

DOWNTOWN OSHKOSH BUSINESS IMPROVEMENT DISTRICT

2019 OPERATING PLAN

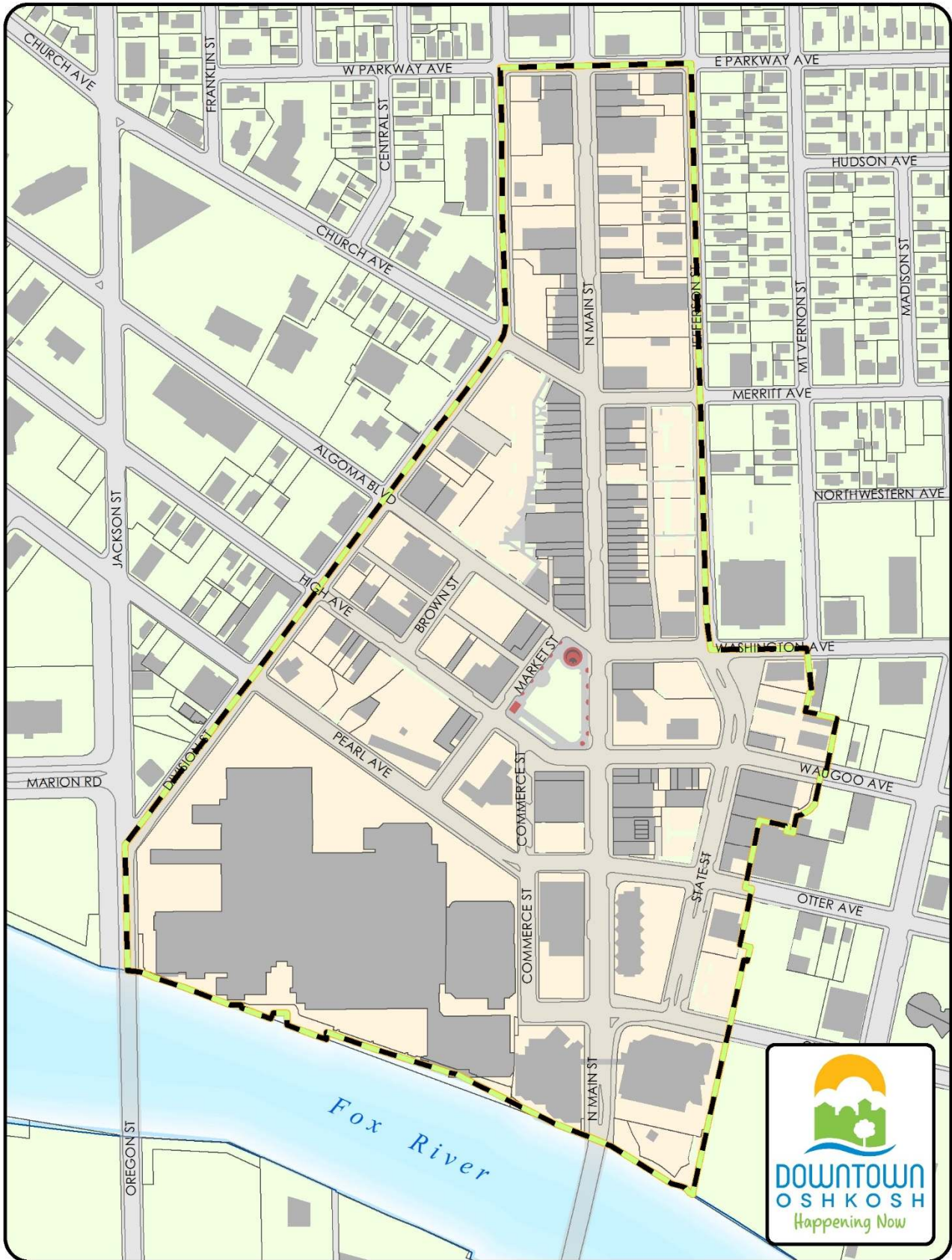


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Downtown Oshkosh Business Improvement District Boundaries: In general, the boundaries of the Downtown Oshkosh Business Improvement District are the Fox River on the south, Division St. on the west, Parkway Ave. on the north, and Jefferson St/State St. on the east.



INTRODUCTION

In 1980, the Common Council adopted the Downtown Redevelopment Plan and Implementation Strategy. The Plan recommended increasing organizational efforts between the public and private sectors as well as establishing a voluntary special assessment district. A follow-up study, Planning Report - Central City Oshkosh, approved by the Common Council in 1987, expanded various elements of the previous plan and in particular recommended the creation of a management vehicle and funding base to serve the downtown area. The management tool recommended was a Business Improvement District.

The Downtown Oshkosh Business Improvement District (BID) is an essential entity to the Central Business District of Oshkosh. The BID, created in 1987, has maintained its initial premise to retain available free parking in the downtown, as well as proactively support revitalization efforts. Through the BID, property owners assess themselves to pay for activities to enhance and improve the downtown and to bring customers to the area.

The downtown continues to change as the mix of residential, commercial and professional occupants fill the district. The BID welcomes these changes as opportunities to continue economic development in our central city.

BID LAW

On April 6, 1984, the State of Wisconsin passed a law (Act 184), which allows for the creation of Business Improvement Districts. The law authorizes cities, villages, and towns to create one or more business improvement districts to allow businesses within those districts to develop, manage, maintain, and promote their districts and to establish an assessment method to fund these activities. A BID must be a geographic area within a municipality consisting of contiguous parcels that are subject to real estate taxes.

The formation of a Business Improvement District allows downtown business people, property owners, merchants, City officials and others to work together to determine what needs to be done to upgrade and strengthen the downtown and to pay the cost of those efforts, in whole or in part. It is a way for downtown stakeholders to decide what they want and to finance it.

A BID is the best available method for business people to organize, coordinate marketing and promotion efforts, provide management and maintenance programs, and encourage business development. It affords property owners and business people a viable role in directing those affairs within the district. It also ensures that all beneficiaries of District programs participate in the funding of the programs.

Appendix C is a copy of the Wisconsin Statutes Section 66.1109, regarding business improvement districts.

DOWNTOWN OSHKOSH BUSINESS IMPROVEMENT DISTRICT 2019 OPERATING PLAN AND ASSESSMENT

The Downtown Oshkosh BID has established allocations for the 2019 Operating Plan for each program category after reviewing previously supported activities and soliciting proposals for events. All costs related to the program categories listed below will be incurred in the calendar year 2019.

The Downtown Oshkosh Business Improvement District Board will carry out the proposed program of activities listed below and as shown on the Budget in Appendix A of this Plan. The budget is separated into the following categories; Leadership, Recruitment/Retention/Mural Grants, Events, Advertising, Gift Card Program, Marketing Consortium, Beautification, Parking, Storage Unit, and Reserves/Capital Improvements.

The BID will assess itself \$140,610.00 in 2019.

PROGRAM CATEGORIES

Leadership \$68,000

Oshkosh Chamber of Commerce Service Contract (BID Manager) \$63,000

The BID contracts with the Oshkosh Chamber of Commerce for the services of the BID Manager who is a full time employee of the BID. Expenses from this line item also include postage, employment benefits, and other payroll/salary related expenses. This category also covers the BID Manager participation in professional development opportunities, such as conferences, expos, and business meetings.

Website Maintenance & Office Supplies \$5,000

Expenses from this line item will cover any costs associated with the downtownoshkosh.com website. This line item will also cover any needed office supply cost such as (but not limited to) envelopes, business cards, folders, etc.

Recruitment/Retention/Mural Grant Programs \$12,000

Money to be divided based on applications submitted; no set amount for each grant

Recruitment Fund Grant

The Recruitment Fund Grant is offered as an incentive to recruit small businesses to fill vacant spaces and energize the downtown. This grant can be used for leasehold improvements, signage, fixtures, and inventory/equipment. This grant is one of the ways the Business Improvement District can partner with you to increase the value of locating your business in Downtown Oshkosh. Recruitment print materials are also taken from this line item.

Retention Grant Program

The Retention Grant Program was put into place to provide funds to businesses/property owners within the BID to assist with façade improvements. The purpose of this grant is to improve the business climate in Downtown Oshkosh, enhance the quality of life, and to encourage the development and maintenance of the buildings within the Business Improvement District. Retention print materials are also taken from this line item.

Mural Grant Program

The Mural Grant Program was put into place to provide funds to property owners/artists within the BID to encourage exterior artwork that contributes to the beautification and economic vitality of the Downtown Oshkosh BID.

Events \$4,500

Waterfest \$2,000

Waterfest is a summer concert series that occurs on Thursday nights, at the Leach Amphitheater, brought to the community by the Oshkosh Chamber of Commerce. The event brings a significant number of visitors to the downtown area, many of whom patronize downtown businesses before and after the event.

Live at Lunch \$500

Live at Lunch takes place every Wednesday, June through August and is put on by the Oshkosh Chamber of Commerce. BID support reflects the increased traffic generated by this event to the downtown area.

unWINEd-Wine Walk \$1000

This is a BID event that happens two times throughout the year. The purpose of this event is to have attendees shop & explore Downtown Oshkosh while enjoying samples of wine within each participating business.

Holiday Parade \$500

This event was previously run by the Oshkosh Chamber of Commerce for many years. The BID will continue the tradition of holding a night time parade in Downtown Oshkosh during the month of November. This is a great community event that brings thousands of people to the downtown area.

Gallery Walk \$500

This event happens the 1st Saturday of every month from 6-9pm in Downtown Oshkosh. BID support is for promotion of this event, which includes the printing of maps & website fees.

Advertising \$15,000

Funds used to promote and market downtown Oshkosh throughout the 2019 year.

Gift Card Program \$1,050

Funds used to support the ACH pooling account, including the monthly fee of the program and transaction fees.

Marketing Consortium \$3,000

Membership Donations

Fees collected from businesses who want to be a part of the Marketing Consortium group. These funds are primarily used for promotional materials.

Additional Activities & Marketing Materials \$850

Seed money to be used for any additional activity ideas generated in 2019. In addition these funds are to be used for marketing materials, such as block captain brochures & holiday passports.

Holiday \$2,000

Holiday is a combination of events and marketing pieces put together in November and December. The main event of Whoville Holiday featuring Breakfast with the Grinch is where the majority of this fund goes toward. The holiday committee promotes shopping local for the holiday season.

Downtown Chalk Walk \$150

This will be the 6th annual chalk walk event in Downtown Oshkosh. The money on this line item is used to cover street barricade cost for the day of the event.

Beautification \$36,400

Contracted Services \$24,300

The BID contracts with a private contractor to undertake certain routine cleaning pick up and landscape maintenance. This also includes the watering of our 104 flower pots, and removal of holiday boughs. A portion of these funds are also used for expenses relative to maintaining and improving landscaped areas.

Holiday \$0

Zero dollars will be assessed for the overall 2019 budget. However, \$7500.00 of the revenues brought in from the Holiday Parade in 2018 will go towards the holiday beautification elements. These funds will be used for holiday decorations including the tree for Opera House Square, holiday décor for 104 flower pots, lighting of the 9 trees around Opera House Square, and replacement light strands.

Planter Maintenance \$12,100

These funds will be used for contracted maintenance and plant materials for spring planting of the 104 flower pots, and plantings/maintenance of the clock and sign area in Opera House Square. These funds will also be used to re-do and maintain the bump outs within the BID.

Parking \$0

Zero dollars will be assessed for the overall 2019 budget. However, \$15,000 will come out of reserves/capital improvements to be provided to the parking utility.

Storage Unit \$660

This line item is to cover the cost of the BID acquiring a storage unit to store Marketing Consortium event materials and any additional materials.

Reserves/Capital Improvements

These funds have been set aside by the Board for projects and programs to support BID businesses. Any unspent funds from 2018 will be transferred into this account, unless otherwise mentioned as a rollover or transfer onto a different line item.

ORGANIZATION

Pursuant to Section 66.1109(3), Wisconsin Statutes, a Downtown Business Improvement District Board has been appointed by the Mayor and confirmed by the Common Council. The Board is comprised of ten (13) members and two (2) alternates representing the following interests:

- 3 Owner/Non-Occupant
- 5 Non-Owner/Occupant
- 4 Owner/Occupant
- 2 Persons-At-Large (Alternates)*
- 1 TBD in the 2019 year*

**By-Laws Amended October 16, 2018*

The distribution of non-occupant owners and owners/occupants may vary from time to time, as members are reappointed or as new members join the Board. Per section 66.1109 (3a), Wisconsin Statutes, a majority of the board members shall own or occupy real property in the business improvement district. Nonresidents of the City of Oshkosh are permitted as members of the Downtown Oshkosh Business Improvement District Board. Other membership requirements may apply per the “By-Laws of the Downtown Oshkosh Business Improvement District” (dated December 19, 1989, Amended June 15, 2004, Amended October 16, 2018).

In addition, Board members represent different areas within the District, including large and small businesses. As a City entity, the Board will conduct its affairs under the open meetings law and public record requirements. The Director of Community Development or designee serves as the Secretary of the Board. Board meetings are held the third Tuesday of the month, starting at 8:00am, at Becket’s Restaurant and/or City Hall. A roster of the 2019 BID Board members is included as Appendix E.

The Board is responsible for the management of the Business Improvement District. Responsibilities of the Board include implementing the Operating Plan and preparing annual reports on the District. The Board will also annually consider and make changes to the Operating Plan and submit the Operating Plan to the Common Council for approval.

RELATIONSHIP TO DOWNTOWN PLANNING

Creation of the business improvement district promotes the orderly development of the municipality by implementing recommendations of the City Comprehensive Plan, Downtown Action Plan and Imagine Oshkosh that contain various elements related to downtown design and development with prominent focus on beautification in BID areas as well as the promotion of downtown tourism. In 2000, the Common Council adopted the Downtown Action Plan, which contains various elements related to downtown design and development with prominent focus on redevelopment and beautification in BID areas. In November of 2017, the Common Council adopted *Imagine Oshkosh, A Master Plan for our Center City*. Imagine Oshkosh is an update and expansion to the Downtown Action Plan and serves as a policy guide and action framework for the center city which includes the BID. The Downtown Oshkosh Business Improvement District is consistent with and critical to the continued successful implementation of these downtown plans. The BID enables the private sector to undertake promotion, management, marketing, and other programs essential to a prosperous downtown.

DOWNTOWN OSHKOSH BID ASSESSMENT METHOD

The Downtown Oshkosh Business Improvement District special assessment method utilizes assessed value information and property street footage data, both of which are available from the City Assessor's Office. As the absolute values of assessed value and footage cannot be combined, the values are calculated as a percentage of the total assessed value and a percentage of the street footage. The two percentages are added with the sum divided by 200 percent, which results in a proportionate value of the total district.

In 2019, the BID increased the minimum special assessment from \$400.00 to \$420.00 and the maximum special assessment from \$8,000.00 to \$8,400.00, a 5% increase.

Properties with a proportionate value between 0.0000% and 0.258% are assessed the minimum special assessment of \$420.00.

Properties with a proportionate value greater than 4.821% are assessed the maximum special assessment of \$8,400.00.

For properties with a proportionate value between 0.259% and 4.822% - The property's proportionate value is multiplied by \$1,638.865, resulting in the special assessment for the property.

For example, 101 Algoma Blvd. has a Proportionate Value of 0.332465%. When multiplied by \$1,638.865, the special assessment is \$544.87.
 $0.332465\% \times \$1,638.865 = \$544.87.$

The raw data, assessment calculations, and proposed District assessment for each property in the Downtown Oshkosh Business Improvement District are presented in Appendix B. The data for the assessment method have been obtained from the files of the City Assessor and are subject to final tabulation by the City. To account for street front footages, the frontage of the property's primary address as identified by the City Assessor is used. Properties with more than one street frontage are not combined.

Only property used for commercial and manufacturing purposes, including real property used exclusively for manufacturing purposes, in the District will be assessed. Real property used exclusively for residential (single and two-family) purposes will not be assessed.

APPENDIX A

2019 BUSINESS IMPROVEMENT DISTRICT BUDGET

REVENUE - 2019 ASSESSMENT	\$140,610.00	
EXPENSES		\$140,610.00
Leadership	\$68,000.00	
Oshkosh Chamber Service Contract (BID Manager)		\$63,000.00
Website Maintenance/Office Supplies		\$5,000.00
Recruitment & Retention Grant Programs	\$12,000.00	
Recruitment Fund Grant		
Retention Grant Program		\$12,000.00
Events	\$4,500.00	
Waterfest		\$2,000.00
Live at Lunch		\$500.00
unWINEd-Wine Walk		\$1,000.00
Holiday Parade		\$500.00
Gallery Walk		\$500.00
Advertising	\$15,000.00	
		\$15,000.00
Gift Card Program	\$1,050.00	
		\$1,050.00
Marketing Consortium	\$3,000.00	
Membership Fees		
Additional Activities & Marketing Materials		\$850.00
Holiday		\$2,000.00
Chalk Walk		\$150.00
Beautification	\$36,400.00	
Contracted Services		\$24,300.00
Holiday (\$7,500 out of reserves/capital improvements)		\$0.00
Planter Maintenance		\$12,100.00
Parking	\$0.00	
(\$15,000 out of reserves/capital improvements)		
Storage Unit	\$660.00	
		\$660.00
Reserves/Capital Improvements		
	(\$52,000.00 roughly to start with for 2019)	

PARCEL NO.	OWNER	ADDRESS	ASSESSED VALUE	% TOTAL ASSESSED VALUE	FRONTAGE	% TOTAL FRONTAGE	TOTAL %	TOTAL % /2 (Proportionate Value)	2019 ASSESSMENT ON \$140,610	2018 ASSESSMENT ON \$132,860	\$ CHANGE FROM 2018	% Change from 2018
0400900000	1627 ELMWOOD LLC	438 N MAIN ST	\$ 192,300	0.318%	41.00	0.49%	0.812%	0.40609%	\$ 665.53	\$ 630.61	\$ 34.92	5.54%
0700160000	RATICHMAN INVESTMENTS LLC	439 N MAIN ST	\$ 140,600	0.232%	37.80	0.45%	0.688%	0.34407%	\$ 563.88	\$ 534.05	\$ 29.83	5.59%
0700170000	BARBARA KIFIE-COULLARD/JOEL COULLARD	441 N MAIN ST	\$ 81,600	0.135%	20.00	0.24%	0.376%	0.18800%	\$ 420.00	\$ 400.00	\$ 20.00	5.00%
0700190000	STAPEL PROPERTIES LLC	445 N MAIN ST	\$ 110,200	0.182%	38.00	0.45%	0.640%	0.32014%	\$ 524.67	\$ 496.69	\$ 27.98	5.63%
0400960000	JAHNKE 448 MAIN LLC	448 N MAIN ST UNIT 1	\$ 355,800	0.588%	38.20	0.46%	1.049%	0.52436%	\$ 859.35	\$ 815.46	\$ 43.89	5.38%
0700140000	STAPEL PROPERTIES LLC	451 N MAIN ST	\$ 232,800	0.384%	85.60	1.03%	1.415%	0.70774%	\$ 1,159.89	\$ 1,097.91	\$ 61.98	5.65%
0400950000	JOHN J/KATHLEEN A SAKSCHEK	452 N MAIN ST	\$ 122,800	0.203%	20.00	0.24%	0.44%	0.22206%	\$ 420.00	\$ 400.00	\$ 20.00	5.00%
0700200000	CARL A/LEONA L STAPEL	455 N MAIN ST	\$ 49,100	0.081%	20.00	0.24%	0.322%	0.16114%	\$ 420.00	\$ 400.00	\$ 20.00	5.00%
0401070000	MADONNA J HILL	456 N MAIN ST	\$ 189,500	0.313%	38.50	0.46%	0.777%	0.38871%	\$ 637.04	\$ 603.68	\$ 33.36	5.53%
0700210000	STAPEL PROPERTIES LLC	457 N MAIN ST	\$ 49,500	0.082%	20.00	0.24%	0.323%	0.16147%	\$ 420.00	\$ 400.00	\$ 20.00	5.00%
0700240000	STAPEL PROPERTIES LLC	459 N MAIN ST	\$ 79,100	0.131%	40.00	0.48%	0.613%	0.30649%	\$ 502.30	\$ 475.22	\$ 27.08	5.70%
0700230000	STAPEL PROPERTIES LLC	463 N MAIN ST	\$ 67,600	0.112%	20.00	0.24%	0.353%	0.17643%	\$ 420.00	\$ 400.00	\$ 20.00	5.00%
0700220000	STAPEL PROPERTIES LLC	465 N MAIN ST	\$ 88,200	0.146%	18.50	0.22%	0.369%	0.18442%	\$ 420.00	\$ 400.00	\$ 20.00	5.00%
0400940000	BENT BLOCK OSHKOSH LLC	480 N MAIN ST	\$ 594,000	0.982%	60.00	0.72%	1.705%	0.85265%	\$ 1,397.38	\$ 1,326.19	\$ 71.19	5.37%
0401080000	WAGNER OPERA HOUSE LLC	500 N MAIN ST	\$ 514,000	0.850%	140.00	1.68%	2.537%	1.26875%	\$ 2,079.31	\$ 1,969.27	\$ 1,104.04	5.59%
0700260000	JAMES H LANG PROPERTIES INC	501 N MAIN ST	\$ 870,700	1.439%	88.00	1.06%	2.500%	1.25015%	\$ 2,048.82	\$ 1,944.44	\$ 1,044.38	5.37%
0700290000	OLH LLC	511 N MAIN ST	\$ 105,700	0.175%	20.00	0.24%	0.418%	0.20792%	\$ 420.00	\$ 400.00	\$ 20.00	5.00%
0700270000	3710 LISBON LLC	513 N MAIN ST	\$ 113,100	0.187%	20.00	0.24%	0.428%	0.21404%	\$ 420.00	\$ 400.00	\$ 20.00	5.00%
0700280000	ALEE CHASE INVESTMENTS LLC	515 N MAIN ST	\$ 120,600	0.199%	20.00	0.24%	0.44%	0.22024%	\$ 420.00	\$ 400.00	\$ 20.00	5.00%
0700320000	MARILYN J BACKUS	519 N MAIN ST	\$ 301,100	0.498%	60.00	0.72%	1.221%	0.61055%	\$ 1,000.61	\$ 948.25	\$ 52.36	5.52%
0700340000	TENNIS JEWELRY PROPERTIES LLC	523 N MAIN ST	\$ 61,500	0.102%	20.00	0.24%	0.343%	0.17139%	\$ 420.00	\$ 400.00	\$ 20.00	5.00%
0700350100	531 N MAIN LLC	531 N MAIN ST	\$ 1,119,900	1.851%	70.00	0.84%	2.695%	1.34763%	\$ 2,008.58	\$ 2,098.07	\$ 110.51	5.27%
0700360000	CRESCENT MOON PROPERTIES LLC	537 N MAIN ST	\$ 182,200	0.301%	120.00	1.47%	1.748%	0.87393%	\$ 1,432.26	\$ 1,354.56	\$ 77.70	5.74%
0401150000	BRICKHOUSE PROPERTIES LLC	544 N MAIN ST	\$ 381,000	0.630%	89.46	1.07%	1.708%	0.85417%	\$ 1,999.87	\$ 1,326.18	\$ 73.69	5.56%
0700380000	547 N MAIN LLC	547 N MAIN ST	\$ 207,600	0.343%	170.00	2.04%	2.393%	1.19632%	\$ 1,960.60	\$ 1,853.77	\$ 106.83	5.76%
0401620000	FOX RIVER DEVELOPMENT CO LLC	558 N MAIN ST	\$ 403,600	0.667%	100.00	1.20%	1.873%	0.93638%	\$ 1,534.61	\$ 1,453.66	\$ 80.95	5.57%
0700460000	J WEST RESTAURANTS LLC	570 N MAIN ST	\$ 501,700	0.829%	140.75	1.69%	2.526%	1.26310%	\$ 2,070.05	\$ 1,960.40	\$ 109.65	5.59%
0700470000	JRD INVESTMENTS LLC	571 N MAIN ST	\$ 512,600	0.847%	150.40	1.81%	2.661%	1.33028%	\$ 2,180.15	\$ 2,084.48	\$ 95.67	5.60%
4017002000	576 578 582 NORTH MAIN STREET LLC	576 N MAIN ST	\$ 88,200	0.146%	30.00	0.36%	0.507%	0.25374%	\$ 420.00	\$ 463.64	\$ (43.64)	-9.41%
0700500000	HOOPMAN & CO DOWNTOWN LLC	579 N MAIN ST	\$ 227,100	0.375%	39.60	0.47%	0.853%	0.42642%	\$ 698.84	\$ 662.46	\$ 36.38	5.49%
4017001000	576 578 582 NORTH MAIN STREET LLC	582 N MAIN ST	\$ 88,200	0.146%	45.21	0.54%	0.691%	0.34542%	\$ 566.10	\$ 463.64	\$ 102.46	22.10%
4017100000	ALFRED J/BONNIE M/JEFFREY J VERNER	584 N MAIN ST	\$ 88,700	0.147%	45.00	0.54%	0.689%	0.34457%	\$ 564.70	\$ 534.25	\$ 30.45	5.70%
0100170000	M & L CENTRAL STATE BANK	N MAIN ST	\$ 71,000	0.117%	88.90	1.07%	1.189%	0.59455%	\$ 974.39	\$ 920.95	\$ 53.44	5.80%
0401600000	FOX RIVER DEVELOPMENT CO/BRICKHOUSE PROP	N MAIN ST	\$ 47,800	0.079%	60.80	0.73%	0.812%	0.40600%	\$ 665.38	\$ 628.87	\$ 36.51	5.81%
07002120000	WAYNE R LAGER	17 E PARKWAY AVE	\$ 82,600	0.137%	120.00	1.47%	1.583%	0.79161%	\$ 1,297.34	\$ 1,226.04	\$ 71.30	5.82%
0700640000	VALLEY MARKETING PROPERTIES LLC	11 W PARKWAY AVE	\$ 77,800	0.129%	87.50	1.05%	1.188%	0.59174%	\$ 969.78	\$ 916.66	\$ 53.12	5.79%
0100810000	BMO HARRIS BANK NA	50 PEARL AVE	\$ 1,100,000	1.818%	245.00	2.95%	4.772%	2.38604%	\$ 3,910.39	\$ 3,704.94	\$ 205.45	5.55%
0100640000	CITY CENTER ASSOCIATES LLC	201 PEARL AVE	\$ 11,351,400	18.766%	892.18	10.75%	29.521%	14.7609%	\$ 8,400.00	\$ 8,000.00	\$ 400.00	5.00%
0100770000	ANNE B HILLENBRAND TRUSTEE	222 PEARL AVE	\$ 145,900	0.241%	40.00	0.48%	0.723%	0.36171%	\$ 592.79	\$ 561.41	\$ 31.38	5.59%
0101180000	OSHKOSH COMMUNITY CREDIT UNION	250 PEARL AVE	\$ 242,700	0.401%	173.70	2.09%	2.495%	1.24763%	\$ 2,044.70	\$ 1,933.58	\$ 1,111.12	5.75%
0800350000	STATE STREET SUITES LLC	126 STATE ST	\$ 454,500	0.751%	168.50	2.03%	2.788%	1.39136%	\$ 2,880.24	\$ 2,158.37	\$ 721.87	5.65%
0200240000	WINNEBAGO COUNTY	206 STATE ST	\$ 339,400	0.561%	80.00	0.96%	1.526%	0.76276%	\$ 1,250.06	\$ 1,184.25	\$ 65.81	5.56%
0200230000	OSHKOSH MARTIAL EDUCATION CENTER LLC	208 STATE ST	\$ 322,600	0.533%	80.00	0.96%	1.498%	0.74888%	\$ 1,227.31	\$ 1,162.57	\$ 64.74	5.57%
0200280000	OSHKOSH BUSINESS CENTER III LLC	216 STATE ST	\$ 127,200	0.210%	54.00	0.65%	0.861%	0.43064%	\$ 705.76	\$ 686.60	\$ 19.16	2.79%
0200080000	S BAYER HOLDINGS LLC	219 STATE ST	\$ 220,000	0.344%	47.90	0.57%	0.941%	0.47058%	\$ 771.21	\$ 730.73	\$ 40.48	5.54%
0200200000	OSHKOSH BUSINESS CENTER III LLC	224 STATE ST	\$ 272,800	0.451%	75.20	0.90%	1.358%	0.67878%	\$ 1,112.43	\$ 1,067.47	\$ 44.96	4.21%
0200640000	HARRY E/PRISCILLA KIECKHAER REV TRUST	300 STATE ST	\$ 204,900	0.339%	40.00	0.48%	0.821%	0.41048%	\$ 672.72	\$ 637.54	\$ 35.18	5.52%
0401030000	404 N MAIN ST LLC	100 WASHINGTON AVE	\$ 284,600	0.470%	97.00	1.19%	1.640%	0.81994%	\$ 1,343.77	\$ 1,272.13	\$ 71.64	5.63%
0200880000	DISCOVERY PROPERTIES LLC	105 WASHINGTON AVE	\$ 1,881,600	3.111%	120.00	1.44%	4.557%	2.27862%	\$ 3,734.35	\$ 3,122.07	\$ 612.28	19.61%
0200110000	REIMER SNIDER PROPERTIES LLC	9 WAUGOO AVE	\$ 75,700	0.125%	34.50	0.41%	0.541%	0.27053%	\$ 443.36	\$ 419.52	\$ 23.84	5.68%
0200100000	ARMSTRONG REAL ESTATE GROUP LLC	13 WAUGOO AVE	\$ 130,300	0.215%	20.50	0.24%	0.463%	0.23127%	\$ 420.00	\$ 400.00	\$ 20.00	5.00%
0200090000	ARMSTRONG REAL ESTATE GROUP LLC	WAUGOO AVE	\$ 10,400	0.017%	34.50	0.41%	0.433%	0.21455%	\$ 420.00	\$ 400.00	\$ 20.00	5.00%
0200140000	DEBRA J TOMANI/SANDRA PRUNTY	17 WAUGOO AVE	\$ 48,700	0.081%	20.00	0.24%	0.322%	0.16081%	\$ 420.00	\$ 400.00	\$ 20.00	5.00%
0200150000	SANDRA L PRUNTY	19 WAUGOO AVE	\$ 104,800	0.173%	40.00	0.48%	0.655%	0.32774%	\$ 537.11	\$ 508.38	\$ 28.73	5.65%
0200170000	JACOPA INC	25 WAUGOO AVE	\$ 65,400	0.108%	20.00	0.24%	0.349%	0.17461%	\$ 420.00	\$ 400.00	\$ 20.00	5.00%
0200160000	JACOPA INC	WAUGOO AVE	\$ 6,700	0.011%	24.00	0.28%	0.300%	0.15020%	\$ 420.00	\$ 400.00	\$ 20.00	5.00%
	TOTALS		\$ 60,494,300	100.000%	8294.96	100.000%	200.000%	100.000000%	\$ 140,610.00	\$ 132,860.00	\$ 7,750.00	5.83%

*Rate of \$1,638,865 used to calculate assessments for properties with a Proportionate Value between 0.259% and 4.821% (Rate multiplied by the Proportionate Value = Assessment).

APPENDIX C

66.1109 Business improvement districts.

(1) In this section:

66.1109(1)(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 subs. 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 percent 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 percent 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.

(2m) A municipality may annex territory to an existing business improvement district if all of the following are met:

(a) An owner of real property used for commercial purposes and located in the territory proposed to be annexed has petitioned the municipality for annexation.

(b) The planning commission has approved the annexation.

(c) At least 30 days before annexation of the territory, the planning commission has held a public hearing on the proposed annexation. 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 a detail map showing the boundaries of the territory proposed to be annexed to the business improvement district shall be sent by certified mail to all owners of real property within the territory proposed to be annexed. The notice shall state the boundaries of the territory proposed to be annexed.

(d) Within 30 days after the hearing under par. (c), the owners of property in the territory to be annexed that would be assessed under the operating plan having a valuation equal to more than 40 percent of the valuation of all property in the territory to be annexed that would be assessed under the operating plan, using the method of valuation specified in the operating plan, or the owners of property in the territory to be annexed that would be assessed under the operating plan having an assessed valuation equal to more than 40 percent of the assessed valuation of all property in the territory to be annexed that would be assessed under the operating plan, have not filed a petition with the planning commission protesting the annexation.

(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 one of the following:

1. If the cash balance in the segregated account described under sub. (4) equaled or exceeded \$300,000 at any time during the period covered by the report, the municipality shall obtain an independent certified audit of the implementation of the operating plan.
2. If the cash balance in the segregated account described under sub. (4) was less than \$300,000 at all times during the period covered by the report, the municipality shall obtain a reviewed financial statement for the most recently completed fiscal year. The statement shall be prepared in accordance with generally accepted accounting principles and include a review of the financial statement by an independent certified public accountant.

(cg) For calendar years beginning after December 31, 2018, the dollar amount at which a municipality is required to obtain an independent certified audit under par. (c) 1. and the dollar amount at which a municipality is required to obtain a reviewed financial statement under par. (c) 2. shall be increased each year by a percentage equal to the percentage change between the U.S. consumer price index for all urban consumers, U.S. city average, for the month of August of the previous year and the U.S. consumer price index for all urban consumers, U.S. city average, for the month of August 2017, as determined by the federal department of labor. Each amount that is revised under this paragraph shall be rounded to the nearest multiple of \$10 if the revised amount is not a multiple of \$10 or, if the revised amount is a multiple of \$5, such an amount shall be increased to the next higher multiple of \$10.

(cr) The municipality shall obtain an additional independent certified audit of the implementation of the operating plan 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 and reviewed financial statements 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.

(4g) A municipality may convert a business improvement district under this section into a neighborhood improvement district under s. 66.1110 if an owner of real property that is subject to general real estate taxes, that is used exclusively for residential purposes, and that is located in the business improvement district petitions the municipality for the conversion. If the municipality approves the petition, the board shall consider and may make changes to the operating plan under s. 66.1110 (4) (b).

(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 percent 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 percent 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 percent 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 percent 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.

(d) If real property that is specially assessed as authorized under this section is of mixed use such that part of the real property is exempted from general property taxes under s. 70.11 or is residential, or both, and part of the real property is taxable, the municipality may specially assess as authorized under this section only the percentage of the real property that is not tax-exempt or residential. This paragraph applies only to a 1st class city.

History: 1983 a. 184; 1989 a. 56 s. 258; 1999 a. 150 s. 539; Stats. 1999 s. 66.1109; 2001 a. 85; 2017 a. 59, 70, 189.

APPENDIX D

Legal Opinion



APPENDIX E

Downtown Oshkosh Business Improvement District Board Members

Board Member	Category	Term Expires
Marlo Ambas	Owner/Occupant	6/1/2021
Chanda Anderson	Non-Owner/Occupant	6/1/2021
Megan Lang, Chair	Owner/Non-Occupant	6/1/2019
Kris Larson, Vice Chair	Owner/Occupant or Non-Owner/Occupant	6/1/2019
Ben Rennert	Non-Owner/Occupant	6/1/2020
Sandy Prunty	Owner/Occupant	6/1/2019
David Krumplitsch	Non-Owner/Occupant	6/1/2020
David Sparr	Owner/Occupant	6/120/20
James Stapel	Owner/Non-Occupant or Owner/Occupant	6/1/2020
Kay Bahr	Non-Owner/Occupant	6/1/2021
Andy Ratchman	Non-Owner/Occupant	6/1/2021
James Evans	Owner/Occupant	6/1/2020
TBD	TBD	6/1/2020
TBD	Alternate #1	6/1/2021
TBD	Alternate #2	6/1/2022