



AGENDA OF THE GREEN BAY PLAN COMMISSION

MONDAY, NOVEMBER 8, 2021, 6:00 PM
Virtual Meeting. Public may join via Zoom.

A. Zoom Meeting Information.

1. This item contains documents which provide call in information and instructions for the Zoom meeting.

B. Roll Call.

1. Members: Lisa Hanson - Chair, Jacob Miller - Vice-Chair, Ald. Veronica Corpus-Dax, Sidney Bremer, Derius Daniels, Autumn Linsmeier, and Ken Rovinski.

C. Approval of the Agenda.

1. Approval of the Agenda for the November 8, 2021, meeting of the Green Bay Plan Commission.

D. Approval of Minutes.

1. Approval of the minutes from the October 25, 2021, meeting of the Green Bay Plan Commission.

E. Regular Business.

1. (CPA 21-02) Public Hearing on a request to amend the City's Comprehensive Plan for a portion of the property located in the 3400 Block of East Mason Street, Tax Parcel: 21-167 (Figure 22-6), from Commercial to Medium/High Density Housing, submitted by Jon LeRoy, Mau & Associates on behalf of Gerry Bigelow, Bigelow Rentals, G&H Properties, property owner (Ald. V. Corpus-Dax, District 2).
2. (CPA 21-02) Consideration with possible action on a request to amend the City's Comprehensive Plan for a portion of property located in the 3400 Block of East Mason Street, Tax Parcel: 21-167 (Figure 22-6), from Commercial to Medium/High Density Housing, submitted by Jon LeRoy, Mau & Associates on behalf of Gerry Bigelow, Bigelow Rentals,

G&H Properties, property owner (Ald. V. Corpus-Dax, District 2).

3. (ZP 21-33) Public Hearing on a request to rezone a portion of property in the 3400 Block of East Mason Street from Rural Residential (RR) and Low Density Residential (RI) to Varied Density Residential (R3), and Rural Residential (RR) to General Commercial (CI), submitted by Jon LeRoy, Mau & Associates on behalf of Gerry Bigelow, Bigelow Rentals (Ald. V. Corpus-Dax, District 2).
4. (ZP 21-33) Consideration with possible action on a request to rezone a portion of property in the 3400 Block of East Mason Street from Rural Residential (RR) and Low Density Residential (RI) to Varied Density Residential (R3), and Rural Residential (RR) to General Commercial (CI), submitted by Jon LeRoy, Mau & Associates on behalf of Gerry Bigelow, Bigelow Rentals (Ald. V. Corpus-Dax, District 2).
5. Consideration with possible action on the approval of the Military Avenue Business Association (MABA) Business Improvement District (BID) Operating Plan for 2022.
6. Consideration with possible action on the approval of the On Broadway, Inc. (OBI) Business Improvement District (BID) Operating Plan for 2022.
7. Consideration with possible action on the approval of the Olde Main Street, Inc. (OMSI) Business Improvement District (BID) Operating Plan for 2022.
8. Consideration with possible action on the approval of the Downtown Green Bay, Inc. (DGBI) Business Improvement District (BID) Operating Plan for 2022.
9. Consideration with possible action on the Downtown Green Bay Inc. (DGBI) Business Improvement District (BID) Board appointment for Jenny VanderZanden and reappointment of Sue Lagerman.
10. Appointment to the City of Green Bay - Town of Scott Joint Planning Commission.

F. Informational.

1. Director's Report.
2. Date of the next meeting: November 22, 2021.
Please note the date change from November 29, 2021 to November 22, 2021.

G. Adjournment.

- 1) THIS MEETING IS RECORDED: THE VIDEO OF THIS MEETING AND MINUTES ARE AVAILABLE ONLINE AT www.greenbaywi.gov
- 2) ACCESSIBILITY: Any person wishing to attend who requires special accommodation because of a disability, should contact the City Safety Manager at 920-448-3125 at least 48 hours before the scheduled meeting time so that arrangements can be made.
- 3) QUORUM: Please take notice that a majority or quorum of the Common Council will attend this Plan Commission meeting and will constitute a meeting of the Common Council for purposes of discussion and information gathering relative to this agenda.
- 4) REPRESENTATION: The party requesting the communication, or their representative, should be present at this meeting.

Virtual Meeting Instructions



Plan Commission

Zoom Meeting Information

Join Zoom Meeting

<https://us02web.zoom.us/j/84137675822?pwd=L2EyVlpDSlZGZ1FjcmlpWnZlOEVnUT09>

Meeting ID: 841 3767 5822

Password: 483400

One tap mobile

+1 312 626 6799,,841 3767 5822# US (Chicago)

+1 646 876 9923,,841 3767 5822# US (New York)

Dial by your location

+1 312 626 6799 US (Chicago)

+1 646 876 9923 US (New York)

+1 301 715 8592 US (Germantown)

+1 346 248 7799 US (Houston)

+1 408 638 0968 US (San Jose)

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

Meeting ID: 841 3767 5822

Password: 483400

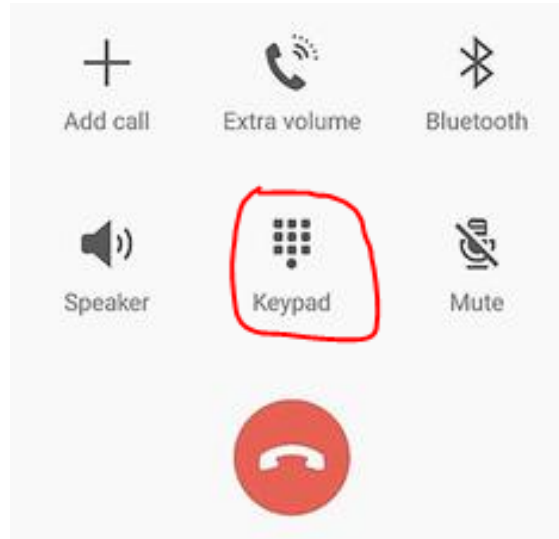
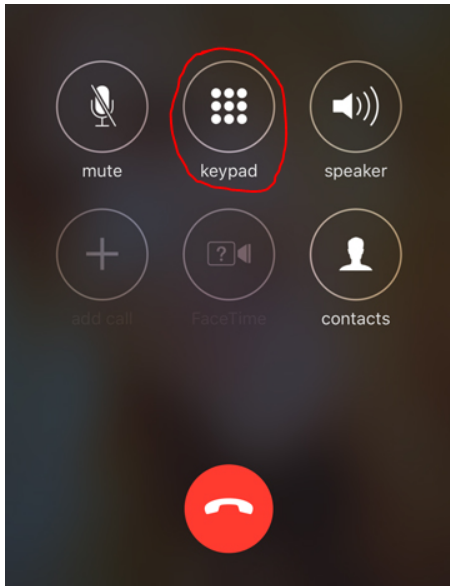
Find your local number: <https://us02web.zoom.us/j/84137675822?pwd=L2EyVlpDSlZGZ1FjcmlpWnZlOEVnUT09>

Additional Information

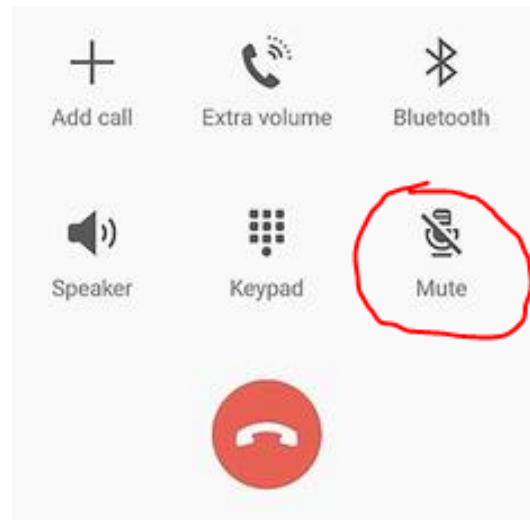
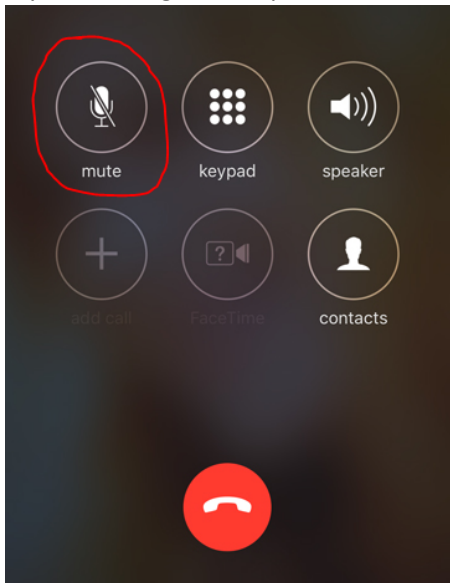
1. Wisconsin Open Meetings Law still applies
 - a. Persons interested in speaking to an item must give their name and address
 - b. Committee/Commission/Board members will still follow *Roberts Rules of Order*
2. All zoom meetings will have a password in the instructions. Please enter when prompted.
3. Please log into the Zoom meeting 10 minutes before the meeting starts to ensure proper technology is working.
 - a. If you are a Board Member, please log into [CivicClerk](#) with a computer, laptop, or tablet device.
4. Once you are in the meeting please mute yourselves.
 - a. You may unmute yourself when you are called upon to speak.
5. Waiting room
 - a. When you call in, all callers/participants will be placed in a “waiting room.”
 - b. Persons on the agenda will be admitted to the meeting, and then once the item is concluded, the host will permanently mute you from the meeting (you can still hear the meeting).
6. Using Zoom with a tablet or computer
 - a. Tablet—you will be asked to sign in. Download the app either with the Apple Store or the Play Store
 - b. Computer—you will be asked to sign in. You may download the app or click on the link to open Zoom in your browser.
7. Registering
 - a. The host may ask you to register for the meeting. A registration link will be sent to you along with the invite. You’ll receive another email confirming that you’re registered for the meeting.
 - b. If you’re using a phone, your registration will still be tied to an email.
8. Raising your hand
 - a. Committee members—you can either use CivicClerk and request to speak or you can “raise your hand” in the zoom meeting (you’d need to use a computer or tablet) to let the host know you’d like to speak. You can also un-mute yourselves and start speaking.
 - b. Persons on the agenda—you can “raise your hand” but you’d need to use a computer. You will be allowed to speak, per Wisconsin Open Meetings Rules, once the committee has “opened the floor for interested parties to speak.” Once the committee is finished with your agenda item, the host will mute you permanently, unless the committee opens the floor again.
9. What devices should I use?
 - a. Smart phone (please see more detailed instructions on page 3)
 - b. Land line
 - c. Tablet—well in advance of the meeting, please download the Zoom Meeting app before you join a meeting by using either the Apple Store or the Play Store. You will be asked to input your name, thus identifying you for the meeting. You’ll also be asked to verify your email.
 - d. Computer—well in advance of the meeting, please download the Zoom Meeting app, but you can also click on a link to open the Zoom Meeting in your browser. You will be asked to input your name, thus identifying you for the meeting.
 - e. For tablet and computer users—if you download the app you will be asked to verify your email.
10. Zoom etiquette
 - a. Muting yourselves when you’re not talking will prevent your background noise from interfering with others’ ability to listen to and participate in the meeting.
 - b. If you’re using a telephone, please identify yourself with your phone number and name before you speak. Zoom meeting hosts can see only your telephone number and will ask you to identify yourselves.
11. Closed session
 - a. Persons in the Zoom meeting will be put into a waiting room while the committee meets in Closed Session. Participants will be admitted back into the Zoom meeting once the committee reconvenes in Open Session.
 - b. Persons watching live on YouTube will see a gray screen with the City logo during closed session.
12. Persons interested in listening to the meeting can go to www.youtube.com/CityofGreenBay

Calling into the Zoom meeting using a smartphone

1. Dial the phone number listed at the beginning of this document.
2. When prompted, enter the Meeting ID number followed by #
 - a. If you're using a smartphone, you can access the keypad by clicking "Keypad" on your screen



3. Once you are in the meeting, notify the meeting host that you are in and state your name.
4. If you do not need to talk, please make sure your phone is on **Mute**
 - a. If you're using a smartphone, look at your screen and click the Mute button



- b. If you're using a computer, you should see a Mute button in the Zoom application





Report to the Green Bay Plan Commission

MEETING DATE

November 8, 2021

PREPARED BY

Paul Neumeyer, Staff

AGENDA ITEM # E.1

(CPA 21-02) Public Hearing on a request to amend the City's Comprehensive Plan for a portion of the property located in the 3400 Block of East Mason Street, Tax Parcel: 21-167 (Figure 22-6), from Commercial to Medium/High Density Housing, submitted by Jon LeRoy, Mau & Associates on behalf of Gerry Bigelow, Bigelow Rentals, G&H Properties, property owner (Ald. V. Corpus-Dax, District 2).

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

None



Report to the Green Bay Plan Commission

MEETING DATE

November 8, 2021

PREPARED BY

Paul Neumeyer, Staff

AGENDA ITEM # E.2

(CPA 21-02) Consideration with possible action on a request to amend the City's Comprehensive Plan for a portion of property located in the 3400 Block of East Mason Street, Tax Parcel: 21-167 (Figure 22-6), from Commercial to Medium/High Density Housing, submitted by Jon LeRoy, Mau & Associates on behalf of Gerry Bigelow, Bigelow Rentals, G&H Properties, property owner (Ald. V. Corpus-Dax, District 2).

BACKGROUND

Primary Address: 3400 Block East Mason Street

Aldersperson/District: Ald. Veronica Corpus-Dax / District 2

Reason for Request: The proposed comprehensive plan amendment would allow for the future rezoning of the property for multi-family development.

Surrounding Zoning and Land Uses:

SUBJECT	Rural Residential (RR)/Low Density Residential (R1)	Vacant
NORTH	Medium Density Residential (R2)	Two-family dwellings
SOUTH	Planned Unit Development (PUD)	I43 Business Center
EAST	Varied Density Residential (R3)/Low Density Residential (R1)	Single & Multi-family dwellings
WEST	Rural Residential (RR)/Varied Density Residential (R3)	Vacant

Comprehensive Plan: The 2022 Smart Growth Green Bay Comprehensive Plan recommends Commercial land uses.

Analysis: The subject parcel is located north of East Mason Street between South Huron Road and Chapel View Road. The site is approximately 22 acres in size and is currently a fallow farm field with a bordering landscape buffer to the north and east side of the parcel. The parcel is immediately north of the I43 Business Center that contains a Business Related Retail (BR) zoning designation.

The proposal for the site would ultimately create two lots, a larger parcel of approximately 19.49 acres for the multi-family site development and a second smaller 2.59 acre commercial lot on the southwest corner of the site, would retain its future commercial land use designation as part of the Comprehensive Plan. Both are items for rezoning within this agenda. The site previously contained a Planned Unit Development (PUD) zoning dating back to the late 1990s, a commercial parcel that was to complement a PUD on the west side of South Huron Road for a proposed Wal-Mart that never materialized.

A narrative and conceptual site layout are attached within this agenda packet as submitted by the applicant. As proposed, the developer is proposing a density of 10 units per acre, located in the lower end range of

density as recommended in the City's Comprehensive Plan for Medium/High Density residential uses.

The *Smart Growth 2022 Comprehensive Plan* establishes the following review criteria for periodic amendments:

- I. The change is consistent with the goals and objectives or other elements of *The Smart Growth 2022 Comprehensive Plan*.
 - Staff feels the proposed amendment is consistent with the goals and objectives of the Comprehensive Plan as well as the Housing Market Study (2020).

- I. The change does not create an adverse impact on public facilities and services that cannot be mitigated. Public facilities and services include roads, sewers, water supply, drainage, schools, police, fire, and parks.
 - I. The proposed amendment should have no impact on public facilities and services.

- I. Development resulting from the change does not create an undue impact on surrounding properties. Such development should be consistent with the physical character of the surrounding neighborhood or would upgrade and improve its viability.
 - The proposed change in land use would not create a deterrent to the surrounding neighborhood.

- I. The change allows a more viable transition to the planned uses on adjacent properties than the current land use.
 - I. The proposed amendment provides a potential transition of surrounding lower/medium density uses to the north and east with higher intensity uses of the Business Park to the south.

- I. The change does not have a significant adverse impact on the natural environment including trees, slopes, and groundwater, or the impact could be mitigated by improvements on the site or in the same vicinity.
 - I. There are no known natural features that would impact the future development of the site.

- I. There is a change in City policies or neighborhood characteristics that would justify a change.
 - I. Not applicable.

- I. The change corrects an error made in the original plan.
 - I. Not applicable.

I. There is a community or regional need identified in the Comprehensive Plan for the proposed land use or service.

I. Not applicable.

I. The change helps the City meet its life-cycle and affordable housing goals.

I. Based on the Housing Market Study (2020) this request would assist in the rising need for rental housing as well as affordable housing needs as identified as part of the study.

I. The change does not adversely impact any landmarks or other historically significant structures or properties unless mitigated through relocation, commemoration, or dedication.

I. There are no landmarks or historically significant features that are being modified as part of the request.

During the early 1990s, it was felt that larger parcels like the subject parcel, as well as others to the west, along East Mason Street and South Huron Road, were ideal candidates for commercial development, specifically, medium to large sized retailers. Previous PUDs were established in anticipation of commercial development. However, such development did not occur as anticipated. Instead, in the recent past, changes in the retail and commercial markets have resulted in smaller commercial sites, some with an emphasis on drive-throughs. Smaller commercial developments like the Kwik Trip, Scott's Subs and strip development along the east side of South Huron Road have addressed the current commercial use demand for the immediate area.

The subject parcel is tucked in behind existing medium density residential uses to the north and multi-family and single-family uses to the east. The surrounding future land uses to the north and east are also recommended for Medium/High Density land uses. This site offers a buffer to those uses from both East Mason Street and the I43 Business Center as a transition of uses. The Housing Market Study (2020) has suggested that the City of Green Bay needs additional rental housing units as well as a variety of housing options. This amendment would contribute to the expanded multi-family housing options on the far eastside of the city.

As proposed, there is only one access to the parcel from East Mason Street to service both the multi-family and commercial developments. Staff has reached out to both the Fire Marshall and the Director of Public Works-Engineering regarding a secondary access point. Preliminarily, Friars Path will be utilized as a secondary access point but, the details of its ultimate design and utilization will be determined at the time of the site plan approval.

The Public Participation Plan for Periodic Comprehensive Plan Amendments is being followed for this request and notices have been provided regarding the public hearings for this meeting. A neighborhood meeting was conducted by the applicant on July 23, 2021. Ald. Veronica Corpus-Dax and neighbors within 400 ft. have been noticed of the meeting based on Plan Commission policy, no inquiries have been made as of the drafting of this report.

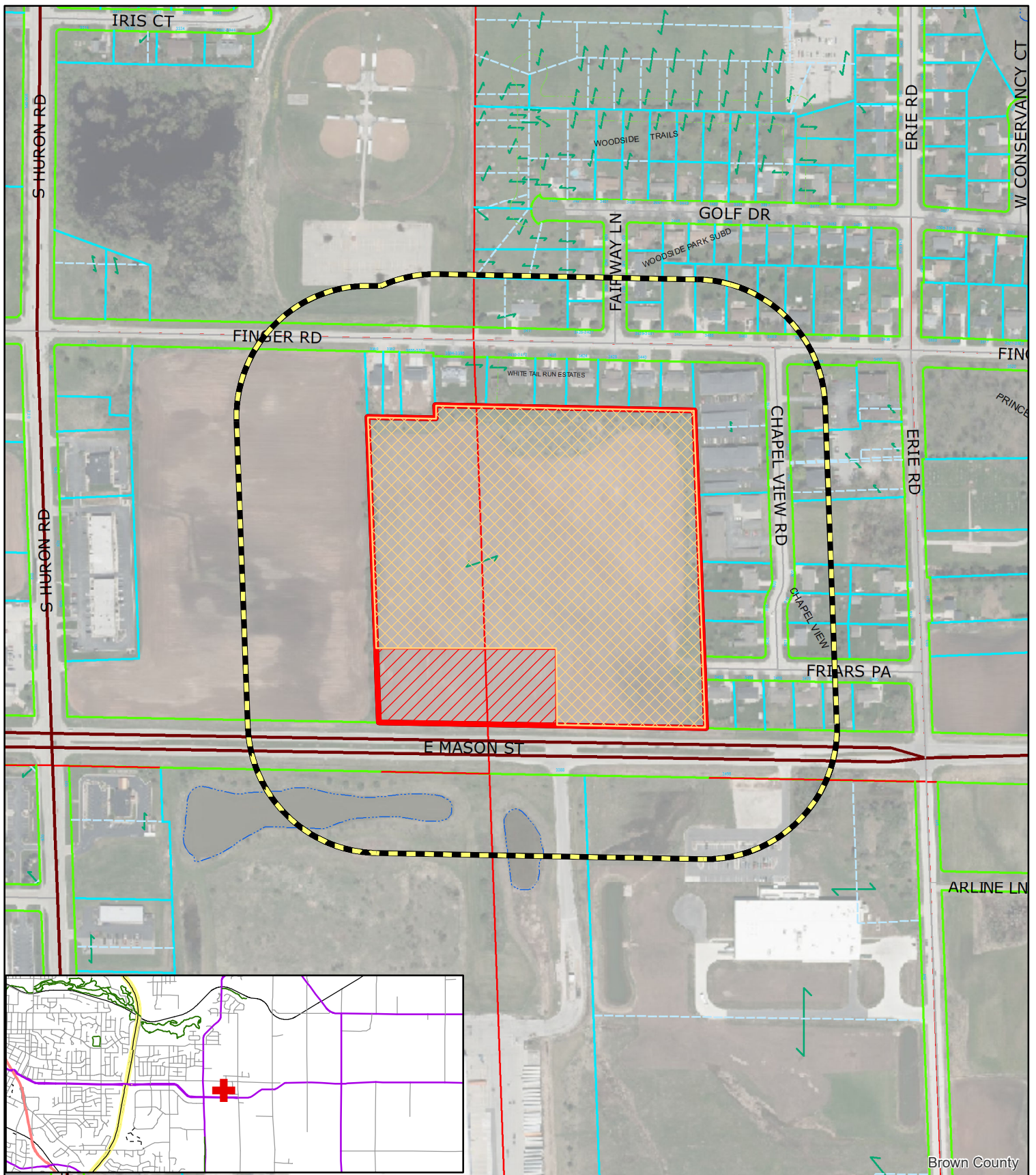
RECOMMENDATION

Approval of the request.

FISCAL IMPACT

ATTACHMENTS

1. CPA 21-02_ZP 21-33 letter
2. COMP PLAN AND REZONE REQUEST NARRATIVEBigelow E Mason St Fall 2021
3. Bigelow October I Layout
4. MO 00-21 - Amend Comp Plan 3400 Block East Mason Street

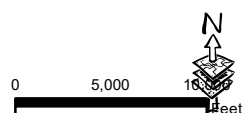


Comprehensive Plan Amendment (CPA 21-02)

Request for Rezoning (ZP 21-33)

3400 Block East Mason Street

- Parcel Boundary
- 400' Property Owner Notice
- Commercial to Medium/High Density Housing
RR/R1 to R3
- RR to C1



This is a compilation of records and data located in various City of Green Bay offices and is to be used for reference purposes only. The City of Green Bay is not responsible for any inaccuracies or unauthorized use of the information contained within. No warranties are implied.
Map prepared by PN

East Mason Street Development

Proposed Modification to the 2022 Comprehensive Plan from Commercial to M/H Density Residential and RR/R1 to R3 to facilitate the development of 192 apartment residences at the 3400 Finger Rd (fronted along East Mason Street)

Developer:

**Gerry Bigelow
Bigelow Rentals**

Consultant:

Mau and Associates

October 1, 2021

East Mason Street Development Project Overview

Gerald Bigelow of Bigelow Rentals is proud to submit this concept for development of 192 multi-family residential units, located on Parcel 21-167 at the 3400 block of Finger Road, fronted along East Mason Street. The development is projected to be comprised of one and two bedroom apartments arranged in with sixteen 12-unit buildings with attached garages in a campus-style setting. Structures will consist of 2 story buildings with 2 bed, 2 bath units with one and two stall attached garages. The exterior appearance will include an all brick exterior, arched shared entryways, and porches/decks for all units. Units will be priced at market rate, affordable rents, likely priced between \$795-895 per month.

This development will bring additional needed multi family options at a complete price.

To accomplish this vision, this submission requests an amendment of the City of Green Bay Smart Growth 2022 Comprehensive Plan from Commercial to Medium and High Density Housing and a rezone for 19.49 acres of the property to R3, with the remaining 2.59 acres along East Mason to C2 to attract potential future development along East Mason Street.

Bigelow will create the apartments over the course of a handful of phases, creating a focal point within the campus focused along the pond and trail system which connects the overall property to the pond and pedestrian access back to Friar's Path

A new single drive will be constructed along East Mason to serve the development. This drive will serve both the full 192 residential homes and leasing office as well as ingress/egress to future commercial development. Bigelow does not intend to develop the commercial property and looks to market the property to a future buyer to serve the existing neighborhood and continued growth.

Bigelow Properties has developed, owned, and operated many multi-family developments throughout the city and county. Bigelow feels this campus design is highly sought after by folks looking for multi family housing. After consultation with neighbors and city staff, Bigelow feels confident this development and layout will fit in well with the neighborhood and meet growing demand needs for the far east side.

Project Themes and Images

The following images are representative of the quality of materials and overall architectural detail the proposed development. The images show a 12 unit building which was recently constructed at Gray Court on the west side. The buildings are all brick buildings with entry ways coming off a single side of the building. The opposite side features a number of porches and decks, generally facing natural features such as grassy berms, treelines, or the central pond.



Neighborhood Meeting

In July 2021, a neighborhood meeting was held at Mackinaw's. The meeting was a productive, engaging conversation. Gerry Bigelow attended with Jon LeRoy from Mau and Associates, 2nd District Alder Veronica Corpus-Dax, Zoning Administrator Paul Neumeyer and about half dozen folks from the neighborhood. Attendees had differing opinions on the appropriate use for the land, but the following themes formed:

- 1) Acknowledged the need for places for people to live, felt this proposal was a better option compared to past proposals of a large cold storage facility
- 2) Felt traffic would be a concern back into the neighborhood streets. Wanted the cul de sac along Friar's Path to remain closed to vehicular ingress
- 3) Felt the berm was an asset to separate new large developments from the existing homes. Neighbors wanted to see better maintenance of the berms than what has occurred in recent years.

After meeting with City staff for further guidance for the meeting, we have taken the suggestions and highlight them in the following site design discussion:

Development Relationship to Neighborhood

Land Use

Currently, the land is being farmed and surrounded by long developed mixes of residential neighborhoods, parkland, and I-43 Industrial Park usage. The site is primarily flat and generally wetland free. This is unusual for a parcel of this size, thus making development of a single use a particularly attractive feature. Parcel has road frontage along Mason and potential to connect back over to Friar's Path. A large berm has been built along the property abutting developed lots. The berm has become a fundamental feature of the property to neighbors. The berm will remain and be upkept as apart of typical campus operations.

To create a new order of space for the for the development, the parcel is split into two use features:

-Future commercial space. This land is located along East Mason, the only frontage on the site. While Bigelow will not commercially develop the 2.59 acres, the land remaining is comparable to frontage and depth of existing and new development along Huron on the western edge of the block.

-Multi-family residential. A phased approach, the new homes will be built, setback off Mason Street, but also setback from existing homes thanks in part to the existing berm.

Road Access

A single ingress/egress point of East Mason is proposed. To accommodate traffic, a left turn lane for eastbound traffic will need to be constructed in the existing island along East Mason. A looped drive will circumnavigate the property.

The new Mason Street driveway will act as an ingress/egress for apartment residents and future commercial development land along East Mason.

Additionally, an easement will be created for future connections to the western farmland parcel off of the driveway in the southwestern portion of the multi-family development.

A 12 foot paved drive will connect the southeastern part of the multi-family development with Friar's Path. This drive will allow for access in two capacities:

- 1) The drive acts as an additional point of access for emergency vehicles. Bollards will be installed to prevent traffic going in/out with the exception of emergency access.
- 2) The drive path will connect with the sidewalk system to allow pedestrians to walk to the east of the property and existing neighborhood.

Improving Existing Conditions

The site consists of open vacant farmland with a berm. The berm will get needed maintenance attention and continued upkeep compared to recent years. Beyond the potential connection at Friar's Path, the only street frontage is along East Mason. In conversations with neighbors presently and in past years; neighbors like the separation of the berm to large parcel and the lack of cars connecting to Friar's Path. This new proposal will cap off Friar's Path to eliminate a local street going into the property, but creating a pedestrian connection back out to the neighborhood. Additionally, the 2.59 acre property will advance the chances of a new commercial business along East Mason since the parcel will be small enough to facilitate development for C2 uses.

Economic Development

Investment into the existing parcel would bring approximately \$12 million of value for the multi-family development. The 2.6 acre commercial parcel has depth to allow for development which would be similar to development along South Huron near East Mason Street.

Natural Resources

The project is located at open, grassy field. A small wetland pocket exists in the southeast corner of the property. Additionally, some wetlands exist near the property line along a treeline shared with the neighboring western parcel. Beyond this parcel is open and will work well for development. Development avoids the two noted areas.

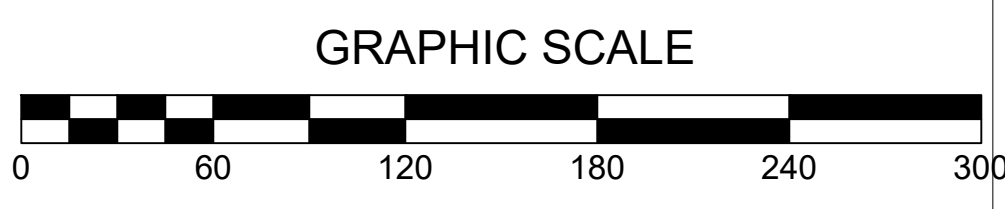
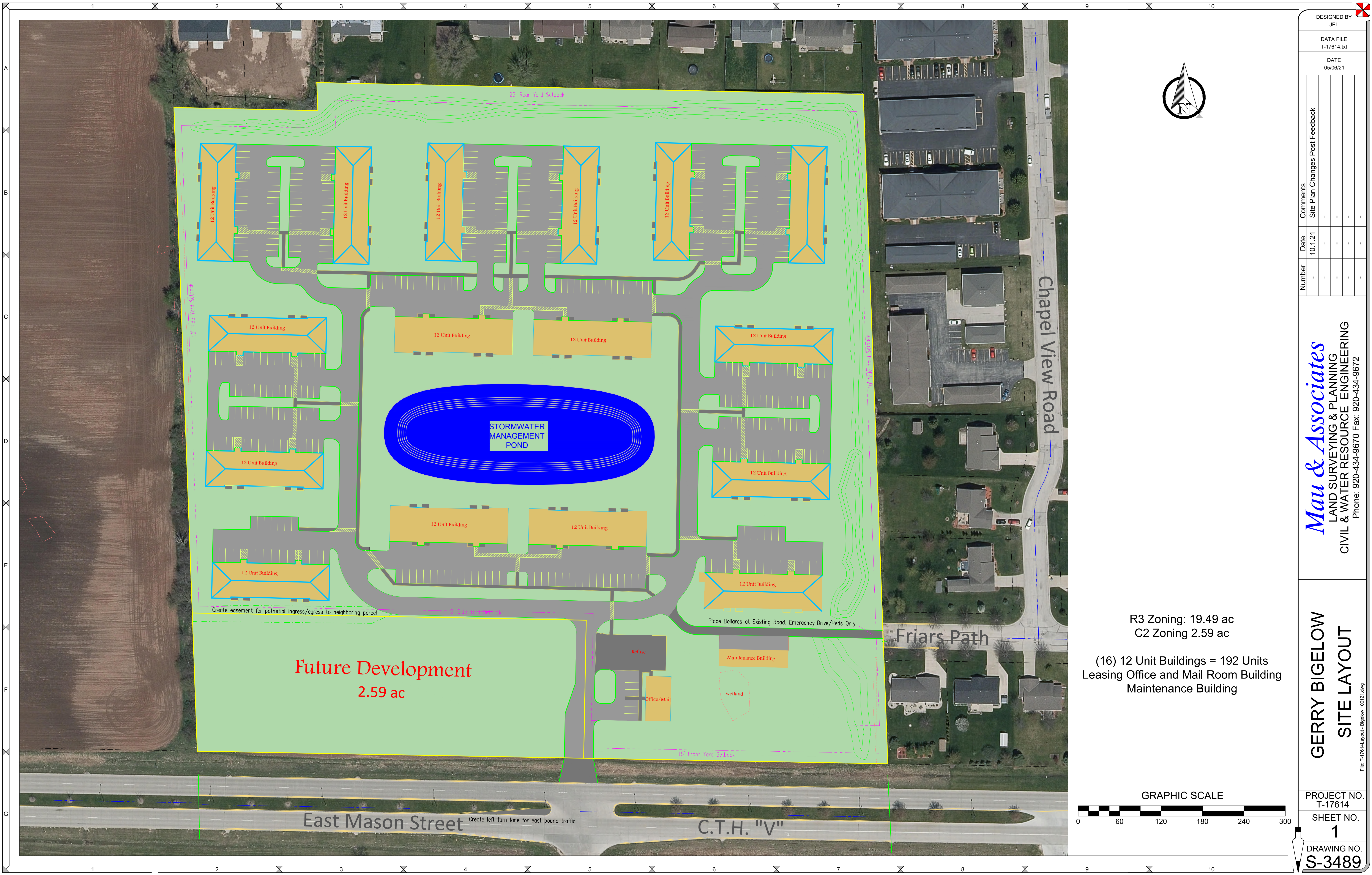
Neighborhood Identity

The site has remained in limbo for decades as potential uses for the site have changed over the years. Once envisioned as the next big box opportunity site, those days have come and gone. Neighbors were quite vocally against the idea of a large warehouse facility proposal from 2018.

We believe this mix of uses, with commercial up along Mason Street and multifamily residential tucked between future commercial and the existing homes to the north and east can work well to

continue the transforming makeup of the neighborhood. Residential homes in the area contain a mix of single family, duplex, and multi family housing. Existing neighbors have been quite vocal in requesting a separation of cars from local existing streets and the proposed development. We feel the proposed new housing with its access solely from East Mason can eliminate new traffic congestion with the neighborhood while creating more opportunities for new residents and commercial options.

Please find a site concept map and legal description attached to this request for comprehensive plan amendment and rezone request.



R3 Zoning: 19.49 ac
C2 Zoning 2.59 ac

(16) 12 Unit Buildings = 192 Units
Leasing Office and Mail Room Building
Maintenance Building

DESIGNED BY
JEL

DATA FILE
T-17614.txt

DATE
05/06/21

Number	Date	Comments
-	10.1.21	Site Plan Changes Post Feedback
-	-	-
-	-	-
-	-	-

Mau & Associates
LAND SURVEYING & PLANNING
CIVIL & WATER RESOURCE ENGINEERING
Phone: 920-434-9670 Fax: 920-434-9672

GERRY BIGELOW
SITE LAYOUT

PROJECT NO.
T-17614

SHEET NO.
1

DRAWING NO.
S-3489

File: T-17614/Layout - Bigelow 10/21.dwg

MISCELLANEOUS ORDINANCE NO. 00-21

**AN ORDINANCE
ADOPTING AN AMENDMENT TO THE
SMART GROWTH 2022 COMPREHENSIVE PLAN OF THE CITY OF
GREEN BAY PERTAINING TO PROPERTY LOCATED IN THE
3400 BLOCK EAST MASON STREET
(CPA 21-02)**

WHEREAS, pursuant to Wis. Stats. §§ 62.23(2) and (3), the City of Green Bay is authorized to prepare, adopt, and amend a comprehensive plan, as defined in Wis. Stats. § 66.1001(4)(a); and

WHEREAS, the Common Council has adopted the Smart Growth 2022 Comprehensive Plan for the purpose of guiding future land-use decision making, but recognizes that from time to time amendments may be necessary to reflect changes in the land use and planning needs of the community; and

WHEREAS, the Common Council of the City of Green Bay has adopted written procedures (known as the Public Participation Plan for Periodic Comprehensive Plan Amendments) designed to foster public participation in every stage of the preparation of periodic comprehensive plan amendments required by Wis. Stats. § 66.1001(4)(a); and

WHEREAS, the Plan Commission of the City of Green Bay, by a majority vote of the entire Commission recorded in its official minutes, has adopted a resolution recommending the Common Council adopt Comprehensive Plan Amendment CPA 21-02; and

WHEREAS, the City of Green Bay has held at least one public hearing on this ordinance in compliance with the requirements of Wis. Stats. § 66.1001(4)(d), and it is the Common Council's belief that this comprehensive plan amendment is necessary and consistent with the overall goals, policies, and other related elements of the plan.

NOW, THEREFORE, THE COMMON COUNCIL OF THE CITY OF GREEN BAY DOES ORDAIN AS FOLLOWS:

SECTION 1. Comprehensive Plan Amendment CPA 21-02 is hereby adopted pursuant to Wis. Stats. § 66.1001(4)(c). A copy of the comprehensive plan amendment is attached to this ordinance.

SECTION 2. This ordinance shall take effect upon its passage and publication.

Dated at Green Bay, Wisconsin, this _____ day of _____, 2021.

APPROVED:

Mayor

ATTEST:

Clerk

Enclosure – Map



Report to the Green Bay Plan Commission

MEETING DATE

November 8, 2021

PREPARED BY

Paul Neumeyer, Staff

AGENDA ITEM # E.3

(ZP 21-33) Public Hearing on a request to rezone a portion of property in the 3400 Block of East Mason Street from Rural Residential (RR) and Low Density Residential (R1) to Varied Density Residential (R3), and Rural Residential (RR) to General Commercial (C1), submitted by Jon LeRoy, Mau & Associates on behalf of Gerry Bigelow, Bigelow Rentals (Ald. V. Corpus-Dax, District 2).

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

None



Report to the Green Bay Plan Commission

MEETING DATE

November 8, 2021

PREPARED BY

Paul Neumeyer, Staff

AGENDA ITEM # E.4

(ZP 21-33) Consideration with possible action on a request to rezone a portion of property in the 3400 Block of East Mason Street from Rural Residential (RR) and Low Density Residential (R1) to Varied Density Residential (R3), and Rural Residential (RR) to General Commercial (C1), submitted by Jon LeRoy, Mau & Associates on behalf of Gerry Bigelow, Bigelow Rentals (Ald. V. Corpus-Dax, District 2).

BACKGROUND

Primary Address: 3400 Block East Mason Street

Aldersperson/District: Ald. Veronica Corpus-Dax / District 2

Reason for Request: The proposed comprehensive plan amendment would allow for the future rezoning of the property for multi-family and smaller commercial development.

Surrounding Zoning and Land Uses:

Rural Residential (RR)/Low Density Residential (R1)	Vacant
Medium Density Residential (R2)	Two-family dwellings
Planned Unit Development (PUD)	I43 Business Center
Varied Density Residential (R3)/Low Density Residential (R1)	Single & Multi-family dwellings
Rural Residential (RR)/Varied Density Residential (R3)	Vacant

Comprehensive Plan: The 2022 Smart Growth Plan designates this area as Commercial. A request has been made to amend the Comprehensive Plan, CPA 21-02, to be changed to a Medium/High Density Residential land use. The request is pending and contained within this agenda for review and approval.

Report: The request includes the rezoning of an approximately 19.25 acre portion of property located in the 3400 Block East Mason Street, Tax Parcel: 21-167 to Varied Density Residential (R3) to allow for the development of the parcel for multi-family dwellings. In addition, there is a request to rezone an approximately 2.59 acre portion of the southwest corner of the subject parcel from Rural Residential (RR) to General Commercial (C1).

The request to rezone to R3 is directly related to the pending Comprehensive Plan amendment, CPA 21-02, contained within this agenda packet. The rezoning to C1 is consistent with the Comprehensive Plan for reduced commercial development in the southwest corner of the subject parcel. Ald. Veronica Corpus-Dax and adjacent property owners within 400 ft. have been notified of the request. As of the drafting of this report, staff had received no inquiries regarding the request.

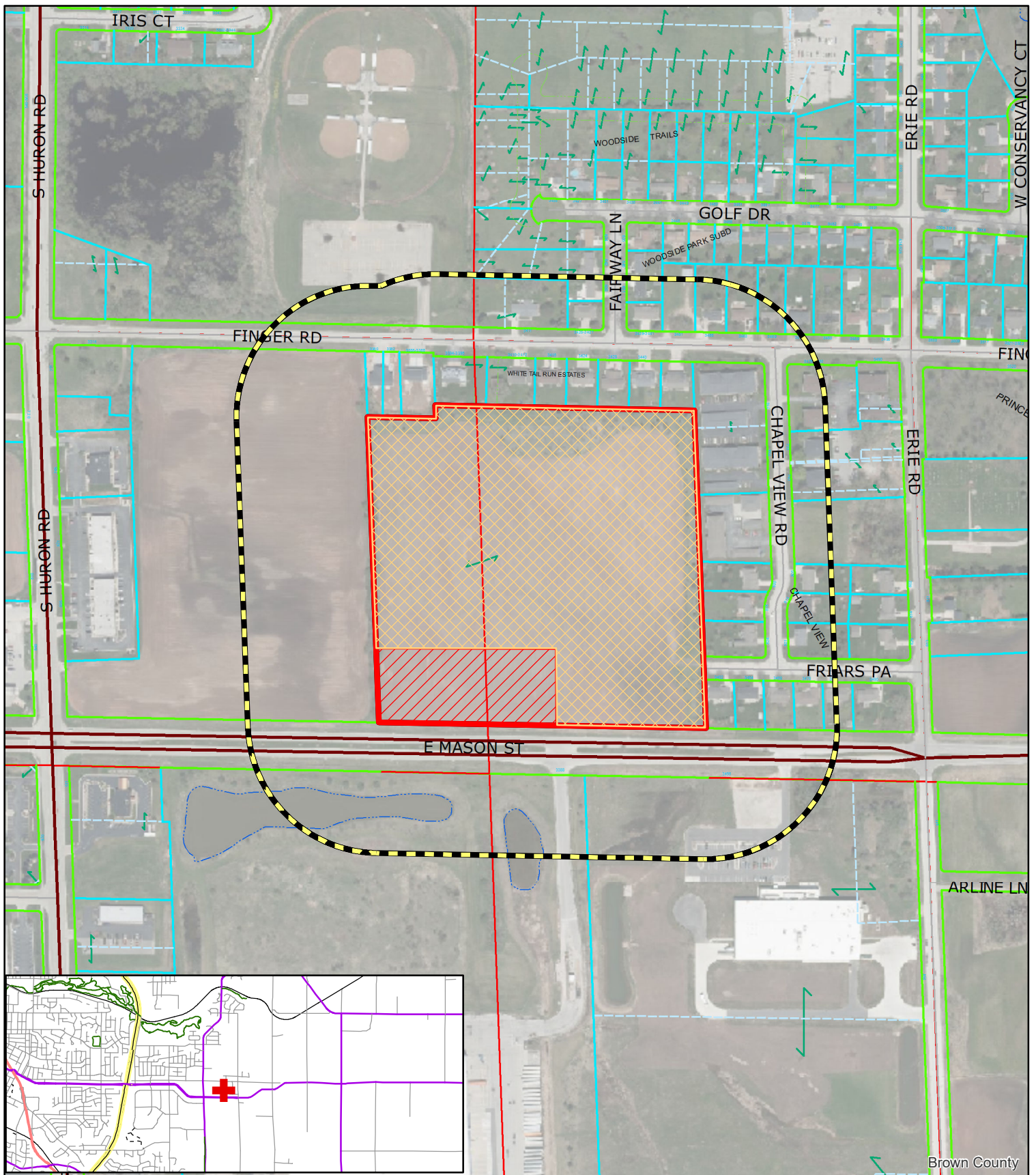
RECOMMENDATION

Approval of the requests.

FISCAL IMPACT

ATTACHMENTS

1. CPA 21-02_ZP 21-33 letter
2. ZO 00-21 - Rezone 3400 Blk East Mason Street

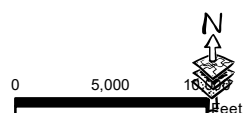


Comprehensive Plan Amendment (CPA 21-02)

Request for Rezoning (ZP 21-33)

3400 Block East Mason Street

- Parcel Boundary
- 400' Property Owner Notice
- Commercial to Medium/High Density Housing
RR/R1 to R3
- RR to C1



This is a compilation of records and data located in various City of Green Bay offices and is to be used for reference purposes only. The City of Green Bay is not responsible for any inaccuracies or unauthorized use of the information contained within. No warranties are implied.
Map prepared by PN

ZONING ORDINANCE NO. 00-21

**AN ORDINANCE REZONING PROPERTY LOCATED
IN THE 3400 BLOCK EAST MASON STREET FROM RURAL RESIDENTIAL
(RR)/LOW DENSITY RESIDENTIAL (R1) to VARIED DENSITY RESIDENTIAL
(R3) and RURAL RESIDENTIAL (RR) TO GENERAL COMMERCIAL (C1)
DISTRICT
(ZP 21-33)**

THE COMMON COUNCIL OF THE CITY OF GREEN BAY DOES ORDAIN AS
FOLLOWS:

SECTION 1. Section 44-29, Green Bay Municipal Code, together with the zoning map referred to therein, is hereby amended by rezoning the following described property located in the 3400 Block East Mason Street from Rural Residential (RR)/Low Density Residential (R1) to Varied Density Residential (R3) District:

PENDING

Described area contains 848,984 square feet / 19.49 acres more or less.

Tax Parcel No. 21-167

SECTION 2. Section 44-29, Green Bay Municipal Code, together with the zoning map referred to therein, is hereby amended by rezoning the following described property located in the 3400 Block of East Mason Street Rural Residential (RR) to General Commercial (C1) District:

PENDING

Described area contains 112,820 square feet / 2.59 acres more or less.

Tax Parcel No. 21-167

SECTION 3. All ordinances or parts of ordinances, in conflict herewith are hereby repealed.

SECTION 4. This ordinance shall not take effect until a public hearing is held thereon as provided by Section 44-82, Green Bay Municipal Code, and the adoption and publication of this ordinance.

Dated at Green Bay, Wisconsin, this _____ day of _____, 2021.

APPROVED:

ZONING ORDINANCE NO. 00-21
PAGE 2

Mayor

ATTEST:

Clerk

pn
Attachment – Map



Report to the Green Bay Plan Commission

MEETING DATE

November 8, 2021

PREPARED BY

Wendy Townsend, Economic Coordinator

AGENDA ITEM # E.5

Consideration with possible action on the approval of the Military Avenue Business Association (MABA) Business Improvement District (BID) Operating Plan for 2022.

BACKGROUND

The City of Green Bay's BID Handbook requires approval of the BID Annual Operating Plans by the City's Plan Commission. Attached is the Military Avenue Business Association (MABA) Business Improvement District (BID) Operating Plan for 2022, which has been approved by the MABA BID Board and City Attorney Vanessa Chavez.

RECOMMENDATION

Approval of the Military Avenue Business Association (MABA) Business Improvement District (BID) Operating Plan for 2022 as presented.

FISCAL IMPACT

ATTACHMENTS

1. Operating Plan MABA 2022
2. 2022 MABA OP Attorney Letter 10.27.21

Operating Plan - 2022
Military Avenue, Inc.

BUSINESS IMPROVEMENT DISTRICT NO. 4

2022
OPERATING PLAN



TABLE OF CONTENTS

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I. INTRODUCTION

A. Background

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

The City of Green Bay approved a petition from property owners in September 2013 to create a Business Improvement District for the purpose of revitalizing and improving the Military Avenue business area on Green Bay’s west side. The BID law requires that every district have an annual Operating Plan.

This document is the Operating Plan for the Military Avenue district. The Military Avenue BID Executive Director, in coordination with the Military Avenue BID Board, prepared this Plan with technical assistance from the City of Green Bay Department of Economic Development.

B. Physical Setting

The Military Avenue Business District has boundaries starting at Lombardi Avenue moving north on Military with a northern most boundary of 116 N Military on the east side of the street and 123 N Military on the west side of the street.

Including: 1560 and 1598 W Western Ave, 1603, 1614 and 1626 W Seventh St, 1559-1565 Ninth St, 1577 Langlade Ave, 1530, 1536 and 1540 Leo St, 1521, 1541, 1587, 1590, and 1606 W Shawano Ave, 1505, 1529, 1555, 1561, 1566, 1593, and 1616 W Mason St.

II. DISTRICT BOUNDARIES

Boundaries of the proposed district are shown on the map in [Appendix B](#) of this plan. A listing of the properties included in the district is provided in [Appendix C](#).

III. PROPOSED OPERATING PLAN

A. Plan Objectives – 2022

Military Avenue, Inc. exists to create an environment that supports the continued success of the businesses and neighborhoods in the Military Avenue district located on the west side of Green Bay.

Military Avenue, Inc. fosters a spirit of collaboration and cooperation with local businesses and neighborhoods by working to improve the entire district. We do our work by marketing, branding and

promoting business activities, physical improvements in the district, event planning, new business recruitment, retaining, and supporting existing businesses.

B. Proposed Activities – 2022

Principle activities to be engaged in by the district during its NINETH year of operation, 2022, will include:

- Fully utilize the new website (2020), monument sign, social media platforms, applications and other emerging technology.
- Increase on-line security and research way finding signage.
- Explore a central, public friendly, location for events, including holiday lighting.
- Offer and support opportunities for public art and murals throughout the district.
- Continue plantings, lawn care and maintenance projects within the street view and medians to provide a clean and professional appearance.
- Create signature events, including the Market on Military, and other marketing efforts in the district to build customer traffic and increase BID business and customer participation.
- Seek out grant funding for quality projects.
- Invest in public amenities such as bike racks, benches, and garbage cans.
- Find resources and programs to increase health and safety measures and address the economic impact on businesses due to COVID.

C. Proposed Budget – Year – NINE - 2021

Revenues	Projected 2022	Change from 2021
Planned BID Assessment Funds	\$99,388	\$0
(BID Assessments minus 7% delinquent)	-\$6957	\$0
(Estimated) Donations/Partnerships	\$1,000	-\$1,000
(Estimated) Grants /Restricted Income	\$1,000	-\$4,000
(Estimated) Event Funds/Sponsorships/EBT	\$15,000	+\$10,000
(Estimated) Interest Income	\$300	-\$700
Carry Over from 2021 audit/review	\$90,230	+\$15,278
Total Revenue	\$199,961	+\$19,578
Expenses		
Staffing	\$47,850	+\$4,682

Operating Expenses rent, insurance, audit, accounting, supplies, etc.	\$15,800	+\$400
Technology	\$2,400	\$0
Programs		
Design/Physical improvements Street pole banners throughout district, Planter boxes winter and summer, throughout district weed control at medians and monument, monument sign Wi-Fi and operations at Lombardi and Military intersection, plus funds for a new Public Amenities and lighting project across district.	\$45,910	+\$774
Economic/Business Development Business recruitment and support, plus funds for Planning/Visioning update.	\$31,000	\$0
Events Summer and Winter Market on Military, Small Business Saturday, Joint Advertising, EBT costs, new events with new focus based on visioning project.	\$15,200	+\$5,000
Organization/ Marketing Social media, marketing, advertising, website hosting, web security.	\$5,500	+\$2,400
Total Expenses	\$168,020	+\$13,256
BALANCE	\$31,941	

D. Financing Method

\$99,388 is proposed to be raised through BID assessments as laid out in section IV. METHOD OF ASSESMENT and assume an assessment delinquency amount of \$6,957 based on 7% delinquencies. We have therefore budgeted for \$92,431. We are also setting a goal to obtain grants, sponsorships, fees, and donations to provide funding in the amount of \$17,300. The BID Board shall have the authority and responsibility to prioritize expenditures and to revise the budget as necessary to match the funds actually available.

E. Organization of BID Board

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

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

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

1. Board Size – at least Five
2. Composition - At least three fifths members shall be owners or occupants of property within the district. Any non-owner or non-occupant appointed to the board shall be a resident of the City of Green Bay. The board shall elect its Chairperson from among its members.
3. Term - Appointments to the board shall be for a period of three years except that initially two members shall be appointed for a period of three years, two members shall be appointed for a period of two years, and one member shall be appointed for a period of one year.
4. Compensation – None
5. Meetings - All meetings of the board shall be governed by the Wisconsin Open Meetings Law.
6. Record Keeping - Files and records of the board's affairs shall be kept pursuant to public record requirements.
7. Staffing - The board may employ staff and/or contract for staffing services pursuant to this Plan and subsequent modifications thereof.
8. Meetings - The board shall meet regularly, at least twice each year. The board shall adopt rules of order (“by laws”) to govern the conduct of its meetings.

F. Relationship to the Military Avenue Business Association.

The BID shall be a separate entity from the Military Avenue Business Association, notwithstanding the fact that members, officers and directors of each may be shared. The Association shall remain a private organization, not subject to the open meeting law, and not subject to the public record law except for its records generated in connection with the BID board or as required by law. The Association may, and it is intended, shall contract with the BID to provide services to the BID, in accordance with this Plan.

IV. METHOD OF ASSESMENT

A. Assessment Rate and Method

Assessment rate per thousand for industrial is \$0.25, office \$2.00, retail/entertainment \$2.25. Minimum assessment rate per parcel is \$250.00 Maximum assessment rate is \$2,500 per parcel.

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

For properties whose use comprises mixed SIC codes, the property has been identified by the ground level use(s) of any buildings constructed on the property. The ground level use is presumed to be the dominant use of the property. If a ground level has more than two uses, then the property has been identified by the use that makes up more than one half of the ground level square footage. The burden is on the owner to change a property classification from that designated in Appendix C. It must be proven annually by the owner of the property in question to the BID board.

However, maintaining an equitable relationship between the BID assessment and the expected benefits requires an adjustment to the basic assessment method. To prevent the disproportional assessment of a small number of high value properties, a maximum assessment of \$2,500.00 per parcel will be applied.

As of January 1, 2014 the property in the district had a total assessed value of over seventy-three million dollars. This plan assesses the property in the district at a rate for industrial \$0.25, for office \$2.00, for retail/entertainment \$2.25. per \$1,000.00 of assessed value, subject to the maximum assessment, for the purposes of the BID.

Appendix C shows the projected BID assessment for each property included in the district.

B. Excluded and Exempt Property

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

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

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

A. City Plans

The plan for Military Avenue is to transform the corridor into a signature street with a cohesive identity. This will be accomplished by elevating the level of aesthetics, functionality and safety with improved site and building design. The balance of land uses along Military Avenue must shift in recognition of current and expected future market conditions and to better manage the supply and demand of real estate. Sections of the corridor will transition to finer blocks of mixed-use development that better relate to the scale of surrounding neighborhoods.

Implementation of this plan will result not only in attracting new businesses to Military Avenue, but also in creating an environment that supports the continued success of existing, beneficial businesses. Limited amounts of redevelopment may result in tear down and reconstruction. But in most cases, redevelopment will occur in smaller steps like landscaping parking areas, upgrading building façades, or adding decorative lighting. Military Avenue will become a more complete corridor that caters to local residents and employees who use multiple modes of transportation. This transition is a necessary response to the changing market and context, and will create a more economically sustainable future for Military Avenue. *(Military Avenue Market Analysis and Corridor Design Plan, Executive Summary, Pages 7-8. Adopted by the City of Green Bay: 3/1/2011)*

B. City Role in District Operation

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

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

VI. FUTURE YEAR OPERATING PLANS

A. Phased Development

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

Section 66.1109 (3) (a) of the BID law requires the board and the City to annually review and make changes as appropriate in the Operating Plan. Greater detail about subsequent year's activities will be provided in the required annual Plan updates, and approval by the Common Council of such Plan updates shall be conclusive evidence of compliance with this Plan and the BID law.

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

B. Amendment, Severability and Expansion

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

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

APPENDICES

- A. STATUTE
- B. DISTRICT BOUNDARIES
- C. LISTING OF PROPERTIES (CITY HOLDS MOST RECENT LIST)

APPENDICE A

Wisconsin State Statute "BID Law"

66.1109 Business improvement districts.

(1) In this section:

(a) "Board" means a business improvement district board appointed under [sub. \(3\) \(a\)](#).

(b) "Business improvement district" means an area within a municipality consisting of contiguous parcels and may include railroad rights-of-way, rivers, or highways continuously bounded by the parcels on at least one side, and shall include parcels that are contiguous to the district but that were not included in the original or amended boundaries of the district because the parcels were tax-exempt when the boundaries were determined and such parcels became taxable after the original or amended boundaries of the district were determined.

(c) "Chief executive officer" means a mayor, city manager, village president or town chairperson.

(d) "Local legislative body" means a common council, village board of trustees or town board of supervisors.

(e) "Municipality" means a city, village or town.

(f) "Operating plan" means a plan adopted or amended under this section for the development, redevelopment, maintenance, operation and promotion of a business improvement district, including all of the following:

1. The special assessment method applicable to the business improvement district.

1m. Whether real property used exclusively for manufacturing purposes will be specially assessed.

2. The kind, number and location of all proposed expenditures within the business improvement district.

3. A description of the methods of financing all estimated expenditures and the time when related costs will be incurred.

4. A description of how the creation of the business improvement district promotes the orderly development of the municipality, including its relationship to any municipal master plan.

5. A legal opinion that [subds. 1. to 4.](#) have been complied with.

(g) "Planning commission" means a plan commission under [s. 62.23](#), or if none a board of public land commissioners, or if none a planning committee of the local legislative body.

(2) A municipality may create a business improvement district and adopt its operating plan if all of the following are met:

(a) An owner of real property used for commercial purposes and located in the proposed business improvement district designated under [par. \(b\)](#) has petitioned the municipality for creation of a business improvement district.

(b) The planning commission has designated a proposed business improvement district and adopted its proposed initial operating plan.

(c) At least 30 days before creation of the business improvement district and adoption of its initial operating plan by the municipality, the planning commission has held a public hearing on its proposed business improvement district and initial operating plan. Notice of the hearing shall be published as a class 2 notice under [ch. 985](#). Before publication, a copy of the notice together with a copy of the proposed initial operating plan and a copy of a detail map showing the boundaries of the proposed business improvement district shall be sent by certified mail to all owners of real property within the proposed business improvement district. The notice shall state the boundaries of the proposed business improvement district and shall indicate that copies of the proposed initial operating plan are available from the planning commission on request.

(d) Within 30 days after the hearing under [par. \(c\)](#), the owners of property to be assessed under the proposed initial operating plan having a valuation equal to more than 40% of the valuation of all property to be assessed under the proposed initial operating plan, using the method of valuation specified in the proposed initial operating plan, or the owners of property to be assessed under the proposed initial operating plan having an assessed valuation equal to more than 40% of the assessed valuation of all property to be assessed under the proposed initial operating plan, have not filed a petition with the planning commission protesting the proposed business improvement district or its proposed initial operating plan.

(e) The local legislative body has voted to adopt the proposed initial operating plan for the municipality.

(3)

(a) The chief executive officer shall appoint members to a business improvement district board to implement the operating plan. Board members shall be confirmed by the local legislative body and shall serve staggered terms designated by the local legislative body. The board shall have at least 5 members. A majority of board members shall own or occupy real property in the business improvement district.

(b) The board shall annually consider and may make changes to the operating plan, which may include termination of the plan, for its business improvement district. The board shall then submit the operating plan to the local legislative body for its approval. If the local legislative body disapproves the operating plan, the board shall consider and may make changes to the operating plan and may continue to resubmit the operating plan until local legislative body approval is obtained. Any change to the special assessment method applicable to the business improvement district shall be approved by the local legislative body.

(c) The board shall prepare and make available to the public annual reports describing the current status of the business improvement district, including expenditures and revenues. The report shall include an independent certified audit of the implementation of the operating plan obtained by the municipality. The municipality shall obtain an additional independent certified audit upon termination of the business improvement district.

(d) Either the board or the municipality, as specified in the operating plan as adopted, or amended and approved under this section, has all powers necessary or convenient to implement the operating plan, including the power to contract.

(4) All special assessments received from a business improvement district and all other appropriations by the municipality or other moneys received for the benefit of the business improvement district shall be placed in a segregated account in the municipal treasury. No disbursements from the account may be made except to reimburse the municipality for appropriations other than special assessments, to pay the costs of audits required under [sub. \(3\) \(c\)](#) or on order of the board for the purpose of implementing the operating plan. On termination of the business improvement district by the municipality, all moneys collected by special assessment remaining in the account shall be disbursed to the owners of specially assessed property in the business improvement district, in the same proportion as the last collected special assessment.

(4m) A municipality shall terminate a business improvement district if the owners of property assessed under the operating plan having a valuation equal to more than 50% of the valuation of all property assessed under the operating plan, using the method of valuation specified in the operating plan, or the owners of property assessed under the operating plan having an assessed valuation equal to more than 50% of the assessed valuation of all property assessed under the operating plan, file a petition with the planning commission requesting termination of the business improvement district, subject to all of the following conditions:

(a) A petition may not be filed under this subsection earlier than one year after the date the municipality first adopts the operating plan for the business improvement district.

(b) On and after the date a petition is filed under this subsection, neither the board nor the municipality may enter into any new obligations by contract or otherwise to implement the operating plan until the expiration of 30 days after the date of hearing under [par. \(c\)](#) and unless the business improvement district is not terminated under [par. \(e\)](#).

(c) Within 30 days after the filing of a petition under this subsection, the planning commission shall hold a public hearing on the proposed termination. Notice of the hearing shall be published as a class 2 notice under [ch. 985](#). Before publication, a copy of the notice together with a copy of the operating plan and a copy of a detail map showing the boundaries of the business improvement district shall be sent by certified mail to all owners of real property within the business improvement district. The notice shall state the boundaries of the business improvement district and shall indicate that copies of the operating plan are available from the planning commission on request.

(d) Within 30 days after the date of hearing under [par. \(c\)](#), every owner of property assessed under the operating plan may send written notice to the planning commission indicating, if the owner signed a petition under this subsection, that the owner retracts the owner's request to terminate the business improvement district, or, if the owner did not sign the petition, that the owner requests termination of the business improvement district.

(e) If after the expiration of 30 days after the date of hearing under [par. \(c\)](#), by petition under this subsection or subsequent notification under [par. \(d\)](#), and after subtracting any retractions under [par. \(d\)](#), the owners of property assessed under the operating plan having a valuation equal to more than 50% of the valuation of all property assessed under the operating plan, using the method of valuation specified in the operating plan, or the owners of property assessed under the operating plan having an assessed valuation equal to more than 50% of the assessed valuation of all property assessed under the operating plan, have requested the termination of the business improvement district, the municipality shall terminate the business improvement district on the date that the obligation with the latest completion date entered into to implement the operating plan expires.

(5)

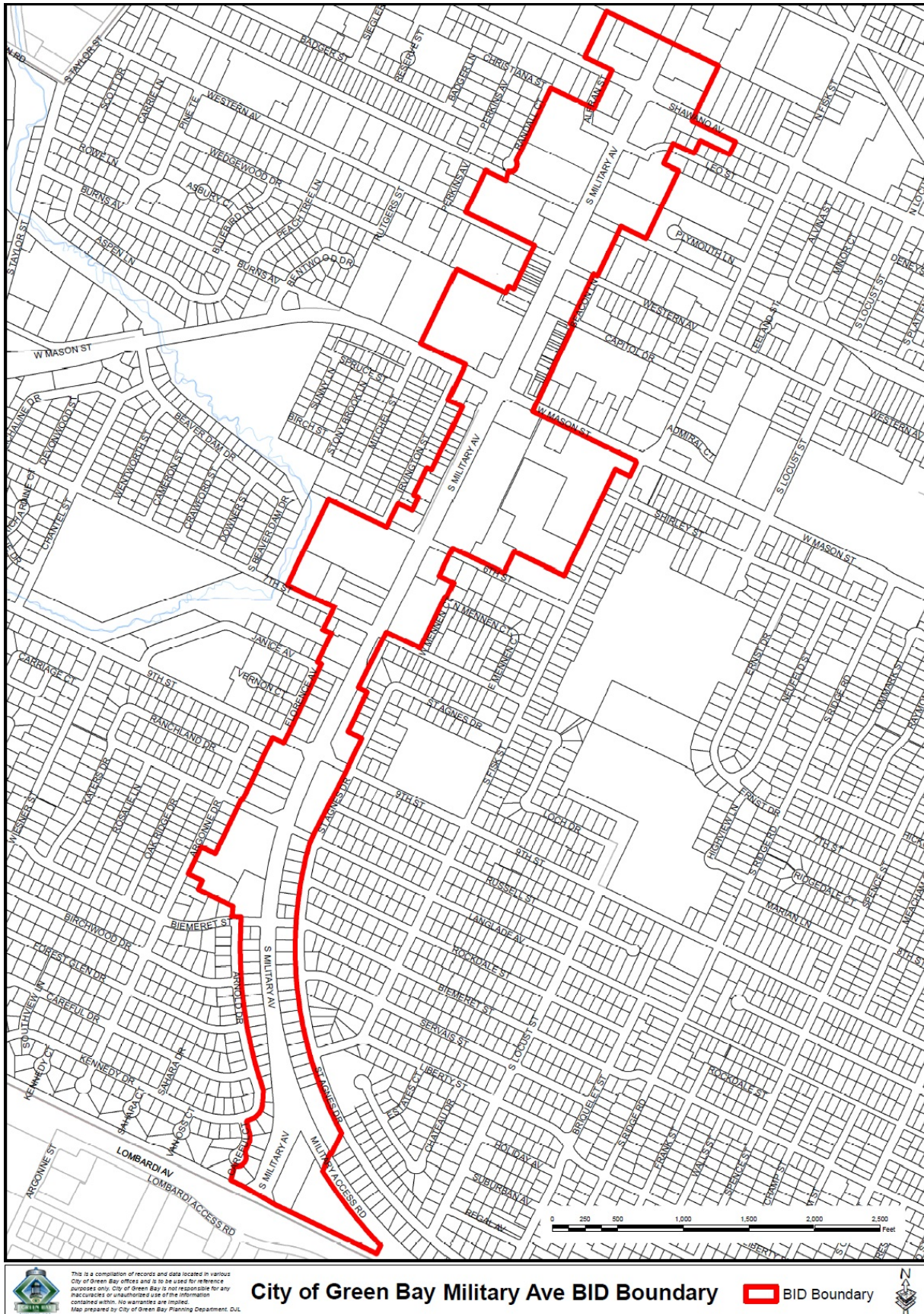
(a) Real property used exclusively for residential purposes and real property that is exempted from general property taxes under [s. 70.11](#) may not be specially assessed for purposes of this section.

(b) A municipality may terminate a business improvement district at any time.

(c) This section does not limit the power of a municipality under other law to regulate the use of or specially assess real property.

History: 1983 a. [184](#); 1989 a. [56](#) s. 258; 1999 a. [150](#) s. [539](#); Stats. 1999 s. 66.1109; 2001 a. [85](#).

APPENDICE B





Law Department

Vanessa R. Chavez
City Attorney

October 27, 2021

Wendy Townsend, Project and Program Manager
City of Green Bay
100 North Jefferson Street, Room 608
Green Bay, WI 54301

RE: Proposed Operating Plan for Business Improvement District No. 4

Dear Ms. Townsend:

The purpose of this correspondence is to respond to your request for a legal review of the proposed 2022 Operating Plan for Business Improvement District No. 4 (hereafter "Plan"). Your request asks the City Attorney's Office to provide an opinion with respect to the Plan's compliance with the requirements of Wisconsin Statute § 66.1109(l)(f).

Our office has reviewed the Plan, a copy of which is attached hereto, and based upon such review, are of the opinion that the Plan meets the requirements of Wisconsin Statute § 66.1109 (l)(f), subsections 1 through 4.

Thank you for your attention to this matter.

Sincerely,

Vanessa R. Chavez
City Attorney



Report to the Green Bay Plan Commission

MEETING DATE

November 8, 2021

PREPARED BY

Wendy Townsend, Economic Coordinator

AGENDA ITEM # E.6

Consideration with possible action on the approval of the On Broadway, Inc. (OBI) Business Improvement District (BID) Operating Plan for 2022.

BACKGROUND

The City of Green Bay's BID Handbook requires approval of the BID Annual Operating Plans by the City's Plan Commission. Attached is the On Broadway, Inc. (OBI) Business Improvement District (BID) Operating Plan for 2022 which has been approved by the OBI BID Board and City Attorney Vanessa Chavez.

RECOMMENDATION

Approval of the On Broadway, Inc (OBI) Business Improvement District (BID) Operating Plan for 2022 as presented.

FISCAL IMPACT

ATTACHMENTS

1. Operating Plan OBI 2022 - DRAFT
2. 2022 OBI OP Attorney Letter 10.27.21

2022 Operating Plan

Broadway Business Improvement District

BUSINESS IMPROVEMENT DISTRICT NO. 3

PROPOSED OPERATING PLAN



I. INTRODUCTION

A. Background

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

The City of Green Bay has received a petition from property owners which requests creation of a Business Improvement District for the purpose of revitalizing and improving the Broadway business area on Green Bay’s West side. (see Appendix B). The BID law requires that every district have an annual Operating Plan. This document is the initial Operating Plan for the proposed Broadway Business Improvement District. The BID proponents prepared this Plan with technical assistance from the City of Green Bay Economic Development Department.

B. Physical Setting

The Broadway Business Improvement District has a general setting starting at the point where Mason Street meets the west bank of the Fox River; west to the southwestern property line of parcel 2-948 (Wisconsin Central LTD); continuing northwest to Maple Avenue; north on Maple Avenue to the northern property line of parcel 3-1144-B (339 South Maple Avenue); east along said property line to Chestnut Avenue; north along Chestnut Avenue to Howard Street; west on Howard Street to the alleyway beginning on the western most property line of parcel 3-330 (506-508 Howard Street); north through the alleyway to the southern border of parcel 3-85 (515 West Walnut Street); west at the property line to South Maple Avenue; north on South Maple Avenue through Walnut Street to the northern property line of 4-223 (514 West Walnut Street); east at said property line to alleyway; north in alleyway to the northern property line of parcel 4-102 (230 North Maple Avenue); west along said property line to North Maple Avenue; north on North Maple Avenue to Dousman Street; west on Dousman Street to alleyway beginning at the western property line of parcel 5-607 (301 North Maple Avenue); north in said alleyway to northern property line of parcel 5-605-1; east along said property line to North Maple Avenue; north on North Maple Avenue to Kellogg Street; east on Kellogg Street to Chestnut Avenue; north on Chestnut Avenue to Elmore Street; east on Elmore Street to Broadway Street; north on Broadway Street to alleyway beginning on the northern property line of parcel 5-72 (710 North Broadway Street); east through said alleyway to McDonald Street; north on McDonald Street to James Street; east on James Street to the northeastern property line of parcel 5-1525-A; south along said property line to western bank of Fox River.

II. DISTRICT BOUNDARIES

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

III. PROPOSED OPERATING PLAN

A. Plan Objectives

The object of the Broadway Business Improvement District is to foster a vibrant community activated by:

- People strolling the streets shopping for one-of-a kind gifts or everyday goods
- Diners enjoying diverse restaurants that intermingle with shops and other cultural and entertainment venues
- Activity flowing between the streets of Broadway and the waterfront to the rest of downtown
- A variety of housing styles mixed throughout the district, providing affordable housing for all markets
- The entrepreneurial spirit coupled with a strong dynamic employee base

As creativity and art provide the underlying pulse of the district, these elements combine making the Broadway District the place people of all ages and backgrounds come to shop, eat, live, work, network and play.

Proposed Activities – Year Next

The impact of Covid-19 has been severe to the businesses in the district including On Broadway, Inc. (OBI), the organization charged with advancing district goals. Income generated from special events hosted by OBI supports BID activities and leverages their ability to accelerate those priorities through the hiring of staff and maintaining a physical presence. It is imperative we support the ongoing operations of OBI to maximize the long-term investment of the BID.

Principle activities to be engaged in by the district during its next year of operation, if the environment allows, will include:

1. Develop and execute a branding campaign for the On Broadway district that promotes the district as a destination. Direct reporting of impact of BID investment using key performance indicators.
2. Develop a business retention strategy that collects data to better understand trends and needs within the district.
3. Maintain benches, garbage cans, planters/beautification, business exterior grants and other hardscape improvements throughout the district. 50 planters will be planted in the spring with flowers, 20 planters with fall décor, weed management throughout district during the growing season, weed management and perennial plantings in 48 tree boxes, 25 bowls with winter décor, coordinated trash pickups once per month, and 30 trees with annual lighting.
4. Improve awareness of BBID investments in the district by partnering with On Broadway, Inc. and other funded partners to promote the BBID brand.

5. Help sustain operations and solvency of On Broadway, Inc. by providing an administrative allocation for payment of rent, telephones, internet, office supplies, utilities and salaries that are necessary to perform services to the businesses in the district.

Proposed Budget

Design

Lighting

tree lighting in winter	\$	5,000
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Annual Maintenance

planters in spring

watering in spring, summer, fall

weeding in spring, summer, fall

fall décor

winter décor

banner maintenance	\$	25,000
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Public Art

murals for mural & busker festival

maintenance of benches/garbage cans	\$	15,000
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Total Design	\$	45,000
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Administrative

Admin Allocation

To assist with payment of administrative expenses including but not limited to rent, telephones, internet, office supplies, utilities, and salaries necessary to execute the proposed activities.

	\$	16,469
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BBID Annual Audit

2021 audit

	\$	3,000
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Total Administrative

	\$	19,469
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Marketing

Marketing Allowance

District marketing throughout the year including support for the creation of a cohesive brand strategy

	\$	17,877
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Total Marketing

	\$	17,877
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Total

	\$	82,346
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B. Financing Method

It is proposed to raise \$82,346 excluding manufacturing through BID assessments (see Appendix C). The BID Board shall have the authority and responsibility to prioritize expenditures and to revise the budget as necessary to match the funds actually available.

C. Organization of BID Board

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

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

The Broadway Business Improvement District Board shall be organized as follows:

1. Board size – Maximum of 9, minimum of 7, with one representative of the Mayor or Council.
2. Composition - A majority (at least 5) members shall be owners or occupants of property within the District.
3. Term – The nine board member positions shall rotate every three years, with three positions expiring at the end of each calendar year-end. The Board may remove, by a majority vote, any BID Board member who is absent from more than 3 meetings, without a valid excuse. In the event that a member takes the position mid-term (before the position expires every three years), that term shall count as the first term if two years or more remain on the term. Should less than two years remain on the term, this time is not counted towards the term limit and the board member shall be allowed to serve up to the maximum two additional three year terms.
4. Compensation - None.
5. Meetings - All meetings of the Board shall be governed by the Wisconsin Open Meetings Law. Minutes will be recorded and submitted to the City and the Board. The Board shall adopt rules of order to govern the conduct of its meetings and meet regularly, at least annually.
6. Record keeping - Files and records of the Board's affairs shall be kept pursuant to public records requirements.
7. Staffing - The Board may employ staff and/or contract for staffing services pursuant to this Plan and subsequent modifications thereof. Unless requested otherwise by the Board, any staff members or employees of contractors may attend all meetings of the Board, but will not have voting authority.
8. Officers - The Board shall appoint a Chairman, Treasurer and Secretary, any two of the three of which shall have the power to execute documents on behalf of the full Board, for the purposes

authorized by the full Board. The Board may also give its staff limited ability to write checks to carry out the Plan. Any individual on the Board can be appointed an Officer, but shall be limited to two consecutive years as an Officer.

D. Relationship to On Broadway, Inc.

The BID shall be a separate entity from On Broadway, Inc., notwithstanding the fact that members, officers and directors of each may be shared. The Association shall remain a private organization, not subject to the open meeting law, and not subject to the public record law except for its records generated in connection with the BID board. The Association may, and it is intended, shall, contract with the BID to provide services to the BID, in accordance with this Plan.

IV. METHOD OF ASSESMENT

A. Assessment Rate and Method

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

As of January 1, 2021, the property in the proposed district had a total assessed value of \$63.9 million. This plan proposed to assess the property in the district at a rate of \$1.29 per \$1,000.00 of assessed value, unchanged from the prior year and subject to the maximum assessment, for the purposes of the BID.

Appendix shows the projected BID assessment for each property included in the district.

B. Excluded and Exempt Property

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

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

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

A. City Plans

Objectives: Downtown Revitalization Support economic revitalization of downtown by encouraging diverse economic activity including government and professional offices, insurance and financial services, education and training, convention, lodging, food and beverages, and entertainment, retail, and high-density residential land uses. - *Chapter 26: Economic Development: Objective - 4, from Smart Growth 2022, City of Green Bay, May 2003.*

Land Uses: “Downtown” Mixed Use: The “downtown” land use category allows and promotes high-intensity office, retail, housing and civic land uses, preferably in mixed use buildings with a strong pedestrian orientation. It applies within the Broadway corridor as it does in Downtown “proper,” although the scale of buildings along Broadway is smaller, and the intensity of use is likely to be somewhat lower. As discussed in the Historic Preservation Plan, the Broadway historic districts could benefit from site plan review of development projects, using design standards that are geared to the specific character of those districts. - *Chapter 22: Neighborhoods and Districts: Objectives, Policies and Recommendations for District 3, from Smart Growth 2022, City of Green Bay, May 2003.*

Based on the objectives and land use requirements cited above, this BID Operating Plan is consistent with the City’s Comprehensive Plan for the Broadway District.

B. City Role in District Operation

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

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

VI. PLAN APPROVAL PROCESS

A. Public Review Process

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

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

B. Petition against Creation of the BID

The City may not create the Business Improvement district if, within 30 days of the City Plan Commission's hearing, a petition is filed with the City containing signatures of:

1. Owners of property to be assessed under the proposed initial Operating Plan having a valuation equal to more than 40% of the valuation of all property to be assessed under the proposed initial Operating Plan, using the method of valuation specified in the proposed initial Operating Plan; or
2. Owners of property to be assessed under the proposed initial Operating Plan having an assessed valuation equal to more than 40% of the assessed valuation of all property to be assessed under the proposed Operating Plan.

VII. FUTURE YEAR OPERATING PLANS

A. Phased Development

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

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

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

B. Amendment, Severability and Expansion

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

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

OPERATING PLAN APPENDICES

- A. STATUTE
- B. DISTRICT BOUNDARIES MAP
- C. YEAR PROJECTED ASSESSMENTS
- D. CITY ATTORNEY'S OPINION

APPENDIX A - Wisconsin State Statute "BID Law"

66.1109 Business improvement districts.

(1) In this section:

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

(2) A municipality may create a business improvement district and adopt its operating plan if all of the following are met:

- (a) An owner of real property used for commercial purposes and located in the proposed business improvement district designated under [par. \(b\)](#) has petitioned the municipality for creation of a business improvement district.
- (b) The planning commission has designated a proposed business improvement district and adopted its proposed initial operating plan.
- (c) At least 30 days before creation of the business improvement district and adoption of its initial operating plan by the municipality, the planning commission has held a public hearing on its proposed business improvement district and initial operating plan. Notice of the hearing shall be published as a class 2 notice under [ch. 985](#). Before publication, a copy of the notice together with a copy of the proposed initial operating plan and a copy of a detail map showing the boundaries of the proposed business improvement district shall be sent by certified mail to all owners of real property within the proposed business improvement district. The notice shall state the boundaries of the proposed business improvement district and shall indicate that copies of the proposed initial operating plan are available from the planning commission on request.
- (d) Within 30 days after the hearing under [par. \(c\)](#), the owners of property to be assessed under the proposed initial operating plan having a valuation equal to more than 40% of the valuation of all property to be assessed under the proposed initial operating plan, using the method of valuation specified in the proposed initial operating plan, or the owners of property to be assessed under the proposed initial operating plan having an assessed valuation equal to more than 40% of the assessed valuation of all property to be assessed under the proposed initial operating plan, have not filed a petition with the planning commission protesting the proposed business improvement district or its proposed initial operating plan.
- (e) The local legislative body has voted to adopt the proposed initial operating plan for the municipality.

(3)

- (a) The chief executive officer shall appoint members to a business improvement district board to implement the operating plan. Board members shall be confirmed by the local legislative body and shall serve staggered terms designated by the local legislative body. The board shall have at least 5 members. A majority of board members shall own or occupy real property in the business improvement district.
- (b) The board shall annually consider and may make changes to the operating plan, which may include termination of the plan, for its business improvement district. The board shall then submit the operating plan to the local

legislative body for its approval. If the local legislative body disapproves the operating plan, the board shall consider and may make changes to the operating plan and may continue to resubmit the operating plan until local legislative body approval is obtained. Any change to the special assessment method applicable to the business improvement district shall be approved by the local legislative body.

(c) The board shall prepare and make available to the public annual reports describing the current status of the business improvement district, including expenditures and revenues. The report shall include an independent certified audit of the implementation of the operating plan obtained by the municipality. The municipality shall obtain an additional independent certified audit upon termination of the business improvement district.

(d) Either the board or the municipality, as specified in the operating plan as adopted, or amended and approved under this section, has all powers necessary or convenient to implement the operating plan, including the power to contract.

(4) All special assessments received from a business improvement district and all other appropriations by the municipality or other moneys received for the benefit of the business improvement district shall be placed in a segregated account in the municipal treasury. No disbursements from the account may be made except to reimburse the municipality for appropriations other than special assessments, to pay the costs of audits required under [sub. \(3\)](#) (c) or on order of the board for the purpose of implementing the operating plan. On termination of the business improvement district by the municipality, all moneys collected by special assessment remaining in the account shall be disbursed to the owners of specially assessed property in the business improvement district, in the same proportion as the last collected special assessment.

(4m) A municipality shall terminate a business improvement district if the owners of property assessed under the operating plan having a valuation equal to more than 50% of the valuation of all property assessed under the operating plan, using the method of valuation specified in the operating plan, or the owners of property assessed under the operating plan having an assessed valuation equal to more than 50% of the assessed valuation of all property assessed under the operating plan, file a petition with the planning commission requesting termination of the business improvement district, subject to all of the following conditions:

(a) A petition may not be filed under this subsection earlier than one year after the date the municipality first adopts the operating plan for the business improvement district.

(b) On and after the date a petition is filed under this subsection, neither the board nor the municipality may enter into any new obligations by contract or otherwise to implement the operating plan until the expiration of 30 days after the date of hearing under [par. \(c\)](#) and unless the business improvement district is not terminated under [par. \(e\)](#).

(c) Within 30 days after the filing of a petition under this subsection, the planning commission shall hold a public hearing on the proposed termination. Notice of the hearing shall be published as a class 2 notice under [ch. 985](#). Before publication, a copy of the notice together with a copy of the operating plan and a copy of a detail map showing the boundaries of the business improvement district shall be sent by certified mail to all owners of real property within the business improvement district. The notice shall state the boundaries of the business improvement district and shall indicate that copies of the operating plan are available from the planning commission on request.

(d) Within 30 days after the date of hearing under [par. \(c\)](#), every owner of property assessed under the operating plan may send written notice to the planning commission indicating, if the owner signed a petition under this subsection, that the owner retracts the owner's request to terminate the business improvement district, or, if the owner did not sign the petition, that the owner requests termination of the business improvement district.

(e) If after the expiration of 30 days after the date of hearing under [par. \(c\)](#), by petition under this subsection or subsequent notification under [par. \(d\)](#), and after subtracting any retractions under [par. \(d\)](#), the owners of property assessed under the operating plan having a valuation equal to more than 50% of the valuation of all property assessed under the operating plan, using the method of valuation specified in the operating plan, or the owners of property assessed under the operating plan having an assessed valuation equal to more than 50% of the assessed valuation of all property assessed under the operating plan, have requested the termination of the business improvement district, the municipality shall terminate the business improvement district on the date that the obligation with the latest completion date entered into to implement the operating plan expires.

(5)

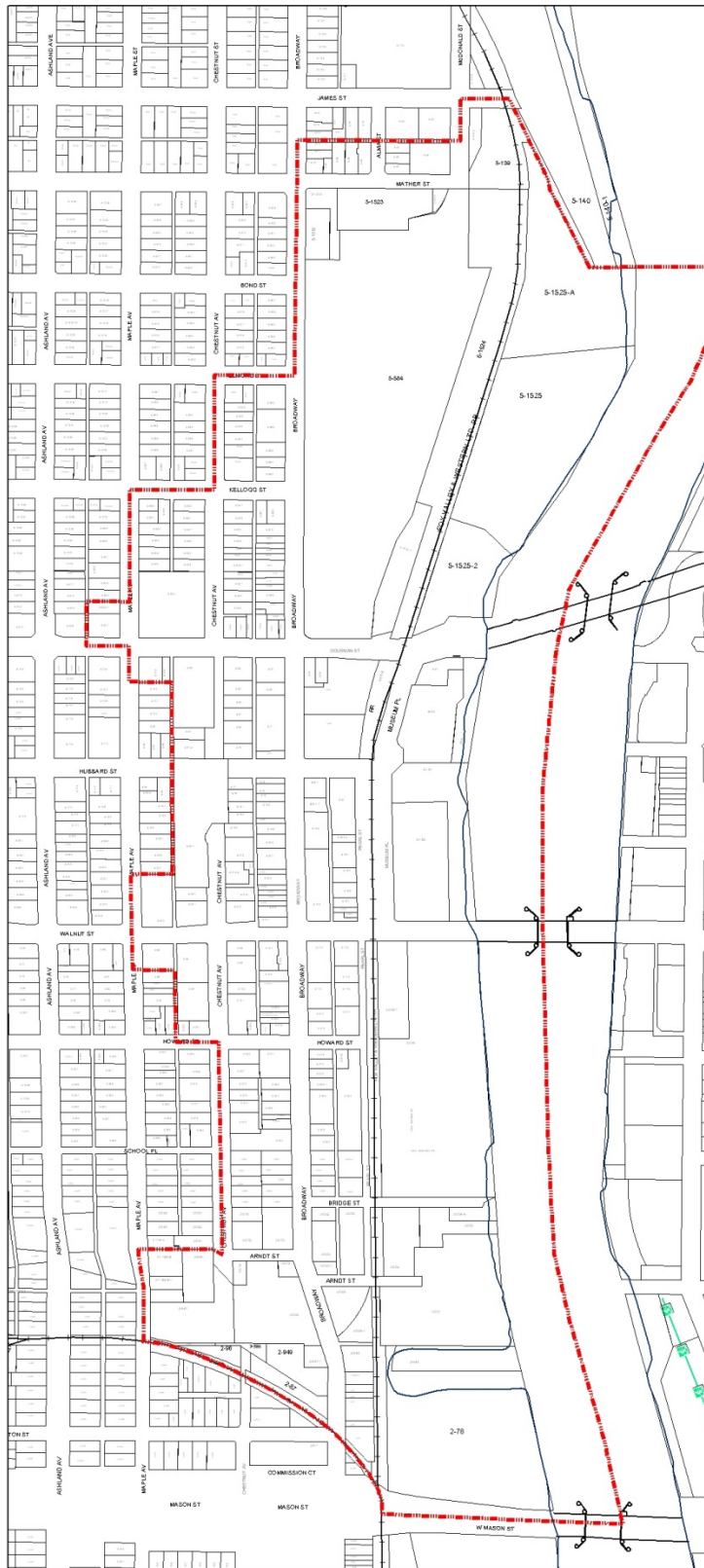
(a) Real property used exclusively for residential purposes and real property that is exempted from general property taxes under [s. 70.11](#) may not be specially assessed for purposes of this section.

(b) A municipality may terminate a business improvement district at any time.

(c) This section does not limit the power of a municipality under other law to regulate the use of or specially assess real property.

History: 1983 a. [184](#); 1989 a. [56](#) s. 258; 1999 a. [150](#) s. [539](#); Stats. 1999 s. 66.1109; 2001 a. [85](#).

APPENDIX B – District Map



On Broadway, Incorporated

A MAIN STREET PROGRAM

 Business Improvement
District Boundary



0 100 200 400 600 800 Feet



This is a compilation of records and data located in various Brown County and City of Green Bay offices and is to be used for reference purposes only. The map is controlled by the field measurements between the corners of the Public Land Survey System and the parcels are mapped from available records which may not precisely fit field conditions. Brown County/ City of Green Bay are not responsible for any inaccuracies or unauthorized use of the information contained within. No warranties are implied.

Map prepared by City of Green Bay Planning Department.
July, 2004.
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APPENDIX C – Year Projected Assessments

GISLink	TotalAssessedValue	BID	PropertyAddress	OwnerName
2-72	\$ 131,600.00	\$ 169.00	519 S Broadway	Joseph L. Aerts
2-76	\$ -	\$ -	525 S Broadway	Redevelopment Authority of the City of Green Bay
2-77	\$ -	\$ -	531 S Broadway	Redevelopment Authority of the City of Green Bay
2-947	\$ -	\$ -	419 S Maple Ave	Redevelopment Authority of the City of Green Bay
3-100	\$ 104,200.00	\$ 134.00	117 S Chestnut Ave	Bmo Harris Bank NA
3-101	\$ 212,200.00	\$ 273.00	125 S Chestnut Ave	Bmo Harris Bank NA
3-104-A	\$ 70,100.00	\$ 90.00	116 S Broadway	Thavone Ly
3-105	\$ 267,700.00	\$ 345.00	112 S Broadway	Bosley Properties LLC
3-106	\$ 234,500.00	\$ 302.00	110 S Broadway	Thavone Ly
3-107	\$ 389,200.00	\$ 502.00	405 W Walnut St	Historic West LLC
3-110	\$ 364,700.00	\$ 470.00	317 W Walnut St	Zeise Marital Trust
3-113	\$ 379,000.00	\$ 488.00	123 S Broadway	Dubois Real Estate Holdings, LLC
3-114	\$ 220,000.00	\$ 283.00	120 S Pearl St	Sma Construction Services LLC
3-116	\$ 52,600.00	\$ 67.00	100 S Pearl St	Abby Holdings LLC
3-1300	\$ 106,900.00	\$ 137.00	126 S Broadway	Urban Concepts, LLC
3-1301	\$ 138,800.00	\$ 179.00	126 S Broadway	Benjamin T. Henry
3-306	\$ 2,412,000.00	\$ 3,111.00	111 W Walnut St	Green Bay Acquisition Co 4 Inc
3-306-1	\$ 539,200.00	\$ 695.00	201 W Walnut St	Abby Holdings LLC
3-310	\$ 22,300.00	\$ 28.00	307 Howard St	201 Building, LLC
3-311	\$ 61,000.00	\$ 78.00	100 S Pearl St	Abby Holdings LLC
3-312	\$ 102,700.00	\$ 132.00	127 S Broadway	Dubois Real Estate Holdings, LLC
3-313	\$ 64,200.00	\$ 82.00	131 S Broadway	Dubois Real Estate Holdings LLC
3-314	\$ 135,000.00	\$ 174.00	201 S Broadway	201 Building, LLC
3-315	\$ 22,300.00	\$ 28.00	205 S Broadway	201 Building, LLC
3-316	\$ 38,600.00	\$ 49.00	211 S Broadway	Jessifer, LLC
3-317	\$ -	\$ -	200 S Broadway	Green Bay Area Public School District
3-320	\$ 238,200.00	\$ 307.00	128 S Broadway	Slcre LLC
3-322	\$ 93,900.00	\$ 121.00	124 S Broadway	Thavone Ly
3-325	\$ 5,600.00	\$ 7.00	412 Howard St	Bmo Harris Bank NA
3-362	\$ 119,300.00	\$ 153.00	301 S Pearl St	Green Bay Acquisition Co 4 Inc
3-363	\$ 35,500.00	\$ 45.00	S Broadway	Legois Maureen A Survivors Trust
3-364	\$ 27,000.00	\$ 34.00	223 S Broadway	Nicker Bobs Craft Mall, LLC
3-369-A	\$ 78,400.00	\$ 101.00	226 S Broadway	Mitchell T. Hyde
3-562	\$ -	\$ -	325 S Broadway	Rbj Holdings, LLC
3-563	\$ -	\$ -	327 S Broadway	Rbj Holdings, LLC
3-563-1	\$ 187,400.00	\$ 241.00	339 S Broadway	Guppo LLC
3-569	\$ -	\$ -	420 S Broadway	Redevelopment Authority of the City of Green Bay
3-572	\$ -	\$ -	402 S Broadway	Redevelopment Authority of the City of Green Bay
3-588	\$ 100,100.00	\$ 129.00	316 S Broadway	Chao T. Moua
3-589	\$ 7,800.00	\$ 10.00	312 S Broadway	Dawn M. Mccoy

3-590	\$ 8,600.00	\$ 11.00	304 S Broadway	Dawn M. Mccoy
3-591	\$ 176,800.00	\$ 228.00	300 S Broadway	Sanctuary Spas LLC
3-642	\$ 181,900.00	\$ 234.00	301 S Broadway	Vaj Holdings LLC
3-643	\$ 131,500.00	\$ 169.00	307 S Broadway	Nicker Bobs Craft Mall, LLC
3-644	\$ 26,400.00	\$ 34.00	309 S Broadway	Rbj Holdings, LLC
3-85	\$ 615,600.00	\$ 794.00	515 W Walnut St	Kwik Trip Inc
3-92	\$ 200,100.00	\$ 258.00	118 S Chestnut Ave	Democratic Party of Brown County
3-96	\$ 420,500.00	\$ 542.00	509 W Walnut St	Newcmg Properties LLC
3-98	\$ 40,300.00	\$ 51.00	409 W Walnut St	Historic West LLC
3-99	\$ 62,200.00	\$ 80.00	100 S Chestnut Ave	Historic West LLC
4-104	\$ 356,900.00	\$ 460.00	517 Dousman St	Bo Enterprises LLC
4-154	\$ 1,179,700.00	\$ 1,521.00	142 N Broadway	Lorenzen Holdings LLC
4-156	\$ 210,500.00	\$ 271.00	151 N Broadway	Noc Harn LLC
4-157	\$ 85,000.00	\$ 109.00	147 N Broadway	Lawrence Frye
4-158	\$ 268,500.00	\$ 346.00	143 N Broadway	Sand and Sun, LLC
4-159	\$ 29,600.00	\$ 38.00	144 N Chestnut Ave	Sand and Sun, LLC
4-187	\$ 31,400.00	\$ 40.00	133 N Pearl St	Petes Annex LLC
4-188	\$ 18,600.00	\$ 23.00	119 N Pearl St	Petes Annex LLC
4-189	\$ 35,000.00	\$ 45.00	127 N Pearl St	Petes Annex LLC
4-190	\$ 12,000.00	\$ 15.00	115 N Pearl St	Petes Annex LLC
4-191	\$ 5,900.00	\$ 7.00	111 N Pearl St	Petes Annex LLC
4-192	\$ 3,900.00	\$ 5.00	105 N Pearl St	Petes Annex LLC
4-193	\$ 7,600.00	\$ 9.00	100 N Pearl St	Petes Annex LLC
4-194	\$ 2,434,600.00	\$ 3,140.00	310 W Walnut St	Petes Annex LLC
4-201	\$ 214,500.00	\$ 276.00	133 N Broadway	Xa Lee
4-201-1	\$ 261,200.00	\$ 336.00	127 N Broadway	Widmer Properties LLC
4-204	\$ 151,300.00	\$ 195.00	123 N Broadway	Game Holdings LLC
4-205	\$ 266,700.00	\$ 344.00	121 N Broadway	Xa Lee
4-206	\$ 223,400.00	\$ 288.00	119 N Broadway	Eric J. Woller
4-210	\$ 532,500.00	\$ 686.00	109 N Broadway	Czachor & Polack Development LLC
4-215-A	\$ 92,400.00	\$ 119.00	122 N Chestnut Ave	Green Bay Community Theatre Inc
4-216	\$ 76,400.00	\$ 98.00	138 N Chestnut Ave	Bett, LLC
4-221	\$ 117,100.00	\$ 151.00	500 W Walnut St	Walnut Auto Investments LLC
4-223	\$ 598,300.00	\$ 771.00	514 W Walnut St	Sorensen Development Inc
4-253-A	\$ 9,500.00	\$ 12.00	N Pearl St	Petes Annex LLC
4-254	\$ 372,000.00	\$ 479.00	139 N Broadway	Bascom Holdings LLC
4-263	\$ 224,900.00	\$ 290.00	111 N Broadway Unit 1	Taj Enterprises, LLC
4-264	\$ 224,900.00	\$ 290.00	111 N Broadway Unit 2	Docking Station LLC
4-265	\$ 235,600.00	\$ 303.00	111 N Broadway Unit C	Whetter Daniel D & Carrie L Joint Revoc Trust
4-266	\$ 224,900.00	\$ 290.00	111 N Broadway Unit 4	Eventful Concepts LLC
4-59	\$ 202,000.00	\$ 260.00	N Broadway	Parking Lot U LLC
4-60	\$ 2,120,100.00	\$ 2,734.00	164 N Broadway	BayCare Health Systems, LLC
4-61-1	\$ 593,400.00	\$ 765.00	154 N Broadway	154 N Broadway LLC

4-62	\$ 552,400.00	\$ 712.00	200 N Broadway	Theresa M. Beerntsen
4-65	\$ 405,700.00	\$ 523.00	317 Dousman St	Michael E. Stange
4-66	\$ 551,400.00	\$ 711.00	313 Dousman St	High Brau LLC
4-67	\$ 1,212,200.00	\$ 1,563.00	235 N Broadway	Toho Properties, LLC
4-68	\$ 217,400.00	\$ 280.00	231 N Broadway	Washington LLC
4-71	\$ 2,170,700.00	\$ 2,800.00	211 N Broadway	Schillinger Properties LLC
4-72	\$ 482,700.00	\$ 622.00	201 N Broadway	201 Broadway, LLC
4-74	\$ 357,500.00	\$ 461.00	163 N Broadway	Ildeman R. Nielson
4-75	\$ 379,100.00	\$ 489.00	159 N Broadway	David Bartikofsky
4-76	\$ 70,200.00	\$ 90.00	157 N Broadway	Noc Harn LLC
4-84	\$ 290,900.00	\$ 375.00	413 Dousman St	Kaliz Ltd Partnership
4-85	\$ 994,400.00	\$ 1,282.00	505 Dousman St	Frank Land Holding LLC
5-1525	\$ 1,400,000.00	\$ 1,806.00	128 Dousman St	Graymont Western Lime Inc
5-1525-A	\$ 771,700.00	\$ 995.00	700 Mc Donald St	Graymont Western Lime Inc
5-1525-B	\$ 6,600.00	\$ 8.00	201 Mather St	Arthur W. Zingler III
5-1737	\$ 1,295,100.00	\$ 1,670.00	300 N Broadway Unit 100	Green Bay Broadway Development LLC
5-1738	\$ 1,300,400.00	\$ 1,677.00	300 N Broadway Unit 200	Green Bay Broadway Development LLC
5-1739	\$ 1,302,200.00	\$ 1,679.00	300 N Broadway Unit 300	Green Bay Area Chamber of Commerce
5-1757	\$ 1,574,400.00	\$ 2,030.00	520 N Broadway	Ddl Holdings LLC
5-1757-1	\$ 3,635,800.00	\$ 4,690.00	520 N Broadway	Ddl Holdings LLC
5-1758	\$ 100.00	\$ -	305 Donald Driver Way	DDL Holdings, LLC
5-1759	\$ 4,086,700.00	\$ 5,271.00	320 N Broadway	Ddl Holdings LLC
5-1760	\$ 956,600.00	\$ 1,234.00	340 N Broadway Unit 110	Ddl Holdings LLC
5-1761	\$ 1,043,200.00	\$ 1,345.00	340 N Broadway Unit 200	Ddl Holdings LLC
5-1762	\$ 1,042,400.00	\$ 1,344.00	340 N Broadway Unit 355	Ddl Holdings LLC
5-1763	\$ 928,700.00	\$ 1,198.00	340 N Broadway Unit 400	Ddl Holdings LLC
5-1764	\$ 129,900.00	\$ 167.00	313 Donald Driver Way	Ddl Holdings LLC
5-1765	\$ 123,400.00	\$ 159.00	333 Donald Driver Way	DDL Holdings, LLC
5-1766	\$ 873,100.00	\$ 1,126.00	200 Dousman St	Cnw Green Bay, LLC
5-1768	\$ 47,500.00	\$ 61.00	430 Donald Driver Way	Ddl Holdings LLC
5-1769	\$ 18,000.00	\$ 23.00	520 Donald Driver Way	Ddl Holdings LLC
5-1770	\$ 7,179,200.00	\$ 9,261.00	300 Bond St	Broadway Lofts, LP
5-1771	\$ 141,500.00	\$ 182.00	519 Donald Driver Way	Ddl Holdings LLC
5-1772	\$ 767,900.00	\$ 990.00	419 Donald Driver Way	Twg Rail Yard, LLC
5-1773	\$ 14,400.00	\$ 18.00	435 Donald Driver Way	Ddl Holdings LLC
5-1774	\$ 33,700.00	\$ 43.00	500 Donald Driver Way	Ddl Holdings LLC
5-1779	\$ 233,500.00	\$ 301.00	400 Donald Driver Way Unit 1	Rail Yard Innovation District Townhomes LLC
5-1780	\$ 223,000.00	\$ 287.00	400 Donald Driver Way Unit 2	Rail Yard Innovation District Townhomes LLC
5-1781	\$ 344,100.00	\$ 443.00	400 Donald Driver Way Unit 3	Rail Yard Innovation District Townhomes LLC
5-1782	\$ 392,100.00	\$ 505.00	400 Donald Driver Way Unit 4	Rail Yard Innovation District Townhomes LLC
5-1783	\$ 322,600.00	\$ 416.00	400 Donald Driver Way Unit 5	Rail Yard Innovation District Townhomes LLC
5-1784	\$ 416,800.00	\$ 537.00	400 Donald Driver Way Unit 6	Brigid Riordan
5-1785	\$ 691,500.00	\$ 892.00	400 Donald Driver Way Unit 7	Patrick Riordan

5-1786	\$ 198,800.00	\$ 256.00	400 Donald Driver Way Unit 8	Rail Yard Innovation District Townhomes LLC
5-54	\$ 143,700.00	\$ 185.00	200 Mather St	Arthur W. Zingler III
5-58	\$ 79,400.00	\$ 102.00	704 Alma St	Nancy Rogers
5-584-2	\$ 45,900.00	\$ 59.00	308 Dousman St	DDL Holdings, LLC
5-584-3	\$ 446,600.00	\$ 576.00	300 Dousman St	Luga Properties, LLC
5-588	\$ 160,100.00	\$ 206.00	319 N Broadway	Caesars Palace of Green Bay LLC
5-589	\$ 36,200.00	\$ 46.00	317 N Broadway	Fort Howard New Town Redevelopment LLC
5-590	\$ 324,200.00	\$ 418.00	313 N Broadway	Fort Howard New Town Redevelopment LLC
5-591	\$ 11,700.00	\$ 15.00	410 Dousman St-Rear	Brittany J. Paulsen
5-592	\$ 159,600.00	\$ 205.00	400 Dousman St	Cathy T. Lesandrini
5-593	\$ 98,400.00	\$ 126.00	402 Dousman St	Sams Investments LLC
5-594	\$ 179,700.00	\$ 231.00	408 Dousman St	Brittany J. Paulsen
5-595	\$ 92,100.00	\$ 118.00	309 N Broadway	Dhuey Property, LLC
5-596	\$ 144,600.00	\$ 186.00	412 Dousman St	Widmer Properties LLC
5-597	\$ 295,500.00	\$ 381.00	414 Dousman St	GNC Development LLC
5-599	\$ -	\$ -	314 N Chestnut Ave	Green Bay Redevelopment Authority
5-600	\$ 28,600.00	\$ 36.00	N Chestnut Ave	Fort Howard New Town Redevelopment LLC
5-602	\$ 43,300.00	\$ 55.00	324 N Chestnut Ave	Ddl Holdings LLC
5-607	\$ 305,000.00	\$ 393.00	301 N Maple Ave	Express Property LLC
5-874	\$ 17,300.00	\$ 22.00	329 N Broadway	Cst LLC
5-875	\$ 118,500.00	\$ 152.00	331 N Broadway	Cst LLC
5-876	\$ 117,100.00	\$ 151.00	333 N Broadway	Cst LLC
5-877	\$ 116,700.00	\$ 150.00	335 N Broadway	Cst LLC
5-878	\$ 13,800.00	\$ 17.00	N Broadway	Cst LLC
5-879	\$ 59,700.00	\$ 77.00	341 N Broadway	Benzplekan Real Estate LLC
5-882	\$ 976,100.00	\$ 1,259.00	401 N Broadway	Historic Restorations, LLC
5-885	\$ 319,600.00	\$ 412.00	419 N Broadway	419, LLC
5-890	\$ 128,100.00	\$ 165.00	431 N Broadway	Martin R. Leonhard
Total	\$ 63,887,200.00	\$ 82,346.00		

APPENDIX D – City Attorney Opinion

DRAFT



Law Department

Vanessa R. Chavez
City Attorney

October 27, 2021

Wendy Townsend, Project and Program Manager
City of Green Bay
100 North Jefferson Street, Room 608
Green Bay, WI 54301

RE: Proposed Operating Plan for Business Improvement District No. 3

Dear Ms. Townsend:

The purpose of this correspondence is to respond to your request for a legal review of the proposed 2022 Operating Plan for Business Improvement District No. 3 (hereafter "Plan"). Your request asks the City Attorney's Office to provide an opinion with respect to the Plan's compliance with the requirements of Wisconsin Statute § 66.1109(l)(f).

Our office has reviewed the Plan, a copy of which is attached hereto, and based upon such review, are of the opinion that the Plan meets the requirements of Wisconsin Statute § 66.1109 (l)(f), subsections 1 through 4.

Thank you for your attention to this matter.

Sincerely,

Vanessa R. Chavez
City Attorney



Report to the Green Bay Plan Commission

MEETING DATE

November 8, 2021

PREPARED BY

Wendy Townsend, Economic Coordinator

AGENDA ITEM # E.7

Consideration with possible action on the approval of the Olde Main Street, Inc. (OMSI) Business Improvement District (BID) Operating Plan for 2022.

BACKGROUND

The City of Green Bay's BID Handbook requires approval of the BID Annual Operating Plans by the City's Plan Commission. Attached is the Olde Main Street, Inc. (OMSI) Business Improvement District (BID) Operating Plan for 2022, which has been approved by the OMSI BID Board and City Attorney Vanessa Chavez.

RECOMMENDATION

Approval of the Olde Main Street, Inc.(OMSI) Business Improvement District (BID) Operating Plan for 2022 as presented.

FISCAL IMPACT

ATTACHMENTS

1. 2022 OMSI Operating Plan
2. 2022 OMSI OP Attorney Letter 10.27.21

**Operating Plan - 2022
Olde Main Street, Inc.**

BUSINESS IMPROVEMENT DISTRICT

2022 OPERATING PLAN



Olde Main Street, Inc.
130 E. Walnut St. Suite 501
Green Bay, WI 54301
Phone: (920) 437-5972
downtowngreenbay.com

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I. INTRODUCTION

A. Background

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

The City of Green Bay received a petition from property owners that requested creation of a Business Improvement District for the purpose of revitalizing and improving the Olde Main Street business area on Green Bay’s east side. (see Appendix B). The BID law requires that every district have an annual Operating Plan. This document is the 2021 Operating Plan for the Olde Main Street district.

B. Physical Setting

The physical boundaries of the district include the Main Street corridor bounded on the west by the alleyway immediately east of Monroe Avenue, on the east by Grove Street, the East River shoreline to the north and varying commercial boundaries on the south.

II. DISTRICT BOUNDARIES

Please see the map of the district in Appendix C of this plan. A listing of the properties included in the district is provided in Appendix C.

III. PROPOSED OPERATING PLAN

A. Plan Objectives

The objective of the BID is to provide leadership and management for revitalizing Main Street. By emphasizing community-based planning, planning that appreciates the advantages of low-cost, modest initiatives over the blockbuster resuscitation efforts of large-scale stand-alone projects the District performs the classic function of the urban neighborhood. Such districts give growth to new businesses, add substance to the local economy and export their people and innovations to the rest of the City.

B. Proposed Activities

Principle activities to be engaged in by the district during 2022 include:

1. **BUSINESS DEVELOPMENT** – This pillar of OMSI will initiate strategies to advance corporate, residential, and retail development. Business recruitment and retention initiatives will be in collaboration with regional and local partners (i.e. New North, Start-Up Hub, City of Green Bay, etc.) Key focus areas for 2022 include serving as a resource to businesses impacted by COVID-19 and the execution of tactics developed in the business development marketing plan such as development tours, available property open houses, and the Pop-Up Shop Program. Our initiatives will also capitalize on the impact the East River Trail development will have on the Olde Main Street District.
2. **MARKETING** – OMSI will engage in event and physical improvements focused marketing to further establish the brand of Olde Main Street as the Arts District. We will work to promote the development of the Whitney Park area, and the increase in residential development, to potential businesses and residents. We will work to highlight placemaking efforts within the district. These efforts will be further enhanced through the branding of our website, newsletter, and other digital and printed materials. The goal of these marketing efforts is to position Olde Main Street as a progressive, artistic, and culture-focused commercial and residential area in the eyes of our community.

3. **EVENTS** – OMSI will continue to plan events to further enhance the corridor’s brand as the Arts District. In addition, other events will be designed to support existing businesses while attracting new businesses, creatives and visitors to the area.
4. **PHYSICAL IMPROVEMENTS AND FIRST IMPRESSIONS-** Olde Main Street, Inc. will continue to provide and facilitate district enhancements that include planters, banners, cleanups, and holiday décor. A focus remains on public art to further brand Olde Main Street as the Arts District.
5. **BUSINESS AND NEIGHBORHOOD CONNECTIONS** – Olde Main Street, Inc. will continue to build positive relationships with new and current businesses and organizations as well as with nearby neighborhood associations.

C. Proposed Expenditures – 2022

OMSI 2022 Budget		
	2022 Budget	2021 Budget
Revenues		
BID Assessments	\$57,039	\$58,071
Contributions & Sponsorships*	\$41,680	\$47,225
Planter Program Revenue	\$8,550	\$8,550
Total Revenue	\$107,269	\$113,846
Expenses		
Administrative Fees	\$64,267	\$59,782
Operating		
Insurance	\$3,164	\$2,300
Postage & Meetings & Misc.	\$200	\$300
Legal/Accounting/Audit	\$6,700	\$7,800
Training/Education/Mileage/Dues & Subs.	\$500	\$500
Equipment/Office Supplies	\$500	\$700
Total Admin & Operating Expense	\$75,331	\$71,382
Programs		
Physical Improvements		
Greenspace/Planter Program	\$10,800	\$10,800
District Appearance	\$500	\$500
Three Corner Marker Flag	\$250	\$250
Holiday Decorations and Banner		
Maintenance	\$1,300	\$100
Public Art Contribution	\$1,000	\$2,000
Total Physical Improvements	\$13,850	\$13,650
Business Development		
Business Recruitment & Retention	\$2,000	\$2,000
Total Business Development	\$2,000	\$2,000
Marketing & Events		
Website	\$804	\$804
Branding/Guides/Public Awareness	\$3,315	\$3,179
Gallery Nite/Artisan Nite on Cedar	\$2,100	\$3,000
ArtMainia	\$2,500	
Summer in the Park	\$4,000	
Theater / Comedy in the Park	\$2,350	\$3,000
Annual Meeting-Year in Review	\$500	\$1,000
Small Business Saturday	\$400	\$400
Summer Solstice	\$4,100	
Galentines Day	\$400	\$400

New Events/Music		\$5,000
Total Marketing and Events	\$20,469	\$16,783
Total Programs	\$36,319	\$32,433
Total Expense	\$111,650	\$103,815
Net Income	\$ (4,381)	\$ 10,032

D. Financing Method

The proposed expenditures contained in Section C, above, will be financed in part from moneys collected from the BID assessment. It is estimated that approximately **\$57,039** will be raised through assessments. We are also setting a goal to obtain sponsorships, and event revenues in the amount of \$41,680 in 2022. Additionally, we anticipate collecting \$8,550 in sponsorships to pay for planters that are placed around the district. There is currently a deficit in Net Income reflected in this budget. That amount would be covered by prior period reserves. The BID Board shall have the authority and responsibility to prioritize expenditures and to revise the budget as necessary to match the funds available.

E. Organization of BID Board

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

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

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

1. Board Size – at least Five
2. Composition - At least three fifths members shall be owners or occupants of property within the district. Any non-owner or non-occupant appointed to the board shall be a resident of the City of Green Bay. The board shall elect its Chairperson from among its members.
3. Term - Appointments to the board shall be for a period of three years except that initially two members shall be appointed for a period of three years, two members shall be appointed for a period of two years, and one member shall be appointed for a period of one year.
4. Compensation – None
5. Meetings - All meetings of the board shall be governed by the Wisconsin Open Meetings Law.
6. Record Keeping - Files and records of the board's affairs shall be kept pursuant to public record requirements.
7. Staffing - The board may employ staff and/or contract for staffing services pursuant to this Plan and subsequent modifications thereof.
8. Meetings - The board shall meet regularly, at least twice each year. The board shall adopt rules of order ("by laws") to govern the conduct of its meetings.

F. Relationship to Olde Main Street, Inc.

The BID shall be a separate entity from the Olde Main Street, Inc., notwithstanding the fact that members, officers and directors of each may be shared. The Association shall remain a private organization, not subject to the open meeting law, and not subject to the public record law except for its records generated in connection with the BID board. Olde Main Street, Inc. may, and it is intended, shall, contract with the BID to provide services to the BID, in accordance with this Plan.

IV. METHOD OF ASSESMENT

A. Assessment Rate and Method

Parcels Assessed

All tax parcels within the District required to pay real estate taxes, including those taxed by the State as manufacturing, and all parcels used exclusively for manufacturing, will be assessed. Real property used exclusively for residential purposes may not be assessed, as required by the BID law. Residential property will be defined as 100% residential property or owner-occupied properties. Property exempt from paying real estate taxes will not be assessed. Property owned by government agencies will not be assessed.

Levy of Assessment

Special assessments under this 2022 Operating Plan are hereby levied against each tax parcel of property within the District which has a separate tax key number, in the amount shown on the assessment schedule which is attached hereto as Appendix D. The assessment was based on the assessed value of that parcel (land and improvements) as shown in the records of the City Assessor's office in January 2021 except as otherwise identified below.

The principle behind the assessment methodology is that each non-exempt parcel's owners should pay for District development in proportion to the benefits derived. Obviously, not every parcel within the District will benefit equally, thus it has been assumed that hospitality and entertainment uses will derive the most benefit and therefore will contribute to the BID at a higher assessment rate and warehouse uses will benefit the least and therefore contribute at a lower rate.

The 2021 assessment shown on Appendix D was calculated as \$3.00 for each \$1,000 of assessed value for properties whose use is identified as hospitality or entertainment-related and \$1.00 for each \$1,000 of assessed value for properties whose use is identified as warehouse. Appendix C, attached hereto, contains a list of SIC codes identifying these properties. The 2020 assessment for remaining non-exempt tax parcels in the District, not identified as used for hospitality or entertainment-related uses or for warehousing, was calculated as \$2.50 for each \$1,000 of assessed value.

For properties whose use comprises mixed SIC codes, the property has been identified by the ground level use(s) of any buildings constructed on the property. The ground level use is presumed to be the dominant use of the property. If a ground level has more than two uses, then the property has been identified by the use that makes up more than one half of the ground level square footage. The burden is on the owner to change a property classification from that designated in Appendix D. It must be proven annually by the owner of the property in question to the BID board. The maximum assessment for any individual or business shall be \$3,000.

B. Excluded and Exempt Property

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

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

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

A. City Plans

The mission of Olde Main Street- to facilitate District redevelopment, is consistent with the City of Green Bay's Comprehensive Plan and Downtown Master Plan; the organization promotes the orderly development of the City in general. Olde Main Street's Design Plan was adopted in 2001 and recognized by the City of Green Bay as an integral element of the city's vision and plan.

B. City Role in District Operation

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

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

VI. PLAN APPROVAL PROCESS

A. Public Review Process

The Wisconsin Business Improvement district law establishes a specific process for reviewing and approving proposed operating plans. Pursuant to the statutory requirements, the following process will be followed:

1. The City of Green Bay Plan Commission will review the BID audits and approve the proposed Operating Plan. They will provide a recommendation to Council.
2. Common Council will act on the proposed Operating Plans
3. The Common Council will act on the proposed BID Plan.

B. Petition against Creation of the BID

VII. FUTURE YEAR OPERATING PLANS

A. Phased Development

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

Section 66.1109 (3) (a) of the BID law requires the board and the City to annually review and make changes as appropriate in the Operating Plan. Therefore, while this document outlines in general terms the complete development program, it focuses upon 2021 activities, and information on specific assessed values, budget amounts and assessment amounts are based on 2021 conditions. Greater detail about subsequent year's activities will be provided in the required annual Plan updates, and approval by the Common Council of such Plan updates shall be conclusive evidence of compliance with this Plan and the BID law.

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

B. Amendment, Severability and Expansion

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

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

APPENDICES

- A. STATUTE
- B. PETITION
- C. PROPOSED DISTRICT BOUNDARIES
- D. 2021 PROJECTED ASSESSMENTS
- E. CITY ATTORNEY'S OPINION

APPENDIX A & B:

Wisconsin State Statute "BID Law"

66.1109 Business improvement districts.

(1) In this section:

(a) "Board" means a business improvement district board appointed under **sub. (3) (a)**.

(b) "Business improvement district" means an area within a municipality consisting of contiguous parcels and may include railroad rights-of-way, rivers, or highways continuously bounded by the parcels on at least one side, and shall include parcels that are contiguous to the district but that were not included in the original or amended boundaries of the district because the parcels were tax-exempt when the boundaries were determined and such parcels became taxable after the original or amended boundaries of the district were determined.

(c) "Chief executive officer" means a mayor, city manager, village president or town chairperson.

(d) "Local legislative body" means a common council, village board of trustees or town board of supervisors.

(e) "Municipality" means a city, village or town.

(f) "Operating plan" means a plan adopted or amended under this section for the development, redevelopment, maintenance, operation and promotion of a business improvement district, including all of the following:

1. The special assessment method applicable to the business improvement district.

1m. Whether real property used exclusively for manufacturing purposes will be specially assessed.

2. The kind, number and location of all proposed expenditures within the business improvement district.

3. A description of the methods of financing all estimated expenditures and the time when related costs will be incurred.

4. A description of how the creation of the business improvement district promotes the orderly development of the municipality, including its relationship to any municipal master plan.

5. A legal opinion that **subds. 1. to 4.** have been complied with.

(g) "Planning commission" means a plan commission under **s. 62.23**, or if none a board of public land commissioners, or if none a planning committee of the local legislative body.

(2) A municipality may create a business improvement district and adopt its operating plan if all of the following are met:

(a) An owner of real property used for commercial purposes and located in the proposed business improvement district designated under **par. (b)** has petitioned the municipality for creation of a business improvement district.

(b) The planning commission has designated a proposed business improvement district and adopted its proposed initial operating plan.

(c) At least 30 days before creation of the business improvement district and adoption of its initial operating plan by the municipality, the planning commission has held a public hearing on its proposed business improvement district and initial operating plan. Notice of the hearing shall be published as a class 2 notice under **ch. 985**. Before publication, a copy of the notice together with a copy of the proposed initial operating plan and a copy of a detail map showing the boundaries of the proposed business improvement district shall be sent by certified mail to all owners of real property within the proposed business improvement district. The notice shall state the boundaries of the proposed business improvement district and shall indicate that copies of the proposed initial operating plan are available from the planning commission on request.

(d) Within 30 days after the hearing under **par. (c)**, the owners of property to be assessed under the proposed initial operating plan having a valuation equal to more than 40% of the valuation of all property to be assessed under the proposed initial operating plan, using the method of valuation specified in the proposed initial operating plan, or the owners of property to be assessed under the proposed initial operating plan having an assessed valuation equal to more than 40% of the assessed valuation of all property to be assessed under the proposed initial operating plan, have not filed a petition with the planning commission protesting the proposed business improvement district or its proposed initial operating plan.

(e) The local legislative body has voted to adopt the proposed initial operating plan for the municipality.

(3)

(a) The chief executive officer shall appoint members to a business improvement district board to implement the operating plan. Board members shall be confirmed by the local legislative body and shall serve staggered terms designated by the local legislative body. The board shall have at least 5 members. A majority of board members shall own or occupy real property in the business improvement district.

(b) The board shall annually consider and may make changes to the operating plan, which may include termination of the plan, for its business improvement district. The board shall then submit the operating plan to the local legislative body for its approval. If the local legislative body disapproves the operating plan, the board shall consider and may make changes to the operating plan and may continue to

resubmit the operating plan until local legislative body approval is obtained. Any change to the special assessment method applicable to the business improvement district shall be approved by the local legislative body.

(c) The board shall prepare and make available to the public annual reports describing the current status of the business improvement district, including expenditures and revenues. The report shall include an independent certified audit of the implementation of the operating plan obtained by the municipality. The municipality shall obtain an additional independent certified audit upon termination of the business improvement district.

(d) Either the board or the municipality, as specified in the operating plan as adopted, or amended and approved under this section, has all powers necessary or convenient to implement the operating plan, including the power to contract.

(4) All special assessments received from a business improvement district and all other appropriations by the municipality or other moneys received for the benefit of the business improvement district shall be placed in a segregated account in the municipal treasury. No disbursements from the account may be made except to reimburse the municipality for appropriations other than special assessments, to pay the costs of audits required under [sub. \(3\) \(c\)](#) or on order of the board for the purpose of implementing the operating plan. On termination of the business improvement district by the municipality, all moneys collected by special assessment remaining in the account shall be disbursed to the owners of specially assessed property in the business improvement district, in the same proportion as the last collected special assessment.

(4m) A municipality shall terminate a business improvement district if the owners of property assessed under the operating plan having a valuation equal to more than 50% of the valuation of all property assessed under the operating plan, using the method of valuation specified in the operating plan, or the owners of property assessed under the operating plan having an assessed valuation equal to more than 50% of the assessed valuation of all property assessed under the operating plan, file a petition with the planning commission requesting termination of the business improvement district, subject to all of the following conditions:

(a) A petition may not be filed under this subsection earlier than one year after the date the municipality first adopts the operating plan for the business improvement district.

(b) On and after the date a petition is filed under this subsection, neither the board nor the municipality may enter into any new obligations by contract or otherwise to implement the operating plan until the expiration of 30 days after the date of hearing under [par. \(c\)](#) and unless the business improvement district is not terminated under [par. \(e\)](#).

(c) Within 30 days after the filing of a petition under this subsection, the planning commission shall hold a public hearing on the proposed termination. Notice of the hearing shall be published as a class 2 notice under [ch. 985](#). Before publication, a copy of the notice together with a copy of the operating plan and a copy of a detail map showing the boundaries of the business improvement district shall be sent by certified mail to all owners of real property within the business improvement district. The notice shall state the boundaries of the business improvement district and shall indicate that copies of the operating plan are available from the planning commission on request.

(d) Within 30 days after the date of hearing under [par. \(c\)](#), every owner of property assessed under the operating plan may send written notice to the planning commission indicating, if the owner signed a petition under this subsection, that the owner retracts the owner's request to terminate the business improvement district, or, if the owner did not sign the petition, that the owner requests termination of the business improvement district.

(e) If after the expiration of 30 days after the date of hearing under [par. \(c\)](#), by petition under this subsection or subsequent notification under [par. \(d\)](#), and after subtracting any retractions under [par. \(d\)](#), the owners of property assessed under the operating plan having a valuation equal to more than 50% of the valuation of all property assessed under the operating plan, using the method of valuation specified in the operating plan, or the owners of property assessed under the operating plan having an assessed valuation equal to more than 50% of the assessed valuation of all property assessed under the operating plan, have requested the termination of the business improvement district, the municipality shall terminate the business improvement district on the date that the obligation with the latest completion date entered into to implement the operating plan expires.

(5)

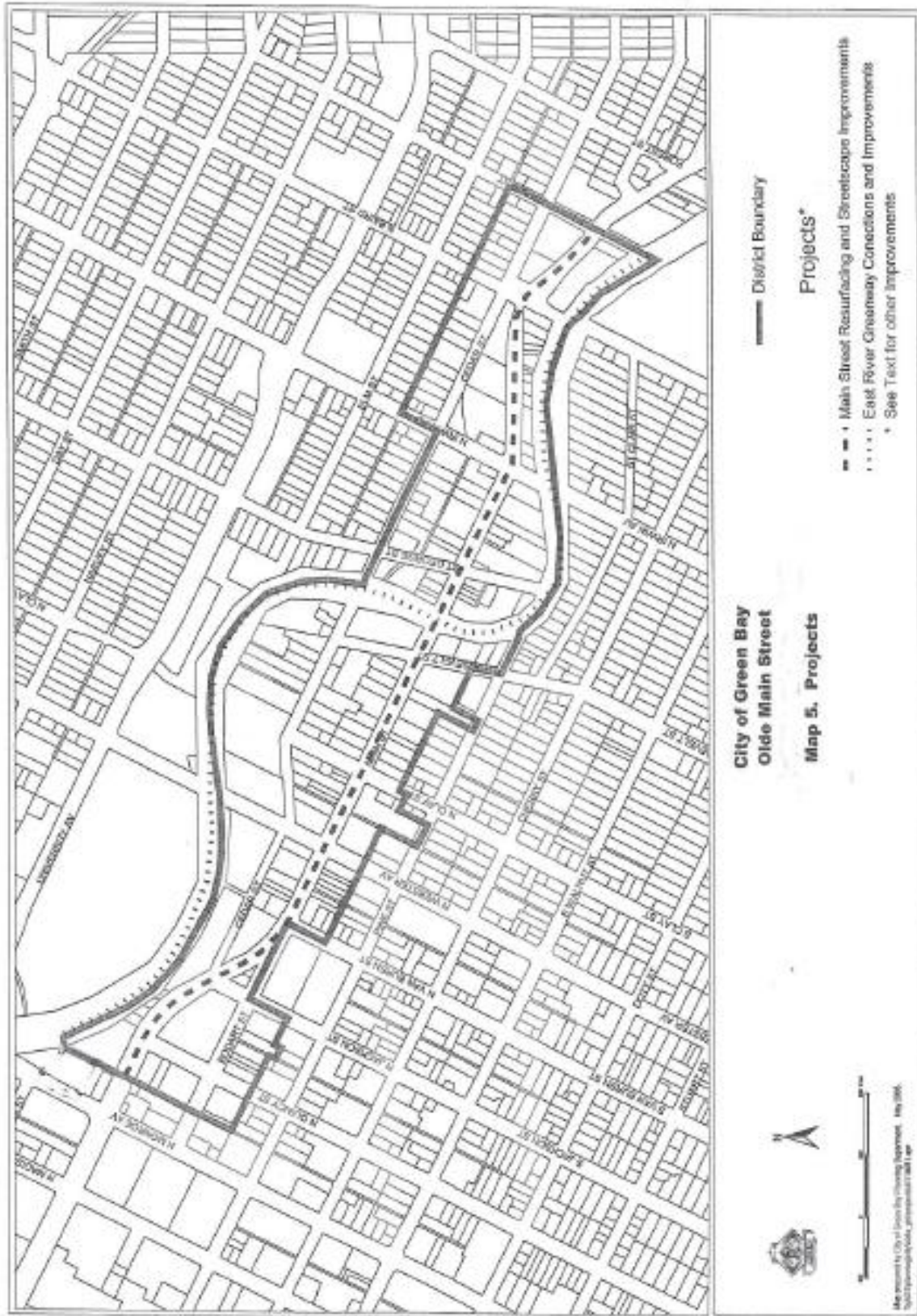
(a) Real property used exclusively for residential purposes and real property that is exempted from general property taxes under [s. 70.11](#) may not be specially assessed for purposes of this section.

(b) A municipality may terminate a business improvement district at any time.

(c) This section does not limit the power of a municipality under other law to regulate the use of or specially assess real property.

History: 1983 a. [184](#); 1989 a. [56](#) s. 258; 1999 a. [150](#) s. [539](#); Stats. 1999 s. 66.1109; 2001 a. [85](#).

APPENDIX C - PROPOSED DITRICT BOUNDARIES



APPENDIX D- 2021 PROJECTED ASSESSMENTS

Assessment options are based on the type of business occupying the majority of a parcel. Properties that are assessed are coded as follows:

Assessment Rate

- .003 hospitality or entertainment related (BID 12)
- .001 warehouse (BID 10)
- .0025 all other properties being assessed (BID 11)

BID	Parcel ID	Property Location	Owner	Total Value	Assessment
10	10-25	801 CEDAR ST	RFS Green Bay LLC 6030	\$ 645,900	\$ 646
10	10-4	714-716 BODART ST	ROBERT E CADMUS JR	\$ 134,600	\$ 135
10	11-100	417 N QUINCY ST	KEVIN C KUEHN	\$ 80,600	\$ 81
10	14-10	325 N ROOSEVELT ST	GREEN BAY AREA PUBLIC SCHOOL DISTRICT MINOKA-HI	\$ -	\$ -
10	14-30	300 N ROOSEVELT ST	318 N ROOSEVELT LLC	\$ 12,900	\$ 13
10	8 -279	313 ST GEORGE ST	CITY OF GREEN BAY- PARKS	\$ -	\$ -
10	8 -281-A	1258 MAIN ST	CRAIG T GALLOWAY & PATRICK J BEIMBORN	\$ 390,100	\$ 390
10	8 -286	1280 MAIN ST	MOSKI CORP	\$ 310,500	\$ 310
10	8 -324-A	432 N IRWIN AV	PATRICK J LIEBMAN	\$ 110,300	\$ 110
10	9 -33-1	413-415 N CLAY ST	Main Street Green Bay Properties LLC 130 E. Walnut St. Suite 404	\$ 47,900	\$ 48
10	9 -34	1023 MAIN ST	Main Street Green Bay Properties LLC 130 E. Walnut St. Suite 404	\$ 227,600	\$ 228
10	9 -52	423-427 N CLAY ST	Main Street Green Bay Properties LLC	\$ 134,900	\$ 135
10	9 -56	1108 CEDAR ST	POMP S TIRE SERVICE INC	\$ 112,200	\$ 112
10	9 -58	1118 CEDAR ST	F R W REALTY LLC	\$ 382,400	\$ 382
10	9 -62	409 N ROOSEVELT ST	F R W REALTY LLC	\$ 367,100	\$ 367
10	9 -64	435 N ROOSEVELT ST	F R W REALTY LLC	\$ 67,600	\$ 68
10	9 -71-A	CEDAR ST	WOCHINSKE REALTY LLC	\$ 9,100	\$ 9
10	9 -72	1207 CEDAR ST	MARICQUE S INC	\$ 58,500	\$ 58
10	9 -73	518 N ROOSEVELT ST	WOCHINSKE REALTY LLC	\$ 272,800	\$ 273
10	9 -74	1141 CEDAR ST	POMP S TIRE SERVICE INC	\$ 28,200	\$ 28
10	9 -80	1111 CEDAR ST	MILLER SCRAP IRON & STEEL	\$ 218,500	\$ 218

10	9 -81	1101 CEDAR ST	CEDAR STREET PARTNERSHIP	\$ 765,700	\$ 766
11	10-14	700 MAIN ST	U HAUL PROPERTY TAX	\$ 671,900	\$ 1,680
11	10-27	CEDAR ST		\$ -	\$ -
11	10-28	CEDAR ST		\$ -	\$ -
11	10-29	500 N QUINCY ST		\$ -	\$ -
11	10-6	722 BODART ST	NEIGHBORHOOD HOUSING SERVICES	\$ 520,400	\$ 1,301
11	10-8	800 CEDAR ST	HUS PROPERTIES LLC	\$ 282,500	\$ 706
11	11-104	635 MAIN ST	JNT VENTURE LLC C/O NICOLE M SCHREINER	\$ 741,500	\$ 1,854
11	11-47	618 BODART ST	K B PROPERTIES LLP	\$ 102,200	\$ 255
11	11-50	619 BODART ST	KEVIN C KUEHN	\$ 156,000	\$ 390
11	11-99	620 MAIN ST	Kuehn LLC	\$ 150,000	\$ 375
11	14-27	312-318 N ROOSEVELT ST	318 N ROOSEVELT LLC	\$ 96,800	\$ 242
11	14-6	1122-1126 MAIN ST	GREATER SOURCE LLC	\$ 75,000	\$ 187
11	14-7	1138 MAIN ST	1138 MAIN LLC	\$ 536,200	\$ 1,340
11	8 -1	1400-1410 MAIN ST	NULUND GROUP II LLC	\$ 200,900	\$ 502
11	8 -114	1417 CEDAR ST	CEDAR CENTER ARTS INC	\$ -	\$ -
11	8 -116	1411 CEDAR ST	CEDAR CENTER ARTS INC	\$ 43,500	\$ 109
11	8 -117	1405 CEDAR ST	CAROLS ORDAZ	\$ 127,400	\$ 318
11	8 -263	433-435 ST GEORGE ST		\$ -	\$ -
11	8 -264	1245 MAIN ST	J DARRELL GREIG JR	\$ 271,100	\$ 678
11	8 -272	1242 MAIN ST	SARAH E COOPER ET AL	\$ 70,600	\$ 176
11	8 -273	1244 MAIN ST	JOHNSON VENTURES	\$ 183,500	\$ 459
11	8 -280	1250-1252 MAIN ST	JOHN L LERCH	\$ 56,800	\$ 142
11	8 -282	1260 MAIN ST	MOSKI CORPORATION	\$ 79,400	\$ 198
11	8 -284	1270-1274 MAIN ST	MOSKI CORP	\$ 396,300	\$ 991
11	8 -285	1276 MAIN ST	MOSKI CORP	\$ 310,600	\$ 776
11	8 -287	1296 MAIN ST	MOSKI CORP	\$ 63,200	\$ 158
11	8 -289	1306 MAIN ST	CITY OF GREEN BAY	\$ -	\$ -
11	8 -290	1322 MAIN ST	CITY OF GREEN BAY	\$ -	\$ -
11	8 -295	1344 MAIN ST	CITY OF GREEN BAY	\$ -	\$ -
11	8 -296	1352-1354 MAIN ST	CITY OF GREEN BAY	\$ -	\$ -
11	8 -301	1313 MAIN ST	GB AREA UNITARIAN UNIVERSALIST FELLOWSHIP	\$ -	\$ -
11	8 -302	1335 MAIN ST	SANEHA REAL ESTATE INC	\$ 854,300	\$ 2,136
11	8 -305	1281 MAIN ST	KOSMOSKI INVESTMENT CORP	\$ 95,700	\$ 239
11	8 -306	1285 MAIN ST	MOSKI CORP	\$ 244,900	\$ 269
11	8 -309	1263 MAIN ST	WEST AVE LLC	\$ 950,900	\$ 2,377
11	8 -311	1255 MAIN ST	J DARRELL GREIG JR	\$ 47,400	\$ 118
11	8 -312	1251 MAIN ST	J DARRELL GREIG JR	\$ 26,400	\$ 66

11	8 -313	1247 MAIN ST	J DARRELL GREIG JR	\$ 49,600	\$ 124
11	8 -314	1242 CEDAR ST	WEST AVE LLC	\$ 58,000	\$ 145
11	8 -315	1250 CEDAR ST	WEST AVE LLC	\$ 67,300	\$ 168
11	8 -318	1274 CEDAR ST	DYNAMIC VENTURES LLC	\$ 152,200	\$ 380
11	8 -320	1284 CEDAR ST	MOSKI CORPORATION	\$ 23,600	\$ 59
11	8 -321	433 N IRWIN AV	A & A CORNER COIN REAL ESTATE LLC	\$ 307,400	\$ 768
11	8 -329	1371-1375 CEDAR ST	ANA MARIA ORTEGA MORANO	\$ 191,700	\$ 479
11	8 -335	1333 CEDAR ST	HECTOR & ANA ROSA GONZALEZ	\$ 163,800	\$ 409
11	8 -75	1405-1429 MAIN ST	CEDAR CENTER ARTS INC	\$ 243,900	\$ 610
11	8 -8	1428-1430 MAIN ST	MELOTTE DISTRIBUTING INC	\$ 126,900	\$ 317
11	8 -839	1228-11 MAIN ST	URBAN CONCEPTS	\$ 39,300	\$ 98
11	8 -840	1230-11 MAIN ST	URBAN CONCEPTS	\$ 34,300	\$ 86
11	8 -841	1232-01 MAIN ST	URBAN CONCEPTS	\$ 15,900	\$ 40
11	8 -842	1232-11 MAIN ST	URBAN CONCEPTS	\$ 48,200	\$ 121
11	8 -843	1234-01 MAIN ST	URBAN CONCEPTS	\$ 26,900	\$ 67
11	8 -844	1234-11 MAIN ST	URBAN CONCEPTS	\$ 34,300	\$ 86
11	8 -845	1234-12 MAIN ST	URBAN CONCEPTS	\$ 37,100	\$ 93
11	8 -846	1234-21 MAIN ST	URBAN CONCEPTS	\$ 51,600	\$ 129
11	8 -847	1234-31 MAIN ST	THE BRIDGE RECORDING STUDIO LLC	\$ 111,400	\$ 278
11	8 -848	1236-11 MAIN ST	URBAN CONCEPTS	\$ 35,200	\$ 88
11	8 -849	1236-21 MAIN ST	URBAN CONCEPTS	\$ 34,300	\$ 86
11	8 -850	321-01 ST GEORGE ST	WILLIAMS HOLDINGS LLC	\$ 111,400	\$ 278
11	8 -851	1238-11 MAIN ST	LIZA RAE LLC	\$ 120,300	\$ 301
11	8 -852	1238-21 MAIN ST	CHIEF PAINTS LLC	\$ 78,700	\$ 197
11	8 -853	1240-11 MAIN ST	CHIEF PAINTS LLC	\$ 119,200	\$ 298
11	8 -854	1240-21 MAIN ST	CHIEF PAINTS LLC	\$ 119,200	\$ 298
11	9 -14	1000 MAIN ST	RONALD L & RACHEL A SMITS	\$ 470,800	\$ 1,177
11	9 -17	1028 MAIN ST	PDQ REAL ESTATE HOLDINGS LLC	\$ 494,200	\$ 1,235
11	9 -19-1	319 N CLAY ST	PDQ REAL ESTATE HOLDINGS LLC	\$ 26,000	\$ 65
11	9 -20	1201-1207 MAIN ST	WOCHINSKE REALTY LLC	\$ 642,200	\$ -
11	9 -26	1131 MAIN ST	POMPS TIRE SERVICE INC	\$ 490,100	\$ -
11	9 -29	1121-1123 MAIN ST	WOCHINSKE REALTY LLC	\$ 65,500	\$ 164
11	9 -30	1115 MAIN ST	POMP S TIRE SERVICE INC	\$ 66,100	\$ 165
11	9 -31	1109 MAIN ST	POMP S TIRE SERVICE INC	\$ 57,100	\$ 143
11	9 -32	416 N CLAY ST	POMP S TIRE SERVICE INC	\$ 116,100	\$ 75
11	9 -33	1033-1035 MAIN ST	Main Street Green Bay Properties LLC	\$ 103,600	\$ 259

11	9 -33-2	1031 MAIN ST	Main Street Green Bay Properties LLC	\$ 50,900	\$ 127
11	9 -35	1021 MAIN ST	Main Street Green Bay Properties LLC	\$ 68,200	\$ 170
11	9 -36	1019 MAIN ST	Main Street Green Bay Properties LLC	\$ 92,400	\$ 231
11	9 -37	1013-1015 MAIN ST	Main Street Green Bay Properties LLC	\$ 162,300	\$ 406
11	9 -41	931 MAIN ST	MCHAHA LLC	\$ 195,600	\$ 489
11	9 -45	915 MAIN ST	CITY OF GREEN BAY	\$ -	\$ -
11	9 -46	913 MAIN ST		\$ -	\$ -
11	9 -47	907 MAIN ST		\$ -	\$ -
11	9 -48	901 MAIN ST	GB901 Main LLC	\$ 2,011,700	\$ 3,000
11	9 -49	900 CEDAR ST	DAVID BARTIKOFSKY	\$ 191,200	\$ 478
11	9 -50	1018 CEDAR ST	Main Street Green Bay Properties LLC	\$ 13,400	\$ 33
11	9 -55	1102 CEDAR ST	POMP S TIRE SERVICE INC	\$ 14,000	\$ 35
11	9 -57	1112 CEDAR ST	POMP S TIRE SERVICE INC	\$ 314,000	\$ 785
11	9 -60	1124 CEDAR ST	F R W REALTY LLC	\$ 80,600	\$ 201
11	9 -71	1203 CEDAR ST	WOCHINSKE REALTY LLC	\$ 130,000	\$ 325
11	9 -75	1127 CEDAR ST	WOCHINSKE REALTY LLC	\$ 16,200	\$ 40
11	9 -76	1125 CEDAR ST	WOCHINSKE REALTY LLC	\$ 16,200	\$ 40
11	9 -76-1	1137 CEDAR ST	WOCHINSKE REALTY LLC	\$ 322,600	\$ 806
11	9 -77	1123 CEDAR ST	WOCHINSKE REALTY LLC	\$ 115,000	\$ -
11	9 -78	1121 CEDAR ST	WOCHINSKE REALTY LLC	\$ 874,600	\$ -
11	9 -85	500-510 N WEBSTER AV	DENNY H BROTSKI	\$ 270,300	\$ 676
11	9 -86	903-929 CEDAR ST	929 CEDAR LLC	\$ 697,800	\$ 1,744
11	9 -9	930 MAIN ST	CVS CAREMARK CORP CVS # 2237-01	\$ 2,016,100	\$ 3,000
12	10-1	700 BODART ST	THE COVER LLC	\$ 211,100	\$ 633
12	10-2	708 BODART ST	WADE CONARD	\$ 91,000	\$ 273
12	10-5	718-720 BODART ST	720 BODART LLC	\$ 150,600	\$ 452
12	14-1	1100 MAIN ST	GREATER SOURCE LLC	\$ 558,600	\$ 1,676
12	14-2	1106 MAIN ST	HEIMAN PARTNERSHIP LLC	\$ 300,500	\$ 901
12	14-3	1114 MAIN ST	GREATER SOURCE LLC	\$ 220,500	\$ 661
12	14-338	324 N ROOSEVELT ST	A & J INVESTMENT PROPERTIES LLC	\$ 208,700	\$ 626
12	8 -118	500 N BAIRD ST	LEONEL CORTES	\$ 117,400	\$ 352
12	8 -266	1237 MAIN ST	J DARRELL GREIG JR	\$ 403,000	\$ 1,209
12	8 -283	1264 MAIN ST	RONALD L & RACHEL A SMITS	\$ 94,900	\$ 285
12	8 -297-A	1356 MAIN ST	CITY OF GREEN BAY	\$ -	\$ -
12	8 -303	1301 MAIN ST	Tasty Treats Real Estate LLC	\$ 279,700	\$ 839
12	8 -307	1277-1281 MAIN ST	CIRCLE B DEVELOPMENT LLC	\$ 262,200	\$ 787

12	8 -332	1351 CEDAR ST	ARNOLD J PENDERGAST	\$ 184,900	\$ 555
12	9 -25	1139 MAIN ST	CYRUS DEVELOPMENT SERVICES LLC	\$ 401,900	\$ 1,206
12	9 -39	1001 MAIN ST	SVOBODA PROPERITES LLC	\$ 357,800	\$ 1,073
12	9 -44	919 MAIN ST	SIMONET DEVELOPMENT LLC	\$ 406,700	\$ 1,220
			Total	\$ 28,568,800	\$ 57,039

APPENDIX E - CITY ATTORNEY'S OPINION – TO BE SUBMITTED



Law Department

Vanessa R. Chavez
City Attorney

October 27, 2021

Wendy Townsend, Project and Program Manager
City of Green Bay
100 North Jefferson Street, Room 608
Green Bay, WI 54301

RE: Proposed Operating Plan for Business Improvement District No. 2

Dear Ms. Townsend:

The purpose of this correspondence is to respond to your request for a legal review of the proposed 2022 Operating Plan for Business Improvement District No. 2 (hereafter "Plan"). Your request asks the City Attorney's Office to provide an opinion with respect to the Plan's compliance with the requirements of Wisconsin Statute § 66.1109(l)(f).

Our office has reviewed the Plan, a copy of which is attached hereto, and based upon such review, are of the opinion that the Plan meets the requirements of Wisconsin Statute § 66.1109 (l)(f), subsections 1 through 4.

Thank you for your attention to this matter.

Sincerely,

Vanessa R. Chavez
City Attorney



Report to the Green Bay Plan Commission

MEETING DATE

November 8, 2021

PREPARED BY

Wendy Townsend, Economic Coordinator

AGENDA ITEM # E.8

Consideration with possible action on the approval of the Downtown Green Bay, Inc. (DGBI) Business Improvement District (BID) Operating Plan for 2022.

BACKGROUND

The City of Green Bay's BID Handbook requires approval of the BID Annual Operating Plans by the City's Plan Commission. Attached is the Downtown Green Bay, Inc.(DGBI) Business Improvement District(BID) Operating Plan for 2022, which has been approved by the DGBI BID Board and City Attorney Vanessa Chavez.

RECOMMENDATION

Approval of the Downtown Green Bay Inc. (DGBI) Business Improvement District (BID) Operating Plan for 2022 as presented.

FISCAL IMPACT

ATTACHMENTS

1. 2022 DGBI Operating Plan
2. 2022 DGBI OP Attorney Letter 10.27.21

**Operating Plan - 2022
Downtown Green Bay, Inc.**

BUSINESS IMPROVEMENT DISTRICT

OPERATING PLAN



Downtown District

The Heart and Soul of Green Bay

Downtown Green Bay, Inc.

130 E. Walnut St. Suite 501

Green Bay, WI 54301

Phone: (920) 437-5972

downtowngreenbay.com

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I. INTRODUCTION

A. Background

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

The City of Green Bay received a petition from property owners that requested creation of a Business Improvement District for the purpose of revitalizing and improving the Downtown District business area on Green Bay’s east side. (see Appendix B). The BID law requires that every district have an annual Operating Plan. This document is the 2021 Operating Plan for the Downtown District.

B. Physical Setting

The physical boundaries of the district include Mason Street to the south, Monroe to the east and the Fox and East Rivers bounding the west and north respectively.

II. DISTRICT BOUNDARIES

Please see the map of the district in Appendix C of this plan. A listing of the properties included in the district is provided in Appendix C.

III. PROPOSED OPERATING PLAN

A. Plan Objectives

The objective of the BID is to provide leadership and management for revitalizing the Downtown District. By emphasizing community-based planning, planning that appreciates the advantages of low-cost, modest initiatives over the blockbuster resuscitation efforts of large-scale stand-alone projects the District performs the classic function of the urban neighborhood. Such districts give growth to new businesses, add substance to the local economy and export their innovations to the rest of the City.

B. Proposed Activities ~ Principal activities to be engaged in by the district during 2022 include:

1. **BUSINESS DEVELOPMENT** - This pillar of DGBI will initiate strategies to advance corporate, residential, and retail development. Business recruitment and retention initiatives will be in collaboration with regional and local partners (ie New North, Start Up Hub, City of Green Bay, etc.) Key focus areas for 2022 include serving as a resource to businesses impacted by COVID-19 and the execution of tactics developed in the business development marketing plan such as development tours, available property open houses, and the Pop-Up Shop Program.
2. **PHYSICAL IMPROVEMENTS** – DGBI will continue to provide and facilitate district enhancements such as planters, banners, cleanups, and holiday décor. In addition, DGBI will support and/or implement placemaking efforts such as decorative City Deck lighting, improvements to the Cherry Landing space and new bike racks, all with the goal of improving the first impressions of the district to be a walkable, livable, and inclusive downtown.
3. **MARKETING** – DGBI will utilize digital and traditional media including but not limited to digital, print, broadcasting, and billboard advertisements to market the brand of the Downtown District. These efforts will target Brown County residents first, and visitors to Green Bay second. Marketing efforts will be further enhanced through the branding of our website, newsletters, and printed materials. The goal of these marketing efforts is to promote and recruit businesses, attract residents, and encourage visitors to the Downtown District. The Marketing Department plans to work closely with the Business Development team and the Events team to create specific marketing plans for business recruitment and each event.

4. **EVENTS** – DGBI will continue to activate the downtown district with engaging events and activities that aim to support downtown businesses while attracting residents and visitors from all walks of life to the district.

C. Proposed Expenditures – 2022

DGBI & Charities 2022 Budget		
	2022 Proposed Budget	2021 Budget in Operating Plan
Income		
4030 · Contributions Income		
4071 · OMSI Administrative Fees	\$64,267	\$59,782
4072A - Special Events Revenue/Sponsorships (Charities)	\$346,617	\$287,390
4077 · Stadium Tax \$ Reimbursement-DGBI	\$0	\$0
7010 Interest Income (Money Market Account) & Misc.	\$50	\$50
CARES Funding from the City of Green Bay	\$0	\$0
PPP Funding	\$75,000	\$67,270
SBA EIDL Advance Received in 2020	\$0	\$7,000
4740 · BID Revenue	\$266,640	\$266,698
Total Income	\$752,574	\$688,190
Expense		
Total 5800 · Administrative Expense		
DGBI Staff	\$221,279	\$129,860
OMSI Staff	\$56,061	\$59,693
Charities Staff	\$99,220	\$157,581
SEP Contribution	\$8,003	\$8,831
Payroll Taxes	\$28,000	\$27,000
Workmen's Comp	\$2,000	\$1,300
Employee Health Insurance	\$4,500	\$3,000
*Gray columns to be paid 41% by OMSI & Charities		
Total Admin including DGBI, OMSI & Charities Staffing	\$419,063	\$387,265
6000 · Operating Expense		
6020 · Building Rent & Utilities	\$28,300	\$26,400
6060 · Telephone & Internet	\$3,100	\$3,320
6084 · Business Insurance	\$7,000	\$8,000
6100 · Office Supplies	\$1,500	\$1,600
6120 · Postage	\$250	\$250
6140 · Dues and Subscriptions	\$2,000	\$1,600
6150 - Banking Charges	\$180	\$180
6160 · Non-Profit Licenses/Fees/Personal Prop. Taxes	\$100	\$100
6220 · Accounting (Audit)	\$11,000	\$12,000
6240 - Training/Education/Staff Search/Recruitment	\$3,500	\$1,500
6300 · Business Expense/Travel/Meetings/Parking/Misc.	\$3,000	\$2,000
6420 · Repairs & Maintenance	\$1,000	\$1,200
6490 · Equipment, Copy Machine, Technology	\$2,500	\$2,500
6490A-Office 365	\$700	\$700

Total 6000 · Operating Expense	\$64,130	\$61,350
6800 · Program Expense		
6830 · Physical Improvements		\$18,200
· Holiday Wreath Lighting & Décor	\$4,700	
· Clean Team and Adopt-a-Block for litter and weeds	\$2,100	
· Banner Repair and Maintenance	\$2,500	
· Public Art	\$5,000	
· Streetscape Initiatives (Bike Racks)	\$5,000	
· Planters *Most Planter and Hanging Basket expenses will be paid for through Grow and Glow Restricted Funds		
6840 · Business Development	\$9,905	\$12,650
6860 · Marketing & Public Relations	\$27,197	\$26,730
Special Event Expenses	\$212,564	\$158,095
Total Program & Special Event Expenses	\$268,966	\$215,675
Total Expense	\$752,159	\$664,290
Net Income	\$416	\$23,901

D. Financing Method

The proposed expenditures contained in Section C, above, will be financed in part from money collected from the BID assessment. It is estimated that approximately **\$266,640** will be raised through assessments. The Downtown Green Bay BID has an Administrative Agreement with Olde Main Street in which they will receive \$64,267 in 2022 to pay for a portion of staffing, rent, utilities, and other operating expenses. We are also setting a goal to obtain sponsorships, and event revenues in the amount of \$346,617 in 2022. This budget is created with the assumption that all our signature events and their corresponding sponsorships will be returning. Additional sources include funding received in 2021 due to COVID-19 through the Small Business Administration PPP Loan forgiveness. The two loan amounts of \$67,270 each were forgiven in 2021 and a portion of them (\$75,000) will be utilized as a funding source for our Operating Plan. The BID Board shall have the authority and responsibility to prioritize expenditures and to revise the budget as necessary to match the funds available.

E. Organization of BID Board

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

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

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

1. Board Size – at least Five

2. Composition - At least three fifths members shall be owners or occupants of property within the district. Any non-owner or non-occupant appointed to the board shall be a resident of the City of Green Bay. The board shall elect its Chairperson from among its members.
3. Term - Appointments to the board shall be for a period of three years except that initially two members shall be appointed for a period of three years, two members shall be appointed for a period of two years, and one member shall be appointed for a period of one year.
4. Compensation – None
5. Meetings - All meetings of the board shall be governed by the Wisconsin Open Meetings Law.
6. Record Keeping - Files and records of the board's affairs shall be kept pursuant to public record requirements.
7. Staffing - The board may employ staff and/or contract for staffing services pursuant to this Plan and subsequent modifications thereof.
8. Meetings - The board shall meet regularly, at least twice each year. The board shall adopt rules of order (“by laws”) to govern the conduct of its meetings.

F. Relationship to Downtown Green Bay, Inc.

The BID shall be a separate entity from the Downtown Green Bay, Inc., notwithstanding the fact that members, officers and directors of each may be shared. The Association shall remain a private organization, not subject to the open meeting law, and not subject to the public record law except for its records generated in connection with the BID board. Downtown Green Bay, Inc. may, and it is intended, shall, contract with the BID to provide services to the BID, in accordance with this Plan.

IV. METHOD OF ASSESSMENT

A. Assessment Rate and Method

Parcels Assessed

All tax parcels within the District required to pay real estate taxes, including those taxed by the State as manufacturing, and all parcels used exclusively for manufacturing, will be assessed. Real property used exclusively for residential purposes may not be assessed, as required by the BID law. Residential property will be defined as 100% residential property or owner-occupied properties. Property exempt from paying real estate taxes will not be assessed. Property owned by government agencies will not be assessed.

Levy of Assessment

Special assessments under this 2022 Operating Plan are hereby levied against each tax parcel of property within the District which has a separate tax key number, in the amount shown on the assessment schedule which is attached hereto as Appendix D. The assessment was based on the assessed value of that parcel (land and improvements) as shown in the records of the City Assessor’s office in June 2021 except as otherwise identified below.

The principle behind the assessment methodology is that each non-exempt parcel’s owners should pay for District development in proportion to the benefits derived. Obviously, not every parcel within the District will benefit equally, thus it has been assumed that hospitality and entertainment uses will derive the most benefit and therefore will contribute to the BID at a higher assessment rate and warehouse uses will benefit the least and therefore contribute at a lower rate.

The 2021 assessment shown on Appendix D was calculated as \$2.28 for each \$1,000 of assessed value for properties whose use is identified as retail, hospitality or entertainment-related and \$.76 for each \$1,000 of assessed value for properties whose use is identified as office/commercial. Appendix C, attached hereto, contains a list of SIC codes identifying these properties.

For properties whose use comprises mixed SIC codes, the property has been identified by the ground level use(s) of any buildings constructed on the property. The ground level use is presumed to be the dominant use of the property. If a ground level has more than two uses, then the property has been identified by the use that makes up more than one half of the ground level square footage. The burden is on the owner to change a property classification from that designated in Appendix D. It must be proven annually by the owner of the property in question to the BID board.

B. Excluded and Exempt Property

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

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

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

A. City Plans

Creation of a business improvement district to facilitate District redevelopment is consistent with the City of Green Bay's Comprehensive Plan, Downtown Design Plan and Waterfront Plan and would promote the orderly development of the City in general.

B. City Role in District Operation

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

1. Provide technical assistance to the proponents of the district through adoption of the Plan, and provide assistance as appropriate thereafter.
2. Monitor and, when appropriate, apply for outside funds that could be used in support of the district.
3. Collect assessments, maintain in a segregated account, and disburse the monies of the district.
4. Receive annual audits as required per sec. 66.1109 (3) (c) of the BID law.

5. Provide the board, through the Tax Commissioner's Office on or before June 30th of each Plan year, with the official City records and the assessed value of each tax key number with the district, as of January 1st of each Plan year, for purposes of calculating the BID assessments.
6. Encourage the State of Wisconsin, Brown County and other units of government to support the activities of the district.

VI. PLAN APPROVAL PROCESS

A. Public Review Process

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

1. The City of Green Bay Plan Commission will review the BID audits and approve the proposed Operating Plan. They will provide a recommendation to Council.
2. Common Council will act on the proposed Operating plans.
3. The Common Council will act on the proposed BID Plan.

VII. FUTURE YEAR OPERATING PLANS

A. Phased Development

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

Section 66.1109 (3) (a) of the BID law requires the board and the City to annually review and make changes as appropriate in the Operating Plan. Therefore, while this document outlines in general terms the complete development program, it focuses upon 2022 activities, and information on specific assessed values, budget amounts and assessment amounts are based on 2021 conditions. Greater detail about subsequent year's activities will be provided in the required annual Plan updates, and approval by the Common Council of such Plan updates shall be conclusive evidence of compliance with this Plan and the BID law.

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

B. Amendment, Severability and Expansion

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

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

APPENDICES

- A. STATUTE
- B. PETITION
- C. PROPOSED DISTRICT BOUNDARIES
- D. 2021 PROJECTED ASSESSMENTS
- E. CITY ATTORNEY'S OPINION

APPENDIX A & B:

Wisconsin State Statute "BID Law"

66.1109 Business improvement districts.

(1) In this section:

- (a) "Board" means a business improvement district board appointed under [sub. \(3\) \(a\)](#).
 - (b) "Business improvement district" means an area within a municipality consisting of contiguous parcels and may include railroad rights-of-way, rivers, or highways continuously bounded by the parcels on at least one side, and shall include parcels that are contiguous to the district but that were not included in the original or amended boundaries of the district because the parcels were tax-exempt when the boundaries were determined and such parcels became taxable after the original or amended boundaries of the district were determined.
 - (c) "Chief executive officer" means a mayor, city manager, village president or town chairperson.
 - (d) "Local legislative body" means a common council, village board of trustees or town board of supervisors.
 - (e) "Municipality" means a city, village or town.
 - (f) "Operating plan" means a plan adopted or amended under this section for the development, redevelopment, maintenance, operation and promotion of a business improvement district, including all of the following:
 - 1. The special assessment method applicable to the business improvement district.
 - 1m. Whether real property used exclusively for manufacturing purposes will be specially assessed.
 - 2. The kind, number and location of all proposed expenditures within the business improvement district.
 - 3. A description of the methods of financing all estimated expenditures and the time when related costs will be incurred.
 - 4. A description of how the creation of the business improvement district promotes the orderly development of the municipality, including its relationship to any municipal master plan.
 - 5. A legal opinion that [subds. 1. to 4.](#) have been complied with.
 - (g) "Planning commission" means a plan commission under [s. 62.23](#), or if none a board of public land commissioners, or if none a planning committee of the local legislative body.
- (2) A municipality may create a business improvement district and adopt its operating plan if all of the following are met:
- (a) An owner of real property used for commercial purposes and located in the proposed business improvement district designated under [par. \(b\)](#) has petitioned the municipality for creation of a business improvement district.
 - (b) The planning commission has designated a proposed business improvement district and adopted its proposed initial operating plan.
 - (c) At least 30 days before creation of the business improvement district and adoption of its initial operating plan by the municipality, the planning commission has held a public hearing on its proposed business improvement district and initial operating plan. Notice of the hearing shall be published as a class 2 notice under [ch. 985](#). Before publication, a copy of the notice together with a copy of the proposed initial operating plan and a copy of a detail map showing the boundaries of the proposed business improvement district shall be sent by certified mail to all owners of real property within the proposed business improvement district. The notice shall state the boundaries of the proposed business improvement district and shall indicate that copies of the proposed initial operating plan are available from the planning commission on request.
 - (d) Within 30 days after the hearing under [par. \(c\)](#), the owners of property to be assessed under the proposed initial operating plan having a valuation equal to more than 40% of the valuation of all property to be assessed under the proposed initial operating plan, using the method of valuation specified in the proposed initial operating plan, or the owners of property to be assessed under the proposed initial operating plan having an assessed valuation equal to more than 40% of the assessed valuation of all property to be assessed under the proposed initial operating plan, have not filed a petition with the planning commission protesting the proposed business improvement district or its proposed initial operating plan.
 - (e) The local legislative body has voted to adopt the proposed initial operating plan for the municipality.
- (3)
- (a) The chief executive officer shall appoint members to a business improvement district board to implement the operating plan. Board members shall be confirmed by the local legislative body and shall serve staggered terms designated by the local legislative body. The board shall have at least 5 members. A majority of board members shall own or occupy real property in the business improvement district.
 - (b) The board shall annually consider and may make changes to the operating plan, which may include termination of the plan, for its business improvement district. The board shall then submit the operating plan to the local legislative body for its approval. If the local legislative body disapproves the operating plan, the board shall consider and may make changes to the operating plan and may

continue to resubmit the operating plan until local legislative body approval is obtained. Any change to the special assessment method applicable to the business improvement district shall be approved by the local legislative body.

(c) The board shall prepare and make available to the public annual reports describing the current status of the business improvement district, including expenditures and revenues. The report shall include an independent certified audit of the implementation of the operating plan obtained by the municipality. The municipality shall obtain an additional independent certified audit upon termination of the business improvement district.

(d) Either the board or the municipality, as specified in the operating plan as adopted, or amended and approved under this section, has all powers necessary or convenient to implement the operating plan, including the power to contract.

(4) All special assessments received from a business improvement district and all other appropriations by the municipality or other moneys received for the benefit of the business improvement district shall be placed in a segregated account in the municipal treasury. No disbursements from the account may be made except to reimburse the municipality for appropriations other than special assessments, to pay the costs of audits required under [sub. \(3\) \(c\)](#) or on order of the board for the purpose of implementing the operating plan. On termination of the business improvement district by the municipality, all moneys collected by special assessment remaining in the account shall be disbursed to the owners of specially assessed property in the business improvement district, in the same proportion as the last collected special assessment.

(4m) A municipality shall terminate a business improvement district if the owners of property assessed under the operating plan having a valuation equal to more than 50% of the valuation of all property assessed under the operating plan, using the method of valuation specified in the operating plan, or the owners of property assessed under the operating plan having an assessed valuation equal to more than 50% of the assessed valuation of all property assessed under the operating plan, file a petition with the planning commission requesting termination of the business improvement district, subject to all of the following conditions:

(a) A petition may not be filed under this subsection earlier than one year after the date the municipality first adopts the operating plan for the business improvement district.

(b) On and after the date a petition is filed under this subsection, neither the board nor the municipality may enter into any new obligations by contract or otherwise to implement the operating plan until the expiration of 30 days after the date of hearing under [par. \(c\)](#) and unless the business improvement district is not terminated under [par. \(e\)](#).

(c) Within 30 days after the filing of a petition under this subsection, the planning commission shall hold a public hearing on the proposed termination. Notice of the hearing shall be published as a class 2 notice under [ch. 985](#). Before publication, a copy of the notice together with a copy of the operating plan and a copy of a detail map showing the boundaries of the business improvement district shall be sent by certified mail to all owners of real property within the business improvement district. The notice shall state the boundaries of the business improvement district and shall indicate that copies of the operating plan are available from the planning commission on request.

(d) Within 30 days after the date of hearing under [par. \(c\)](#), every owner of property assessed under the operating plan may send written notice to the planning commission indicating, if the owner signed a petition under this subsection, that the owner retracts the owner's request to terminate the business improvement district, or, if the owner did not sign the petition, that the owner requests termination of the business improvement district.

(e) If after the expiration of 30 days after the date of hearing under [par. \(c\)](#), by petition under this subsection or subsequent notification under [par. \(d\)](#), and after subtracting any retractions under [par. \(d\)](#), the owners of property assessed under the operating plan having a valuation equal to more than 50% of the valuation of all property assessed under the operating plan, using the method of valuation specified in the operating plan, or the owners of property assessed under the operating plan having an assessed valuation equal to more than 50% of the assessed valuation of all property assessed under the operating plan, have requested the termination of the business improvement district, the municipality shall terminate the business improvement district on the date that the obligation with the latest completion date entered into to implement the operating plan expires.

(5)

(a) Real property used exclusively for residential purposes and real property that is exempted from general property taxes under [s. 70.11](#) may not be specially assessed for purposes of this section.

(b) A municipality may terminate a business improvement district at any time.

(c) This section does not limit the power of a municipality under other law to regulate the use of or specially assess real property.

History: 1983 a. [184](#); 1989 a. [56](#) s. 258; 1999 a. [150](#) s. [539](#); Stats. 1999 s. 66.1109; 2001 a. [85](#).

APPENDIX C - PROPOSED DISTRICT BOUNDARIES



APPENDIX D- 2021 PROJECTED ASSESSMENTS

Assessment options are based on the type of business occupying the majority of a parcel. Properties that are assessed are coded as follows:

Assessment Rate

.00228 Retail, Hospitality or Entertainment (BID 3)

.00076 All other commercial properties being assessed (BID 4)

Bid District	Parcel	Property Location	Owner/Mailing	Total Value	Assessment
3	11-105	529 N MONROE AV	529 N MONROE AVE BUILDING LLC	\$ 1,320,400	\$ 3,011
3	11-115	333-335 MAIN ST	HYATT EQUITIES LLC	\$ 10,682,300	\$ 24,356
3	11-116	333 MAIN ST	HYATT EQUITIES LLC	\$ 635,600	\$ 1,449
3	11-149	310 N MONROE AV	MAIN ORIENTAL MARKET LLC	\$ 206,600	\$ 471
3	11-203	119 N MONROE AV	ASHVIN S MAISURIA	\$ 704,800	\$ 1,607
3	11-241	103 S MONROE AV	TKD PETROLEUM LLC	\$ 676,900	\$ 1,543
3	11-45	314 N MONROE AV	EDWARD M & RENEE J WINECK	\$ 144,200	\$ 329
3	11-46	610-614 BODART ST	ROBERT & MELIDA WAGNER	\$ 239,000	\$ 545
3	12-115	119-121 N ADAMS ST	VICE ENTERPRISES LLC	\$ 326,700	\$ 745
3	12-116	117 N ADAMS ST	GIOCOR57 LLC	\$ 200,800	\$ 458
3	12-117	115 N ADAMS ST	GREEN GENES REAL ESTATE	\$ 173,700	\$ 396
3	12-120	225 E WALNUT ST	LIZA RAE LLC	\$ 219,200	\$ 500
3	12-121	217-221 E WALNUT ST	AMERICAN HOLDINGS INC	\$ 281,900	\$ 643
3	12-13	223-229 N WASHINGTON ST	WIDMER PROPERTIES LLC	\$ 629,100	\$ 1,434
3	12-138	312 CHERRY ST	FRANKENTHAL BUILDING LLC	\$ 116,500	\$ 266
3	12-145	218 N ADAMS ST	VICE ENTERPRISES LLC	\$ 1,045,500	\$ 2,384
3	12-147	306-312 PINE ST	A & E INVESTMENT CORP	\$ 576,400	\$ 1,314
3	12-148	304 N ADAMS ST	304 NORTH ADAMS GREEN BAY LLC	\$ 18,310,200	\$ 41,747
3	12-164	201 MAIN ST	PHVIF GREEN BAY LLC	\$ 6,841,900	\$ 15,600
3	12-165	501 N ADAMS ST		\$ -	\$ -
3	12-17	219 N WASHINGTON ST	RONALD L & RACHEL A SMITS	\$ 404,900	\$ 923
3	12-18	217 N WASHINGTON ST	DUPONT INVESTMENTS LLC	\$ 296,600	\$ 676
3	12-190-A	131 S WASHINGTON ST	131 SOUTH WASHINGTON LLC	\$ 69,400	\$ 158
3	12-191	129 S WASHINGTON ST	KARMAN DEVELOPMENT LLP	\$ 320,700	\$ 731
3	12-196	301-120 N ADAMS ST	BAYLAKE FOOD COURT REAL ESTATE LLC	\$ 858,500	\$ 1,957
3	12-20	213 N WASHINGTON ST	ROBERT COWLES	\$ 158,200	\$ 361
3	12-21	209-211 N WASHINGTON ST	AJ TODEY LLC C/O ALICE TODEY	\$ 448,300	\$ 1,022
3	12-22	207 N WASHINGTON ST	DONNA K MUENSTER	\$ 262,400	\$ 598
3	12-23	201 N WASHINGTON ST	GOELZ JEFFREY J LIVING TRUST	\$ 243,800	\$ 556

3	12-353	205-215 E WALNUT ST	WALNUT WASHINGTON LLC	\$	347,400	\$	792
3	12-354	102-112 N WASHINGTON ST	7878 BIG SKY LLC	\$	791,900	\$	1,806
3	12-355	202 CHERRY ST	NICOLET NATIONAL BANK	\$	139,800	\$	319
3	12-356	202 CHERRY ST	NICOLET NATIONAL BANK	\$	5,700	\$	13
3	12-365	114 PINE ST	FE WATERMARK LLC	\$	276,400	\$	630
3	12-366	301 N WASHINGTON ST	FE WATERMARK LLC	\$	294,500	\$	671
3	12-367	301 N WASHINGTON ST	325 NORTH WASHINGTON LLC	\$	1,169,700	\$	2,667
3	12-44	123-125 S WASHINGTON ST	AMH LLC	\$	371,200	\$	846
3	12-46	121 S WASHINGTON ST	121 SOUTH WASHINGTON INVESTMENTS LLC	\$	154,600	\$	352
3	12-47	119 S WASHINGTON ST	SECORA FAMILY TRUST	\$	157,400	\$	359
3	13-10	348 S WASHINGTON ST	THE FREIMANN HOTEL BLDG C/O JESSE WOTRUBA	\$	474,500	\$	1,082
3	13-2	234 S WASHINGTON ST	HARP & EAGLE LTD	\$	1,820,000	\$	4,150
3	13-39	321 S WASHINGTON ST	DOWNTOWNER MOTEL INC	\$	2,135,500	\$	4,869
3	13-49	234 S ADAMS ST	RUMMELE S JEWELERS INC OF GREEN BAY	\$	515,200	\$	1,175
3	13-76	339 S ADAMS ST	WILLIAM M & ROBERTA L ATKINSON	\$	116,600	\$	266
3	14-386	515 S MONROE AV	FAMILY SERVICES OF NORTHEAST WISCONSIN	\$	279,200	\$	-
3	15-122	510 S MONROE AV	LTB PROPERTY LLP	\$	812,900	\$	1,853
4	11-1	430 MAIN ST	MANOS HOLDINGS GREEN BAY LLC	\$	2,586,900	\$	1,966
4	11-102	500-508 N MONROE AV	GREEN BAY RADIATOR LLC	\$	277,400	\$	211
4	11-103-A	600 N MONROE AV	RICOS PARKING LOT LLC	\$	39,000	\$	30
4	11-107	503 MAIN ST	GB FUTURE 503 LLC	\$	906,000	\$	689
4	11-109	514 N MADISON ST	FAE HOLDINGS 453826R LLC	\$	60,500	\$	46
4	11-117	433 MAIN ST	ASSOCIATED BANK LEASING REAL EST MS 8227	\$	12,206,100	\$	9,277
4	11-123	528 N MADISON ST	FAE HOLDINGS 453826R LLC	\$	46,200	\$	35
4	11-124	516 N MADISON ST	FAE HOLDINGS 453826R LLC	\$	46,200	\$	35
4	11-125	510 ELM ST	FAE HOLDINGS 453826R LLC	\$	88,800	\$	67
4	11-13	201 N JEFFERSON ST	ASSOCIATED KELLOGG BANK	\$	200,100	\$	152
4	11-138-A	417 PINE ST	PINE STREET CAT COMPANY LLC	\$	698,900	\$	531
4	11-139	425 PINE ST	US BANK NATIONAL ASSOCIATION	\$	4,190,800	\$	3,185
4	11-160	616 PINE ST	CITY OF GREEN BAY	\$	-	\$	-
4	11-174	225-229 N MADISON ST	ASSOCIATED KELLOGG BANK	\$	610,100	\$	464
4	11-185	501 CHERRY ST	ASSOCIATED BANK NA	\$	230,200	\$	175
4	11-188	201 N MONROE AV	ASSOCIATED BANK NA	\$	932,100	\$	708
4	11-191	605 CHERRY ST	CITY OF GREEN BAY	\$	-	\$	-
4	11-2	330 N ADAMS ST	304 NORTH ADAMS GREEN BAY LLC	\$	202,600	\$	154
4	11-202	118 N MONROE AV	GARY ROSS HESSELGESSER	\$	270,000	\$	205
4	11-206	512 CHERRY ST	EAMR LLC	\$	312,700	\$	238
4	11-209	126 N MADISON ST	BRIAN F & JAMES E MICHAUD	\$	420,700	\$	320

4	11-210	435 E WALNUT ST	EAMR LLC	\$ 2,730,500	\$ 2,075
4	11-222	503 E WALNUT ST	EAMR LLC	\$ 51,500	\$ 39
4	11-224	521 E WALNUT ST	GREEN BAY BUSINESS Center 333	\$ 75,200	\$ 57
4	11-224-A	519 E WALNUT ST	GREEN BAY BUSINESS Center 333	\$ 100,400	\$ 76
4	11-225	533 E WALNUT ST	GREEN BAY BUSINESS CENTER III LLC	\$ 580,000	\$ 441
4	11-228	102 N MONROE AV	GARY ROSS HESSELGESSER	\$ 94,800	\$ 72
4	11-230	619 E WALNUT ST	JAKSON BUILDING LLC	\$ 162,500	\$ 123
4	11-243	113 S MONROE AV	GARY D WISNESKI	\$ 150,300	\$ 114
4	11-253	500-512 E WALNUT ST	TWO BEELERS LLC	\$ 595,700	\$ 453
4	11-254	117 S MADISON ST	SAS REAL ESTATE LLC	\$ 89,200	\$ 68
4	11-257	414 E WALNUT ST	COLUMBUS OFFICE BUILDING LLC	\$ 892,200	\$ 678
4	11-258	115 S JEFFERSON ST	GRAY TELEVISION GROUP INC	\$ 1,608,900	\$ 1,223
4	11-259	434 E WALNUT ST	SAS REAL ESTATE LLC	\$ 141,700	\$ 108
4	11-264-1	130 S MADISON ST	GRAY TELEVISION GROUP INC	\$ 184,000	\$ 140
4	11-269	125 S JEFFERSON ST	JAMES SICKEL	\$ 2,050,700	\$ 1,559
4	11-44	BLOCK BODART ST	EDWARD M & RENEE J WINECK	\$ 54,400	\$ 41
4	11-53	607-617 BODART ST	MAY MARIE INC	\$ 235,300	\$ 179
4	11-55	406 N MONROE AV	RICOS PARKING LOT LLC	\$ 215,100	\$ 163
4	11-56	300 N MADISON ST	IMPERIAL SUPPLIES LLC	\$ 5,668,500	\$ 4,308
4	11-91	420 N MONROE AV	GB Real Estate Investments LLC	\$ 500	\$ -
4	11-95-A	MAIN ST		\$ -	\$ -
4	12-1-2	335 N WASHINGTON ST	RIVER CENTER LOFTS LLC C/O STONE HOUSE DEV INC	\$ 3,195,300	\$ 2,428
4	12-114	216-222 CHERRY ST	TAJ ENTERPRISES LLC	\$ 775,600	\$ 589
4	12-118	109 N ADAMS ST		\$ -	\$ -
4	12-119	227 E WALNUT ST		\$ -	\$ -
4	12-122	101 N ADAMS ST		\$ -	\$ -
4	12-130	118 S ADAMS ST	GIGOT PROPERTIES LLC C/O MARK S GIGOT	\$ 1,158,000	\$ 880
4	12-130-1	110 S ADAMS ST	TMJ LLC	\$ 1,015,500	\$ 772
4	12-134	112 N ADAMS ST	NEIGHBORHOOD HOUSING SERVICES OF GREEN BAY INC	\$ -	\$ -
4	12-135	116 N ADAMS ST	FRANKENTHAL BUILDING LLC	\$ 94,900	\$ 72
4	12-137	130 N ADAMS ST	FRANKENTHAL BUILDING LLC	\$ 1,030,600	\$ 783
4	12-139	314 CHERRY ST	FRANKENTHAL BUILDING LLC	\$ 20,700	\$ 16
4	12-140	202 N ADAMS ST	ASSOCIATED KELLOGG BANK	\$ 4,039,900	\$ 3,070
4	12-144	214-216 N ADAMS ST	ASSOCIATED KELLOGG BANK	\$ 318,700	\$ 242
4	12-175	400 N WASHINGTON ST	SCHREIBER FOODS INC ATTN TAX DEPARTMENT	\$ 42,857,900	\$ 32,572
4	12-184-A	401 N WASHINGTON ST	CITYDECK LANDING LLC T WALL ENTERPRISES MNG	\$ 8,678,000	\$ 6,595
4	12-185	WASHINGTON ST	GDC WASHINGTON STREET LLC	\$ 232,400	\$ 177
4	12-19	215 N WASHINGTON ST	TIMOTHY J AND CASEY E JELINSKI	\$ 127,300	\$ 97
4	12-190	201 DOTY ST	GDC WASHINGTON STREET LLC	\$ 1,669,200	\$ 1,269

4	12-192	127 S WASHINGTON ST	MANIFIT ALTERATIONS LLC	\$ 228,100	\$ 173
4	12-197	301-130 N ADAMS ST	301 N. ADAMS STREET LLC	\$ 1,084,100	\$ 824
4	12-198	301-140 N ADAMS ST	301 N. ADAMS STREET LLC	\$ 369,600	\$ 281
4	12-199	301-150 N ADAMS ST	SPRING LAKE CHURCH		
4	12-200	301-160 N ADAMS ST	301 N. ADAMS STREET LLC	\$ 131,800	\$ 100
4	12-201	301-210 N ADAMS ST	HCW LLC	\$ 1,775,500	\$ 1,349
4	12-202	301-220 N ADAMS ST	HCW LLC	\$ 1,943,800	\$ 1,477
4	12-203	301-230 N ADAMS ST	HCW LLC	\$ 64,900	\$ 49
4	12-204	301-240 N ADAMS ST	HCW LLC	\$ 538,800	\$ 409
4	12-205	301-250 N ADAMS ST	HCW LLC	\$ 627,400	\$ 477
4	12-206	301-260 N ADAMS ST	HCW LLC	\$ 376,900	\$ 286
4	12-24	111 N WASHINGTON ST	NICOLET JOINT VENTURES LLC	\$ 10,959,200	\$ 8,329
4	12-281	110-126 S WASHINGTON ST	VARSITY HOLDINGS LLC	\$ 603,000	\$ 458
4	12-282	110-126 S WASHINGTON ST	MANCOSKE KRAMER REAL ESTATE	\$ 125,100	\$ 95
4	12-283	110-126 S WASHINGTON ST	NICOLET NATIONAL BANK	\$ 694,500	\$ 528
4	12-363	115 E WALNUT ST	NICOLET JOINT VENTURES LLC	\$ 398,100	\$ 303
4	12-364	115 E WALNUT ST	GB METREAU LLC	\$ 12,815,000	\$ 9,739
4	12-368	301 N WASHINGTON ST	FE WATERMARK LLC	\$ 1,206,800	\$ 917
4	12-369	301 N WASHINGTON ST	FE WATERMARK LLC	\$ 533,100	\$ 405
4	12-370	301 N WASHINGTON ST	FE WATERMARK LLC	\$ 20,300	\$ 15
4	12-371	301 N WASHINGTON ST	FE WATERMARK LLC	\$ 2,167,600	\$ 1,647
4	12-372	301 N WASHINGTON ST	FE WATERMARK LLC	\$ 287,400	\$ 218
4	12-373	301 N WASHINGTON ST	FE WATERMARK LLC	\$ 1,469,700	\$ 1,117
4	12-374	301 N WASHINGTON ST	FE WATERMARK LLC	\$ 282,300	\$ 215
4	12-375	301 N WASHINGTON ST	FE WATERMARK LLC	\$ 287,700	\$ 219
4	12-38-1	130 E WALNUT ST	SAFFORD BUILDING LLC	\$ 378,000	\$ 287
4	12-38-10	130 E WALNUT ST	BELLIN BUILDING ASSOC	\$ 377,600	\$ 287
4	12-38-2	130 E WALNUT ST	SAFFORD BUILDING LLC	\$ 424,500	\$ 323
4	12-38-3	130 E WALNUT ST	SAFFORD BUILDING LLC	\$ 169,400	\$ 129
4	12-38-4	130 E WALNUT ST	SAFFORD BUILDING LLC	\$ 124,500	\$ 95
4	12-38-5	130 E WALNUT ST	SAFFORD BUILDING LLC	\$ 238,400	\$ 181
4	12-38-6	130-F E WALNUT ST	BELLIN BUILDING LLC	\$ 192,400	\$ 146
4	12-38-7	130 E WALNUT ST	BELLIN BUILDING LLC	\$ 261,600	\$ 199
4	12-38-7-1	130 E WALNUT ST	TRAVLYNN PROPERTIES LLC	\$ 251,900	\$ 191
4	12-38-8	130 E WALNUT ST	SAFFORD BUILDING LLC	\$ 51,900	\$ 39
4	12-38-9	130 E WALNUT ST	SAFFORD BUILDING LLC	\$ 27,600	\$ 21
4	12-86	330 N WASHINGTON ST	SCHREIBER FOODS INC ATTN TAX DEPARTMENT	\$ 364,000	\$ 277
4	13-1	200 S WASHINGTON ST	NICOLET REAL ESTATE AND INVESTMENTS CORP	\$ 3,806,500	\$ 2,893
4	13-101	417 S ADAMS ST	SW LEASING LLP	\$ 274,600	\$ 209
4	13-107	416 CROOKS ST	STORMIN TITLE LLC	\$ 266,400	\$ 202

4	13-107-A	403 S JEFFERSON ST	U SAVE AMERICA LLC	\$ 290,400	\$ 221
4	13-11	400 S ADAMS ST	SECOND WIND AUTO GALLERY LLC	\$ 1,566,800	\$ 1,191
4	13-112	318 S MADISON ST	JAMKAT LLC	\$ 82,000	\$ 62
4	13-114	332 S MADISON ST	MELANIE HORKMAN	\$ 231,200	\$ 176
4	13-117	421 CROOKS ST	JEFFERSON STREET PARTNERSHIP LLP	\$ 82,800	\$ 63
4	13-118	345 S JEFFERSON ST	JEFFERSON STREET PARTNERSHIP LLP	\$ 482,800	\$ 367
4	13-119	333 S JEFFERSON ST	THOMAS J & KATHLEEN A KITSLAAR	\$ 77,800	\$ 59
4	13-120	325 S JEFFERSON ST	DANIEL E & PATRICIA A COLVIN JR	\$ 195,200	\$ 148
4	13-121	321 S JEFFERSON ST	JAMKAT LLC	\$ 82,000	\$ 62
4	13-122	315 S JEFFERSON ST	GEORGE A & SHARON R THORNE	\$ 200,400	\$ 152
4	13-123	311 S JEFFERSON ST	ERIC R. WIMBERGER	\$ 118,000	\$ 90
4	13-124	307 S JEFFERSON ST	VANDE CASTLE PROPERTIES LLP	\$ 35,700	\$ 27
4	13-125	303 S JEFFERSON ST	VANDE CASTLE PROPERTIES LLP	\$ 108,500	\$ 82
4	13-127	420-422 DOTY ST	TOSA 420 LLC	\$ 266,600	\$ 203
4	13-128	212-214 S MADISON ST	EAMR LLC	\$ 172,500	\$ 131
4	13-132	225-231 S JEFFERSON ST	CITY OF GREEN BAY C/O ENGINEERING DEPT	\$ 157,700	\$ 120
4	13-133	221 S JEFFERSON ST	CITY OF GREEN BAY C/O ENGINEERING DEPT	\$ 79,200	\$ 60
4	13-135	200 S MONROE AV	FIRST UNITED METHODIST CHURCH GREEN BAY	\$ -	\$ -
4	13-153	340 S MONROE AV	WARREN FAMILY FUNERAL HOMES INC	\$ 829,000	\$ 630
4	13-163	408 S MONROE AV	MADISON MONROE INVESTMENTS LLP	\$ 679,900	\$ 517
4	13-164	416-418 S MONROE AV	LAWRENCE G VESELY	\$ 314,100	\$ 239
4	13-165	424 S MONROE AV	MOSKI CORP	\$ 895,200	\$ 680
4	13-171	445 S MADISON ST	445 MADISON CHICAGO LLC ATT: KEN	\$ 919,600	\$ 699
4	13-179	413-415 S MADISON ST	MCE PROPERTIES LLC	\$ 235,700	\$ 179
4	13-18	444 S ADAMS ST	AMERICAN FOODS GROUP LLC	\$ 1,305,200	\$ 992
4	13-183	420-500 S WASHINGTON ST	WASHINGTON STREET RIVER PROPERTIES LLC	\$ 3,832,300	\$ 2,913
4	13-185	400 S WASHINGTON ST	WASHINGTON ST DEPOT LLC	\$ 949,700	\$ 722
4	13-20	419 S WASHINGTON ST	SECOND WIND AUTO GALLERY LLC	\$ 379,400	\$ 288
4	13-43	200-220 S ADAMS ST	INDUSTRY CONSULTING GROUP INC	\$ 2,443,500	\$ 1,857
4	13-50	235 WASHINGTON ST	INDUSTRY CONSULTING GROUP INC	\$ 214,500	\$ 163
4	13-51	229 STUART ST	INDUSTRY CONSULTING GROUP INC	\$ 81,800	\$ 62
4	13-53	211 S WASHINGTON ST	INDUSTRY CONSULTING GROUP INC	\$ 41,300	\$ 31
4	13-54	205 S WASHINGTON ST	INDUSTRY CONSULTING GROUP INC	\$ 82,600	\$ 63
4	13-55	201 S WASHINGTON ST	INDUSTRY CONSULTING GROUP INC	\$ 86,500	\$ 66
4	13-56	201-215 S ADAMS ST	PREMONSTRATENSIAN FATHERS THE	\$ 200,100	\$ 152
4	13-57	219-231 S ADAMS ST	ATTY THOMAS M OLEJNICZAK	\$ 1,283,400	\$ 975
4	13-71	336 S JEFFERSON ST	ELIZABETH DEE PROPERTIES LLC	\$ 230,200	\$ 175
4	13-74	315 CROOKS ST	WILLIAM M & ROBERTA L ATKINSON	\$ 43,800	\$ 33
4	13-75	345 S ADAMS ST	SCHMILINGVISION LLP	\$ 267,200	\$ 203
4	13-8	318 S WASHINGTON ST	RIVER EAST 318 LLC	\$ 5,230,300	\$ 3,975

4	13-87	414 S JEFFERSON ST	414 S JEFFERSON ST GREEN BAY LLC	\$ 1,139,800	\$ 866
4	13-97-A	445 S ADAMS ST	CHICAGO STREET LLC	\$ 384,000	\$ 292
4	13-99	425 S ADAMS ST	VANESS FAMILY LIMITED PARTNERSHIP	\$ 456,900	\$ 347
4	14-383	535 S MONROE AV	PS & LC REAL ESTATE LLC	\$ 208,300	\$ 158
4	14-387	503 S MONROE AV	FAMILY SERVICES OF NORTHEAST WISCONSIN INC	\$ -	\$ -
4	14-403	417 S MONROE AV	SCHIEGG INVESTMENTS LLC	\$ 800,000	\$ 608
4	14-419	345 S MONROE AV	JOHN C & JULIE A MAY	\$ 804,500	\$ 611
4	14-422	325-327 S MONROE AV	JOURNEY TO ADULT SUCCESS INC	\$ -	\$ -
4	14-424	315 S MONROE AV	PROVENANCE LLP	\$ 539,800	\$ 410
4	14-439	225 S MONROE AV	MONROE CENTRAL LLC	\$ 688,800	\$ 523
4	14-443	211 S MONROE AV	JOSEPH M RECKA & JAMES T JOANNES	\$ 294,300	\$ 224
4	14-444	203 S MONROE AV	SKINNY BUDDHA TATTOO LLC	\$ 143,600	\$ 109
4	15-103	432 MARTIN ST	MARILYN R GARDNER	\$ 25,900	\$ 20
4	15-104	508 S MADISON ST	MARILYN R GARDNER	\$ 112,500	\$ 85
4	15-105	426 MARTIN ST	MARILYN R GARDNER	\$ 41,600	\$ 32
4	15-106	420 MARTIN ST	MARILYN R GARDNER	\$ 83,400	\$ 63
4	15-107	526 S MADISON ST	MARILYN R GARDNER	\$ 57,700	\$ 44
4	15-108	530 S MADISON ST	MARILYN R GARDNER	\$ 105,600	\$ 80
4	15-117	533 S JEFFERSON ST	MARILYN R GARDNER	\$ 54,900	\$ 42
4	15-118	527 S JEFFERSON ST	JADEITE INC C/O JOHN MARTINSON	\$ 649,600	\$ 494
4	15-23	501 S ADAMS ST	COSMO LLC C/O JOHN F BUTZ	\$ 127,500	\$ 97
			Total	\$ 238,188,300	\$ 266,640

APPENDIX E - CITY ATTORNEY'S OPINION – TO BE SUBMITTED



Law Department

Vanessa R. Chavez
City Attorney

October 27, 2021

Wendy Townsend, Project and Program Manager
City of Green Bay
100 North Jefferson Street, Room 608
Green Bay, WI 54301

RE: Proposed Operating Plan for Business Improvement District No. 1

Dear Ms. Townsend:

The purpose of this correspondence is to respond to your request for a legal review of the proposed 2022 Operating Plan for Business Improvement District No. 1 (hereafter "Plan"). Your request asks the City Attorney's Office to provide an opinion with respect to the Plan's compliance with the requirements of Wisconsin Statute § 66.1109(l)(f).

Our office has reviewed the Plan, a copy of which is attached hereto, and based upon such review, are of the opinion that the Plan meets the requirements of Wisconsin Statute § 66.1109 (l)(f), subsections 1 through 4.

Thank you for your attention to this matter.

Sincerely,

Vanessa R. Chavez
City Attorney



Report to the Green Bay Plan Commission

MEETING DATE

November 8, 2021

PREPARED BY

Wendy Townsend, Economic Coordinator

AGENDA ITEM # E.9

Consideration with possible action on the Downtown Green Bay Inc. (DGBI) Business Improvement District (BID) Board appointment for Jenny VanderZanden and reappointment of Sue Lagerman.

BACKGROUND

Appointee Jennifer VanderZanden is an active member of the DGBI Board of Directors and the Executive Committee. Her resume is attached. Sue Lagerman is renewing her term. Her resume of serving this organization is attached.

RECOMMENDATION

Approval of the DGBI BID appointments for Jennifer Vander Zanden and Sue Lagerman.

FISCAL IMPACT

ATTACHMENTS

1. Jenny VanderZanden Resume for DGBI BID Board
2. Sue Lagerman Profile for BID Appointment 2022

Jennifer Vander Zanden

223 Shady Ridge Court
Wrightstown, WI 54180

(920) 617-3076 Work Phone
(920) 680-3747 Cell Phone
Jvanderzanden@breakthroughfuel.com

SUMMARY

Seeking growth and development opportunities through formal executive education with emphasis on strategy development, growing peer network and leading industry change. My career journey includes 15+ years of experience at Breakthrough where I started as an intern during the launch of the business concept. My career at Breakthrough has grown with the business during which time I have held various roles in leadership that has allowed me to help shape the culture and client experience into what it is today.

WORK EXPERIENCE

Breakthrough, Green Bay, WI

Chief Operating Officer

September 2018 – Present

- Transformation of our end-to-end business processes through development of a new proprietary technology while moving from physical infrastructure to the Google Cloud. Achieved productivity, scale for growth, increased margin by 6 percentage points, and prepared the solution for a future beyond diesel fuel in transportation.
- Sponsored the transition plan, coordination, and integration of all clients into our new platform in the cloud environment. Aligned training, communication plans, change management, and cross functional hyper care leading up to and following go live.
- Integration of two separate delivery teams for our fuel and freight solutions into a singular client delivery team focused on the comprehensive client experience.
- Identified growing market need and industry change towards scope 3 emissions management in transportation. Key contributor to our sustainability strategy and a pivotal shift in our solution to meet our client's sustainability goals.

Vice President, Fuel Recovery

March 2014 – August 2018

- Led our Fuel Recovery service offering through record number of new client implementations including 3 Fortune 50 clients – more than doubling our annual revenue.
- Built and developed relationships with top clients, achieved nearly 100% client retention, developed client health and risk metrics while focusing on growth of client value.
- Created annual revenue plans and exceed growth targets of existing client accounts through inside sales growth in expanded modes, geographies, and business units.
- Led development of fuel solution in Mexico; identifying market needs arising from liberalization/ deregulation, oversaw technical build, developed change management materials, and implemented the largest retailer in Mexico.

Vice President, Client Services

January 2013 – February 2014

- Led the team delivering distinguished service to our clients.

- Developed strategic roadmap process and business review strategy to recognize value achieved, create new client value, and engage deep sales of our services.
- Streamlined our implementation approach to improve ease of technical connectivity for the client, simplifying choices and driving action with change management.
- Development of integrated on-site role at client; selection, training, and assimilation into the client's business processes.
- Identified and prioritized system enhancements for productivity.

<i>Sr. Director, Client Services</i>	<i>August 2012 – December 2012</i>
<i>Director, Client Services</i>	<i>February 2012 – July 2012</i>
<i>Director, Analytical Services</i>	<i>January 2011 – January 2012</i>
<i>Manager, Analytical Services</i>	<i>May 2009 – December 2010</i>
<i>Solution Design</i>	<i>June 2007 – April 2009</i>
<i>Analyst, Reporting and Analytics</i>	<i>June 2006 – May 2007</i>
<i>Intern</i>	<i>August 2005 – May 2006</i>

NOTABLE INDUSTRY RECOGNITION / CONTRIBUTIONS

- SME and Contributor for Breakthrough on energy insights featured in Forbes, Market Watch, Barrons, CNBC, Wall Street Journal Market Talks and industry publications.
- Presented “Whirlpool Corporation’s Approach to Transportation Management” at Gartner’s Supply Chain Symposium with Whirlpool highlighting the value achieved with the Breakthrough solution and relationship.
- Speaker at annual Mercury Group transportation conference delivering thought leadership and best practices to advance the industry forward. Enrolled shippers and industry experts to collaborate and share experiences.
- Recognized as “Supply Chain Pro to Know 2016” by Supply and Demand Chain Executive.

EDUCATION

<u>University of Wisconsin, Oshkosh</u> Masters – Business Administration	Graduation: May 2013
<u>St. Norbert College, De Pere, WI</u> BA – Business Administration & Mathematics	Graduation: December 2006

VOLUNTEER EXPERIENCE

Downtown Green Bay Inc.

Non-profit business development district that provides economic development assistance in business recruitment and retention, organizes events, and physical improvements.

Board of Directors	May 2017 - Present
Executive Committee	March 2019 – Present

House of Hope – 501c3 in Green Bay, WI

Provides a safe and supportive place where young parents and children experiencing homelessness will become confident, independent, and successful members of community.

Fundraiser Committee	June 2021 – Present
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Susan Lagerman

H: 3332 Heaven Drive, Green Bay, WI 54311 | 920-327-8204 | susan.lagerman@gmail.com
W: 515 Pine Street, Green Bay, WI 54301 | 920-448-5807 | susan.lagerman@browncountywi.gov

Experience:

1991-Present

Community Engagement Manager, Brown County Library

Green Bay, WI

Responsible for coordinating public relations activities for Brown County Library and working with external partners across Brown County to promote the library's mission and identify community needs related to library services and resources. I provide leadership for outreach activities and build partnerships and collaborations with diverse community organizations throughout the county. Additionally, I supervise outreach staff and services (including the Bookmobile), serve as a member of the library's Leadership Team, and am a liaison to the Friends of the Brown County Library.

1985-1991

Business and Marketing Manager, Pavlova Spa and Salon

Traverse City, MI

Responsible for the fiscal management of two locations (downtown and Grand Traverse Resort) and the business' marketing efforts.

Leadership Experience:

2021 - Present | Director – B.C.L. Foundation Board

2020 - Present | Member – Rotary Club of Green Bay

2018 - Present | Ambassador, Greater Green Bay Chamber, Green Bay, WI

2018 – Present | Treasurer, Business Improvement District (BID) Board

2017 - Present | President, Board of Directors, Downtown Green Bay, Inc., Green Bay, WI

2017 | Vice President, Board of Directors, Downtown Green Bay, Inc., Green Bay, WI

2015 - Present | Executive Committee, Downtown Green Bay, Inc., Green Bay, WI

2015 - 2017 | President, Board of Directors, Literacy Green Bay, Inc., Green Bay, WI

2015 | Recipient of Green Bay Mayor's Leadership Award for Advancing Literacy

2013 - 2020 | Committee Member, Greater Green Bay STEM Network, Green Bay, WI

2010-2013 | Vice President, Woodside Heights Neighborhood Association

2005 - Present | Board of Directors, Downtown Green Bay, Inc., Green Bay, WI

2003 - 2018 | Board of Directors, Literacy Green Bay, Inc., Green Bay, WI

2002 - 2019 | Public Relations/Marketing Committee, Downtown Green Bay, Inc., Green Bay, WI