 | \$ 804.10 |
| 3492002100 | 3041 W NORTH | 3041 WEST NORTH AVENUE LLC | \$ 173,000.00 | \$ 951.50 |
| 3492562100 | 3105 W NORTH | PHILWAUKEE INVESTMENTS LLC | \$ 124,683.03 | \$ 700.00 |
| 3490004000 | 3113 W NORTH | IRFAN MAQSOOD | \$ 56,100.00 | \$ 700.00 |
| 3490003000 | 3117 W NORTH | DAVID J INGVALDSTAD II | \$ 21,791.30 | \$ 700.00 |
| 3490002110 | 3123 W NORTH | FREDS ORNAMENTAL DOORS | \$ 194,000.00 | \$ 1,067.00 |
| 3260834110 | 3200 W NORTH | TA ACQUISITION COMPANY LLC | \$ 248,000.00 | \$ 1,364.00 |
| 3490010000 | 3201 W NORTH | PHILWAUKEE INVNMNTS LLC | \$ 28,450.00 | \$ 700.00 |
| 3490009000 | 3209 W NORTH | BACHAN SINGH | \$ 49,200.00 | \$ 700.00 |
| 3490203000 | 3227 W NORTH | CRAIG L HILL SR | \$ 57,210.81 | \$ 700.00 |
| 3490221100 | 3305 W NORTH | COLUMBIA SQUARE LLC | \$ 73,276.98 | \$ 700.00 |
| 3492781000 | 3401 W NORTH | TOUSSAINT SQUARE LLC | \$ 96,037.62 | \$ 700.00 |
| 3492782000 | 3401 W NORTH | CAPITAL FUND SERVICES | \$ 332,000.00 | \$ 1,500.00 |
| 3261663000 | 3420 W NORTH | R & D 3420 NORTH AVE LLC | \$ 634,100.00 | \$ 1,500.00 |
| 3481521000 | 3501 W NORTH | NEW COVENANT 3501 | \$ 162,000.00 | \$ 891.00 |
| 3481522000 | 3501 W NORTH | 3501 W NORTH AVE LLC | \$ 188,000.00 | \$ 1,034.00 |
| 3271220120 | 3508 W NORTH | NEW COVENANT MISSIONARY | \$ 47,400.00 | \$ 700.00 |
| 3480902000 | 3513 W NORTH | BUFFALO BROADWAY REALTY | \$ 294,000.00 | \$ 1,500.00 |
| 3480903000 | 3521 W NORTH | DESMOND O WILSON | \$ 29,950.00 | \$ 700.00 |
| 3480904000 | 3525 W NORTH | MILW MEAT & SEAFOOD LLC | \$ 194,000.00 | \$ 1,067.00 |
| 3271221100 | 3532 W NORTH | JEFFREY K HAN | \$ 277,000.00 | \$ 1,500.00 |
| 3271253000 | 3600 W NORTH | DDK INVESTMENTS CORP | \$ 322,000.00 | \$ 1,500.00 |
| 3480918000 | 3601 W NORTH | RONALD R SUNIE | \$ 1,900.00 | \$ 700.00 |
| 3480919000 | 3605 W NORTH | RONALD R SUNIE | \$ 6,600.00 | \$ 700.00 |
| 3480920000 | 3607 W NORTH | RONALD R SUNIE | \$ 35,929.00 | \$ 700.00 |
| 3271255000 | 3614 W NORTH | NEW LIVING CHURCH INC | \$ 46,300.00 | \$ 700.00 |



BID NO. 28: WEST NORTH AVE GATEWAY DISTRICT

CITY OF MILWAUKEE



Current Land Use

| | |
|--|----------------------------------|
| | Single Family |
| | Duplex |
| | Multi-Family |
| | Condominium |
| | Commercial |
| | Mixed Use |
| | Manufacturing & Warehousing |
| | Transport & Utilities |
| | Agriculture & Fishing |
| | Public & Quasi-Public Buildings |
| | Public & Quasi-Public Open Space |
| | Vacant Land |
| | Unclassified |

Map Legend

| | |
|--|-------------------------------|
| | Business Improvement District |
| | City Limit |
| | Parcel Boundary |
| | Freeway |
| | Major Street |
| | Street |
| | Railroad |

2018 ANNUAL REPORT

The North Avenue Gateway BID Board of Directors is pleased to provide this Annual report to BID stakeholders, government officials, partners and investors.

A. PLANNING

The North Avenue Gateway BID completed a development report. The District partnered with UWM's Campus Design Solutions to build local consensus on the development in the District and identify catalytic projects. The District is working to implement many of the recommendations identified in the report.



B. PROJECTS

There are several development projects under development in the District, including:

- The rehab of the 9,000 sf mixed-use property at 3821 W. North Avenue into a business incubator and residential units. The project will also include a café.
- Spiritual Grounds Café, the rehab of the lower level of the property at 3201 W. North Avenue.
- A café is planned for a commercial space in the Toussaint Square building, located at 3405 W. North Avenue.
- The Finney Market ("Old Finney Library") is undergoing renovations and is attracting retail tenants.

C. PROGRAMS



The Gateway BID continues to create a business district that generates significant and sustainable value in the form of new businesses, jobs and an expanding tax base. In 2018, the BID continues expand its business development eco-system by expanding efforts to outreach to local property owners and business owners, connect them with business development assistance.

In 2018, the Gateway BID worked to address elements in the district that may generate negative perceptions, including; poor lighting, trash on the street, graffiti, broken windows and poor signage. In regard to signage, the BID continues to work with property owners to improve signage to meet the City of Milwaukee's signage guidelines.

North Avenue Gateway BID: 2017/2018 Annual Report

Also, in 2018, the Gateway BID awarded several façade improvement and project grants to property owners working to develop their properties.

In 2018, the Gateway BID continued to “beautify” the District. These efforts to remove weeds throughout the District. Also, the District installed new garbage containers and planters throughout the District.

D. PARTNERSHIPS

The North Avenue Gateway BID continues to establish partnerships with organizations in the private, government and non-profit sectors.

- Environmental Collaboration Office
- Community Design Solutions
- City of Milwaukee Department of Public Works
- City of Milwaukee Department of City Development
- Milwaukee Police Department
- Washington Park Partners
- Boys & Girls Club of Greater Milwaukee
- New Covenant Housing Corporation
- North Avenue Business Association
- United Veterans Partnership
- Lighthouse Gospel Chapel
- New Covenant Missionary Baptist Church

E. CHALLENGES

The District continues to face some significant challenges, including the following:

- Crime continues to be a major challenge in the District. The BID plans on ramping up its efforts to address crime with local community groups and the MPD; also, develop strategies to connect local residents to employment and educational opportunities.
- About a third of the District’s 93 parcels is owned by the City of Milwaukee. Many of these parcels are a blight influence on the District. To address this issue, the District continues to work with the City on strategies to develop these parcels or beautify them.
- About 46% of the District’s parcels are for tax-exempt purposes. The District continues to work with the City to restrict additional tax-exempt uses.
- Need for a stronger business development eco-system. The BID continues to work with the City of Milwaukee and local financial institutions to support business development in the District.
- Traffic Flow is a challenge. Currently, the District lacks any traffic speed mitigation elements. As it is, cars generally speed down the District, and this is hazardous both for pedestrians and

North Avenue Gateway BID: 2017/2018 Annual Report

local property owners (cars have crashed into buildings and lighting poles). The BID is working with DPW and CDS to develop a traffic management plan for the District.

- The Districts “Green Infrastructure” is in need of re-balancing. Several challenges include:
 - There are still several “brownfields” in the District that need to be remediated. The BID is working with the City to identify brownfield sites and project plans for these sites.
 - Water Runoff is a major problem in the District. The District does not have a water runoff mitigation plan and, consequently, many commercial and residential properties don’t have water runoff resources. Moving forward the District is working with the MMSD and Clean Wisconsin to develop a water runoff plan for the District.
 - The District is in need of a tree management plan. The District – commercial and residential areas – lack a consistent, well-managed placement of trees. The District is working on developing a Tree management plan with the DPW, and we hope to begin implementing a plan in early 2019.

66.1109 Business improvement districts.

(1) In this section:

- (a) "Board" means a business improvement district board appointed under sub. (3) (a).
- (b) "Business improvement district" means an area within a municipality consisting of contiguous parcels and may include railroad rights-of-way, rivers, or highways continuously bounded by the parcels on at least one side, and shall include parcels that are contiguous to the district but that were not included in the original or amended boundaries of the district because the parcels were tax-exempt when the boundaries were determined and such parcels became taxable after the original or amended boundaries of the district were determined.
- (c) "Chief executive officer" means a mayor, city manager, village president or town chairperson.
- (d) "Local legislative body" means a common council, village board of trustees or town board of supervisors.
- (e) "Municipality" means a city, village or town.
- (f) "Operating plan" means a plan adopted or amended under this section for the development, redevelopment, maintenance, operation and promotion of a business improvement district, including all of the following:
 - 1. The special assessment method applicable to the business improvement district.
 - 1m. Whether real property used exclusively for manufacturing purposes will be specially assessed.
 - 2. The kind, number and location of all proposed expenditures within the business improvement district.
 - 3. A description of the methods of financing all estimated expenditures and the time when related costs will be incurred.
 - 4. A description of how the creation of the business improvement district promotes the orderly development of the municipality, including its relationship to any municipal master plan.
 - 5. A legal opinion that subs. 1. to 4. have been complied with.
- (g) "Planning commission" means a plan commission under s. 62.23, or if none a board of public land commissioners, or if none a planning committee of the local legislative body.
 - (2) A municipality may create a business improvement district and adopt its operating plan if all of the following are met:
 - (a) An owner of real property used for commercial purposes and located in the proposed business improvement district designated under par. (b) has petitioned the municipality for creation of a business improvement district.
 - (b) The planning commission has designated a proposed business improvement district and adopted its proposed initial operating plan.
 - (c) At least 30 days before creation of the business improvement district and adoption of its initial operating plan by the municipality, the planning commission has held a public hearing on its proposed business improvement district and initial operating plan. 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 the proposed initial operating plan and a copy of a detail map showing the boundaries of the proposed business improvement district shall be sent by certified mail to all owners of real property within the proposed business improvement district. The notice shall state the boundaries of the proposed business improvement district and shall indicate that

copies of the proposed initial operating plan are available from the planning commission on request.

- (d) Within 30 days after the hearing under par. (c), the owners of property to be assessed under the proposed initial operating plan having a valuation equal to more than 40 percent of the valuation of all property to be assessed under the proposed initial operating plan, using the method of valuation specified in the proposed initial operating plan, or the owners of property to be assessed under the proposed initial operating plan having an assessed valuation equal to more than 40 percent of the assessed valuation of all property to be assessed under the proposed initial operating plan, have not filed a petition with the planning commission protesting the proposed business improvement district or its proposed initial operating plan.
- (e) The local legislative body has voted to adopt the proposed initial operating plan for the municipality.

(3)

- (a) The chief executive officer shall appoint members to a business improvement district board to implement the operating plan. Board members shall be confirmed by the local legislative body and shall serve staggered terms designated by the local legislative body. The board shall have at least 5 members. A majority of board members shall own or occupy real property in the business improvement district.
 - (b) The board shall annually consider and may make changes to the operating plan, which may include termination of the plan, for its business improvement district. The board shall then submit the operating plan to the local legislative body for its approval. If the local legislative body disapproves the operating plan, the board shall consider and may make changes to the operating plan and may continue to resubmit the operating plan until local legislative body approval is obtained. Any change to the special assessment method applicable to the business improvement district shall be approved by the local legislative body.
 - (c) The board shall prepare and make available to the public annual reports describing the current status of the business improvement district, including expenditures and revenues. The report shall include an independent certified audit of the implementation of the operating plan obtained by the municipality. The municipality shall obtain an additional independent certified audit upon termination of the business improvement district.
 - (d) Either the board or the municipality, as specified in the operating plan as adopted, or amended and approved under this section, has all powers necessary or convenient to implement the operating plan, including the power to contract.
- (4)** All special assessments received from a business improvement district and all other appropriations by the municipality or other moneys received for the benefit of the business improvement district shall be placed in a segregated account in the municipal treasury. No disbursements from the account may be made except to reimburse the municipality for appropriations other than special assessments, to pay the costs of audits required under sub. (3)(c) or on order of the board for the purpose of implementing the operating plan. On termination of the business improvement district by the municipality, all moneys collected by special assessment remaining in the account shall be disbursed to the owners of specially assessed property in the business improvement district, in the same proportion as the last collected special assessment.
- (4m)** A municipality shall terminate a business improvement district if the owners of property assessed under the operating plan having a valuation equal to more than 50 percent of the valuation of all property assessed under the operating plan, using the

method of valuation specified in the operating plan, or the owners of property assessed under the operating plan having an assessed valuation equal to more than 50 percent of the assessed valuation of all property assessed under the operating plan, file a petition with the planning commission requesting termination of the business improvement district, subject to all of the following conditions:

- (a) A petition may not be filed under this subsection earlier than one year after the date the municipality first adopts the operating plan for the business improvement district.
- (b) On and after the date a petition is filed under this subsection, neither the board nor the municipality may enter into any new obligations by contract or otherwise to implement the operating plan until the expiration of 30 days after the date of hearing under par. (c) and unless the business improvement district is not terminated under par. (e).
- (c) Within 30 days after the filing of a petition under this subsection, the planning commission shall hold a public hearing on the proposed termination. 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 the operating plan and a copy of a detail map showing the boundaries of the business improvement district shall be sent by certified mail to all owners of real property within the business improvement district. The notice shall state the boundaries of the business improvement district and shall indicate that copies of the operating plan are available from the planning commission on request.
- (d) Within 30 days after the date of hearing under par. (c), every owner of property assessed under the operating plan may send written notice to the planning commission indicating, if the owner signed a petition under this subsection, that the owner retracts the owner's request to terminate the business improvement district, or, if the owner did not sign the petition, that the owner requests termination of the business improvement district.
- (e) If after the expiration of 30 days after the date of hearing under par. (c), by petition under this subsection or subsequent notification under par. (d), and after subtracting any retractions under par. (d), the owners of property assessed under the operating plan having a valuation equal to more than 50 percent of the valuation of all property assessed under the operating plan, using the method of valuation specified in the operating plan, or the owners of property assessed under the operating plan having an assessed valuation equal to more than 50 percent of the assessed valuation of all property assessed under the operating plan, have requested the termination of the business improvement district, the municipality shall terminate the business improvement district on the date that the obligation with the latest completion date entered into to implement the operating plan expires.

(5)

- (a) Real property used exclusively for residential purposes and real property that is exempted from general property taxes under s. 70.11 may not be specially assessed for purposes of this section.
- (b) A municipality may terminate a business improvement district at any time.
- (c) This section does not limit the power of a municipality under other law to regulate the use of or specially assess real property.

History: 1983 a. 184; 1989 a. 56 s. 258; 1999 a. 150 s. 539; Stats. 1999 s. 66.1109; 2001 a. 85.

HISTORIC NORTH AVENUE GATEWAY BID BOARD ROSTER
AS OF October 8th, 2018 (Source: Legistar)

| BID Board Name | Start Date | End Date |
|---------------------------|------------|------------|
| <u>Antonio Felder</u> | 5/16/2018 | 5/16/2021* |
| <u>Ariam Kesete</u> | 9/29/2017 | 9/29/2020* |
| <u>Craig Hill, Sr.</u> | 3/13/2018 | 3/13/2021* |
| <u>James Carrington</u> | 6/5/2018 | 6/5/2021* |
| <u>Johnny Moutry, Jr.</u> | 2/26/2015 | 2/26/2018* |
| <u>Kelly Felder</u> | 6/5/2018 | 6/5/2021* |
| <u>Matthew Bohlmann</u> | 4/9/2018 | 4/9/2021* |
| <u>Salah Ayesh</u> | | 7/21/2019* |

