

BUSINESS IMPROVEMENT DISTRICT #19

Villard Avenue

OP

2013 PROPOSED OPERATING PLAN

September 21st, 2012

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I. INTRODUCTION

A. Background

In 1984, the Wisconsin legislature created 66.1109 (formerly S. 66.6080) of the Statutes (see Appendix A) 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 has received a petition from property owners which request creation of a Business Improvement District for the purpose of revitalizing and improving the Villard Avenue business area on Milwaukee’s North Side (see Appendix B). The BID law requires that every district have an annual Operating Plan. This document is the Operating Plan for the Villard Avenue BID #19 district. The BID proponents prepared this Plan with the technical assistance from the City of Milwaukee Department of City Development.

B. Physical Setting

Boundaries of the District, as shown on the map in Appendix A of this Plan, are Villard Avenue from 29th Street on the east to 42nd Street on the west, 35th Street one half blocks on the south continuing northeast to Rohr Avenue.

II. DISTRICT BOUNDRIES

Boundaries of the District are shown on the map in Appendix C of this Plan. A listing of the properties included in the District is provided in Appendix D.

III. PROPOSED OPERATING PLAN

A. Plan Objectives

The objectives of the BID are:

1. To improve the overall appearance and image of the street.
2. To enhance safety and security of the District.
3. To attract new businesses and increase private investment in the District.
4. To create an environment that will attract new customers and increase shopping in the area.

B. Proposed Activities

Principle activities to be engaged in by the District will include:

1. Improving the overall appearance and image of the streets:
 - a. Providing maintenance and management of the streetscape improvements
 - b. Encouraging design-sensitive renovations of the buildings within the District

2. To enhance the safety and security of the District by:
 - a. Encouraging and supporting safety programs in the District including police protection.
 - b. Working with business and property owners of the properties that are a nuisance.
 - c. Implement a committee to reinforce and monitor Villard Avenue night life activities.
3. To attract new businesses and increase private investment in the District by:
 - a. Promote private and public funding of District activities.
 - b. Generating business recruitment leads and facilitating development within the BID in order to gain new business.
 - c. Creating and maintaining a Villard Avenue web site with links to business resources and develop a tool to identify properties to be targeted for renovation or redevelopment.
4. To create an environment that will attract new consumers and increase patronage in the BID by:
 - a. Maintaining communication with the property and business owners and operators in the BID regarding the design and implementation of BID activities.
 - b. Developing a marketing plan with strategies, media coverage, promotional materials and special events for the District to increase consumer activity.
 - c. Providing information regarding business, site selection, and rehabilitation resources in order to strengthen existing and new businesses, and improve the overall appearance of the businesses.
 - d. Participating in the Villard Avenue Day Festival.

C. Proposed Expenditures

The principal expenses of the BID in 2013 will be used to fund business technical assistance, maintain projects, maintain streetscape and overall appearance, and contracted management fees.

D. Proposed Budget

| Villard Avenue BID #19 | 2013 Budget |
|---|------------------------|
| Administrative Services | |
| Debt Service (City of Milwaukee) | |
| Loan Repayment-Principal and Interest | \$26,488.53 |
| | |
| Contractual Services | |
| Staff Support | \$15,000 |
| | |
| Accounting Services | |
| 2012 Audit | \$3000 |
| | |
| General Expenses | |
| Postage & Copies | \$400 |
| Utilities | \$6000 |
| Rent | \$8400 |
| | |
| Program Activities | |
| Marketing/Advertising | \$2000. |
| Villard Avenue Day Festival | \$5000. |
| | |
| TOTAL | \$66,288.53 |

E. Financing Method

It is proposed to raise \$74,224.00 through BID assessments (see Appendix D). The BID Board has the authority and responsibility to prioritize expenditures and to revise the budget as necessary to match the funds actually available.

F. Organization of BID Board

Upon creation of the BID, the Mayor appointed members to the District (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 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 Board's primary responsibility is the implementation of this Operating Plan. The current BID #19 Board of Directors is:

- Sandra Renfro, President
Business co-owner of "Sista Sista" Sewing
- Charles Belin, Vice President
Business owner of "Villard Avenue Washer and Dryer"
- Walter Cheeser, Treasurer
Business owner of "Mil-Town Apparel"
- Yvonne Ali, Secretary
Property owner of "Agape Theater"
- Tom Dienhart, Business owner of "Marine Land Pets"
- Rita Warford, Business co-owner of "Sista Sista" Sewing
- Earl Wheatfall, Property owner

It is recommended that the BID board be structured and operated as follows:

1. Board Size- Seven
2. Composition- At least three members are owners or operators of property within the District. Any non-owner or operator appointed to the Board shall be a resident of the City of Milwaukee. The Board will elect its President from among its members.
3. Term- Appointments to the Board will be for a period of three years.
4. Compensation- None
5. Meeting- All meetings of the Board will be governed by the Wisconsin Open Meetings Law.
6. Record Keeping- Files and records of the Board's affairs will be kept pursuant to public record requirement.
7. Staffing- The Board may employ staff and/or contract for staffing services pursuant to this Plan and subsequent modifications thereof.

8. Meetings- The Board will meet regularly, at least twice a year. The Board will adopt rules of order (by laws) to govern the conduct of its meetings if none are in place.

The BID is a separate entity from the Villard Avenue Business Association (VABA) notwithstanding the fact that members, officers and directors of each may be shared. VABA will remain a private organization, not subject to the open meeting law, and not subject to the public record law except for its records generated in connection with the BID Board. VABA may, and it is intended, will, contract with the BID to provide services to the BID, in accordance with this plan.

IV. METHOD OF ASSESSMENT

A. Assessment Rate and Method

BID-eligible properties are assessed in the following manner:

1. An unimproved tax parcel is assessed at a rate of \$4/\$1000 of assessed value. No minimum assessment is applied to unimproved parcels.

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.

As of January 1, 2009, the property district had a total assessed value of over 19 million dollars. This plan proposed to assess the property in the district at a rate of \$4 per \$1000 of assessed value, for the purposes of the BID. Appendix D shows the projected BID assessment for each property in the District.

B. Exclude and Exempt Property

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

1. State Statute(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 D, as revised each year.
3. In accordance with the interpretation of the City Attorney regarding State Statute 66.608(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.

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

A. City Plans

In February 1978, the Common Council of the City of Milwaukee adopted a Preservation Policy as the 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 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.

The District is a means of formalizing and funding the public-private partnership between the City and property owners in the Villard Avenue 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 the 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 BID 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 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.

VI. PLAN APPROVAL PROCESS

A. Public Review Process

The Wisconsin Business Improvement District law establishes a specific process for reviewing and approving proposed districts. Pursuant to the statutory requirements, the following process will be used:

1. The Milwaukee City Plan Commission will review the proposed district boundaries and proposed Operating Plan and will then set a date for a formal hearing.
2. The City Plan Commission will send, by certified mail, a public hearing notice and a copy of the proposed Operating Plan to all owners of property within the proposed district. In addition a Class 2 notice of the public hearing will be published in a local newspaper of general circulation.
3. The City Plan Commission will hold a public hearing, will approve or disapprove the Plan, and will report its action to the Common Council.
4. The Economic Development Committee of the Common Council will review the proposed BID Plan at a public hearing and will make a recommendation to the full Common Council.
5. The Common Council will act on the proposed BID Plan.
6. If adopted by the Common Council, the proposed BID Plan is sent to the Mayor for approval.
7. If approved by the Mayor, the BID is created and the Mayor will appoint members to the District Board established to implement the Plan.

B. Petition against Creation of the BID

The City may not create the Business Improvement District if, within 30 days of the City Plan Commission's hearing, a petition is filed with the City containing signatures of: Owners of property to be assessed under the proposed initial Operating Plan having a valuation equal to more than 40% of the valuation of all property to be assessed under the proposed initial Operating Plan, using the method of valuation specified in the proposed Operating Plan; or

Owners of property to be assessed under the proposed initial Operating Plan having an assessed valuation equal to more than 40% of the assessed valuation of all property to be assessed under the proposed Operating Plan.

VIII. FUTURE YEAR OPERATING PLANS

A. Phase 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 the 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 activities and information on specific assessed values, budget amounts and assessment amounts are based on this year's 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 will 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 will not be materially altered, except with the consent of the City of Milwaukee.

B. 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 will 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)

APPENDICES

- A. Statue
- B. Petition
- C. District Boundaries
- D. Projected Assessments
- E. City Attorney's Opinion