



City of Milwaukee

200 E. Wells Street
Milwaukee, Wisconsin
53202

Meeting Minutes

BRONZEVILLE ADVISORY COMMITTEE

RALPH HOLLMON, CHAIR

Rhonda Manuel, Vice-Chair

**Jayne Montgomery Baker, Fidel Verdin, Theresa Garrison,
Christopher Perceptions, and Clifton Crump**

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Thursday, March 23, 2017

9:00 AM

Room 301-B, Third Floor, City Hall

1. Call to Order.

Meeting called to order at 9:11 a.m.

2. Roll Call.

Present 5 - Manuel, Hollmon, Montgomery Baker, Crump and Garrison

Excused 2 - Verdin and Perceptions

Individuals also present in participation:

Amy Turim, Department of City Development Real Estate

Matt Haessly, Department of City Development Real Estate

Atty. Gregg Hagopian, City Attorney's Office

Deshea Agee, Historick King Drive Business Improvement District (BID) 8

3. Review and Approval of the Meeting Minutes from February 15, 2017.

Member Montgomery Baker moved approval, seconded by member Crump, of the meeting minutes from February 15, 2017. There were no objections.

4. Discussion on RFP Review Process.

-Review of BAC Review Procedure Outline Drafts

Chairman Hollmon gave initial remarks. DCD and staff were directed to prepare an internal review procedure outline draft for the committee to review today. There were three versions created: an original one created by staff and himself, second version edited by DCD, and third version an updated version from DCD. The third version was created yesterday after conversations between DCD and himself addressing the omission of some strong suggestions from Ald. Milele Coggs that were present in the notes section of the original draft. The third version should be the version for committee review, and DCD is to guide through the original and third versions

pointing out the differences between them.

Ms. Turim commented. The third draft is the same as the second draft with highlighted sections to convey DCD's belief of successfully implementing the recommendations of Ald. Coggs. DCD Real Estate met with its planning section, vice-chair Manual, and the City Attorney's Office. DCD's planning division will participate alongside with real estate when coming before the Bronzeville Advisory Committee (BAC). DCD tried to balance being compliant with its sale statutes, its procedure, BAC suggestions, and Ald. Coggs' suggestions. The belief is that all the omitted notes from the original have been incorporated in third version, except one.

Atty. Hagopian concurred that the third draft is a result of balancing with the uniform application of federal, state, and local law dealing with sale of real estate in City. Undesired are constitutional equal protection issues and complications with unique sale processes.

Ms. Turim said Part 1 of the outline addresses the desire for bringing RFPs and listings before BAC on the frontend for BAC input and recommendations prior to the RFPs and listings being officially issued publicly. DCD will work with its planning division and the Department of Neighborhood Services to draft an RFP for BAC review. RFPs will contain preferred land uses based on the redevelopment plan, zoning, and possible other plans such as those from overlay districts. DCD will bring in someone from its planning division to talk about land uses and plans. Unsolicited offers are included for BAC input, which is something unique.

Member Crump inquired about the standing between redevelopment plan zoning classifications and regular zoning classifications.

Atty. Hagopian replied. Only RED zoning [actual Redevelopment Authority of the City of Milwaukee (RACM) zoning] trumps regular zoning. RACM redevelopment plans to not trump regular zoning. An issue has been the existence of expired redevelopment plans that have encumbered many people's titles to properties. His office recently recorded with the Registered Deeds Office the termination of about 130 RACM plans. The Bronzeville redevelopment plan is still in place. Architectural review boards are a good example of a balance that does not overrule zoning.

Ms. Turim commented. The Bronzeville plan is part of review under the Transit Oriented Development Grant where a new market study could occur for the Bronzeville area.

Ms. Turim said that Part 2 of the outline pertains to handling the receipt of RFP and listing responses. DCD planning division personnel will be brought to BAC to talk about the offers and will bring a design review. DCD staff will provide a summary sheet of the offers inclusive of information such as offer prices, land uses, and development teams. BAC will be informed of any required circumstances, such as special board or commission reviews.

Chairman Hollmon inquired about BAC being informed of proposals not meeting general buyer policies, such as having code violations, tax delinquency, and criminal records.

Ms. Turim responded. DCD staff will convey that information when presenting the proposals. Those responders who do not meet general buyer policies will not be excluded from BAC review. In these instances DCD will work with the responder to rectify the violations. Recently through efforts by Ald. Khalif Rainey, the ordinance

was amended to eliminate the general buyer policy of checking the criminal background of an applicant. That felony restriction has been removed, is no longer a consideration, and will provide additional opportunity for people to invest and become stakeholders.

Atty. Hagopian added that there was a misconception that felons could not buy City-owned property. Felons could buy City-owned properties, at the discretion of the DCD commissioner, prior to the ordinance amendment. Real estate tax delinquency and code violations remain as violations against the general buyer policies, and buyers cannot buy City-owned properties with these infractions unless ruled otherwise by the Common Council.

Ms. Turim continued. In Part 2 of the process DCD will bring the actual RFP responses for BAC review if needed. BAC can potentially seek community input when appropriate, and DCD can participate. BAC may request to bring in the proposers for interviews and make evaluations. BAC should create its own set of criteria for evaluation and use an evaluation sheet. Evaluation may occur under open or closed session at BAC's discretion, with the proposers. DCD staff will take a step back from the evaluation and interviews as to not provide undue influence. DCD staff will convey internally to buyers or developers on the frontend to be the focus and main speakers during presentations. BAC makes advisory recommendations to DCD, which is taken extremely seriously. A major difference in the drafts is that DCD takes the recommendation of BAC to the RACM board or Common Council Zoning, Neighborhoods and Development (ZND) for approval. The public release of BAC's recommendation has been omitted as such a release may not be appropriate given that the recommendation is advisory, may not necessarily represent the final decision, mislead the public, and negatively affect buyers whose project do not get approved in the end of the process.

Member Crump was concerned and said that BAC and DCD should avoid instances and trends of conflicting with one another with different recommendations made.

Ms. Turim said that DCD highly values BAC recommendations and anticipates alignment in recommendations made. For any conflicts with the recommendations made by BAC, DCD will work to the fullest extent possible to remedy those issues unless there is a glaring reason. Examples include looking at BOZA appeals for unpermitted land uses or rezoning to move a project forward. There may be instances of unsolvable conflicts, such as the inability to show firm proof of financing or inability to obtain licenses. The expectation is that BAC will recommend a ranking of proposals chosen so that DCD can move to the next highest ranked proposal if the higher one falls through. DCD will only take the one selected proposal to ZND.

Member Crump questioned the inclusion of other abutting plans and influential persons or entities in DCD's analysis prior to BAC review.

Ms. Turim replied. DCD relies on its planning division to look at neighboring area plans. A suggestion is to have someone from its planning division come in to give a presentation to BAC about the various plans in the area. In the process a statement of analysis from the planning division will be brought as part of the summary sheets and can be inclusive with comments on neighboring area plans.

Atty. Hagopian said that the local BID can be invited to participate in the process since it monitors RFPs in the area outside of the BID boundaries.

Mr. Agee requested that there be formal inclusion of the Historic King Drive BID to the procedure outline on the frontend as the RFP or listing is being developed. There

are some communication between DCD and the BID on RFPs in the area, but that communication has been informal thus far.

Ms. Turim and Atty. Hagopian concurred that the BID be added under Parts 1 and 2 of the procedure outline where the BID will be notified and provide comments for BAC.

Atty. Hagopian commented. The outline should note that the local BID's involvement should be subject to open meetings and open records and that the BID cannot get inside competitive inside information if itself or a member is a buyer. The procedure outline should be flexible, concise, and short to prevent complexity. Closed sessions may occur for situations special competitive measures or public records confidential information issues. Custodian of records has discretion to redact records.

Member Crump inquired about considering the opinions of community groups, like Halyard Park, and neighboring area land uses, such as from the Milwaukee Bucks, in DCD's analysis.

Member Garrison questioned private citizen input or outreach regarding City-owned property opportunities.

Ms. Turim responded that varying processes are in place to market or do outreach to the community regarding available City-own properties through means of a City website, DCD staff members who are available daily to assist explaining the purchase and sales process, realtors who can assist, and DCD participation in neighborhood meetings, fairs, BID meetings, and aldermanic meetings.

Chairman Hollmon remarked. Ken Little from DCD had previously presented to BAC about the City marketing of properties, incentives, and assistance available. The process review today is about the committee's internal process, different from what a buyer will see. BAC is advisory, important, and another level of community input. BAC should comply with the law, not delay the process, and not be adversary to DCD. Instances of difference of opinion may occur, but BAC and DCD should work through those situations. A recommendation should be that the review procedure outline be a living doc that can be modified, as necessary.

Ms. Turim concurred and added comments. The third draft version was DCD's attempt for a nimble process allowing for instances of those proposals that do not need to go through the whole process. Part 3 encourages BAC to send a member to RACM or ZND meetings to express the committee's priorities and input.

Member Montgomery Baker questioned the omission of DCD providing rankings of proposals to BAC.

Ms. Turim said DCD should not provide recommendations to BAC, unless asked to, so that BAC can review proposals independently.

Member Crump inquired about BAC's ability and manner in reviewing occupied City-owned properties.

Mr. Haessly replied. DCD markets City-owned vacant lots and buildings. Most of the properties are vacant, in poor condition, and are unsafe for continued business operations. The City do foreclosed on occupied properties sometimes and does entertain offers to good operating tenants to purchase the property for which they occupy. There are typically no lease-to-own deals.

Atty. Hagopian said that it is possible for the City to lease a City-owned property to an occupied tenant in good standing, possibly structure in the lease an option to buy the subject property, and coordinate review between DCD and BAC. In the private market, a buyer and seller has the discretion to terminate or extend a lease with the existing tenant during a sale.

Ms. Turim added that DCD does not terminate tenancy for a buyer and will consult with the local alderperson, BID, and BAC to determine if a negatively influencing business should continue its operation when acquiring that property.

Member Crump questioned the ability of BAC to protect against buyers who do not contribute to the Bronzeville cultural and entertainment district.

Atty. Hagopian replied that there can be consideration of both monetary and nonmonetary considerations when considering fair market value, according to City policy and ordinance. BAC can weigh offers based on other considerations, such as contributions to culture and entertainment.

Member Montgomery Baker said member Crump and she has been working on the next step of developing an initial rubric for BAC to use to measure, make rankings, and make recommendations. It is important to have consistency in the evaluation process. Criteria could include cultural competency, financial feasibility, land use, and consistency with the redevelopment and BID plans. Perhaps the evaluation draft can be forwarded to DCD and CAO for review. An initial draft can be submitted for BAC review at the next meeting.

Member Crump added that there needs to be a way to measure realism of a project despite a project satisfying various criteria but not being realistic to succeed.

Chairman Hollmon inquired about BAC forming its own internal operating procedures.

Chairman Hollmon further commented. The judgment responsibility of the committee cannot be avoided. There is a challenge to have balance in the procedure review outline in terms of it being short or including sufficient guidance, such as including omitted suggestions from the notes section of the original draft. An example is the instruction of directing questions to the buyer or developer.

Atty. Hagopian commented. BAC can create its own internal operating procedures; however, BAC should be mindful that internal documents are subject to open meetings and records and should not discriminate against classes. Aspects of the district can be applied in such a way to enrich the district. It is not uncommon for members of bodies to disagree or provide different recommendations. An overall BAC recommendation can go against individual member recommendations. There should be balance in a set of procedures offering sufficient guidelines and flexibility. BAC has the discretion of creating a rubric, one that provides the nonmonetary aspects that are important to the district.

Chairman Hollmon directed that DCD provide another version, one that incorporates some of the suggestions made today, for aldermanic input prior to the next meeting and a hopeful final review by BAC at the next meeting. Members gave unanimous consent.

Chairman Hollmon added that an evaluation sheet for use by BAC should be submitted to DCD and CAO for review and input, especially to check for legality, when appropriate.

Ms. Turim concurred and added comments. There may be situations where a buyer or developer cannot attend BAC meetings and send a representative instead. BAC can internally know how to handle the interviews accordingly. DCD would like to review BAC's evaluation sheet as it will help DCD understand what BAC is looking for to incorporate those preferences into RFPs and listings.

5. Announcements.

Member Montgomery Baker announced an open invitation to view the Welded Metal Sankofa Bird, created by George Ray McCormick, Sr., in person at the Terry McCormick Contemporary Fine and Folk Art Gallery. The sculpture honors the spirit of black African master metal workers and designers. Information has already been distributed to members.

Member Crump announced the open recruitment for Milwaukee police officers is due March 31, 2017. Outreach assistance by the Historic King BID and DCD would be appreciated, such as posting up posters and making referrals to the website link. Goal is to have 2100 to 2500 applicants. There are about 1300 applicants so far.

Vice-chair Manuel announced an invitation to the groundbreaking event for the Historic Garfield Redevelopment Project for April 4, 2017. Information will be forwarded.

Mr. Agee announced that his BID is applying for WEDC's National Main Street Program primarily for Historic King Drive., including parts of Bronzeville. The program will provide technical assistance, education, training for bringing businesses into the area, market research, renderings of buildings, and national case studies on best practices for economic development. There is opportunity for interested persons to access this resource. The assistance component would provide to the BID and area additional committees on design, marketing, and economic development. The BID had a tour and presentation with WEDC. An initial letter of intent from the BID was accepted. A strong coalition of partners from the community is needed, one that is inclusive of the advisory committee, community associations, businesses, and organizations. The application is due April 14th, and he will send questions to staff to forward to members to complete and return to the BID as part of the application. There are no main streets in the City, and the BID is pushing for Historic King Drive to be the first one for the City. No one from DCD was on the tour. The tour consisted primarily of King Drive and was focused on historic buildings. WEDC is aware of the historic Garfield redevelopment project, although it would not be included.

Vice-chair Manuel said that she can assist the BID.

6. Agenda Items for the Next Meeting.

Members discussed and suggested the following possible agenda items:

- Review of BAC review procedure outline draft*
- Update on the Historic Garfield Redevelopment School project*
- Update on King's Fresh Market project*
- Discussion with Community Warehouse regarding development in Bronzeville*
- Initial review of BAC evaluation sheet draft*

DCD is to notify clerk staff of any items to schedule.

7. Set Next Meeting Date and Time.

Wednesday, April 19 or Thursday, April 20, 2017 based on a majority of members attending.

8. Adjournment.

Meeting adjourned at 10:55 a.m.

*Chris Lee, Staff Assistant
Council Records Section
City Clerk's Office*