

**BUSINESS IMPROVEMENT DISTRICT NO. 44**

**Kinnickinnic Avenue**

**PROPOSED OPERATING PLAN**

**JULY 2009**

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## I. INTRODUCTION

### A. Background

In 1984, the Wisconsin legislature created 66.1109 (formerly S. 66.1109) 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 requests creation of a Business Improvement District for the purpose of revitalizing and improving the Kinnickinnic Avenue business area in Milwaukee's 14<sup>TH</sup> District (see Appendix B). The BID law requires that every district have an annual Operating Plan. This document is the initial Operating Plan for the proposed Kinnickinnic Avenue district. The BID proponents prepared this Plan with technical assistance from the City of Milwaukee Department of City Development.

### B. Physical Setting

The area of the BID is along both sides of S. Kinnickinnic Avenue from E. Becher Street to E. Morgan Avenue. Businesses, located off of Kinnickinnic Ave., but that are connected to the buildings on Kinnickinnic Ave. will be included. Also, businesses located at the intersection of S. Howell Ave. and E. Lincoln Ave. will be included.

## II. DISTRICT BOUNDARIES

Boundaries of the proposed 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 objective of the BID is to: serve as a way for property owners, business owners, and the government to work cohesively to benefit the area's economic development.

**B. Proposed Activities – Year One**

Principle activities to be engaged in by the district during its first year of operation will include:

- a. Graffiti Removal
- b. Security Personnel
- c. Business Development

**C. Proposed Expenditures – Year One**

Proposed Budget: \$45,000.00

<b>Activities</b>	<b>Expenditures</b>
Security Personnel	\$30,000.00
Graffiti Removal	\$15,000.00
<b>Total</b>	<b>\$45,000.00</b>

**D. Financing Method**

It is proposed to raise \$45,000.00 through BID assessments (see Appendix D). 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.

**E. Organization of BID Board**

Upon creation of the BID, the Mayor will appoint members to the district board ("board"). The board's primary responsibility will be implementation of 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.

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

1. Board Size – Nine
2. Composition – All nine members shall be owners or business operators of property within the district. Any non-owner or non-occupant appointed to the board shall be a resident of the City of Milwaukee. The board shall elect its Chairperson from among its members.
3. Term - Appointments to the board shall be for a period of three years except that initially two members shall be appointed for a period of three years, two members shall be appointed for a period of two years, and one member shall be appointed for a period of one year.
4. Compensation – None
5. Meetings - All meetings of the board shall be governed by the Wisconsin Open Meetings Law.
6. Record Keeping - Files and records of the board's affairs shall be kept pursuant to public record requirements.
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 shall meet regularly, at least twice each year. The board shall adopt rules of order ("by laws") to govern the conduct of its meetings.

F. Relationship to the Bay View Business Association.

The BID shall be a separate entity from the Bay View Business Association, notwithstanding the fact that members, officers and directors of each may be shared. The Association shall 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. The Association may, and it is intended, shall, contract with the BID to provide services to the BID, in accordance with this Plan.

#### IV. METHOD OF ASSESSMENT

#### 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 high value properties, a maximum assessment of \$1,000.00 per parcel will be applied.

As of January 1, 2010, the property in the proposed district had a total assessed value of over \$53 million. This plan proposed to assess the property in the district at a rate of \$1.00 per \$1,000.00 of assessed value, subject to the maximum assessment of \$1,000.00 and a minimum assessment of \$100.00, for the purposes of the BID.

Appendix D 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 D, 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.

#### V. 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 Kinnickinnic 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 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 30<sup>th</sup> of each Plan year, with the official City records and the assessed value of each tax key number with the district, as of January 1<sup>st</sup> 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 followed:

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 public 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 real 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 meeting 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 his 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 initial 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.

## VII. FUTURE YEAR OPERATING PLANS



#### A. 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.

#### 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 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).

**APPENDICES**

- A. STATE STATUTE
- B. PETITION
- C. PROPOSED DISTRICT BOUNDARIES
- D. YEAR ONE PROJECTED ASSESSMENTS
- E. CITY ATTORNEY'S OPINION

**APPENDIX "A"**  
**BID STATUTE**

**WEST'S WISCONSIN STATUTES ANNOTATED**  
**MUNICIPALITIES**  
**SUBCHAPTER XI. DEVELOPMENT**

Current through 2003 Act 28, published 6/2/03

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 subds. 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% 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% 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% 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 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% 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 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.





<For credits, see Historical Note field.>>

**APPENDIX "B"**  
**BID Property Owner petition**

PETITION FOR THE CREATION OF A BUSINESS IMPROVEMENT DISTRICT

We, the undersigned owners of real property used for industrial and commercial purposes and located in the proposed business improvement district in Appendix A, hereby petition the City of Milwaukee, pursuant to the provisions of Sec. 66.1109 (2)(a), Stats, for the creation of a business improvement district for the area described in Appendix A.

The Business Improvement District will include all commercial property-owners on Kinnickinnic Avenue from Becher Street to Morgan Avenue. This plan proposed to assess commercial property in the district at a rate of .10 cents per \$100.00 of assessed value, subject to the maximum assessment of \$1000 and a minimum assessment of \$100, for the purposes of the BID.

Name of Property Owner	Property Address	Signature
1. Francis Wickett	2800 S. Kinnickinnic Ave.	
2. BOB DANIEWSKI	2689 + 2691 S. Kinnickinnic Ave	
3. MATTHEW FIK	2535 S. KIN - AV -	
4. STEPHEN FIK	2535 S. KIN. Ave	
5. _____	_____	_____
6. _____	_____	_____
7. _____	_____	_____
8. _____	_____	_____
9. _____	_____	_____
10. _____	_____	_____



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Name of Property Owner	Property Address	Signature
1. William Doyle	2201, 2223, 2268 S.KK AVE	<i>William Doyle 05/07/09</i>
2. JOHN PUENTE	<del>10628</del> W 2349 S.KK	<i>John Puente 05-07-09</i>
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		

~~10,000~~ = \$100  
 10,000 = \$100  
 100,000 = \$1,000  
 1,000,000 = \$1,000

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Name of Property Owner	Property Address	Signature
1. FRANCIS DANIELS	2113 E. OKLAHOMA AVE	
2. SEAN RAFFAELLI	2900 S KK AVE	
3. JON J. BUSATERI	2654 2658 S K Ave	
4. JAMES P. FOMARCO	519 E. WILSON ST	
5. _____	_____	_____
6. _____	_____	_____
7. _____	_____	_____
8. _____	_____	_____
9. _____	_____	_____
10. _____	_____	_____

**PETITION FOR THE CREATION OF A BUSINESS IMPROVEMENT DISTRICT**

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	Name of Property Owner	Property Address	Signature
1.	Dimitrios Dimitropoulos	2797 S. Kinnickinnic Ave.	X 
2.	Anne K. Masdke	3064 S. KK Ave.	
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			

*Please Print Name*

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Name of Property Owner	Property Address	Signature
1. <del>Ken</del> Ken Vandell	2242-46 S. <del>Kinnickinnic Ave.</del>	<del>Ken Vandell</del> 9/10/08
2. Sarah Jones	2265 S. Howell Ave	Sarah Jones 9/20/08
3. PARSHOTIA SIALGA	2305 S. TROWCHLA - 2301 S. HALL	Parshtia Sialga 9-24-08
4. LISA SIM	2352 S. KINNICKINNIC AV	Lisa Sim 10/1/08
5. Jeffrey Steren	830 E. Potter Ave.	Jeffrey Steren 10/15/2008
6. <del>Wesley Barczak</del>	2469 - 2483 S. KINNICKINNIC AVE	<del>Wesley Barczak</del>
7. VU strigene	2452 S. K.V. Ave.	VU strigene
8. Steve Ste. Marie	2510 S. K/V	Steve Ste. Marie 10/20/09
9.		
10.		

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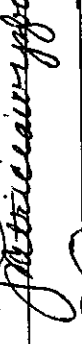



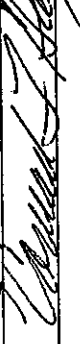


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Name of Property Owner	Property Address	Signature
Anthony Leto	2340 S. K K Ave	 9/2/08
<del>Anthony Leto</del>	<del>2272 S K K Ave</del>	
SIDE KATZ	2322 S K K	
JOHN FAROARIS	2321 S. K. K AVIE	 9-4-08
WAQAR HUSSAIN	2023. SOUTH KINNICKINNICK AVE	 9-05-08
DAVINDER SINGH	2759 S. K K AVE	 9.8.08

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Name of Property Owner	Property Address	Signature	
1. MICHAEL SCHMIDT	2737 S Kinnickinnic		8/15/08
2. John Endries	2215 - 2227 - 2231 - 2243 S.Kk		8-18-08
3. PATRYSIA WYZBIWSKI Patrycja Wyzbiwski	2212 S. Kinnickinnic		8/18/08
4. Charles Edlebach	2130 KK		
5. Russell J. Chicks	2149 S. Kk.		8/18/08
6. Yassen Taber	2640 S.K.K. Av		
7. Adam Gortchko	2699 Kinnickinnic		
8. JUAN SENCER	239E So K + AV		8-26-08
9. CONRAD HOLLING	3056 S.KK		8/27/08

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**The Business Improvement District will include all commercial property owners on Kinnickinnic Avenue from Beecher Street to Morgan Avenue.** This plan proposed to assess commercial property in the district at a rate of .1¢ per \$1000.00 of assessed value, subject to the maximum assessment of \$1,000 and a minimum assessment of \$100, for the purposes of the BID.

Name of Property Owner	Property Address	Signature
1. TIM DERTZ	2197 S. Kinnickinnic Ave.	<i>[Signature]</i> 8-27-08
2. TIM DERTZ	2220 S. Kinnickinnic Ave.	<i>[Signature]</i> 8-27-08
3. TIM DERTZ	2643 S. Kinnickinnic Ave.	<i>[Signature]</i> 8-27-08
4. TIM DERTZ	2661 S. Kinnickinnic Ave.	<i>[Signature]</i> 8-27-08
5. TIM DERTZ	347 E. Lincoln UNITS 1-5	<i>[Signature]</i> 8-27-08
6. RANDY L. SCOVILLE	2121 S. Kinnickinnic Ave.	<i>[Signature]</i> 8-28-08
7. _____	_____	_____
8. _____	_____	_____
9. _____	_____	_____
10. _____	_____	_____

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PAGE 01

**PETITION FOR THE CREATION OF A BUSINESS IMPROVEMENT DISTRICT**

We, the undersigned owners of real property used for industrial and commercial purposes and located in the proposed business improvement district in Appendix A, hereby petition the City of Milwaukee, pursuant to the provisions of Sec. 66.1109 (2)(e), Stats. for the creation of a business improvement district for the area described in Appendix A.

The Business Improvement District will include all commercial property owners on Kimnickmeic Avenue from Beacher Street to Morgan Avenue. This plan proposed to assess commercial property in the district at a rate of .10¢ per \$1000.00 of assessed value, subject to the maximum assessment of \$1,000 and a minimum assessment of \$100, for the purposes of the BID.

	Name of Property Owner	Property Address	Signature
1.	2306 United LLC	2306 - 18 S. FK	<i>[Signature]</i>
2.	441 United, LLC	441 E. Lincoln Ave	<i>[Signature]</i>
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			

Return fax to:  
(414)286-3188








Return fax to: (414) 286-3188

PETITION FOR THE CREATION OF A BUSINESS IMPROVEMENT DISTRICT

We, the undersigned owners of real property used for industrial and commercial purposes and located in the proposed business improvement district in Appendix A, hereby petition the City of Milwaukee, pursuant to the provisions of Sec. 65.1109 (2)(a), Stats, for the creation of a business improvement district for the area described in Appendix A.

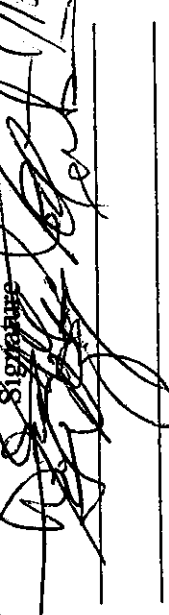
The Business Improvement District will include all commercial property-owners on Kinnickinnic Avenue from Becher Street to Morgan Avenue. This plan proposed to assess commercial property in the district at a rate of \$0.10 per \$100.00 of assessed value, subject to the maximum assessment of \$1000 and a minimum assessment of \$100, for the purposes of the BID.

Name of Property Owner	Property Address	Signature
1. Jason Fox	2197 S. Kinnickinnic Ave.	
2. Tim Dertz	2220 S. Kinnickinnic Ave.	
3. Jason Fox	2643 S. Kinnickinnic Ave.	
4. Jason Fox	2663 S. Kinnickinnic Ave.	
5. Tim Dertz	347 E. Lincoln Ave.	
6.		
7.		
8.		
9.		
10.		

PETITION FOR THE CREATION OF A BUSINESS IMPROVEMENT DISTRICT

We, the undersigned owners of real property used for industrial and commercial purposes and located in the proposed business improvement district in Appendix A, hereby petition the City of Milwaukee, pursuant to the provisions of Sec. 66.1109 (2)(a), Stats, for the creation of a business improvement district for the area described in Appendix A.

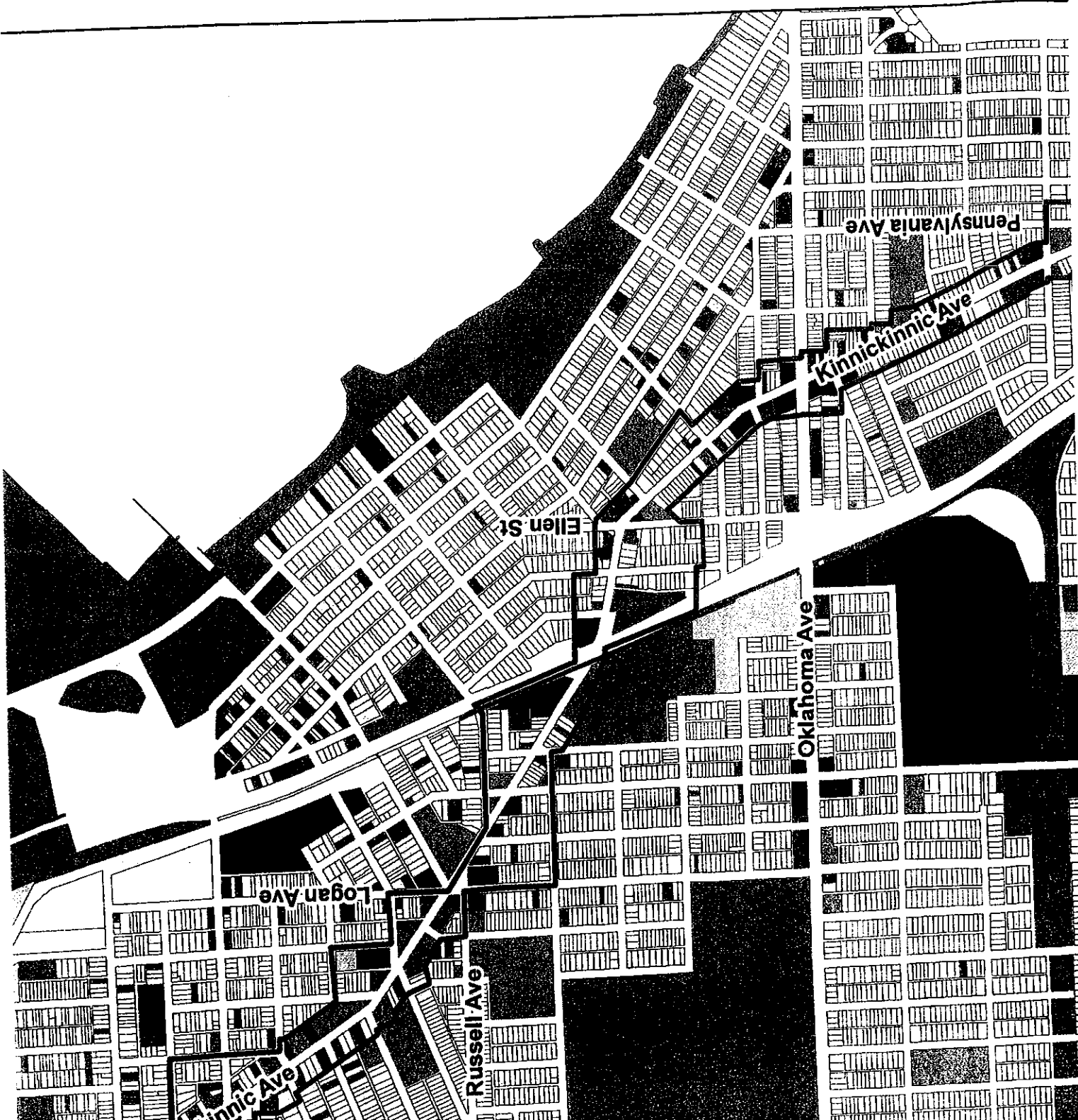
The Business Improvement District will include all commercial property-owners on Kinnickinnic Avenue from Becher Street to Morgan Avenue. This plan proposed to assess commercial property in the district at a rate of \$0.10 per \$100.00 of assessed value, subject to the maximum assessment of \$1000 and a minimum assessment of \$100, for the purposes of the BID.

Name of Property Owner	Property Address	Signature
Bartley MORGAN	422 E. Lincoln Ave.	
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		

**APPENDIX "C"**  
**Proposed BID Boundaries**

# Land Use

- Potential BID Boundary
- Residential**
  - Single Family
  - Duplex
  - Multi-Family
  - Condominiums
- Commercial**
  - Commercial
  - Mixed Commercial
- Manufacturing, Construction and Warehousing**
- Transportation, Communication and Utilities**
- Public and Quasi-Public**
  - Public Parks and Open Space
  - Public Schools and Churches, Cemeteries, Quasi-Public Buildings
- Vacant Land or Recent Taxable Change**



**APPENDIX "D"**  
**BID SPECIAL CHARGES**

TAX KEY	ADDRESS				IMPROVMENT	LAND	TOTAL VALUE	BID CHARGE
4661117100	2020	S	KINNICKINNIC	AV	90700	5000	95700	100
4660902114	2023	S	KINNICKINNIC	AV	1185600	366200	1551800	1000
4661116100	2012-2016	S	KINNICKINNIC	AV	0	9500	9500	100
5031118100	2110	E	OKLAHOMA	AV	1966100	99900	2066000	1000
5400619000	2113	E	OKLAHOMA	AV	341500	41500	383000	383
4661572000	2121	S	KINNICKINNIC	AV	335300	32700	368000	368
4660310112	2130	S	KINNICKINNIC	AV	714000	121000	835000	835
4660701000	2133	S	KINNICKINNIC	AV	267200	10500	277700	277
4660602000	2153-2155	S	KINNICKINNIC	AV	262400	7300	269700	269
4660603000	2159-2161	S	KINNICKINNIC	AV	180000	27700	207700	207
4660604100	2163-2165	S	KINNICKINNIC	AV	210000	21000	231000	231
4661139000	2173	S	KINNICKINNIC	AV	487000	9000	496000	496
4661133000	2197	S	KINNICKINNIC	AV	300500	20500	321000	321
4660801100	2201-2203	S	KINNICKINNIC	AV	121500	12500	134000	134
4660513000	2202-2206	S	KINNICKINNIC	AV	322800	14800	337600	337
4660803000	2207-2211	S	KINNICKINNIC	AV	228000	10000	238000	238
4660512000	2208-2210	S	KINNICKINNIC	AV	178600	6400	185000	185
4660511000	2212-2214	S	KINNICKINNIC	AV	251300	5700	257000	257
4660804000	2213-2215	S	KINNICKINNIC	AV	276500	7500	284000	284
4660510000	2216-2218	S	KINNICKINNIC	AV	256000	5000	261000	261
4660805000	2217-2219	S	KINNICKINNIC	AV	219500	7500	227000	227
4660509000	2220-2222	S	KINNICKINNIC	AV	217800	4200	222000	222
4660806000	2221-2223	S	KINNICKINNIC	AV	160500	7500	168000	168
4660327000	2224-2232	S	KINNICKINNIC	AV	326200	8800	335000	335
4660807000	2225-2227	S	KINNICKINNIC	AV	188500	7500	196000	196
4660808000	2229-2231	S	KINNICKINNIC	AV	151500	7500	159000	159
4660328000	2234-2238	S	KINNICKINNIC	AV	329100	3900	333000	333
4660809000	2235	S	KINNICKINNIC	AV	467000	15000	482000	482
4660810000	2241-2243	S	KINNICKINNIC	AV	154500	7500	162000	162
4660329100	2242-2246	S	KINNICKINNIC	AV	528700	9300	538000	538
4660333000	2248-2252	S	KINNICKINNIC	AV	119000	3100	122100	122
4661555000	2254	S	KINNICKINNIC	AV	7500	2400	9900	100
4661551000	2258	S	KINNICKINNIC	AV	296600	2400	299000	299
<b>4661552000</b>	<b>2260</b>	<b>S</b>	<b>KINNICKINNIC</b>	<b>AV</b>	<b>157600</b>	<b>2400</b>	<b>160000</b>	<b>160</b>
<b>4661553000</b>	<b>2262</b>	<b>S</b>	<b>KINNICKINNIC</b>	<b>AV</b>	<b>104600</b>	<b>2400</b>	<b>107000</b>	<b>107</b>
4661554000	2264	S	KINNICKINNIC	AV	70400	2400	72800	100
4660335000	2266-2268	S	KINNICKINNIC	AV	179200	2800	182000	182
4660814000	2267-2269	S	HOWELL	AV	1500	7500	9000	100
<b>4660812000</b>	<b>2255-2257</b>	<b>S</b>	<b>HOWELL</b>	<b>AV</b>	<b>133000</b>	<b>12000</b>	<b>145000</b>	<b>145</b>
4660813000	2261-2265	S	HOWELL	AV	562000	15000	577000	577
4660815000	2271-2273	S	HOWELL	AV	231500	7500	239000	239
4660816000	2277	S	HOWELL	AV	185000	7500	192500	192
4991209100	2301-2315	S	KINNICKINNIC	AV	651200	58800	710000	710
5001042000	2306-2318	S	KINNICKINNIC	AV	875700	20300	896000	896
4991231000	2321-2327	S	KINNICKINNIC	AV	388800	9200	398000	398
5001043000	2322	S	KINNICKINNIC	AV	280500	4000	284500	284.5
5001044000	2326	S	KINNICKINNIC	AV	126000	3000	129000	129
<b>4991232000</b>	<b>2329-2335</b>	<b>S</b>	<b>KINNICKINNIC</b>	<b>AV</b>	<b>251500</b>	<b>14400</b>	<b>265900</b>	<b>265</b>

4991201000	2330-2332	S	KINNICKINNIC	AV	164600	13400	178000	178
4991234000	2341	S	KINNICKINNIC	AV	125000	9000	134000	134
<b>4991203000</b>	<b>2342</b>	<b>S</b>	<b>KINNICKINNIC</b>	<b>AV</b>	<b>0</b>	<b>8000</b>	<b>8000</b>	<b>100</b>
4991235000	2343-2345	S	KINNICKINNIC	AV	175000	9000	184000	184
4991236000	2349	S	KINNICKINNIC	AV	96000	9000	105000	105
4991205100	2352-2354	S	KINNICKINNIC	AV	97800	7200	105000	105
4991206100	2356-2358	S	KINNICKINNIC	AV	149700	5300	155000	155
4991240000	2363	S	KINNICKINNIC	AV	52700	7500	60200	100
4991241000	2365-2369	S	KINNICKINNIC	AV	210500	10500	221000	221
4991895000	2366-2376	S	KINNICKINNIC	AV	75500	22900	98400	100
4991242100	2371-2379	S	KINNICKINNIC	AV	302000	27000	329000	329
4991243100	2383-2391	S	KINNICKINNIC	AV	412900	10100	423000	423
4991892100	2392-2398	S	KINNICKINNIC	AV	503600	17500	521100	521
<b>4991249000</b>	<b>2401-2403</b>	<b>S</b>	<b>KINNICKINNIC</b>	<b>AV</b>	<b>83600</b>	<b>5900</b>	<b>89500</b>	<b>100</b>
<b>4991885000</b>	<b>2418</b>	<b>S</b>	<b>KINNICKINNIC</b>	<b>AV</b>	<b>3500</b>	<b>14400</b>	<b>17900</b>	<b>100</b>
4991888000	2408-2416	S	KINNICKINNIC	AV	500000	32000	532000	532
4991245000	2419-2421	S	KINNICKINNIC	AV	173700	6300	180000	180
4991911000	2432	S	KINNICKINNIC	AV	47200	5700	52900	100
4991601000	2433	S	KINNICKINNIC	AV	249400	10200	259600	259
4999991000	2459	S	KINNICKINNIC	AV	619500	16500	636000	636
<b>4991904110</b>	<b>2466</b>	<b>S</b>	<b>KINNICKINNIC</b>	<b>AV</b>	<b>1700</b>	<b>17500</b>	<b>19200</b>	<b>100</b>
4990617000	2469-2483	S	KINNICKINNIC	AV	1066200	53100	1119300	1000
4991904120	2474	S	KINNICKINNIC	AV	185000	10500	195500	196
4991903000	2476	S	KINNICKINNIC	AV	88200	7000	95200	100
4991902000	2480-2486	S	KINNICKINNIC	AV	463000	30700	493700	493
4992033100	2510	S	KINNICKINNIC	AV	411000	13000	424000	424
4992029000	2534	S	KINNICKINNIC	AV	653700	23300	677000	677
4990737000	2535	S	KINNICKINNIC	AV	217100	23900	241000	241
<b>4990766000</b>	<b>2557</b>	<b>S</b>	<b>KINNICKINNIC</b>	<b>AV</b>	<b>0</b>	<b>16900</b>	<b>16900</b>	<b>100</b>
<b>4990767000</b>	<b>2563-2565</b>	<b>S</b>	<b>KINNICKINNIC</b>	<b>AV</b>	<b>0</b>	<b>16900</b>	<b>16900</b>	<b>100</b>
4990768000	2569-2573	S	KINNICKINNIC	AV	312700	16900	329600	329
4992048000	2616	S	KINNICKINNIC	AV	180000	14000	194000	194
4990903000	2627-2633	S	KINNICKINNIC	AV	610800	18200	629000	629
4992047000	2632	S	KINNICKINNIC	AV	241200	13800	255000	255
5000004000	2635-2637	S	KINNICKINNIC	AV	393200	11800	405000	405
5000003000	2639-2643	S	KINNICKINNIC	AV	344300	9700	354000	354
5000105200	2642	S	KINNICKINNIC	AV	267900	6100	274000	274
5000105100	2646	S	KINNICKINNIC	AV	252800	13200	266000	266
5000001000	2649	S	KINNICKINNIC	AV	481300	22700	504000	504
5000104000	2650-2652	S	KINNICKINNIC	AV	157700	6300	164000	164
5000405000	2651-2653	S	KINNICKINNIC	AV	381600	16400	398000	398
5000103000	2654-2658	S	KINNICKINNIC	AV	290900	18100	309000	309
5000406000	2655-2657	S	KINNICKINNIC	AV	151500	7500	159000	159
5000407000	2659	S	KINNICKINNIC	AV	182500	7500	190000	190
5000102000	2660-2662	S	KINNICKINNIC	AV	130500	7500	138000	138
5000408000	2661-2663	S	KINNICKINNIC	AV	184000	9000	193000	193
5000101000	2664-2668	S	KINNICKINNIC	AV	92900	5200	98100	100
5000401000	2671	S	KINNICKINNIC	AV	234400	6600	241000	241
5000264000	2674-2682	S	KINNICKINNIC	AV	85100	18900	104000	104
<b>5000402100</b>	<b>2675</b>	<b>S</b>	<b>KINNICKINNIC</b>	<b>AV</b>	<b>150800</b>	<b>11500</b>	<b>162300</b>	<b>162</b>

5000802000	2681	S	KINNICKINNIC	AV	160600	4400	165000	165
5000803000	2685-2687	S	KINNICKINNIC	AV	238400	9600	248000	248
5000265000	2686-2690	S	KINNICKINNIC	AV	131200	10800	142000	142
5000804000	2689-2691	S	KINNICKINNIC	AV	256200	4800	261000	261
5000805000	2695-2697	S	KINNICKINNIC	AV	250600	6400	257000	257
5001201000	2699	S	KINNICKINNIC	AV	145900	12100	158000	158
5040604110	2701	S	KINNICKINNIC	AV	977200	97800	1075000	1000
<b>5040602000</b>	<b>2717</b>	<b>S</b>	<b>KINNICKINNIC</b>	<b>AV</b>	<b>4800</b>	<b>47300</b>	<b>52100</b>	<b>100</b>
<b>5040601000</b>	<b>2729</b>	<b>S</b>	<b>KINNICKINNIC</b>	<b>AV</b>	<b>0</b>	<b>41100</b>	<b>41100</b>	<b>100</b>
5041017000	2737-2743	S	KINNICKINNIC	AV	400000	20000	420000	420
<b>5040422000</b>	<b>2738</b>	<b>S</b>	<b>KINNICKINNIC</b>	<b>AV</b>	<b>157000</b>	<b>15000</b>	<b>172000</b>	<b>172</b>
<b>5041011100</b>	<b>2765</b>	<b>S</b>	<b>KINNICKINNIC</b>	<b>AV</b>	<b>392600</b>	<b>117800</b>	<b>510400</b>	<b>510</b>
5041001000	2797	S	KINNICKINNIC	AV	374100	11900	386000	386
5040449000	2800-2802	S	KINNICKINNIC	AV	261700	9300	271000	271
5049987113	2826	S	KINNICKINNIC	AV	1566100	146900	1713000	1000
5040212100	2860	S	KINNICKINNIC	AV	314200	91800	406000	406
5049995113	2867	S	KINNICKINNIC	AV	3520000	216000	3736000	1000
<b>5030265000</b>	<b>2870</b>	<b>S</b>	<b>KINNICKINNIC</b>	<b>AV</b>	<b>298100</b>	<b>15900</b>	<b>314000</b>	<b>314</b>
<b>5030263000</b>	<b>2876</b>	<b>S</b>	<b>KINNICKINNIC</b>	<b>AV</b>	<b>8300</b>	<b>16200</b>	<b>24500</b>	<b>100</b>
5030479100	2892	S	KINNICKINNIC	AV	41500	42400	83900	100
5031911000	2895-2899	S	KINNICKINNIC	AV	314700	32700	347400	347
5030647000	2900-2902	S	KINNICKINNIC	AV	305400	54600	360000	360
5030646000	2908-2912	S	KINNICKINNIC	AV	247600	23400	271000	271
5039996000	2915	S	KINNICKINNIC	AV	234300	13700	248000	248
5030643000	2920-2924	S	KINNICKINNIC	AV	200300	9700	210000	210
<b>5030013000</b>	<b>2979</b>	<b>S</b>	<b>KINNICKINNIC</b>	<b>AV</b>	<b>89300</b>	<b>11700</b>	<b>101000</b>	<b>101</b>
<b>5031603100</b>	<b>2986</b>	<b>S</b>	<b>KINNICKINNIC</b>	<b>AV</b>	<b>120500</b>	<b>14700</b>	<b>135200</b>	<b>135</b>
5030016000	2987-2989	S	KINNICKINNIC	AV	200300	11700	212000	212
5031604000	2988-2996	S	KINNICKINNIC	AV	226400	9600	236000	236
5030017000	2991-2993	S	KINNICKINNIC	AV	140500	11500	152000	152
5030018000	2995-2997	S	KINNICKINNIC	AV	183200	11800	195000	195
5030041000	3001-3003	S	KINNICKINNIC	AV	289300	11700	301000	301
5030042000	3007	S	KINNICKINNIC	AV	171300	11700	183000	183
5030043000	3009	S	KINNICKINNIC	AV	37300	11700	49000	100
<b>5031410100</b>	<b>3018-3028</b>	<b>S</b>	<b>KINNICKINNIC</b>	<b>AV</b>	<b>21000</b>	<b>54000</b>	<b>75000</b>	<b>100</b>
5030046000	3045	S	KINNICKINNIC	AV	349900	79100	429000	429
<b>5031701110</b>	<b>3052</b>	<b>S</b>	<b>KINNICKINNIC</b>	<b>AV</b>	<b>2671100</b>	<b>98900</b>	<b>2770000</b>	<b>1000</b>
5031112000	3064-3066	S	KINNICKINNIC	AV	193900	18100	212000	212
5031113000	3070	S	KINNICKINNIC	AV	0	16800	16800	100
5039972110	3087	S	KINNICKINNIC	AV	4166000	183900	600500	601
5400801110	3103-3119	S	KINNICKINNIC	AV	1230500	139500	1370000	1000
<b>5400620000</b>	<b>3114</b>	<b>S</b>	<b>KINNICKINNIC</b>	<b>AV</b>	<b>1000</b>	<b>19200</b>	<b>20200</b>	<b>100</b>
5400621000	3116-3118	S	KINNICKINNIC	AV	108900	14100	123000	123
5400446000	3128-3130	S	KINNICKINNIC	AV	247200	19800	267000	267
5400893100	3133	S	KINNICKINNIC	AV	490400	62600	553000	553
5400439000	3166	S	KINNICKINNIC	AV	175000	20000	195000	195
5400764000	3374	S	KINNICKINNIC	AV	46500	17700	64200	100
5400765000	3380-3382	S	KINNICKINNIC	AV	361600	14400	376000	376
5409999000	3383-3391	S	KINNICKINNIC	AV	409000	25600	434600	434
5401302000	3401-3405	S	KINNICKINNIC	AV	351900	20100	372000	372



5401346000	3449-3453	S	KINNICKINNIC	AV	447000	25000	472000	472
5401347000	3457	S	KINNICKINNIC	AV	127600	13400	141000	141
5401348000	3459	S	KINNICKINNIC	AV	84500	12600	97100	100
5401349000	3463-3465	S	KINNICKINNIC	AV	140400	12600	153000	153
5401350000	3467-3469	S	KINNICKINNIC	AV	119400	12600	132000	132
<b>5401351000</b>	<b>3471</b>	<b>S</b>	<b>KINNICKINNIC</b>	<b>AV</b>	<b>0</b>	<b>11300</b>	<b>11300</b>	<b>100</b>
5401385000	3475	S	KINNICKINNIC	AV	190200	29800	220000	220

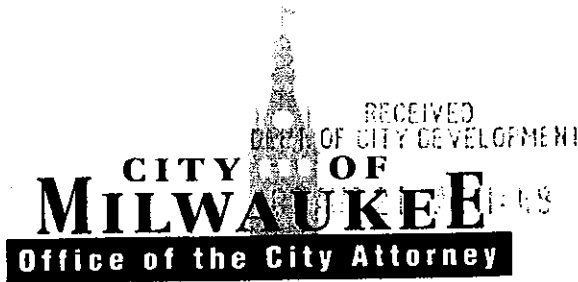
45913



**APPENDIX "E"**  
**CITY ATTORNEY'S OPINION**

**GRANT F. LANGLEY**  
City Attorney

**RUDOLPH M. KONRAD**  
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August 19, 2009

Rocky Marcoux, Commissioner  
Department of City Development  
809 North Broadway  
Milwaukee, WI 53202

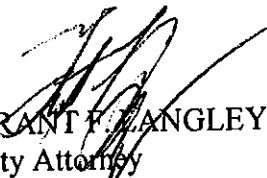
Re: Proposed Operating Plan for Business Improvement District No. 44

Dear Commissioner Marcoux:


This letter is written in response to your request of August 12, 2009 for this office to review the proposed initial Operating Plan for Business Improvement District No. 44 (the "Plan"). You asked us to provide an opinion with respect to compliance on the part of the Plan with the requirements of Wis. Stat. § 66.1109 (1)(f).

We have reviewed the Plan, a copy of which is attached hereto, and, based upon such review, are of the opinion the Plan meets the requirements of Wis. Stat. § 66.1109 (1)(f), in particular subsections 1 through 4 thereof.

Very truly yours,



GRANT F. LANGLEY  
City Attorney



KEVIN P. SULLIVAN  
Assistant City Attorney

KPS/ms

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OFFICE OF THE CITY ATTORNEY