



# **MINUTES OF THE BOARD OF REVIEW**

**THURSDAY, JUNE 4, 2020, 8:30 AM  
CITY HALL, 203**

## **A. ZOOM MEETING INFORMATION.**

I. This item contains documents which provide call in information and instructions for the Zoom Meeting.

## **B. CALL TO ORDER.**

Clerk Kris Teske called the meeting to order.

## **C. ROLL CALL.**

Clerk K. Teske took roll call. Thomas Aziere, Richard Laurent, and Steve Corken.

Others Present: Assistant City Attorney Lindsay Mather, Board of Review Clerk Kris Teske, City Assessor Russ Schwandt, and Steve Shepro.

## **D. ELECTION OF CHAIRPERSON AND VICE-CHAIRPERSON.**

Motion by R. Laurent, seconded by S. Corken to nominate T. Aziere as chairperson. Roll Call: Ayes: T. Aziere, R. Laurent, S. Corken. Noes: None. Motion carried.

Motion by T. Aziere to nominate R. Laurent. R. Laurent declined.

Motion by T. Aziere, seconded by R. Laurent to nominate S. Corken as vice-chairperson. Roll Call: Ayes: T. Aziere, R. Laurent, S. Corken. Noes: None. Motion carried.

## **E. PRESENTATION AND DISCUSSION ON PROCEDURES GOVERNING REVIEW**

## **PROCESS AND NEW LAWS AFFECTING THE PROCEEDINGS.**

L. Mather provided an overview of the role of the Board of Review and their duties.

### **F. STATEMENT AND VERIFICATION BY THE CITY CLERK.**

K. Teske stated all the legal requirements under state statute to convene this Board of Review were met. She certified under §70.46, Wis. Stats., that Thomas Aziere, Richard Laurent, and Steve Corken received the qualified training. The Clerk stated the City has an ordinance for the confidentiality of income and expense information provided to the assessor under state law (sec. 70.47(7)(af)). An open book session was held on May 27, 2020, on the City website and the Assessor was available by phone. Level of assessment is at 90%. There are 6 objections this year.

I. Members have met the mandatory training requirements.

2. Ordinance governing confidentiality of income and expense information provided to the City Assessor.

3. Percentage of Assessments.

## **G. DISCUSSION ON THE ANNUAL ASSESSMENT REPORT.**

R. Schwandt provided an overview of commercial and residential evaluations.

### **H. EXAMINATION OF THE ASSESSMENT ROLL AND PERFORMANCE OF STATUTORY DUTIES.**

T. Aziere reviewed the assessment roll.

### **I. CONSIDERATION WITH POSSIBLE ACTION ON ADDITIONAL REQUESTS RECEIVED BY THE CITY ASSESSOR AS PERMITTED BY LAW.**

Motion by R. Laurent, seconded by S. Corken to receive and place on file. Roll Call: T. Aziere, R. Laurent, S. Corken. Noes: None. Motion carried.

### **J. CONSIDERATION WITH POSSIBLE ACTION ON REQUEST FOR WAIVERS OF BOARD OF REVIEW HEARINGS.**

R. Schwandt requested all 6 objections should be waived.

Motion by R. Laurent, seconded by S. Corken to waive parcel 21-161-2, 2845 Greenbrier Road. Roll Call: Ayes: T. Aziere, R. Laurent, S. Corken. Noes: None. Motion carried.

Motion by R. Laurent, seconded by S. Corken to waive parcel 21-126-11, 2430 E. Mason St. Roll Call: Ayes: T. Aziere, R. Laurent, S. Corken. Noes: None. Motion carried.

Motion by R. Laurent, seconded by S. Corken to waive parcel 6-199-5, 1203 S. Military Ave. Roll Call: Ayes: T. Aziere, R. Laurent, S. Corken. Noes: None. Motion carried.

Motion by R. Laurent, seconded by S. Corken to waive parcel 6-235-A-1, 1614 Shawano Av. Roll Call: Ayes: T. Aziere, R. Laurent, S. Corken. Noes: None. Motion carried.

Motion by R. Laurent, seconded by S. Corken to waive parcel 13-171, 445 Madison St. Roll Call: Ayes: R. Laurent. Noes: T. Aziere, S. Corken. Noes: None. Motion failed.

T. Aziere entertained a motion to waive parcel 21-7900, 850 Kepler Dr., Unit 2. No one made a motion. It proceeds to a hearing.

The assessor asked for an hour recess.

**K. CONSIDERATION WITH POSSIBLE ACTION ON NOTICES OF INTENT TO FILE OBJECTIONS RECEIVED BY THE CLERK BY JUNE 2, 2020 AT 8:30 A.M.**

Parcel 13-171, 445 Madison St. R. Schwandt and S. Shepro were sworn in by Clerk Teske. Gary Kohlenberg was sworn in by Clerk Teske and testified. Motion by R. Laurent, seconded by S. Corken to sustain the assessor's value of \$919,600 on the property.

Parcel 21-7900, 850 Kepler Drive, Unit 2. R. Schwandt and S. Shepro were sworn in by Clerk Teske. Bill Ardern was sworn in by Clerk Teske and testified. Motion by R. Laurent, seconded by S. Corken to sustain the assessor's value of \$1,433,400 on the property.

**L. CONSIDERATION WITH POSSIBLE ACTION ON NOTICES OF INTENT TO FILE OBJECTIONS RECEIVED BY THE CLERK ON OR AFTER JUNE 2, 2020 AT 8:30 A.M.**

No notices of intent to file objections were filed.

**M. CONSIDERATION WITH POSSIBLE ACTION ON REQUESTS FOR WAIVER OF THE 48-HOUR NOTICE OF INTENT TO FILE AN OBJECTION.**

No requests for waiver of the 48-hour notice of intent were filed.

**N. ADJOURNMENT.**

Motion by R. Laurent, seconded by S. Corken to adjourn at 11:47 a.m. Motion carried.

Respectfully submitted,

Kris A. Teske  
Board of Review CI

- That might be easiest.

- Okay, so the first thing on the agenda is call to order. The second thing is roll call. So Thomas Aziere?

- [Thomas] Here.

- Richard Laurent? I need you to unmute, Richard. Richard Laurent? Are you present?

- [Richard] Hello.

- Hi, there you are. This is Rick?

- [Richard] Yes.

- Okay, thank you. Steve Corken?

- [Steve C.] Here.

- Okay, three are present and we have a quorum. Next thing is election of the chairperson and vice chair. So, anyone wanna make a motion for chairman?

- [Richard] I'd move that Tommy should be appointed, be chairman.

- Rick, can I have a second? Can I have a second? Steve, I'm not sure, you're muted.

- [Steve C.] Second that.

- Thank you. All in favor?

- Aye.

- Aye.

- Opposed, okay, so, Thomas Aziere is the chairman. And now we'll move on to vice chair. Can I have a motion for vice chair?

- [Thomas] I'll make a motion for Rick as Vice Chair.

- [Richard] I do not wanna be vice chair. I'm getting older and I don't know how long I'm gonna continue and I would ask that somebody else take the second vice chair.

- [Thomas] Okay then, I would nominate Steve.

- Can I have a second?

- I second that.

- Okay.

- I second that.

- So we have Steve Corken as the vice chair. Now we will move on to consideration. Well, I guess now the chair can take over, correct?

- [Thomas] Okay. The next thing on the agenda is the presentation of discussion of procedures governing the review process and new laws affecting the proceedings. Lindsay, is that your area?

- It is, thank you. So my name is Lindsay Mather. I'm an assistant city attorney for the City of Green Bay. Sorry, I'm having technical difficulties over here. So I would, first of all, the board members, there are three of you, we need all three of you for a quorum. So if any of you need to step away, go to the bathroom, go get a drink, whatever, just let us know and we'll have to take a quick recess so that we don't lose quorum. So anyway, the normal stuff. So the Board of Review is a quasi judicial body. The Board of Review members sit as judges to hear evidence. My role today is to provide advice and legal counsel to the board and to ensure the board, and the proper procedures are adhered to. There is no stenographer so I would ask that everyone that's, please do so clearly into a microphone and do not speak over one another because it'll be difficult for us to discern who's speaking. The procedures for today. The board chair will call the hearing. The clerk will swear in the witnesses who wish to testify. The objector will get the chance to present their case and evidence through sworn testimony. The assessor and the board will have the opportunity to ask the objector questions. And then the assessor will have the opportunity to present their evidence and the objector and the board will have the, and the objector will get a rebuttal if necessary. Well, deliberate and make a motion. There is a presumption that the assessor's value is correct and the objector, the burden is on the objector to overcome that presumption. The board is bound to accept the assessment as correct unless there's competent sworn testimony not contradicted by other evidence that proves the assessment to be incorrect. Sorry, I lost my place. You guys will have to forgive me. It's my first year doing this.

- You're doing great.

- I will remind the board to, if it becomes appropriate to do so, please refer to the policies that the board voted to put in place last year for the waiver of the good, the 48-hour notice for good cause. The telephone, and the waiver of the hearing to circuit court policy. With respect to the telephonic test--

- [Thomas] Question right there.

- Sure thing.

- [Thomas] Is because of the way we're doing things this year, is the telephonic interviews waived or do we still have to, do they still need to file that form and do we need to approve it?

- So we would still, because, just to make sure because there hasn't been clear instruction from the state as to whether, like Zoom testimony counters in person testimony, we would prefer that anyone giving testimony telephonically or via Zoom complete the request form and those reason can simply be COVID-19--

- [Man] Weather update.

- And my my recommendation to the board is I believe the policy references just, too many papers on my desk, bear with me. I believe the policy stated that it was only for... Maybe I'm not, maybe I'm wrong. So anyway, one of the criteria in the policy is any other factors that the board deems pertinent in deciding the request. My advice would be that COVID-19 and all related health advisories and those kinds of things would be among those other factors that you could consider and that those requests should be granted. Did that answer your question?

- [Thomas] Yes, thank you.

- You bet. Let me just make sure I covered everything here. The entire Board of Review meeting is an open meeting. There will not be anything done in closed session. And with that, I have nothing further.

- [Thomas] Thank you very much. Next on the agenda is the city clerk's verification and statement.

- Thank you. We have met all the legal requirements under state statute to convene this board review. I certify under Wisconsin State statute 70.46 that Tom Aziere, Richard Laurent, and Steve Corken received the qualified training. The city has an ordinance for the confidentiality of income and expense information provided to the assessor under state law, which is section 70.47 sub seven sub eight F. Open Book session was held on May 27th, 2020 on the city website, and the assessor was available by phone. Level of assessment is at 90%. There are six objections this year and they were emailed to you. For record keeping, I would ask that you not speak over each other and wait your turn, and thank you very much.

- [Thomas] Thank you. Next is the discussion of the annual assessment report. Is that Russ? Is Russ there?

- Russ is muted. There we go. Are you there, Russ? We still can't hear you, Russ. Sorry about that, we're still waiting for Russ. It looks like he's trying to connect.

- [Thomas] Looks like he went off, maybe he's trying to come back on.

- Yeah, if he is, I don't know if he can hear me or not, but if he's on his computer, he can always use his phone to do the talking but he, I think you have to be careful for echoing at that time. Looks like maybe Lindsay went off to talk to him.

- [Russ] Can you hear me now?

- [Thomas] Yes.

- Thank you.

- [Russ] Gotta dial in, I'm sorry. Not sure why it worked before but apparently now, it's not. Okay, like Kris said, we're at 90% of market value for this year. The market has been pretty good up until COVID-19 hit and then it dropped a little bit, but now we're seeing another pickup. So as of the first of the year when our assessment roll was set, it was good. So there was no effect of COVID-19 on the 2020 assessment roll. So that's important to keep in mind when you're dealing with this year's assessment appeals. We noticed a big pickup in the residential. There's a lot of activity, mainly on the far north east side over by Red Smith School and there's a lot of activity that was picked up new subdivision off of Kannaway and Wood Lane. So Green Bay is picking up a lot of it. I mean, a lot of the new constructions happening that hadn't been in quite a few years. Commercial-wise, there are also quite a bit of activity as you notice the Cub Foods store that was over by the old shack on west or east Mason street that has been renewed and taken off good. So there's a waiting on some redevelopment on the old East Towne Mall. I had a couple of outlocks sell. So that's still happening slowly but surely, as with a lot of things, but seems to me that a lot of the properties that are waiting have had activity go on them. So it's this whole process, but the commercial properties haven't been negatively impacted as of yet. We may see that coming forward, but I think Green Bay is a little bit more insulated than a lot of other communities with our, whether it be the residential with the apartments, so we have to bend over belt. Well, I think we're in pretty good shape for not having the larger vacancies that some places I've seen, whether it be out west or on the east coast, so we shouldn't see those big swings like they have there. So as far as the market going further, I think I see the lower rates being a good factor. So a lot of the houses that are coming up on the market are selling within days, if not hours of or getting offered, so that's a good sign. So I don't think that has changed a whole lot. I know for a fact, my son's looking for a place and every call that he makes, the property's either get multiple offers or had an offer within a few hours of picking up, so that's good to know. I mean, Green Bay is in good shape that way and we had a flood around East Shore Drive. I know Tommy probably aware of that but we had some impact on that. So hopefully they'll take care of that with some mitigation, but I've talked a few the, will take care of that going forward with some of the damage that they had. But as you can see, there's a lot of building going on. Green Bay is in good shape going forward, so that's all I have. Any questions? I'm willing to answer.

- [Thomas] Thank you, Russ. Next is the examination of the assessment roll and performance of statutory duties. Is that you again, Russ?

- [Richard] You guys will be doing the examination of the roll.

- [Thomas] Yeah, kind of hard.

- [Russ] And that would be, you would be doing that online. I think that's one thing that Lindsay said, so you can look up, somebody what they wanna do your own or Lindsay has something to say.

- Hi, me again. So I thought that the easiest way would be for me to pull up the assessor's screen that, or the assessment roll that is online that we directed people to in order to look up their own assessments. I'll share my screen so that you guys can all see it. And then if would normally go and look up a specific address, and then double check that the numbers are correct, we'll do that, but you'll be able to see my screen, if that makes sense. So I think I have it pulled up here. So if someone wants to, someone on the board wants to throw out an address.

- [Thomas] I'll do it. Whoops, I didn't go in there.

- Oh, no, you'll have to tell me and I'll have to put it in.

- [Thomas] Oh, 2651 Nicolet Drive.

- [Russ] Oh I know for sure this one's a little--

- [Thomas] Hey, I just got, you should see my shoreline, I got two bids to fix my shoreline. one for 59,000 and one for 55. Are you gonna take care of that, Russ?

- [Russ] I'm not sure if we're not even assessing ripraps.

- [Thomas] That looks good. Okay, I'm fine.

- Anyone else wanna check a different address? Are we good? Okay, I'm gonna stop sharing.

- [Thomas] Okay, the next on the agenda is the consideration with possible action and additional requests received by the city assessor as permitted by law.

- [Russ] At this time, we have not received any additional requests. The ones that we had received were taken care of and are present in the assessment roll, so they all went through as Open Book requests. So this year, we're pretty much clear with what we have on the roll.

- [Thomas] Thank you. Consideration by the board of waivers. First question I have is the one that you sent us this morning, Kris, the waiver.

- Mr. Chair, I'm so sorry to interject. Because the agenda item technically says consideration with possible action, I would recommend that you entertain a motion to receive and place on file for the ones that there aren't, there isn't anything, any action to take.

- [Thomas] I'm sorry?

- So for the one that we just passed about the additional requests received by the city assessor, I would recommend that you do one or the other--

- [Thomas] Take over that, okay.

- Yup, do a motion to receive and place on file.

- [Thomas] Okay, I make, I would accept a motion to accept those items on file.

- [Richard] So move.

- [Thomas] Second.

- [Steve C.] Second.

- [Thomas] Call the roll.

- [Kris] Thomas Aziere?

- [Thomas] Yes.

- [Kris] Richard Laurent?

- [Richard] Yes.

- [Kris] Steve Corken?

- [Steve C.] Yes.

- That passes.

- [Thomas] Okay, the next thing then would be consideration possible action on request of waivers for the Board of Review. My first issue then would be the thing that we received this morning says that needs a waiver.

- That information, oh, go ahead.

- [Russ] Go ahead, go ahead, Kris. You can answer first.

- I was just gonna say that information goes with that property. That was additional information 445 Madison.

- 445.

- Yes, 445 Madison was just additional information that he wanted to present to the board.

- [Thomas] Okay, was that... All righty, did we receive, so that's additional. So that was the time like, did we receive, all the ones that we'd received and we also receive requests for telephone testimony?

- Yes, I have that for each one.

- [Thomas] Each one, okay, great. So we have nothing to consider for waivers?

- [Russ] Yes, you do.

- [Thomas] Which one?

- [Russ] Actually, I'm asking for waivers for all the properties go on to circuit court.

- [Thomas] Oh, you're asking that we just send them all on that, right?

- [Russ] Yes, I am. These are all commercial properties and because of the lack of cooperation from the property owner or the tax reps, I'm asking that these all be waived on to circuit court to allow my staff time to--

- [Thomas] Okay.

- [Russ] Like we've done in the past.

- I would recommend that you take each of them individually and make sure to consult the policy that we have for waiving the Board of Review hearings and go through the factors listed on there.

- Yes, I was--

- Thank you.

- [Thomas] That is all.

- Thank you, sorry.

- [Richard] Was that Russ that was speaking just before?

- [Russ] Yes, Rick, that was me, sorry.

- [Richard] Okay, I don't have the visual and it's not--

- [Russ] Yeah, I know, I didn't put the visual on because it's bad enough you can see once a year.

- [Richard] That's not it, it's just that, technologically, I'm buried somewhere in the mid 20th century.

- [Russ] You and me both.

- [Thomas] Okay, so--

- Lindsay, excuse me. Lindsay, there was someone that had their hand raised, who is taking care of the hand raising? It's gone now, but I just wanted to make sure that we were all on the same page.

- I can direct the chair's attention to the hand raising.

- [Chad] Can you hear me? this is Chad Zeznanski

- That's the one that, I'm sorry. Yep, that's the one that had his hand raised.

- [Chad] Hi, I just want to, I represent Aurora, and I heard Russ say that he wanted to waive these into board and I just wanted to mention that you would think we would be acceptable to that and we were going to ask to waive the board also. There's a commercial property for Aurora.

- Thank you.

- Sure.

- Are we gonna do 'em individually? Yeah.

- Yeah, let's start with that one. And then I'll go through and see if the representatives are discussing and if they have any objections and then we'll vote on it. So the first one we'll take will be a Aurora, and when both parties have agreed to waive into circuit court, do I hear any other objections to that before we vote? Okay,

then I would call a vote on our motion to waive this. Maybe we should put, why don't we put, Kris, you wanna put the parcel number on the record before we vote on it, so we have the official parcel number?

- Sure, I'll just state. The parcel number we are talking about is 21-161-2. The address is 2845 Greenbrier Road.

- [Thomas] Okay, fine. We'll vote on, or accept the motion to waive this property to circuit court.

- [Richard] I would make that motion based on the fact of the complexity of this commercial property and the request of the assessor and given the factors of difficulties, procedures are now under the problems that COVID has caused and I would so move that we, would, circuit court.

- [Thomas] Do I have a second?

- [Steve C.] Second that.

- [Thomas] Call the roll. Will the clerk call the roll, please?

- [Kris] Thomas Aziere?

- [Thomas] Yes.

- [Kris] Richard Laurent?

- [Richard] Yes.

- [Kris] Steve Corken.

- [Steve C.] Yes.

- [Thomas] Okay, next, let's take the property at 445 South Madison Street, Green Bay. Will the clerk read the parcel number of that property?

- Sure, I just wanna clarify something with Lindsay, since the assessor's office isn't really saying anything right now, they don't have to be sworn in yet, correct? Just wanna--

- Correct.

- Okay.

- That's correct.

- Okay, all right, so you said 445 Madison Street?

- [Thomas] Yes.

- Parcel number is 13-171.

- [Thomas] Thank you. Do we have a represent under for Madison?

- Mr. Kohlenberg is raising his hand. Are you representing that parcel?

- Yeah, I am, 445 Madison?

- [Thomas] Yes.

- Yes.

- [Thomas] Do you have any objection to waiving this parcel directly to circuit court?

- Yeah, I do. I'd like to have a hearing on that or we can waive it right to Department of Revenue. Can we go to DOR?

- [Russ] That's not an option under the waiving.

- Okay, so I would like my hearing on that one.

- [Thomas] Okay, so you would like and hearing today is what you're saying then?

- Correct.

- [Thomas] Okay, thank you. Now, has requested this, to circuit court, the objector would like a hearing today. I would entertain a motion to refer this case the circuit court.

- May I comment?

- [Thomas] Yes, you may.

- Thank you. Why I would like to have the hearing and why going to circuit court would strip my client of his options to be represented? The value of the property, just a moment, trying to bring it up. Do you have a value for this property clerk? I don't have it in right in front of me.

- The assessment as it is right now, land as 131,300, improvements are 788,300, for total property at 919,600.

- Okay, thank you, so at \$919,000, it falls under the \$1 million threshold to be heard by the Department of Revenue. Because this is such a small property, it is very difficult to have representation in circuit court. And that's because the cost of appearing of circuit court is excessive. The cost of the attorneys is just very, very high. What I would like to suggest is the following. Please hear my case, it will take five minutes. I understand if the board sides in my favor, that's great. If they don't, they would like to appeal to the Department of Revenue. By waiving it directly to circuit court, I cannot be heard before this board, and the cost is prohibitive to be heard in circuit court. All I'm asking is for my client's case to be heard. He can be heard if the board gives me five minutes. If you decide against it, I will present it to the Department of Revenue. Without that leeway, five minutes of your time, my client has no choice but to drop the appeal and never really be. Five minutes is all I'm asking. Can I have that five-minute time period?

- [Russ] Chairman, if I may speak?

- [Thomas] Yes.

- [Russ] Okay, Mr. Kohlenberg, discussing says his lack of having rights. Perhaps he should explain why he waited till the week of Board of Review that's to our attention. And we have explained to him all along that if he has a case, or if he has somebody that wants to have a property reviewed, once the values are set in the year, which is last May, that anytime during the year, he can approach my office to discuss these values. He waits until the week of or the week before Board of Review to drop these in my office and not allow us time to prepare our cases because we're working on other cases. So, for him to cry that he does not have his rights or due process is a farce. So this is what he's trying to do is push us into a corner, but I'm sorry. He knows what the rules are, he's done this long enough. It's just a game, so I'll tell you what. If he really is serious about the value in discussing and serving his property owner the way he should be, he would have approached my office a month ago, two months ago to discuss this case, not the week before or the week of Board of Review, like he has in all three cases that he's presenting today. And that's why I'm asking these to be waived to circuit court, because perhaps then, he will understand that we're serious about our values and we will maybe do something in a more timely fashion. That's all I have.

- [Richard] Russ, excuse me, I have a question for Russ. Russ, are you saying that you haven't had enough time to properly prepare your case in this matter?

- [Russ] I'm saying that you have not given us the proper notice, and we have asked you for information over the past several months on this property, have not given us anything. and you--

- Russ--

- [Russ] Minute to, don't interrupt me, please. They've asked not to talk over so they can hear properly. So don't interrupt.

- [Thomas] Asking a question--

- [Russ] I'm sorry.

- [Richard] Yeah, it was Rick that as the question, not the objector.

- [Russ] I'm sorry.

- [Richard] Yeah, I just asked if the position that you haven't had a proper amount of time to prepare for this case, because of the lateness?

- [Russ] No, he never gives us enough time. He always waits to the last minute to drop these on as the many, we asked for information, he never give us the information until, well, like the information, you guys delete, we got at the same time. So that's the kind of stuff they do. So I mean, he will, on property, and then he will talk to my appraiser, "Well, I've got a couple more I wanna talk to you about." And that was like on Monday. So I don't feel sorry for him that he thinks his client doesn't have their rights. Well, he's the one that's kind of doing that to his own client, and perhaps his clients should be made aware of that that if he was actually serious about representing his client, he, a month ago or two months ago, or whatever. I mean, our values, like I said, for 2020 or 2019, as soon as the 2019 value have set, you can talk to us at any time, from May of last year, all the way up until now. This value on this property hasn't changed since last. So the fact of the matter is that he's had a year to talk to us about it and waited till the last week to talk to us, so that to me, so the hearing was five minutes. Well, it's not five minutes. In five minutes, just to go through the income expense stuff he just dropped on us on this property, because it's, I looked at it in the last five minutes, and a cursor's look of it, it's bogus. So just to verify the information that he has, is gonna take longer than five minutes. So that's the whole problem is that we don't have time to verify the information that he'll give us. And in order to do that, we need more time or to give us the time to do that. And now to waive it onto circuit court is the best thing we can do, because then if he actually is serious about it, he can talk to us between now and circuit court and give

us the information. We can still do a clerk's correction or if there's a legitimate reason for doing that, but that's up to him.

- [Thomas] I guess the one one thing I like to comment before we vote is that if, with the law and did file on a timely basis, I don't believe that we can accept the argument that there wasn't enough time for the assessor's office to respond. He complied with the law if he filed properly. I think I'm just saying that we could still probably should hear the case and vote on it. And depending upon the vote, you still have the possibilities of working something out after that. That's--

- [Russ] No, really can't. If you vote to reduce it, then that's over with. We can't go the other way with it, Tom.

- [Thomas] Well, I know but we don't know how we're gonna vote until we hear the evidence.

- [Russ] Well, I'm saying that because of the lateness of him giving us, it's not that he didn't file in a private manner, that's fine. But you can file and give your intent to file 48 hours, but given us the information on the property, you don't have to give us that, and which he didn't. So, because you don't have the information until last minute, we have no way to prepare a case until the last minute, that's what I'm saying.

- [Thomas] Okay.

- [Russ] Just because they comply with the law doesn't mean, you comply with the letter of the law, but the intent of the law is to have the information available so that you can make a case. We don't have the information and the time to go through the information and verify the information in order for us to prepare a decent case. That's what I'm saying.

- [Thomas] Okay, Mr. Kohlenberg, put your hand up.

- Yes, sir, I'd like to respond, may I?

- [Thomas] Sure.

- Thank you, I'd like to bring some clarity to the comments that the assessor made. I have three cases before the board today. The first case was presented in its entirety over two months ago. For two months, my assistant and I reached out to the assessor's office asking two questions. When is the Open Book and Board of Review? And the other question was, when can I discuss the other case, which is the Shopko? That was submitted two months ago. Each time I required, I'm sorry, each time I requested feedback, the answer was, "Open Book and Board of Review "has not been established yet," and I understand that. And the other was, "We're swamped, "we're still working on it." Now when I have three cases, and I have one that was put in two months prior, my plan all along was get the first one done and then present the next two. What happened was the... I believe is about a week. And Open Book is when you are scheduled to speak to the assessor. It turns out that that particular day, Open Book and we talk. And I contacted the assessor and I spoke with him and he said, "We can discuss the other two cases on Monday." And as far as the first case, the one that I presented two months ago, he said, "We're not moving on that. "We'll discuss the other two cases Monday." This is shortly after the Open Book. Monday comes and at the end of the day, he says, "I'm busy, we'll discuss it Tuesday." Tuesday comes, no res, yesterday he said, "We're not gonna reduce anything on any property." So when the assessor said that I wait to the last minute, there was waiting to the last minute but it was on the assessor's side. They had my appraisal two months ago, I wanted to discuss all three properties one right after. Can't get a final decision from the assessor until yesterday on the remaining two properties. All I'm asking is for my day in court. I promise to this board, I will make a five minute presentation. All I wanna do is have my case heard so I can take it to the Department of Revenue, that's it. It's a really simple decision. The assessor has not presented accurate information.

- [Russ] You're talking like I'm the assessor. Okay, you talk to the appraiser ever talk to you about this case? So let's let's be clear on that. You talked to Steve Shepro, okay, about this at all, not the assessor.

- And it's set up, Russ, all I know is that when I called the assessor's, I'm trying to talk, Russ, I'm trying to talk.

- Your--

- When I called the assessor's office, and they give me the appraiser, I figured that I'm speaking with one of the people that works for you.

- [Russ] Right, there's one assessor, as you will know, and then there was appraisers. Steve Shepro, which works for me, and you know his name, so don't act like you don't know who you're talking to.

- I do know his name and I know your name. There are different rules for different cities. Anyway, if you wanna get into an agreement about how to educate--

- [Russ] That whole thing, my point is that.

- Please, Russ, just--

- We can't even, just let me finish. Even this conversation about who you talk to, when you talk to is going into more than a five-minute discussion. So my point is that this isn't going to be a five-minute hearing, it cannot be a five-minute hearing. That's why I'm saying this needs to be waived into court because it's not financially feasible for you, it's not our problem. The case is going to be a long case because of the information that needs to be discussed and the questions that need to be asked of the appraiser because we don't believe the information that he's presented, so that's gonna take at least several hours of discussion, not a five-minute hearing, maybe five minutes on your part because there isn't much display but it's gonna be several hours on our part. So that's why I'm asking it to be gone through and because of the way the nature of this hearing and because of the nature of the way the COVID is going, people are separated, very difficult for information to be disseminated this way, so when circuit court is in one place and they can hear the information, and that's what I want is the person that's giving out the information to be under oath in a circuit court so that we can have this taken care of, and have my team get a little more time to go through the information as they see fit. That's all I'm asking. I don't think that's unreasonable, so that's why I'm asking for the waiver from the board.

- Mr. Chairman?

- [Thomas] I'm gonna, right here. We've been back and forth and I know both sides of the issue and I don't think we need to really listen anymore. So I would, I guess, I would also restate my point that I made before, which is that the objector did file within appropriate time and leave it at that. And now I'd entertain a motion to waive this case into circuit court.

- [Richard] I would move the waiver to circuit court.

- [Thomas] Do we have a second? Will the clerk call the roll?

- [Kris] Mr. Aziere?

- [Thomas] No.

- [Kris] Richard Laurent?

- [Richard] Yes.

- Steve Corken?

- [Steve C.] No.

- That was no, correct?

- [Steve C.] Correct.

- So that does not pass.

- [Thomas] Okay, now we will hear this case. Will the clerk please read the parcel number.

- Just wanna make sure. Wait, yep, Lindsey, go ahead.

- Mr. Chair, for the waivers. So I would recommend that you go through the remainder of the waivers and then there is an agenda item for the objections, and you get to, when you get to that agenda item, then you can hear the hearing for that item, that property.

- [Thomas] Yep, sounds good, thank you. Let's take the next property. Let's take the Shopko property with the clerk. Read that parcel number on the record.

- So you want the 2430 East Mason Street, correct?

- [Thomas] Yes.

- And that parcel number is 21-126-11.

- [Thomas] Okay, and the assessor has recommended that we waive this into circuit court. Mr. Kohlenberg, do you have any objections to that?

- I do. Yes, sir. May I respond?

- [Thomas] Yes.

- Thank you, Mr. Chairman. The assessor had received, well, I'm not sure who it went to. It's either the assessor or the appraiser, have received the appraisal that was conducted by the property owner two months ago. They had plenty of time to review the property and I would like to have the property presented this morning to the board, online, the appraiser. He only has a short period of time. He has a deposition at 10 o'clock, and so with the board's permission, I'd like to have this property heard first of my three properties.

- [Thomas] The assessor, objection?

- [Russ] Well, obviously, like I said before, this is a complicated property. And I have, and my staff has plenty of questions regarding this, so it's already 9:30 and if he has to leave at 10, that doesn't give us enough time to question the witness. So I would suggest that we waive this in a circuit court where we will have plenty of time to discuss this.

- [Thomas] Personally, this looks like it's more complicated involved case than the one before. And I guess I would agree with the assessor on this one. Any other discussion by the board review members?

- [Richard] Yes, Tom.

- [Thomas] Go ahead.

- [Richard] I agree with that. I think especially in looking at our criteria, the benefits or detriments of having a record for court review and the MMC avoiding to unruly, lengthy, burdensome appeals. I think, given the circumstances here and we're all operating under circumstances that are unusual to say the least, that I don't think we can make a record that may have to be reviewed by the court and I would agree with you, Tom, like this was something that should be waived to the circuit court.

- [Thomas] Okay, Steve, do you have any comments?

- [Steve C.] No, I'm agreeing within lines with what's being said.

- [Thomas] Okay, I would entertain a motion to waive this case this parcel into circuit court.

- [Richard] I would move that.

- [Thomas] Do we have a second?

- [Steve C.] Second's fine.

- [Thomas] Will the clerk call a roll?

- Thomas Aziere?

- [Thomas] Yes.

- Richard Laurent?

- [Richard] Yes.

- Steve Corken?

- [Steve C.] Yes.

- And that passes.

- [Thomas] I don't... Oh, here's another one, okay next property would be, oh, this is the 445 May. I don't have any more, anything else for Mr. Kohlenberg. Is there another property? The only other property I have copies of is Cottonwood Drive, 2155 Cottonwood Drive.

- It's 1203 South Military Avenue. The Shopko one was sent on a whole separate email 'cause that was a large email. All the others were on the same email.

- [Thomas] Okay, so it's the Military Shopko?

- No, it's... This is--

- [Richard] 1203 Military Drive.

- 1203 South Military Avenue, parcel is 6-199-5.

- [Thomas] What is that property?

- That is, I'm sorry, go ahead.

- It's a small shopping center.

- [Thomas] Okay. And I assume you wanna have that heard now, Mr. Kohlenberg?

- Yes, sir.

- [Thomas] Okay, the assessor has an objection.

- [Russ] Yes, once again, this was a property that, as he even said that he waited until the other one was discussed and gave us information this week, and supposedly there's contamination on this property. We have not been able to determine that because we have to discuss that with the DNR. So we're unable to get that information, so we can't verify so that's one of the problems we're ran into, so I would suggest we waive that on a circuit court until we're able to verify information that he dropped off the last minute.

- [Thomas] Okay, thank you.

- [Richard] Along with all the income and expense information that he's dropped off also.

- [Thomas] Okay, do we have any other discussions by the, yes, Mr. Kohlenberg?

- Yes, if you could just clarify for me, when was the Open Book did?

- That was May 27th, 2020.

- May 27th, okay, so they talk about the last minute, but it wasn't, so here it is. Between May 27th and June 1st, I'm sorry, June 4th, it's seven days with the weekend in the middle. So you have a very small amount of time. The assessor said that they don't have time to verify the information, to check into the financials, to contact the DNR. If the timeframe between the Open Book and the Board of Review is short, that is beyond my control. The best way to address it is to have a longer timeframe. Now I understand that they want to reach out and verify the information. However, as you stated earlier, I did comply. I did. I was in Utah on the day that the Open Book was, however, I was in contact with the assessor, I'm sorry, the appraiser, who indicated that

he would speak with me about the property on Monday, he didn't, Tuesday, he didn't, and Wednesday, he left a voicemail saying, "We're not gonna reduce any." And so I understand the constraints, however, they were, having an Open Book and a Board of Review a week apart is what causes these problems, it doesn't help them. I'd like to just be heard, and I'd also like to go back to the idea of a five-minute presentation. I can't tell you how long the assessor will present their case. My case will take no more than five minutes.

- [Thomas] Okay, thank you.

- [Russ] Okay, back to my point, comment by me. Mr. Kohlenberg is stating that he has a short time frame between Open Book and Board of Review. And as I stated before, and maybe reiterate this is that the property value in this one hasn't changed from last year. So he has had from May of last year to May of this year to discuss this property. He's had a year, not a week, one year to discuss this property. So for him to say that he hasn't had enough time to talk to us about this is disingenuous. So he can talk all along that he was out in Utah or wherever he was, but he's had a year to talk to us about this property, and he chose to wait until this timeframe in order to do this artificially short timeframe so that he can complain about it. So we comply with the law too. I mean, but that doesn't negate the fact that he waited until the last minute in order to talk to us. And you know as well as I do that our rule's online, our door's always open, and our appraisers are always willing to talk to people as long as they're willing to talk to us. And we've done that from day one and we'll continue to do that. But Mr. Kohlenberg continually waits to the last minute, the last week or whatever, to discuss this stuff, and send us the information. He could have sent all the information, all three properties at the same time, but he waited, he sent one, and was gonna let that go until we discussed that. And then he would send another one and then talk about that, then send another one. He could have sent all three, whether or not we've changed the values on that is not really germane to the conversation. But what's germane to the conversation's that he waited until last minute to give us the information. He has, like I said, a year to give us the information, he didn't. So we don't have the time to review it, and that's why I wasn't able to talk to him because he couldn't verify with the DNR, whether this was a contaminated property or not. So it's kind of difficult to talk about it if you don't have the information to talk legitimately. So I would strongly suggest that we move this on to a circuit court and we'll have time to verify the information, the rent, the income, and so on, and the expenses and do justice to this case, thank you.

- [Thomas] Yeah, I think one of the issues I have with this property is the, whether or not it's contaminated because that would affect the value of the property. And without proper verification, I would think that it would be very difficult not only for the assessor to value this property, but for this board to review to even decide after hearing the case whether or not the assessment of the property is adequate and correct. So I guess I would be in favor of waiving this one on too. Are there any other discussions by members of the board? Be hearing none, I would entertain a motion to waive this case into circuit court.

- [Richard] I would so move.

- [Thomas] Do we have a second?

- [Steve C.] I can second that.

- [Thomas] Would the clerk call the roll?

- Thomas Aziere?

- [Thomas] Yes.

- [Kris] Richard Laurent?

- [Richard] Yes.

- [Kris] Steve Corken?

- [Steve C.] Yes.

- That passes.

- [Thomas] Okay, is that the last case for Mr. Kohlenberg?

- Yes, we do, well, the one is coming back.

- [Thomas] Yeah, oh, that's right, we got one, we'll. Okay then, the last one It looks like that I have is the 2155 Cottonwood Drive? Or no, I'm sorry, it would be 1614 Shawano Avenue, right?

- We do have another one after that, but yes.

- [Thomas] Somehow I'm missing. Oh, maybe this is, oh, I see it. I got both of them here, yes. Okay, so 1614 Shawano Avenue, Green Bay. Do we have the agent present for that property?

- Yes sir, I'm present. My name is Abraham Tieh, I'm the agent.

- I'm just gonna clarify, that's parcel 6-235-A-1.

- [Thomas] Thank you. Mister, is it T?

- Tieh, like Tieh--

- To waiving this property, this parcel into circuit court?

- I object.

- [Thomas] Okay. Why, okay, please, this. Why do you object having this waived?

- Okay, subject is a hotel. The revenue dropped down 16%. We worked with the appraiser at the assessor's office. Assessor, the appraiser offered to reduce by 8% and we have a 16% revenue drop. And therefore, because the value amount, the subject was, the difference in the value between us and the, is just only around about 100,000. So it is very cost prohibitive to go to the circuit court for this amount of value in difference, but it's a pretty straightforward case of stray revenue drop and the valuation did not drop accordingly. And this is reason why I am asking you to consider that we'd be heard today in front of your board.

- [Thomas] The assessor, objections to that?

- [Russ] Yes and I guess they're from out of state and I have explained to their agent which, the different agent now that the City of Wisconsin doesn't recognize business value. They're talking about, and we don't value that, we're valuing the property itself.

- Russ.

- So, let me talk. No, no, no, you have to let me talk. We're not valuing blue sky. We're not valuing the property as, the flag of the property, we're not valuing as separate, we're valuing it as the bricks and mortar. So Wisconsin is one of the states that does not recognize, and I saw the information sent was part of Georgia law, which does not apply here. And I'm sorry, but we don't follow that etiology in Wisconsin, so I'll explain that. If you look at the information that was provided, our value and your value coincide other than that when you take out that value of the business, so there is no disagreement here. It's just like you guys value property differently down there than we do, so that's where I disagree. I guess you'd have to go to court to come up with the agreement. I mean, that's the main issue is, and I don't think that the board here has the background in order to make that determination. It's not really a valuation issue. It's more of an issue of the law. So the law states in Wisconsin that we don't do business value. So that's one for the courts to decide and have decided already that he don't value business. You want us to evaluate your business based on the ups and downs of your your revenue stream and we don't do that. It's like telling how many cheeseburgers that McDonald's has, and so either, so that's not something we do and I don't ask the board to make that determination. So that's.

- Mr. Tieh?

- [Bill] 10206.

- [Thomas] Go ahead, Mr. Tieh.

- I'm sorry, thank you. I'm not, value for the board today. All I'm trying to bring to the board's attention today is that there's a 16% revenue drop to the hotel. The offer has 8% reduction. So hotel's valuation very straightforward is strictly based on revenue, it's traded, bought and sold based on revenue. And so this our intention today is to just for you to consider whether or not this hotel yields a further reduction for the additional 8% revenue drop that the assessor did not consider. Everything else aside, we're not gonna talk about, we're not gonna consider, that's the main point, that's--

- [Thomas] Okay, do we have any source on this property of parcel?

- [Bill] File, so hopefully we'll get a decision later on this year. All right, that's it.

- [Thomas] Nobody has any discussion? I'll have, before we go, Russ, I have a question for you. What... Was the, or I guess I could, well, that's more for the, we're still on the objection side. Was the drop in revenue stream should have been last year, right, that was considered for the readjustment of the appraisal?

- [Russ] We looked at the income stream and we made an adjustment. The value of the property was reduced for 2020. We took that into consideration. What they're asking for was an additional consideration for business value, and we didn't go for that. Generally, what we look at in any type of properties that are income-producing properties is we don't look at individual years. We smooth them out over a three-year period, and so it doesn't just take one year into consideration because it isn't fair to all the other properties. It's more of a non-uniform thing. It's like, if you sell a property and we adjust that property to that sale price, we don't do that either, it's non-uniform. So we take a three-year look at income and expenses in order to smooth it out and make it fair for all the properties in the area. And that was done in this case and that's why they got a reduction, but it's not to exact amount that they want. So I guess, we can do so much but we're not gonna follow exactly what they're doing because that would be unfair to the other properties. They're already the lowest valued hotel in town on a per room basis, and we're not gonna go below that.

- [Thomas] Okay, any discussion by board members before we vote? Okay, I would entertain a vote or a motion to waive this property to circuit court. Anybody?

- [Richard] I guess, the one question I have or, it seems to me that this may be a question of law that the circuit court would have to decide. I'd like to hear what the, if the city attorney is listening what what she would have to say about that.

- Sorry, I had trouble unmuting myself. So I have been just doing some surface level research as we've been discussing, but whether business value can be considered would be a question of law, not a question of fact so-

-

- [Richard] Given that.

- I'm trying to think it through to the end of that sentence, go ahead.

- [Richard] I think given that, I would move the waive this to circuit court because I think the question of law's beyond our review--

- I'm not arguing with the law today, I'm not doing that. I'm arguing valuation.

- [Russ] No, your objection form is clearly states and everything you, supporting documentation clearly states that you're looking at business value. So you can say that but that's not what the objection form and supporting documentation says.

- [Thomas] Yeah, that's saying that it's business intangible value.

- [Russ] Yep.

- [Thomas] Which again, would be, I agree with Rick, which appears that it would be a issue of law rather than fact. So I guess I'd go back and say, I'd entertain a motion to waive this case to circuit court.

- [Richard] I would still move.

- [Thomas] 'Kay, do we have a second?

- [Steve C.] I will second that motion.

- [Thomas] Okay, will the clerk call the roll?

- [Kris] Thomas Aziere?

- [Thomas] Yes.

- [Kris] Richard Laurent?

- [Richard] Yes.

- [Kris] Steve Corken?

- [Steve C.] Yes.

- [Kris] That passes.

- [Thomas] Okay, now is that the end of the cases to be discussed on waiver into circuit court?

- No, we still have 850 Kepler Drive unit two. And that first--

- [Thomas] Oh we have--

- And that parcel is 21-7900.

- [Thomas] Which property is that?

- That is--

- [Man] Okay, it's only setup--

- [Richard] That's The Meadows that's attached to the hotel there off of East Mesa and 43. It's the conference center.

- [Thomas] Oh, okay. Is the representative of that property present?

- Yes, I am, Bill Ardern.

- [Thomas] Okay, do you object to having that parcel waived to circuit court?

- Yes, I do. I approached the assessor in April requesting a review of the assessment because it's been on the market for 21 months at half the assessed value, and then provided additional information. And I guess, I know you've heard this before, in terms of a straightforward case, in terms of the property being on the market for 21 months at a price at half the assessed value and we got one offer that is even less than the asking price, so it's pretty straightforward. I don't see the need, it's not overly complex to go to circuit court.

- [Thomas] Okay, thank you, there's lease?

- [Russ] I guess it gets into a uniformity issue again, where we have reduced the property down to where there isn't a whole lot left to reduce. We're at basically land value only, reduced land, reduced improvement. And I guess it's a question of whether or not there's any type of activity in that property. It's, I think, and I guess, I don't know if the the property owner is available, and that's where the questioning would be because the property owner is the one that would have to ask the questions, not the agent, was any activity going on at the business seems like there's nothing going on there now as far as any attempt to rent it out and so on, but I guess I'll leave that up to the board. I would just soon push it off. I know there's been discussion but like I said, we made reduction on the property, but for uniformity sake, we can't go down below what other surrounding properties are. I mean, it wouldn't make any sense, but it comes back to where the property as improved is probably worth less than vacant. So we're not gonna reduce the land value down below where it is currently.

- [Thomas] Okay, yes, sir, go ahead.

- Part of my case comes to the land value. The fact that the land value, I guess, was set by a contract assessment firm when they did a reassessment, at least Steve kind of gave me the background. And we believe that the land value is incorrect. So, this idea of not being able to hear the case because the land value is at \$8 a square foot or whatever, to me, it's not a basis to go to circuit court. I understand when cases are complex and time-consuming, it makes to a circuit court but, this, like I said, is pretty straightforward in terms of the property being on the market and and vacant available. It's being marketed by a commercial real estate brokerage firm.

- [Thomas] Okay.

- [Russ] If you are aware, Bill, that, you're aware that the land value was reduced, right?

- Yes.

- Not \$8 per square foot. It's \$5 a square foot.

- Excuse me, you're correct, 5.50, sorry.

- [Russ] So the value wasn't set by the firm. The outside firm was set by one of my appraisers in-house. There wasn't a contract firm. It was one of my appraisers, it was Steve that set value. So it wasn't, it's in line with all the other values up and down the street, so it's not out of line. And the fact that it's for sale doesn't really, I mean, you and I both know that you can ask whatever you want for a property and if it's a distressed property, it may sit for quite a while. So I mean, I guess, I'll not make an excuse that it's because it's a lando, that's why we can't hear the case, that's not my argument.

- [Thomas] Well, this may be one that could hear, right? I guess I would like to hear the evidence from the objector. Do we have any other discussion from the board members before we vote? Okay, I guess I would entertain a motion to waive this case into circuit court as recommended by the assessor. Hearing no motion, would the clerk, I guess, without a motion, then we'll proceed with the hearing.

- [Russ] I would actually request that we have a recess for one hour in order for my people to get their paperwork together. They're scattered throughout the building, so I just want them to be able to get their stuff together 'cause they weren't aware of what properties we're gonna be having hearings?

- Okay, well--

- Time.

- We'll put this one off for now 'cause we can go back and hear the, hear 445 South Madison Street. That one's still for us to discuss so--

- [Richard] Great, I'm asking for a recess for one hour for the both--

- Both?

- [Russ] For both, yeah, to come back in at one hour to start the hearings.

- [Thomas] Okay, we can do that. Can the other board members be available hour from now?

- [Richard] Yes, the only question I would have is, if we hang up can, we then redial and get back into the meeting?

- Yes, you can.

- I guess--

- Yes, you can.

- I can? Okay.

- Yup.

- [Thomas] Okay, then why don't we--

- Steve, are you able to come back?

- [Steve C.] Yes, I should be able to resume.

- Sorry, it's Mr. Chairman.

- [Thomas] Okay, let's then, why don't we have, we'll adjourn until, let's say, do we need a full hour rest or can we come back a little bit earlier?

- [Russ] Let's say I want quarter to 11, would that be okay?

- [Thomas] That'd be good, let's do that. Okay, we'll adjourn until 10:45.

- [Russ] All right, thank you, Mr. Chairman.

- [Thomas] Okay.

- Thank you, everybody.

- [Thomas] Kohlenberg is, that you will make your presentation, your oral arguments and any written documentation that you would like to present. Board members have the opportunity, in you. The assessor then will question you and then we would vote on it. That the clerk swear in Mr. Kohlenberg and the assessor that's going to be testifying. Mr. Kohlenberg, would you please state your full name for the record and then we'll have a clerk swear you in.

- My name is Gary Kohlenberg.

- Name and your address. I'm sorry, I didn't hear that.

- [Thomas] Would you swear him in, Kris?

- My address is 345 River Bluff Circle, Oconomowoc 53066.

- Thank you, please raise your right hand. Do you solemnly swear that the testimony which you shall give on the matter now in hearing will be the truth, the whole truth, and nothing but the truth, so help you God?

- I do.

- Thank you.

- [Thomas] When the assessor, which one of the assessors will be testifying?

- [Russ] It will be Steve.

- [Thomas] Hey Steve, do you wanna be sworn in, please? State your full name for the record.

- [Steve S.] This is Steve, I'm here.

- [Thomas] State your full name for the record.

- [Steve S.] My name is Steven Shepro, a commercial appraiser for the city assessor's office here in Green Bay. Address here is 100 North Jefferson Street, Green Bay.

- [Thomas] Okay, Kris, would you swear him in?

- Sure, can you, can I see you, Steve? Or don't you have that capability?

- [Steve S.] No, we don't. I will stand and hold my hand up.

- Okay, do you solemnly swear that the testimony which you shall give on the matter now in hearing will be the truth, the whole truth, and nothing but the truth, so help you God?

- [Steve S.] Yes, I do.

- Thank you.

- [Thomas] Well, the assessor's office, for the record. Read the parcel number of this property and your valuation of the land and property of the buildings.

- [Steve S.] Will that refer to me?

- [Thomas] Yes, please.

- [Steve S.] Okay, I'm sorry. The property we're looking at is parcel number 13-171. It's located at 445 South Madison Street, Green Bay. The land value on this property is 100,300, improvements, 788,300, for a total value of 919,600.

- [Thomas] Thank you. Mr. Kohlenberg, would you like to make your--

- Thank you, so I'm setting my stopwatch to five minutes. I promise I won't testify in five minutes. Here we go. So, my name is Gary Kohlenberg. And the first thing I'd like to do is address Steve. Steve, I'm sincerely sorry, and there is no disrespect meant. Different municipalities have different policies regarding assessors and appraisers and I felt that when I was speaking to you, I was speaking with the assessor. I know Russ the chief

assessor. I thought that you were also an assessor. I now recognize that you're an appraiser that works for the assessor, so I apologize for any misunderstanding. It was an oversight on my part.

- [Steve S.] Yeah, no problem.

- Okay, so briefly about me. I am a certified assessor number two, certified by the State of Wisconsin Department of Revenue. I have been a commercial real estate broker for over 30 years. I'm a certified public accountant. My education, I have a bachelor's in Business Administration in Finance from the University of Wisconsin. I have a master's in accounting, I have a master's in international business, and I know what it's like to sit on the other side of the table as the board because I was also the former mayor of the City of Oconomowoc. Regarding the property at hand, the chairman can confirm that you are in receipt of the document called 445 Madison Analysis. It is an Excel spreadsheet, and it says direct capitalization at the top.

- [Man] Do we have the subject?

- Mr. Chairman, do you have the document?

- [Thomas] Yes, I have it.

- Okay, in my opinion, the assessed value should be 754,400. The assessor has it assessed at 919. Way that I calculated this is standard procedure for assessing income property. And when I say standard, I am leaning on the course that was a refresher course I took less than six months ago taught by one of the premier assessors from the City of Milwaukee. This is a standard document. This is not something I made up. It's just the way that you assess income property. So the first item is the gross rental income, and to arrive at that, you take the market rent for the property, which would be \$14.50, multiply it by the total square footage, 11,700, and you get 169,650 is the gross possible rental it could generate, and then you build an expense reimbursement which is zero, miscellaneous income, zero, gross potential income on the property is 169,006, applied a vacancy factor of 10%. The building is currently 100% vacant. Vacancy factor of 10% would account for \$16,965 in vacancy and collection loss. This would be if somebody doesn't pay their bill or you have to go out for collection, it's another \$1,697. So the effective gross income \$150,989. The expenses, I took that directly from the financial statements that were also submitted to the board. Those I took the last three years, added it together, divided by three, we get an average. I added back interest, there is no interest that was in the total expenses. I added back the appreciation, added back the average taxes, and the total expenses for the property on the financial statements for management was zero. So I added that zero and then I subtracted a standard 5.5% management fee, which is \$8,304. I deducted a reserve for replacement. Consider this an economic, total expenses \$59,681. Net operating income, 91,307. You see I just passed five minutes, we'll take another 30 seconds. The tax rate that's a standard cap rate, I picked a cap rate of 8.5%. I understand the assessor may have a different cap rate. The loaded cap rate, the word tax rate, add the cap rate, you get 10.9, and you get a market value of 837,313. You multiply it by the assessment rate, novel idea, this is something that's in this

manual, and we get an assessment value, in my opinion, of 754,419. When we subtract the existing value, you get an over assessment of \$165,181. I'd be happy to entertain any questions from the board or the assessor.

- [Thomas] Okay, does any, we'll go to the board first. Does board member, any board member have a question for the objector? The assessor have any questions for the objector?

- [Steve S.] Not at this time.

- [Thomas] Okay, would the assessor please provide your testimony as to the valuation of this property?

- [Steve S.] Okay, the property we're looking at, as we indicated, was parcel number 13-171, located at 445 South Madison Street. We do go through all three approaches to value and I think there is some similarities to what. The other thing is it's kind of numbers that are being anticipated or basically based on what he can because the building is vacant. This property was built in 1986. It's an office building, square footage is 11,704. And size is 19,054. Our total value of 919,600, I believe, we did the cost approach. Our cost approach is really difficult to do as I think Mr. Kohlenberg would agree is because you gotta determine depreciation and that's always difficult, but we do try to take that sales that we do have in the market. And we try to determine that's how our program's setup. Our cost approach, it was right around 1,900 or 919,000. On the income, we go to market approach. We do have a few sales out here. The first one would be 444 South Adams Street. This is an office building here downtown and it was built in 1980 as compared to the subject property 1986. Oh, oh, okay, I'm sorry, the the assessed value on that property, being the same and try to keep it in line. Our value's at \$88.83 a square foot. The next one's at 414 South Jefferson Street, another office building built in 1985. This one actually sold on October 13th, 2015 for 1.1 million, which is an indication, about \$110 a square foot. The next one we have is 701 Cherry Street. This is a office/school property. And this one also sale was 6/22/2015 for 2.9 million. Indication about \$119 a square foot. The subject property that we have is 11,704 and it gives us a value with land \$78 per square foot. So while within the range of other properties that have sold in the city, keep it in line. And as I think our assessor has indicated equity between properties, one of the most important things that we can do when we send values, we do look at valuation but we also wanna make sure . On the income approach... Oh, I'm sorry, just give me a second here, please. Okay, if we take the information even what he requested basically, we're looking at, I know it's listed out there, I believe, for \$14 and some cents per square foot, 14.50 a square foot, it's listed right now. And if you break it down no different than Mr. Kohlenberg did, I think his expenses are high because he's anticipating the tenant in there. We don't know that this point if it's gonna be a triple net or gross, whatever. So we try to take what's typical in the market. And based on that, our number is actually coming up as indicated value about 1.1 million. And I will say that, looking at the other properties and the other ones we reviewed, we felt this is in line. And then we also came across as a listing on this subject property. It was just updated on June 2nd of 2020, one million zero 25. So actually, their listing is more than what we actually have in the property at this point. I understand it's just a listing but it also is, when they come up with these listings based on income projections, so I believe their income projections justify our value, I feel ours is a fair valuation. That's all I have.

- [Thomas] Any of the board members have questions of the assessor. Mr. Kohlenberg, do you have any questions of the assessor? Mr. Kohlenberg?

- [Kris] You're muted?

- Sorry.

- You have any questions?

- Sales that you mentioned, were those verified sales?

- [Steve S.] Yes, they are.

- Okay, and you said that you came up with expenses that were higher than mine based on the marketplace, not on the specific property, is that correct?

- [Steve S.] That's not correct. No, it's actually less than that you had. The typical market is 50--

- [Man] A third.

- [Steve S.] And like I said, you're anticipating that based on what would just be a triple net lease. So that was part of it, but when they determine the listing on this property, and what they're asking for, that usually is done by a broker that comes up with the anticipated amount that the building would generate. And that's why we believe that we're not looking at this any different than what the owner is with their broker to put it on the market.

- So you're basing your value on a broker's opinion of value?

- [Steve S.] It is something that we look in, absolutely.

- Okay.

- [Steve S.] It's not our only opinion. It falls in with the rest of our procedure. We look at the cost, market, and income approach.

- Okay, so I'm a little confused because I'm asking you about the income approach. So on the income approach, the expenses that you're using are those higher or lower than the expenses I am using?

- [Steve S.] Correct, oh, we're lower. The expenses are lower than what.

- Okay, and you're saying that your expenses are based on market rather than actual, correct?

- [Steve S.] Well, we have to do that, the building is vacant.

- Right, I'm just asking how you're doing it. You're doing it a bit rather than actual, correct?

- [Steve S.] Correct.

- Okay, so by doing that, knowing that we have three years of expense history, you're ignoring actual and you're just applying a market expense rather than actual. So for example, if the property has an inefficient furnace, it doesn't matter, you're going to reduce the expenses as if it had any efficient furnace, is that correct?

- [Steve S.] No, I don't think, you're turning that around. I believe that the expenses are based on the lease agreement, and that will be determined if it's a net or triple net lease. So the expenses will be determined based on that lease. And so if you wanna get into reserves, that's all included in there, you do put aside for reserves, I understand that. But at the same time, I mean, we can go through this all day, but without being a property occupied, and if you wanna go off of three years, and this property is not losing, that would be another thing, but I'm just saying I'm going by what we have typically in the market and the information from the broker indicating that we are all on the same page except for you.

- Okay, actually, I'm not really sure where you're going with that. I have no further questions.

- [Thomas] Okay, would you... Do board members have any other questions of the assessor? Hey, Mr. Kohlenberg, would you like to make your final statement?

- Absolutely, so when you value a building like this, you value it based on how much money it will make for the investor, it's really that simple. If the building is anticipated to have a decent return, if it looks like it's going to be a problem building, it's worth less money. So everything that you saw here was based on standard valuation for a building. With the gross rental income, this is the amount of money that they are expecting to receive, which is 14.50 a fourth. The expenses are the actual costs to operate the building. And the rest of the calculation is what's used to establish value. Unusual for a real estate broker to pump up the asking price with anticipation that the offer price will be less. It is also imperative to understand how the application is used in valuing the building. And by not applying the assessment ratio to the fair market value of the property, it is a violation of the uniformity clause. This is not my opinion, this is in the manual. I contacted the Department of Revenue, they confirmed it, and they pointed me to two sites. One is a chart in the manual and the other is the Wisconsin State Statutes where it talks about the uniformity clause. So in my opinion, the property is overassessed by \$165,100.

- [Thomas] Okay, any discussion by the board members before we vote? Okay, then I would entertain a motion to accept the valuation of this property as set by the assessor.

- [Richard] I would so move, I believe that the presumption that the assessor's valuation is correct has not been overcome by the evidence.

- [Thomas] Do we have a second?

- [Steve C.] I do agree with that.

- [Thomas] So your seconding that?

- [Steve C.] Correct, I'm seconding.

- [Thomas] Okay, would the clerk call the roll?

- [Kris] Thomas Aziere?

- [Thomas] Yes.

- [Kris] Richard Laurent?

- [Richard] Yes.

- [Kris] Steve Corken?

- [Steve C.] Yes.

- [Kris] that passes.

- [Thomas] Thank you, sir.

- Thank you, members of the board.

- [Thomas] Okay, next we will hear the other case on, this is 850 Kepler Drive, right, unit two?

- [Kris] No, we're doing 445 Madison Street.

- [Richard] No, we just did that.

- [Thomas] Just did that one.

- [Kris] Oh, I'm sorry.

- [Thomas] Yeah.

- [Kris] Yeah.

- [Richard] 850 Kepler.

- [Kris] It's 21 dash--

- [Thomas] 850 Kepler Drive, parcel 21-7900. Is that correct?

- [Kris] Yes.

- [Thomas] Okay, would the... Mr., is it Mr. Arden?

- Ardern, correct.

- [Thomas] Ardern, would you please state your full name, address for the record?

- Sure, Bill Ardern, my office is 10206 North Port Washington Road, Mequon, Wisconsin 53092.

- [Thomas] Okay, would you please raise your right hand and let the clerk swear you in?

- Do you solemnly swear that the testimony, truth shall give in the matter now and hearing will be the truth, the whole truth, and nothing but the truth, so help you God?

- I do.

- Thank you.

- [Thomas] Okay, who from the assessor's office will be testifying?

- [Russ] That will be, it'll be Steve Shepro.

- [Thomas] Okay, Steve, would you please state your full name for the record?

- [Steve S.] Yes, my name is Steven Shepro, and I'm one of the commercial appraisers for the City of Green Bay. The address here is 100 North Jefferson Street.

- [Thomas] Okay, Kris, would you swear him in, please?

- Sure, is your hand raised, Steve?

- [Steve S.] Yes it is.

- Do you solemnly swear that the testimony which you shall give on the matter now in hearing will be the truth, the whole truth, and nothing but the truth, so help you God?

- [Steve S.] Yes, I do.

- Thank you.

- [Thomas] For the record, Steve, would you please state the appraised value of this property?

- [Steve S.] Okay. The property in question is called The Meadows. Parcel number 21-7900. Okay, that 850 Kepler Drive, Green Bay. The land value is 802,600. The improvements is 630,800. The total value of 1,433,400.

- [Thomas] Okay, thank you. Would the objector now like to present your, you'll present your evidence, then the board can ask you questions, the appraiser can ask you questions, and then the appraiser will provide their testimony. And we can ask them questions and you also and then you have a chance to make a final argument, so go ahead with your initial presentation.

- Okay, I sent Kris a summary that I put together. It's called Summary for the 2020 Board Review. Does the board, do all the board members have copies of that?

- [Thomas] Yes.

- Great.

- Yeah.

- Okay, I'm just gonna walk through it. The six points that are on the summary. This property has been on the market for sale since September of 2018. The asking price is \$750,000. It has been 750,000 since January. There's only been one offer to purchase on the property that has been \$700,000. Unfortunately, as of April, that offer fell apart because under the condominium documentation, the connecting hotel has a majority vote. Each condominium unit, this unit, along with the restaurant, there's three units to the condominium has a vote and the hotel did not want the use that the purchaser had in mind which was to have rock concerts. The hotel was concerned that the noise would be objectionable to people staying at the hotel so that \$700,000 offer, the only thing it was contingent upon was approval of the hotel owner and she would not approve it, so that offer fell apart. That 700,000 is what I put on the objection form as the estimate of market value because that is the most recent evidence of market value other than the \$750,000 asking price. Right now, the owner is really frustrated. The building's been vacant since September of 2018. Now, in the context of COVID-19, she's concerned that, who's gonna want a special event of building like this for weddings and other special events. So going forward, and I know that isn't relevant for the current assessment here, but it's something in the back of

the mind of the owner that she's gotta get overhead down as it relates to the holding costs. We believe that the land value is excessive. There's a summary of 16 commercial land sales in the copies of exhibits that show an average commercial sale price of \$2.70 a square foot, whereas the subject is being assessed at \$5.50 a square foot and moving to my sixth point, that we had copies of exhibits. First exhibit is the marketing brochure with \$750,000 asking price, a copy of the accepted \$700,000 offer that fell apart because of the hotel, and then the summary of the commercial land sales that we put together. Does the board have any questions?

- [Thomas] Any board member has any question? Yeah, go ahead, Rick.

- [Richard] No, I don't have a question.

- [Thomas] Okay, Steve?

- [Steve C.] None at this time.

- [Steve S.] Sorry, no, I don't have any questions at this point.

- [Thomas] Okay, the assessor. You don't have any questions either, you were saying?

- [Steve S.] Correct, not at this time.

- [Thomas] Okay, would you like to make your presentation now?

- [Steve S.] Yes, as we talked about, this is considered, it's called The Meadows. It's a conference center. This is a condo unit. This was built as three condo units. One is Country Inn and Suites, now the restaurant in there called Pablo's, and the conference center. I was involved with this one way back quite a few years back. I just wondered when this all started up. And this is the only conference center that the hotel actually uses. So they don't have their own, they have one basically just a meeting room now. And so I did have a conversation with the hotel regarding this because I wanted to know what's going on because it is quite a difference in value, and try to understand what's going on here. I did talk to Mr. Ardern previously on this property. I think he kind of agreed this is kind of unique because typically we don't run into problems where it's this much discrepancy between prices. So basically, so I did talk to him. They said they haven't, they don't even know the last time

that this place has been even trying to take events and that goes back quite a ways. We did go online and found there was quite a bit of negative comments about the place, so I really believe this is a business side of it that really is not worked out well for this one. There was a sale on the property, there was a sheriff's sale of foreclosure for 500,000 and the company that bought it now turned around and pretty much are flipping it for 750. So the incentive there is not a lot but except for making 200,000 or 250,000 on something you just picked up. That's not unusual people will do that. That doesn't determine the market value. So I understand the sheriff's sale is definitely as a rejected sale. And I would believe we would probably reject the next one because it does not fall, because it's an outlier basically it would be. So we do, like I said, this is a condo unit so it does big is kind of a unique situation. As far as the land sales, when we went through, we did reduce this down. We did take a look at our land sales and the discussion that was brought up earlier when this was originally valued, was quite a bit before I was here, but it was set based on the market at that time. And we went along and looked at the land values now. This land sales that I received from Mr. Ardern, I didn't see any land adjustment. The sales go from Gray Street to, or Gray Court I believe all over the city. Well, absolutely, there's no way that's gonna be valid for out here off of 14th Street. We do have sales within there and booze is one of 'em. And then actually, the market cinema, trying to sell some lots yet for about 600 or \$6.8 a square foot. We're running about 5.50 a square foot. So I think that the, nothing I missed are their insider, I guess ours, it's just sort of underperformed so bad that it basically lost itself. There's no market for this property at this point and I think that we have to look at equity between properties and when we look at all this, the hotel actually sold, actually the Hotel Country And Suites, which was after this sold in 2017 for 5.4 million. RSS value's at 4.6 million. While we look at in Pablo's, the same thing, we got 1,100,000 on that, but what we look at is that when these properties sell, is their consistency between 'em and everything else out there. Yes, we got a Culver's up there, we got Mackinaws, we got another motel out there. So we try to stay consistent. That's the only thing you can do in the assessment business is try to be consistent, so it's fair to every taxpayer, like we did that, now we have to deal with the improvements on the property. And that we feel is based on this huge trail and I would say the management or the ownership, whatever you want to say, it has not worked out now. If they would get better people in there, absolutely they could. It will just keep probably going down and down and down until somebody picks it up for 100,000, very possible, but that is not considered a market value. The market value is determined based on similar properties out there. We did look at some comparables out there. It's very difficult 'cause this one's unique in being a condo, but we do have some and we looked at the dollar per square foot that they sell for. This one here right now were sitting at, I believe \$37 per square foot on this building, which is down there about warehouse and it's definitely better than that. They're very nice rooms, and I think where it ends up, I don't think anybody knows at this point, but to change the value and go away with a lot, it really bothers us because basically it throws our system off. The land sales that I was given, with no adjustments and location, nothing, not even an issue. So I do understand this is a very difficult one for the board, it is very difficult for everybody itself. But it's more about the business than it is about the property. It's just as bringing the value down, so that's my presentation. As far as when we look through this, there's no way we can do an income approach 'cause it's not generating anything, and if you did it all hypothetical, I'm not sure what that would do, because we're not sure if it would stay a conference center, but right now, that's how we got to look at it 'cause that's right now at this point. I will say that, we usually don't try to get into the management side of it, but I would think that, there's, what we saw, it was probably had brought the value of this property down. And if we did that for every bad management, we would have a quite a problem with equity throughout the city, that's all I have.

- [Thomas] Let me ask you a question. Have there been improvements? Did the people that bought it for 500,000 are now selling it or have it on the market for 750? Did they make any improvements to the property? Any renovation, remodeling, anything like that?

- [Steve S.] None that I'm aware of and there's no permits on it at all.

- [Thomas] Okay, good. It has not been operating for several years. Is that correct?

- [Steve S.] Yeah, I've recently been notified of this one. Like I said, I actually dealt with this property probably 15 years ago, and I actually, I think, I believe in met either the owner or the manager at that point. And they were leasing office space to conferences and banquets and office get-togethers. So that's my last contact with them, and we have never heard from them before as far as having any indication of having problems except for knowing the listing. We didn't see the listing out there or when it sold for 500. That was a foreclosure sales.

- [Thomas] Okay. Do any board members have questions of the assessor? Does the objector have questions of the assessor?

- Ah, yes, I do. Steve, you had mentioned comparables that you consider. What type of comparables did you consider?

- [Steve S.] Are you talking about the building or the land or the business you're talking about?

- I don't know, you had just, and when you're going through your explanation, you had said that you had considered some comparables. And I just wanted to find out if there was any other conference center or event space that was out there. I looked, I couldn't find something. That's why I wanted to find out if you had found some comparable sales out there.

- [Steve S.] We didn't find anything, like I said. We did the same thing you did is look out there and look at other properties. But I also thought this was quite unique because it is a condo, it's not a standalone. That would be also an adjustment that would have to be taken, I believe.

- I didn't know if the board wants, excuse me. I didn't know if the board wants me to address this idea of the flipping or not. I could give background about the current owner or if I should wait to do that.

- [Thomas] Well, you can, if you have no more questions of the assessor and you can now make your final presentation if you want to and you can bring that up at that time.

- Okay, that'd be great. The owner was a part, and the restaurant was sold off, the conference center was sold off, and then finally the hotel was sold off, but the conference center failed under the previous owner and the current owner bid at sheriff's sale to protect her interest because she was going to be held liable on past financing, so it was not, motivation wasn't to flip the, was to preserve her investment. And now she's frustrated because of the situation with the market, she's been having on the market since September at 750 and that's really goes to the crux of it, we feel, by having it on the market at 750, it's showing that it's being overassessed, it isn't representing market value, because if it's a management issue, other caterers, other special event people would look at the facility, buy it and operate it as a successful event space versus a potential lack of market demand, particularly right now for this type of use. And this one, feel is really indicative of what the current market is, and it's unfortunate that the hotel that didn't want the use as far as rock concert and so that buyer's not gonna come back most likely, but we believe the market is showing that the assessment is too high based on the \$750,000 asking price that's been since September 2018. And then most recently, the \$700,000 offer that unfortunately didn't gel as far as completing, but it just comes down to we feel the asking price is the best indication of market value at this point.

- [Thomas] Okay, I am I have a question for you. Since the owner, a partial owner of the hotel bought the building or this partial, has there ever been any consideration of combining it back into the hotel which probably would increase the value?

- That would be logical but the current owner of the hotel only wants to pay like \$100,000 for the building and the current owner obviously doesn't wanna sell it that low of a price. I mean, as Steve mentioned over time, I mean, as this property stays on the market, who knows? The owner has \$500,000 committed of her own money and obviously would like to recover that and that's part of the logic in having it priced at 750. But that's logical, it seems to me, the hotel would be the logical candidate, but right now, they are not interested at the 750. And like I said it was a third party that made the most recent offer at 700,000.

- [Thomas] And one more question. How long has it been vacant, with no use?

- I don't think has been any special events or weddings for two years.

- [Thomas] Okay, well, all righty, thank you. Can any discussion among the board members would somebody like--

- [Richard] Hi, I have one question of the, you indicated it's been two years since there's been any activity out there. Do you have any idea or why that span two years?

- Well, the current owner is not in the special events business. She is an investor in the real estate, so she has not been marketing it for weddings and special events. She listed it with Todd Devillers real estate broker. He's been marketing the real estate as a special event facility. That's, in fact, why I included a copy of his marketing brochure so you can see how he's trying to sell it and so far, like I said, there's only, the one \$700,000 offer but she, an operator of special event space.

- Okay.

- Thank you.

- [Thomas] Well, this is not a good time to try to have special events anyway, even if you're, not gonna have 'em so that's an issue.

- [Richard] Yeah, that's all, but two years ago, we didn't have the COVID epidemic.

- [Thomas] Well, I think even Steve brought up the fact that it was probably management that caused the downturn of the property at that time. I guess... I don't know, this is a hard one.

- [Russ] Mr. Chairman, if I may speak?

- [Thomas] Sure.

- [Russ] Probably, if Kris could probably swear me in before I talk?

- [Thomas] Who is this?

- [Russ] This is Russ.

- [Thomas] Oh, Russ, okay, yeah. You wanna swear him in, Kris? Are you there, Kris?

- Her microphone's muted, it looks like.

- [Thomas] Okay.

- [Kris] Usually every meeting, I do that once.

- [Thomas] Do you wanna swear in Russ?

- [Kris] Yeah, raise your right hand, Russ.

- [Russ] It's raised.

- [Kris] Do you solemnly swear that the testimony which you shall give on the matter now in hearing will be the truth, the whole truth, and nothing but the truth, so help you God?

- [Russ] I do.

- [Kris] Thank you.

- [Thomas] I do realize that we're a little out of sync of what we're supposed to do here. But I think that the bottom line is to try to get all the information we can before we we make a vote. Go ahead, Russ.

- [Russ] Okay, just point of clarification and I get, Rick was getting to the point I'm trying to make, I mean, the person that's selling it has a vested interest in the property and just wants to get their money out of it, 'cause they've got invested into it. They're not in the business of that particular type of property and Mr. Ardern has admitted as such. So they're not trying to run this business as it was intended, so most businesses, in order to

get the maximum potential value out of it, have to be occupied and run as such in order to attract the best investor for that property. When somebody goes by a building and sees it empty and not being used for the past several years, they're not gonna take a look at it, so I can make that. Wanna see if somebody's making an attempt to fill it up and do it and there has been no attempt to do that, in this case. So Steve's point, as far as management is directly goes to what the value should be. Value was good because we're taking that in consideration, the fact that this hasn't been managed in the proper way. They're just, they bought it to preserve their assets, and they're basically dumping it to get their assets back out. So no hotel's just buying their time until it comes down to value they wanna pay for, and the rest of market's looking at the same thing, because it's getting stale. If they were to put somebody in there, or rent or whatever, to put something in there to actually put events in there and have things going on, or if they would over the past several years, we'd be looking at a different case here. So what I would suggest is that we keep the value the same for this year and take a look at it for next year in case anything happens, but as of the first of the year, I don't think it was, any attempt on their part to actually market the property or do anything to make the property actually go as a going concern and be a valuable asset to that hotel in that actual neighborhood, just love to go. Ardern?

- Yes, I guess I question the fact that if the assessment represents a business value, that's not the, it's supposed to represent the fair market value of the real estate business. And I guess that's where--

- It's not what I'm saying. Not what I'm saying. I'm saying that if there was going concern in there, it would attract more people that would be interested in seeing the property as it was intended to be used. We're not valuing it, and as I said that before that, I don't value business value. But as such, you look at a business, a vacant piece of property versus one that's being utilized as it was intended, anybody that is looking at property knows the one that's occupied has a greater chance of being sold than one that's not. That's just common sense.

- [Thomas] Okay, all righty. Any other discussion by board members? Okay, I would then entertain a motion to accept the assessor's valuation of this property at \$1,433,400.

- [Richard] I would so move. And again, I don't believe that the evidence overcomes the presumption that the assessor's valuation is correct. And I don't believe the evidence shows that so I would so move.

- [Thomas] Do we have a second?

- [Steve C.] I would second that motion. It looks like the property itself looks like it's starting to gain traction or at least an offer at this point on it. I think it continues down that road. There should be a better outcome coming forward.

- [Thomas] Will the city clerk, please call the vote?

- [Kris] Thomas Aziere?

- [Thomas] Yes.

- [Kris] Richard Laurent?

- [Richard] Yes.

- [Kris] Steve Corken?

- [Steve C.] Yes.

- That passes.

- [Thomas] Okay.

- Thank you.

- [Thomas] Thank you.

- Thank you.

- [Thomas] Do we have any late cases? Any other requests for review by the board with exception to late filing?

- I'm gonna, if I can just check my, the clerk's inquiry email first, please?

- [Thomas] Sure.

- Thank you.

- [Russ] I just wanna thank the board members for participating today. This is Russ. I truly appreciate it. And Steve, thank you for agreeing to come in and be a board member under these circumstances. It's a trying mission of being a board member for the board review without having to not see the person that you're testifying or that's testifying in-person. It's being in the boardroom with the members and the appellant and the assessor's office is a different hearing, then definitely this is. So hopefully by next year when we do this, we'll all be in the same room, I cannot help it. And hope Rick decided that this isn't too long for him to and he bails on us 'cause we've had too many people bail. So Rick, you'll be here next year, right?

- [Richard] You're trying to make me give you a commitment right now and I don't know if I'm ready to do that. Pretty tricky.

- [Thomas] Well, who do we lose this year? Who all left this year?

- [Richard] Yeah, how come we only have three members?

- [Russ] Well, Jay moved out of town.

- Okay.

- Okay.

- [Russ] And Diane had work commitments so she couldn't make it.

- Is she still on--

- On the board?

- [Russ] Yeah, she's still on board.

- [Thomas] Oh, okay, she's not here today, okay.

- [Richard] How many members do we have on the board?

- [Russ] Four.

- [Richard] And how many are allowed on the board, seven?

- [Russ] Seven, yeah.

- [Richard] Is there any indication that other people are going to be nominated for the board by the mayor?

- [Russ] Well, that's our wish and Steve is the first, so we're hoping to get more people along the way. And luckily, Steve consented and we can have a quorum this year. So hopefully--

- [Steve C.] Well, I appreciate that. It's something I've had some experience within in the past. I just, coming on board such short notice as it is now, getting my feet wet is a good thing. So I think it went fairly smoothly. There's some things here and there to catch up on and move forward with but I think overall, worked out pretty well today.

- [Russ] Yeah, we really appreciate it.

- [Richard] I mean the only thing you didn't get to participate in was the doughnuts, so that's--

- [Russ] Yeah. You could send over a dozen routes over to my office if you want.

- [Russ] Okay, yeah, we'll work on that. We have, I'll have my people talk to your people.

- [Steve C.] To get through the system quicker.

- [Thomas] How come Kris disabled our attendee screen?

- [Russ] Yeah.

- [Thomas] There she is. Did you review your incoming?

- I am checking one more place. I checked with the clerk's office. There's nothing in the clerk's office. There's nothing in the email. But one girl did pick up mail so I just wanna double check with her, okay?

- [Thomas] Okay.

- Thank you.

- [Russ] I think she cut us off 'cause she heard the donut comment.

- [Thomas] Are you a--

- [Richard] A virtual donut.

- [Thomas] Have you been in working, Russ?

- [Russ] No, I have not, I have my staff part-time switching off but due to medical reasons that I am not in the office.

- [Thomas] Oh, okay.

- [Russ] Currently, so I'm working remotely, which is something that appreciate the City of Green Bay allows us to do. They've been awesome working with us. We've got a good IT department that hooks us up and obviously with the Zoom video and help, we were able to do this, so it's pretty smooth sailing. I mean, we're all sitting in different places and able to do this so it's a testament to our staff and the people are doing it so, a big shout out to them.

- [Richard] I downloaded the Zoom thing on my cell phone, my smartphone but I couldn't get the pictures. I got the end of the meeting but I don't know if I'm not hitting the right button or whatever.

- [Thomas] A few pictures. None of us have been on there so--

- [Richard] Oh, okay.

- [Thomas] Nothing serious on your medical.

- [Russ] No, I'm just getting old.

- [Thomas] Okay, well, like the rest of us.

- [Richard] I know the feeling. Yeah, I'm in the double danger group. I'm over 65 and I had bypass surgery so--
  
- [Thomas] Oh, wow. I haven't had the bypass surgery but I'm overweight, so that's that's not good either with the and I'm 76 so.
  
- [Russ] But you're young 76.
  
- [Thomas] Sometimes I feel like it, sometimes I don't.
  
- [Kris] Didn't receive anything in the first two hours of the meeting, so there isn't anything else.
  
- [Thomas] Okay, great. Russ, do we have anything on personal property?
  
- [Russ] We do not.
  
- [Thomas] And do we have anything on, what is that, the other thing that we have where you--
  
- [Russ] Oh, hey, anything that I bring forward to have--
  
- [Thomas] Yeah, yeah.
  
- [Russ] No, we actually took care of all that stuff during Open Book, we didn't have anything come back late. So anything that we had, we had the property or sign waivers, so they'll come to Board of Review and they were all adjusted and they appeared in the assessment roll. So those were take care of.
  
- [Thomas] Super, any other business to be brought before the board? Okay.

- Not in our end.

- [Thomas] Okay, I would then entertain a motion to adjourn.

- [Richard] I would second that motion or make that motion. Steve, you wanna second it?

- Then I'm going to second it.

- [Thomas] Okay, all in favor?

- Aye.

- Aye.

- [Thomas] Okay, thank you very much, Kris and Russ.