



# Business Improvement District Board

335 South Broadway  
De Pere, WI 54115  
<https://www.deperewi.gov/>

Regular Meeting

**Revised Agenda**

Tuesday, December 14, 2021

9:00 AM

Council Chambers and Virtual

Pursuant to Wisconsin Statutes 19.84, Notice is hereby given to the public that a meeting of the **Business Improvement District Board** of the City of De Pere will be held on **December 14, 2021** at **9:00 AM** in the **COUNCIL CHAMBERS, 2ND FLOOR CITY HALL, 335 S. BROADWAY STREET. DE PERE.**

**The public may attend the meeting either in person in the Council Chambers or electronically/telephonically. Electronic or telephonic access to the meeting is provided below:**

Computer/smart phone accessing <https://www.gotomeet.me/DePere>

OR

You can also dial in using your phone.  
United States (Toll Free): [1 866 899 4679](tel:18668994679)  
United States: [+1 \(312\) 757-3117](tel:+13127573117)  
Access Code: 154-883-285

*This meeting may also be rebroadcast on Spectrum Cable Channel 4 and AT&T U-verse Channel 99 throughout the week and available on demand at <http://deperewi.com/>.*

## Call to Order

1. Roll Call
2. Approval of the minutes of the November 30, 2021 Business Improvement District Board Meeting.
3. Public comments upon matters not on the agenda.
4. Consideration and possible action regarding the 2022 BID Operating Plan. \*
5. Review Definitely De Pere 2020 Annual Report and Financial Statement.

## Adjournment

Any person wishing to attend this meeting, who, because of disability, requires special accommodations should contact the City Planner's office at 339-4043 by noon the day before the meeting so that arrangements can be made.

\*Items with an asterisk require City Council approval

### Agenda Sent To:

Alderspersons  
City Administrator  
Mayor  
Department Heads  
TV, Newspapers & Radio Stations  
Kress Family Library  
De Pere Chamber of Commerce



City of De Pere, Wisconsin

**Request For Business Improvement District Board Action**

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**MEETING DATE:** December 14, 2021

**DEPARTMENT:** Planning

**FROM:** Kelly Barker

**SUBJECT:** Approval of the minutes of the November 30, 2021 Business Improvement District Board Meeting.

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**ATTACHMENTS:**

- BID\_Nov2021\_Minutes\_Draft (PDF)



# Business Improvement District Board

335 South Broadway  
De Pere, WI 54115  
<https://www.deperewi.gov/>

## Regular Meeting

### Draft Minutes

Tuesday, November 30, 2021

10:00 AM

Council Chambers and Virtual

#### I. Call to Order

The meeting was called to order at 10:00 AM by Chair Tom Gavic

Attendee Name	Title	Status	Arrived
Mary Boyd	Board Member	Present	
Lawrence M. Delo	City Administrator	Present	
Brent Felchlin	Board Member	Present	
Tom Gavic	Chair	Present	
Paul Olejniczak	Board Member	Present	
Angela Patel	Board Member	Present	
Rich Starry	Vice Chair/Treasurer	Present	

Also in attendance: Development Services Director Daniel Lindstrom and Definitely De Pere Executive Director Tina Quigley.

- Approval of the minutes of the December 22, 2020 Business Improvement District Board Meeting

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Lawrence M. Delo, City Administrator
<b>SECONDER:</b>	Brent Felchlin, Board Member
<b>AYES:</b>	Boyd, Delo, Felchlin, Gavic, Olejniczak, Patel, Starry

- Public comments upon matters not on the agenda.

There were no public comments.

<b>RESULT:</b>	<b>DISCUSSED</b>
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- Annual Election of Officers

Development Services Director Daniel Lindstrom clarified that the current terms are still active until April 2022. So the following positions will remain in effect:

- Tom Gavic - Chair
- Rich Starry - Vice Chair
- Larry Delo - Secretary

<b>RESULT:</b>	<b>NO ACTION</b>
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- Review of Definitely De Pere Economic Development Committee – Business Recruitment and Retention Survey Recommendations Report

Definitely De Pere Executive Director Tina Quigley reviewed the results of the Business Recruitment Retention Survey. She explained that the Enhancement Committee's main objectives of the survey were to help prioritize goals for recruitment and retention of businesses. It was prepared for both property owners and business owners. The response rate goal was 40% and the actual response rate was 46%. The breakdown was 52% from the east side and 42% from the west side. She reviewed the questions that were asked in the survey. The top two priorities indicated by businesses was marketing and business recruitment. Tina commented that a similar survey is planned to go out to De Pere residents in the future, which will help the BID and Definitely De Pere know what the

customer wants in the downtown as well. Development Services Director Daniel Lindstrom added that it is also important to work with the surrounding community organizations since residents in those areas also visit De Pere.

**RESULT: DISCUSSED**

6. Review Draft 2022 BID Operating Plan & Assessment Discussion

Development Services Director Daniel Lindstrom reviewed the draft 2022 BID Operating Plan. He stated that 2021 priorities mainly included recruitment and retention efforts. He added that these efforts would be ongoing for 2022 as well. He referred to page 5 of the plan, which lists 16 priority projects for 2022. Tom Gavic stated that it is important for the BID Board to reach out directly to business and property owners rather than from the City or Definitely De Pere. He would like to get contact information (email addresses) from at least 50% of the members of the BID. Tina Quigley stated that the BID should look at possibly coming up with a top 5 priorities since the list is so long and not everything can be accomplished.

**RESULT: DISCUSSED**

Adjournment

Before adjournment, Tom Gavic requested that the BID develop a website portal which would list all the BID Board members and have a link to the BID Operating Plan. Larry Delo moved, seconded by Paul Olejniczak, to adjourn the meeting at 11:20 AM. Upon vote, motion carried unanimously.

Respectfully submitted,  
Kelly Barker



City of De Pere, Wisconsin

**Request For Business Improvement District Board Action**

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**MEETING DATE:** December 14, 2021

**DEPARTMENT:** Planning

**FROM:** Kelly Barker

**SUBJECT:** Public comments upon matters not on the agenda.

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City of De Pere, Wisconsin

**Request For Business Improvement District Board Action**

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**MEETING DATE:** December 14, 2021

**DEPARTMENT:** Economic Development

**FROM:** Daniel Lindstrom

**SUBJECT:** Consideration and possible action regarding the 2022 BID Operating Plan. \*

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**ATTACHMENTS:**

- BID\_OperatingPlan\_2022 Final Draft (PDF)

# DRAFT

## De Pere Business Improvement District 2022 Operating Plan (Year Eight)



**December 2021**

Approved by De Pere Business Improvement District: **TBD**  
Approved by De Pere Common Council: **TBD**



**The 2022 Business Improvement District (BID) Plan was prepared by the City of De Pere in collaboration with the BID Board and Definitely De Pere**

BID Board Members

Tom Gavic - Chairperson (term expires 2024)  
Rich Starry – Vice Chairperson (term expires 2024)  
Larry Delo – Secretary (term expires 2022)  
Mary Boyd (term expires 2024)  
Brent Felchlin (term expires 2025)  
Paul Olejniczak (term expires 2022)  
Angela Patel (term expires 2025)

Definitely De Pere

Tina Quigley – Executive Director  
Rob Zerjav – Board President  
Kendall Tilkens, Marketing & Events Coordinator

City of De Pere

Daniel Lindstrom - Development Services Director  
Bill Boyle – GIS Manager/Project Manager

**DE PERE  
BUSINESS IMPROVEMENT DISTRICT OPERATING PLAN  
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## I. Introduction

Wisconsin Act 184, signed into law in 1984, gives Wisconsin municipalities the authority to create Business Improvement Districts (BIDs) within their communities. To do so, at least one property owner within the proposed district must petition the City to create a BID. The State Legislature created Wis. Stats. §66.1109 (the "BID Law") to provide a way for business properties within an established district to authorize voluntary assessments. The assessment funds are to be used for programs aimed at promoting developing, redeveloping, managing, and maintaining that district. There are currently approximately 85 active BID's in the State of Wisconsin across 45 different communities.

Business Improvement Districts are quite similar to traditional special assessments where property owners are assessed for improvements or services that benefit them. Unlike traditional assessments, Business Improvement District assessments can be used to finance a wide range of activities, services, and improvements. Primarily BIDs have been used to attract merchants and business owners that in turn attract more customer traffic downtown. Some BIDs in Wisconsin have funded physical improvements like lighting or parking; others have funded promotional and marketing materials and events. The Operating Plan for each BID directs the use of funds and identifies projects, priority areas, etc.

### A. Purpose and History of the BID

The property owners who were involved in the creation of the BID hoped to accomplish the goals and ideas presented in the De Pere Downtown Master Plan, Cultural District Master Plan, Comprehensive Plan, Historic Preservation Plan, West Side Vision Plan (pending) and the updated Comprehensive Plan, herein referred to as "Long Range Plans". The original De Pere Business Improvement District Operating Plan had been developed by De Pere BID proponents and the City of De Pere. This BID Operating Plan and future plans will be developed by the BID Board, the City of De Pere, and Downtown De Pere, Inc. (also known as Definitely De Pere and listed throughout this document as Definitely De Pere), along with input and discussion from the membership.

The BID Board, through the development of this Operating Plan, has coordinated with Definitely De Pere and the membership for the work described in this plan. Definitely De Pere and the BID provide for a system that has shared long-term goals, and results, that will benefit both the BID District and the City of De Pere.

As used herein, "DBID Operating Plan" shall refer to the De Pere Business Improvement District Operating Plan, and "District" shall refer to the properties located within the physical boundaries of the Business Improvement District, as provided herein in Appendix B.

The De Pere BID was created to:

1. Allow for private property owners to work together in conjunction with the City to develop the District.
2. Enhance existing public funding sources to continue to maintain and promote the District. The BID also empowers future investments generated through private resources in addition to existing public dollars.
3. Provide for an equitable and fair mechanism for funding initiatives that will benefit all business and property owners in the District.
4. Ensure the District will be preserved and will improve the social and economic environment of the District. This is a mechanism to bring together funding initiatives that will fulfill District improvement projects identified in the Long Range Plans.

Use of a BID to develop the District was anticipated to work as follows:

1. The BID was created by the Common Council of the City of De Pere.
2. An operating Board (BID Board), comprised mostly of property owners within the District, has all powers necessary to implement the DBID Operating Plan.
3. The City collects BID assessments from District property owners following the approved assessment formula.
4. Assessment collections are turned over to the BID Board for distribution in accordance with the DBID Operating Plan by the 15<sup>th</sup> day of the month following such collection.

The Original De Pere BID (established in 2014) included 221 parcels with a total BID value over \$68,209,900. The boundaries include parcels in West and East De Pere's Downtown Business District. Out of the 221 parcels, 76 were tax-exempt or were used for residential purposes. The BID value of the remaining 145 parcels was assessed at \$1.75 for every \$1,000.00 in total value of the parcel.

## II. Development Plans

The objective of the BID is to preserve and improve the social, economic and physical environment in the District, bring together appropriate partnerships of people, organizations and funds, and to evaluate and implement District development projects identified by businesses and building owners in the Long Range Plans. This section of the Plan shall be the De Pere BID Operating Plan for 2022.

The BID plan works towards creating Plan Objectives, Activities, and Benefits that are measurable. As each year of the BID evolves so must the Objectives, Activities, and Benefits of the plan to find ways to measure success.

### A. Plan Objectives

Goals for the District Development as identified by local businesses, building owners, and residents in the Long Range Plans..

1. **Make the downtown a destination** by efforts to attract more residents and visitors and increase vitality, while preserving the existing charm and character.
2. **Support business and private investment** by providing business support and mentorship, organized events, and a current business directory.
3. **Capitalize on key business niches** and promote growth trending clusters in appropriate locations to increase foot traffic and highlight different experiences and sub-districts within the Downtown.
4. **Add life to the District** through expanded creative placemaking efforts, public art, special events, and cultural offerings.
5. **Increase public realm investment and improvement** to create unique and high-quality spaces that provide linkages and outdoor rooms within the Downtown, providing space for enjoyment and organized events.
6. **Promote walkability and bikeability as integral transportation modes** through education efforts, outreach programs with partner organizations, infrastructure investment, and events/programming.

7. **Create New Neighborhoods in the Downtown** Help to brand distinct neighborhoods in the District based on existing assets and future vision. Support development and redevelopment of a range of different housing products.
8. **Support Growth and Redevelopment** in alignment with the Long Range Plans without losing the authentic existing character. Balance growth with change, including parking and traffic needs.

**B. Proposed Activities**

General activities consistent with the above objectives include:

1. Continue to promote historic buildings in the District, by facilitating façade rehabilitation projects and educating property owners on available federal and state historic tax credits for building preservation.
2. Provide insight on and recommendations on design guidelines and zoning codes that will facilitate appropriate new development while maintaining the desired aesthetic and sense of place for Downtown De Pere.
3. Build and maintain a Downtown business database to be used as a resource to facilitate conversations between building owners and prospective tenants and buyers and sellers. Work with the City to market appropriate redevelopment properties.
4. Promote community engagement and networking opportunities by increasing volunteer participation from BID and community members.
5. Continue participation in the creation of a West Downtown Vision plan that will provide complimentary recommendations to pair with the Cultural District Master Plan.
6. Support the City in developing more pedestrian and bicycle-friendly roadways, crosswalks, and parking options to emphasize walking and biking as an integral transportation mode.
7. Promote business assistance programs, such as the locally administered Façade Grant Program, through continuous education efforts with both new and existing businesses via the development of a Downtown Resource Guide.
8. Support future infrastructure projects and continue to promote pedestrian and bicycle facilities and stormwater management, consistent with ideas presented in the Long Range Plans.
9. Explore different ways to effectively market and promote the Downtown. Support the growth of different districts, each with its unique assets and character to enhance vibrancy and vitality.
10. Work to promote beautification and art-related projects to add to the District. Extend the success of the Public Art program into other areas with other forms of art.
11. Work with the city to pursue redevelopment projects within the District to promote growth. Consider encouraging cluster areas of certain business types to enhance walkability.
12. Maximize communication opportunities (press, newsletter, social media, etc.) to drive traffic into Downtown businesses and raise the visibility of events. Support the creation/development of a community-wide calendar that would serve as the primary resource for De Pere news and activities.
13. Work with the City to develop maintenance practices for the District, in which both parties have an understanding of expectations and responsibilities relating to the maintenance of the District, such as sidewalk snow removal, landscape maintenance, and garbage/recycling removal.

14. Develop and implement a plan and budget for the coming year and beyond for the District based on the financial expectations from assessments and its priority of needs, and the City's planned improvements during the same period.
15. Implement enhancements and programming as determined appropriate from the Long Range Plans.
16. Take all further action needed to carry out the general purposes of this DBID Operating Plan as are allowed by BID law.

**C. 2022 Priority Projects**

1. Extend assistance to businesses as they continue to face hardships due to COVID-19 through additional marketing and funding opportunities.
2. Research and study De Pere BID annual assessments compared to other similar communities in Wisconsin. The comparison should be in communities of similar size, similar characteristics, and/or in this region.
3. Establish a strategic business retention and expansion program that considers market demand and complements the existing business.
4. Establish a strategic business recruitment program that considers market demand and complements the existing business.
5. Establish biannual building/landowners meetings/listening sessions (March/September).
6. Establish biannual business owner meetings/listening sessions (February/August).
7. Conduct building/property owners outreach to establish a data base for communications.
8. Research, study, and present to the BID Board and Common Council the findings of the updated economic impact of the Mulva Cultural Center.
9. Work with the City to evaluate parking needs of existing and new development.
10. Work with the City to pursue the redevelopment of 123 N Broadway into a mixed-use project.
11. Coordinate with the City of De Pere to conduct an annual meeting.
12. Work with the City to pursue the redevelopment of 360 Main Avenue into a mixed-use project.
13. Support plans to occupy or redevelop the Shopko Property.
14. Work with the City to complete the Zoning Code update, Comprehensive Plan update, and the West Downtown Vision Plan.
15. Public Realm Development
  - a. Activate the Michael J Walsh Plaza by programming special events and activities to encourage community gatherings.
  - b. Evaluate the Parklet/Pedlet policy with DOT policies to determine if it is a viable option for Downtown De Pere.
  - c. Identify future project timelines and strategies to move forward with other concepts identified in the downtown master plans.
  - d. Work with private land owners to encourage and secure façade grants and mural opportunities along the south face of the 400 Block of Main Ave to coincide with the development of the Cobblestone Hotel at 499 Main Ave.

16. Continue implementing new and innovative public art projects.
17. Continue to focus on creating a more pedestrian inviting environment through enhanced streetscape projects.
18. Enhance current events and develop a plan to add new ones to bring more people downtown throughout the year.
19. Brand and market downtown De Pere as a destination to the surrounding community and region.
20. Highlight downtown's historical and cultural assets through activities such as walking tours and special events.

#### **D. Benefits of the BID**

Money collected by the BID under this DBID Operating Plan will be spent within the District or for the benefit of the District, and used to:

1. Help the District property owners secure and retain tenants by:
  - a. Promotion of coordinated and collaborative partnerships between the District stakeholders, which includes business and property owners.
  - b. Assisting property owners and tenants in the District in dealing and/or partnering with City Government through consultation and formal and informal interaction with City staff and officials.
  - c. Assisting property owners in retaining existing tenants by providing programs and services that help businesses to thrive. Implement in conjunction with the City, projects identified in the Long Range Plans that will improve tenant retention.
  - d. Assisting property owners in recruiting new businesses to the District and reducing new vacancies.
  - e. Assisting property owners in rehabilitating second-floor rental units to generate additional cash flow for properties.
  - f. Implementing in conjunction with the City, projects identified in the Long Range Plans that will improve tenant retention.
2. Help increase the value of property in the District by:
  - a. Continuing to improve the perceived and actual image of the District.
  - b. Investigating and facilitating enhancements to buildings in the District by business and property owners.
  - c. Increasing the demand for space by new businesses that wish to locate in the District.
3. Help tenants and existing businesses in the District become stronger by:
  - a. Conducting successful traffic building community events.
  - b. Conducting successful retail and hospitality events.
  - c. Enhancing the relationship between St. Norbert College and downtown.

### **III. Measures of Success**

The success of the BID is determined by the level of satisfaction of those who create it and who controls the BID, as well as the level of customer satisfaction. This information can be attained through various surveys and

questionnaires. A thorough review of qualitative and quantitative data concerning the BID occurred in year 3 (2018). That review should be updated periodically and provided to the BID Board for review at their strategic planning meeting.

In addition to the evidence suggested above, the following measures will be established and evaluated as quantifiable measures of success:

- 1. The Long Range Plans contain steps for both the public and private sectors. Many of these actions are identified in this DBID Operating Plan. The accomplishment of these objectives will indicate one measure of success for the BID.
- 2. Commercial facilitation is a measure that can easily be quantified as the number of businesses, both existing and new, that receive help, either financial or advocacy services by the BID.
- 3. Another way to measure BID success is by the growth in value of private property in the District. Quantifiable valuation measures are calculated annually to measure success over time.
- 4. A final way to track success is through occupancy rates and business inventory. The 2010 business inventory and occupancy rates can be used as a baseline to evaluate and make changes for the following years.

**A. Proposed Expenditures of the BID**

Expenditure details are listed in Appendix A. 2022 BID Expenditures include the following:

- 1. Contract with Definitely De Pere - \$82,304.50
- 2. City of De Pere Administrative Costs -\$1,000.00

**B. Budget**

The 2022 De Pere BID includes 217 parcels with a total BID value of \$82,438,700.00 (\$65,994,300.00 value for assessable properties). The value reduced by \$2,500,000 due to recent sales and demolitions. Out of the 217 parcels, 75 are tax-exempt or are used for residential purposes. Out of the remaining 142, the BID assessment proposed to remain the same as the 2021 BID Plan and is assessed at \$1.75 for every \$1,000 in total value of the parcel, with no combined ownership to have an assessment of more than \$ 1,950 or less than \$275.

A map of the district boundaries is attached as Appendix B, and information for each parcel classification is listed in Appendix C. Funds collected through BID assessments shall be used to pay for this BID Operating Plan in order to implement a sustainable Business Improvement District for the City of De Pere.

Estimated 2022 Assessment Income (from 2021 assessments):	\$83,304.50.
Reduced from \$84,437.98 in 2021.	

2022 Expenses

1. Contract with Definitely De Pere:	\$82,304.50
2. City of De Pere Administrative Costs:	<u>\$1,000.00</u>
Total:	\$83,304.50

The BID does not have independently paid staff, and will use City of De Pere staff and contract with Definitely De Pere for such services. The City of De Pere provides staff support to update the assessment numbers and operating plan, and administer the BID meetings.

Estimated expenditures for Definitely De Pere and the City of De Pere are shown in Appendix A. Any unused funds remaining at the end of the year shall be deposited into contingency funds or designated for specific uses in the following DBID Operating Plan year. All physical improvements made with these funds shall be made in the District. The location of other expenditures shall be as determined by the BID Board, but shall be for the benefit of the District.

A Capital Reserve Account may be created to set aside a specific amount of the District's assessment or reserve. This account would be for long term capital needs and projects that may require extraordinary funding during a given budget year.

### **Annual Review**

The BID law requires that the De Pere BID Operating Plan be presented annually to De Pere's Common Council for approval. To comply with the Wis. Stats., § 66.1109 (3) (b), the following process for the approval of the annual BID Operating Plan will be as follows:

1. A joint strategy session of representatives from the BID Board and the City will meet annually and will be responsible for developing the objectives of the BID Operating Plan for the next plan year.
2. The BID Board will review the proposed BID Operating Plan and make recommendations to the Common Council.
3. The Common Council will act on the proposed BID Operating Plan for the following plan year.
4. Appointment of new BID Board members will be made 30 days before the expiration of outgoing BID Board members' terms. This appointment is made by the Mayor and approved by the Common Council.

It is anticipated that the BID Board will continue to revise and develop the DBID Operating Plan annually in response to changing development needs and opportunities in the District. As a part of this review, the BID Board will analyze the benefits of the BID to the property owners and the community and based on this analysis, determine if it is appropriate to continue the BID.

The method of assessment shall not be altered unless a meeting of all District property owners assessed under the BID has been held to discuss such changes, except with the approval of the City of De Pere Common Council. This special meeting will be published as a Class 2 Notice, a copy of which will be mailed to each property owner in the District.

### **C. Relationship to Plans for Orderly Development of the City**

According to Wisconsin Statutes §66.1109 (1)(f)(4), the DBID Operating Plan is required to specify how the creation of a BID promotes the orderly development of the City. The BID will encourage commerce and increase business activity in the District. Orderly development is consistent with the Long Range Plans and will promote the orderly development of the City in general and the District in particular.

### **D. Powers**

It is intended that the BID Board shall have all powers authorized by law and this DBID Operating Plan, including, but not limited to, the following powers:

1. To manage the affairs of the District.
2. To promote new investment and appreciation in the value of existing investments in the District.
3. To contract on behalf of the BID when necessary to implement the DBID Operating Plan.
4. To develop, advertise, and promote the existing and potential benefits of the District.
5. To acquire, improve, lease, and sell properties in the District and otherwise deal in real estate.
6. To annually consider and make changes to the DBID Operating Plan.
7. To undertake on its own account, public improvements and/or assist in development underwriting or guaranteeing public improvements in the District.
8. To apply for, accept, and use grants and gifts for these purposes.
9. To elect officers and contract out work as necessary to achieve its goals.

10. To add to the security of the District.

#### **E. Public Review Process**

Wis. Stats. §1109(3) provides ample opportunities for public oversight of the BID, including:

1. The BID Board is subject to the Open Meetings Law (Wis. Stats. §19.84), requiring all meetings of the Board to be preceded by a public meeting notice and to be open to the public;
2. The BID Board must annually submit proposed changes to the Operating Plan to the Common Council for approval;
3. Any change to the special assessment method procedure requires the approval of the Common Council; and
4. The BID Board must provide an annual report of expenses and revenues.

#### **IV. District Boundaries**

The District is defined by the current configuration of tax parcels listed in Appendix C-1, and shown in map form in Appendix B. The District is generally bounded by Franklin St. in East De Pere, to N. Ontario St., to Lewis St., across the Claude Allouez Bridge to West De Pere bordered by Main Ave., to Fort Howard Ave., to Grant Street, and lastly to Third St. (St. Norbert College Campus). The District includes 141 taxable parcels subject to BID assessment, according to the Assessor's Records as of January 1, 2021. Parcels that are not taxable or are used for residential purposes have been excluded from this number, even as they fall within the boundaries.

#### **V. BID Organization and Operating Board**

Under the adopted By-Laws of the BID, the owners of real estate within the District will recommend members to serve on the BID Board to the Mayor and the Mayor shall appoint Board members from the names provided, whose appointment shall be subject to the approval of the Common Council. The By-Laws also require that over one-half of the BID Board members must be a property owner or operating business in the District and that appointments to the Board be made before the start of the plan year for which the DBID Operating Plan was adopted.

The Board's responsibility is to implement the current year's DBID Operating Plan and to contract for the carrying out of the DBID Operating Plan. The Board also must prepare an annual report and either a reviewed financial statement or audit (per State Statute requirements) and submit it to the Common Council. This will require the BID Board to negotiate with providers of services and materials to carry out the DBID Operating Plan; to enter into various contracts; to monitor development activity, and to ensure compliance with the provisions of applicable statutes and regulations.

The BID Board will operate under the provisions of the BID By-Laws adopted by the BID Board on July 17, 2015, and by the Common Council on September 1, 2015 - amended by the BID Board December 10, 2020 and the Common Council December 15, 2020. (See Appendix E for the adopted Bylaws).

## **VI. Financing Method**

The proposed expenditures outlined in the budget will be financed with funds collected from the BID assessment. It is estimated that in 2022, the BID will receive \$\$83,304.50 from the BID 2021 special assessment. Monies collected from the BID assessment will also be used to contract with Definitely De Pere following the DBID Operating Plan.

## **VII. Method of Assessment**

### **A. Assessed Parcels**

All taxable property used for commercial purposes, as well as those taxed by the state as manufacturing, in the District boundary, will be assessed. Properties used exclusively for residential purposes cannot be assessed under Wis. Stats. §66.1109(5). Mixed-use properties containing both commercial and residential will be fully assessed. Those that are used for commercial, as well as manufacturing, will be assessed. Finally, property exempt from paying real estate taxes or owned by government agencies may not be assessed under Wis. Stats. §66.1109(5).

### **B. Levy of Assessment**

Special assessments under this DBID Operating Plan will be levied, through the adoption of this DBID Operating Plan by the City of De Pere against each taxable property within the District, in the amount shown on the assessment schedule, which is attached in Appendix C.

The 2022 rates as shown in Appendix C were calculated at a rate of \$1.75 per \$1,000.00 of assessed value. Parcels are assessed by a legal entity (i.e., multiple parcels owned by one legal entity are used as a total). No legal entity is assessed more than \$1,950.00, and no less than \$275.00. Property values used to calculate the BID assessment represent the assessed value of real property, as certified by the City of De Pere Assessor, as of January 1, 2021. Assessments are based per parcel and legal ownership.

The logic behind the assessment methodology is that each non-exempt parcel owner should pay for district developments in proportion to benefits derived. It is assumed that a minimum and maximum benefit can be achieved for each parcel, thus the minimum and maximum BID assessments have been established.

### **C. Schedule of Assessments**

Appendix C provides a schedule of assessments for 2021 (to fund the 2022 Operating Plan) for all non-exempt parcels in the District based on the formula described above. For convenience, a schedule of all nontaxable parcels exempt from BID assessments are also identified as part of Appendix C.

### **D. Assessment Collection and Disbursal**

The City of De Pere will bill all non-exempt parcel owners the assessed amount in the same manner as other special assessments. The City shall then turn over all collected funds to the BID Board for distribution following the DBID Operating Plan.

The City of De Pere shall hold funds collected for BID assessments in a separate account.

The BID Board will prepare and make available to the public and Common Council annual reports describing the current status of the BID, including expenditures and revenues, when it submits its annual DBID Operating Plan to the City for the following year. Disbursement of BID funds will be made following

the approved DBID Operating Plan and budget. At the end of the fiscal year, an independent certified audit or reviewed financial statement shall be obtained by the BID Board.

This section shall be sufficient instruction to the City to disburse the BID assessment, without the necessity of an additional disbursement agreement, disbursement method, or accounting method. Disbursements made under this DBID Operating Plan shall be shown in the City's budget as a line item. Other than as specified herein, the disbursement procedures shall follow the standard City disbursement policy.

#### **E. Annual Report**

An annual report prepared by the BID Board is required by section 66.1109 (3) (c) of the Wisconsin Statutes. Definitely De Pere will prepare the annual report for operations in the District as well as obtain the required audit or reviewed financial statement. Definitely De Pere will provide copies of these reports to the City of De Pere for inclusion in the BID Operating Plan. The BID shall be responsible for the payment of any funds specified for the BID audit and related to BID activities for said BID audit and/or reviewed financial statement. State statute includes detail as related to the amount allocated for these items. The BID Board will continue to review, revise, and develop the DBID Operating Plan annually in response to changing development needs within the District.

### **VIII. City Role in District Operations**

The City of De Pere is committed to helping owners and occupants in the District promote the objectives outlined in this DBID Operating Plan while maintaining autonomy in the preparation of its annual budget. The City makes significant annual investments in the District for maintenance, upkeep, and infrastructure. The City will continue providing services, capital improvements, and funds for maintenance, the Facade Grant Program, and promoting economic development. The City of De Pere will also commit to the following:

1. Encourage County, State, and Federal Governments to support activities of the District.
2. Monitor, and when appropriate apply for, outside funds which could be used in support of the District.
3. Collect assessments and maintain a segregated account.
4. Provide disbursement of BID funds to service providers following the DBID Operating Plan and budget.
5. Obtain and review annual audits/reviewed financial statements as required per Section 66.1109 (3) (c).
6. Provide a financial statement to the BID Board.
7. Review annual audits/reviewed financial statements as required by Section 66.1109 (3) (e) of the BID Law.
8. Provide to the BID Board no later than September 1<sup>st</sup> each plan year, the official City records on assessed value for each tax parcel within the District as of that date in each DBID Operating Plan year, to calculate the BID assessment.
9. Adopt this DBID Operating Plan in the manner required by the BID Law.
10. Appoint and confirm new BID Board members as required by BID Law.
11. Provide Staff for the operation, facilitation, and support of the BID Board.

## IX. Required Statements

The BID Law requires that the DBID Operating Plan include specific statements:

1. *66.1109(1)(f)(1) The special assessment method applicable to the business improvement district. The special assessment method is set forth in Section VI.*
2. *66.1109(1)(f)(1m) Whether real property used exclusively for manufacturing purposes will be specially assessed. The District will contain property used exclusively for manufacturing purposes; it will contain properties used in part for manufacturing. These properties will be assessed according to the formula contained herein because it is assumed they will benefit from development in the District.*
3. *66.1109(1)(f)(2) The kind, number and location of all proposed expenditures within the business improvement district. The number and location of proposed expenditures is set forth in Section II.G.*
4. *66.1109(1)(f)(3) A description of the methods of financing all estimated expenditures and the time when related costs will be incurred. The method of financing the estimated expenditures is set forth in Section V.*
5. *66.1109 (1) (f) (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. Please refer to Section II. B, C and E.*
6. *66.1109 (1) (f) (5): A legal opinion that subds. 1. to 4. have been complied with. A legal opinion from the BID Attorney, indicating that the Operating Plan complies with all applicable provisions of Section 66.1109 (1) (f) (1-4) is attached as Appendix F.*

## X. Severability and Expansion

The Business Improvement District has been created under the authority of Section 66.1109 of the Statutes of the State of Wisconsin. Should any court find any portion of the BID Law or this DBID Operating Plan unconstitutional, it will not invalidate or terminate the BID. The DBID Operating Plan will be amended to conform to the law without the need of re-establishment. Should any legislature amend the statute to narrow or broaden the purposes of a BID to exclude or include as assessable properties a certain class or classes of properties, then this DBID Operating Plan may be amended by the Common Council of the City of De Pere when it conducts its annual budget approval, without any necessity to undertake any other act. If it is determined by a court or administrative body that a parcel of property is not subject to general real estate taxes and may not be included in the District, then such parcels shall be excluded from the definition of the District.

All of the above is specifically authorized under Wis. Stats. §66.1109(3)(b).

## APPENDIX A: 2022 Definitely De Pere Budget & City Administrative Costs

### City of De Pere Administrative Costs

In 2022, **\$1,000** of BID Assessment funds will be used to fund the City of De Pere administrative costs as outlined below. The dollar amount proposed for BID funds represents only a portion of costs incurred by the City.

Annual Meeting Mailing (printing and postage): \$150

City Staff Time: \$875 (this amount covers only a portion of the time needed to calculate the assessment data, administering the BID meetings, and updating the annual operating plan. Actual City staff costs are estimated at \$2,500)

#### Key Staff and Responsibilities

Administrative Staff (meeting agendas, meeting minutes, correspondence)

Development Services Director (BID operating plan, parcel & assessment data, correspondence, meeting memos)

GIS Coordinator/Project Manager (BID map, parcel & assessment data)

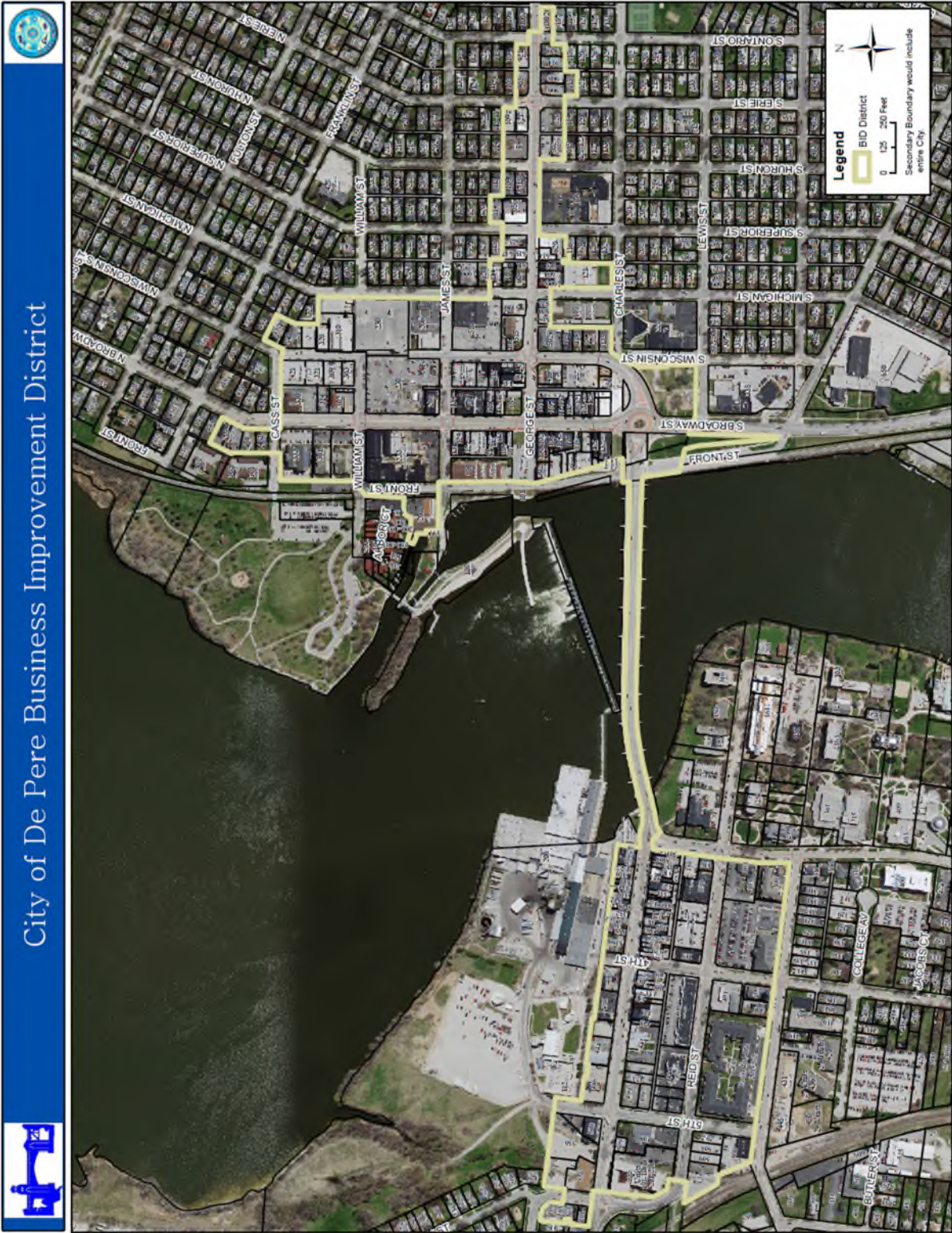
City Clerk (submittal of assessment data to the County)

City Attorney (statute review)

### Definitely De Pere Budget

In 2022, the BID Board will contract with Definitely De Pere in the amount of \$82,304.50 to implement the Operating Plan. The Definitely De Pere draft budget will be provided for review at the annual membership meeting.

APPENDIX B: BID District Boundary



City of De Pere Business Improvement District



### APPENDIX C: Properties in the District including Assessed and Exempt Properties

#	PARCEL ID	ADDRESS	PROPERTY OWNER	PROPERTY VALUE	BID PROPERTY VALUE	ASSESSMENT
1	ED-789	126 S BROADWAY ST	126 SOUTH BROADWAY LLC	\$199,000.00	\$199,000.00	348.25
2	ED-758-1	300 N BROADWAY ST BLK	301 NORTH BROADWAY LLC	\$1,141,100.00	\$1,141,100.00	\$973.59
3	ED-758	301 N BROADWAY ST	301 NORTH BROADWAY LLC	\$1,144,400.00	\$1,144,400.00	\$976.41
4	WD-908	313 MAIN AVE	313 MAIN IN DE PERE LLC	\$284,500.00	\$284,500.00	\$497.88
5	WD-372	334 MAIN AVE	A&K LONGBRANCH LLC	\$247,000.00	\$247,000.00	\$432.25
6	WD-1647	555 MAIN AVE 102	AARON P KEMPEN	\$129,200.00	\$0.00	\$0.00
7	WD-921	371 MAIN AVE	ABTS INVESTMENTS LLC	\$141,200.00	\$141,200.00	\$275.00
8	WD-931	116 THIRD ST	AJANGO PROPERTIES LLC	\$219,000.00	\$219,000.00	\$383.25
9	WD-1655	555 MAIN AVE 110	ANTERPREET SINGH	\$171,700.00	\$0.00	\$0.00
10	ED-886	206 N WISCONSIN ST	ASSOCIATED DEPERE BANK	\$1,222,200.00	\$1,222,200.00	\$1,950.00
11	ED 1089	905 GEORGE ST	BEACHWALKER EXPRESS LLC	\$220,600.00	\$220,600.00	\$386.05
12	ED-824	125 S BROADWAY ST	BEILKE LLC	\$354,400.00	\$354,400.00	\$620.20
13	ED-907	518 GEORGE ST	REILA NOVA LLC	\$299,500.00	\$299,500.00	\$524.13
14	ED-771	117 N BROADWAY ST	BELLE HOLDINGS LLC	\$186,400.00	\$186,400.00	\$326.20
15	WD-925	115 FOURTH ST	BLACK PUCK REALTY LLC	\$425,200.00	\$425,200.00	\$744.10
16	ED-816	416 GEORGE ST	BMG DEVELOPMENT LLC	\$398,000.00	\$398,000.00	\$696.50
17	ED-844	102 N BROADWAY ST	BROADWAY INVESTMENT PARTNERS LLC	\$4,555,800.00	\$4,555,800.00	\$1,950.00
18	ED-767	129 N BROADWAY ST	BROOKS TL HOLDINGS LLC	\$120,200.00	\$120,200.00	\$275.00
19	ED-756	333 N BROADWAY ST	BROWN COUNTY LIBRARY	\$0.00	\$0.00	\$0.00
20	WD-781	108 S FIFTH ST	CAPITAL CREDIT UNION	\$804,200.00	\$804,200.00	\$1,683.15
21	WD-279	509 MAIN AVE	CAPITAL CREDIT UNION	\$127,500.00	\$127,500.00	\$266.85
22	ED-1095	914 GEORGE ST	CAPRICORN PROPERTIES INC	\$366,900.00	\$366,900.00	\$642.08
23	ED-18-65	201 JAMES ST	CHATEAU DEPERE LLC	\$1,700,000.00	\$1,700,000.00	\$1,950.00
24	WD-375	348 MAIN AVE	CHRIS C RENIER	\$131,300.00	\$131,300.00	\$275.00
25	WD 389-5	0 FORT HOWARD AVE	CHRIST THE ROCK CHURCH INC	\$42,200.00	\$42,200.00	\$114.00
26	WD-389-3	550 MAIN AVE	CHRIST THE ROCK CHURCH INC	\$59,600.00	\$59,600.00	\$161.00
27	WD-389-4	556 MAIN AVE	CHRIST THE ROCK CHURCH INC	\$0.00	\$0.00	\$0.00
28	WD-1662	555 MAIN AVE 201	CHRISTOPHER D SAMP	\$234,300.00	\$0.00	\$0.00
29	ED-969	108 N MICHIGAN ST	CLIFFORD U HANNON	\$216,900.00	\$0.00	\$0.00
30	ED-1105	900 GEORGE ST	CLYDE B TETZLAFF	\$188,100.00	\$188,100.00	\$329.18
31	WD 918	355 MAIN AVE	CONNECTIVE PROPERTIES LLC	\$171,700.00	\$171,700.00	\$300.48
32	ED-1104	908 GEORGE ST	CRAIG R NELSON	\$181,200.00	\$181,200.00	\$317.10
33	WD-1646	555 MAIN AVE 101	DALE M DOMBROSKI	\$144,000.00	\$0.00	\$0.00
34	ED-968-3	609 GEORGE ST	DANEN PROPERTIES LLC	\$246,500.00	\$246,500.00	\$431.38
35	ED-968-1	611 GEORGE ST	DANEN PROPERTIES LLC	\$105,800.00	\$105,800.00	\$185.15
36	ED-967	615 GEORGE ST	DANEN PROPERTIES LLC	\$160,100.00	\$160,100.00	\$280.18
37	WD-1654	555 MAIN AVE 109	DANIEL J PAGEL	\$151,700.00	\$0.00	\$0.00
38	WD-378	366 MAIN AVE	DAVID J MATYAS	\$196,300.00	\$196,300.00	\$343.53
39	ED-1048	820 GEORGE ST	DE PERE CHIROPRACTIC HOLDINGS LLC	\$306,200.00	\$306,200.00	\$535.85
40	WD-376	360 MAIN AVE	DE PERE CITY OF	\$35,900.00	\$0.00	\$0.00
41	ED-812	221 S BROADWAY ST	DE PERE REDEVELOPMENT AUTHORITY	\$0.00	\$0.00	\$0.00
42	WD-887	413 MAIN AVE	DEAN G RHODES	\$217,800.00	\$217,800.00	\$381.15
43	ED-966	623 GEORGE ST	DECLLENE ZELLNER INC	\$378,000.00	\$378,000.00	\$661.50
44	WD-404	101 FORT HOWARD AVE	DECLLENE ZELLNER LLC	\$299,700.00	\$299,700.00	\$524.48
45	WD-922	375 MAIN AVE	DENNIS M LARSON	\$216,600.00	\$216,600.00	\$379.05
46	ED-799	0 CHARLES ST	DEPERE CITY OF	\$0.00	\$0.00	\$0.00
47	ED-719	0 FRONT ST	DEPERE CITY OF	\$0.00	\$0.00	\$0.00
48	ED-793	0 FRONT ST	DEPERE CITY OF	\$0.00	\$0.00	\$0.00
49	ED-794	0 FRONT ST	DEPERE CITY OF	\$0.00	\$0.00	\$0.00
50	ED-796	0 FRONT ST	DEPERE CITY OF	\$0.00	\$0.00	\$0.00
51	ED-833-1	0 GEORGE ST	DEPERE CITY OF	\$0.00	\$0.00	\$0.00
52	ED-834	0 JAMES ST	DEPERE CITY OF	\$0.00	\$0.00	\$0.00
53	WD-917-1	0 MAIN AVE	DEPERE CITY OF	\$0.00	\$0.00	\$0.00
54	WD-917-2	0 MAIN AVE	DEPERE CITY OF	\$0.00	\$0.00	\$0.00
55	ED-776	0 N BROADWAY ST	DEPERE CITY OF	\$0.00	\$0.00	\$0.00
56	ED-881	0 N WISCONSIN ST	DEPERE CITY OF	\$0.00	\$0.00	\$0.00
57	ED-788-1	0 S BROADWAY ST	DEPERE CITY OF	\$0.00	\$0.00	\$0.00
58	ED-869-1	0 WILLIAM ST	DEPERE CITY OF	\$0.00	\$0.00	\$0.00
59	WD-933	110 THIRD ST	DEPERE CITY OF	\$0.00	\$0.00	\$0.00
60	ED-769	123 N BROADWAY ST	DEPERE CITY OF	\$0.00	\$0.00	\$0.00
61	ED-835	127 N WISCONSIN ST	DEPERE CITY OF	\$0.00	\$0.00	\$0.00
62	ED-851	134 N BROADWAY ST	DEPERE CITY OF	\$0.00	\$0.00	\$0.00
63	ED-867	303 N WISCONSIN ST	DEPERE CITY OF	\$0.00	\$0.00	\$0.00
64	ED-865-1	309 N WISCONSIN ST	DEPERE CITY OF	\$0.00	\$0.00	\$0.00
65	ED-864	321 N WISCONSIN ST	DEPERE CITY OF	\$0.00	\$0.00	\$0.00
66	ED-862	421 CASS ST	DEPERE CITY OF	\$0.00	\$0.00	\$0.00
67	ED-818	114 S WISCONSIN ST	DEPERE CITY OF MISSION SQUARE PARKING LOT	\$0.00	\$0.00	\$0.00
68	WD-928	340 REID ST	DEPERE CITY OF NICOLET SQUARE PARKING LOT	\$0.00	\$0.00	\$0.00
69	WD-926	340 REID ST BLK	DEPERE CITY OF NICOLET SQUARE PARKING LOT	\$0.00	\$0.00	\$0.00
70	ED-801	0 S BROADWAY ST	DEPERE CITY OF WELLS PARK	\$0.00	\$0.00	\$0.00
71	ED-287	230 S BROADWAY ST	DEPERE CITY OF WELLS PARK	\$0.00	\$0.00	\$0.00
72	ED-751	409 N BROADWAY ST	DEPERE HISTORICAL SOCIETY	\$0.00	\$0.00	\$0.00
73	ED-752	403 N BROADWAY ST	DEPERE HISTORICAL SOCIETY INC	\$0.00	\$0.00	\$0.00
74	ED-900	515 GEORGE ST	DEPERE LAW BUILDING LLC	\$542,000.00	\$542,000.00	\$948.50

#	PARCEL ID	ADDRESS	PROPERTY OWNER	PROPERTY VALUE	BID PROPERTY VALUE	ASSESSMENT
75	WD-1661	555 MAIN AVE 116	DIANE K DICK	\$156,400.00	\$0.00	\$0.00
76	ED-768	127 N BROADWAY ST	DIN BROADWAY LLC	\$295,000.00	\$295,000.00	\$516.25
77	WD-1672	555 MAIN AVE 212	DONNA J WAGNER	\$221,500.00	\$0.00	\$0.00
78	WD-1660	555 MAIN AVE 115	DONNA T PASTERNAK	\$128,800.00	\$0.00	\$0.00
79	WD-389-2	500 MAIN AVE UNIT A-D	DUTCH BOYZ DE PERE LLC	\$1,780,000.00	\$1,780,000.00	\$1,950.00
80	WD-907	305 MAIN AVE	E SALES INC	\$325,000.00	\$325,000.00	\$568.75
81	WD-1666	555 MAIN AVE 205	EDWARD Y LIN	\$566,700.00	\$0.00	\$0.00
82	WD-387	444 MAIN AVE	F & J PROPERTIES LLC	\$325,700.00	\$325,700.00	\$569.98
83	ED-837	115 N WISCONSIN ST	FIT FAMILY LLC	\$420,000.00	\$420,000.00	\$735.00
84	ED-836	117 N WISCONSIN ST	FIT FAMILY LLC	\$0.00	\$0.00	\$0.00
85	ED-1058	802 GEORGE ST	FLOUR CHILD LLC	\$328,000.00	\$328,000.00	\$574.00
86	WD-1653	555 MAIN AVE 108	GARY G BONZELL	\$140,000.00	\$0.00	\$0.00
87	WD-284	109 S FIFTH ST	GENCAP DE PERE 1 LLC	\$47,700.00	\$47,700.00	\$31.67
88	WD-287	400 MAIN AVE BLK	GENCAP DE PERE 1 LLC	\$47,600.00	\$47,600.00	\$31.60
89	WD-893	400 REID ST	GENCAP DE PERE 1 LLC	\$2,733,900.00	\$2,733,900.00	\$1,815.03
90	WD-286	473 MAIN AVE	GENCAP DE PERE 1 LLC	\$47,600.00	\$47,600.00	\$31.60
91	WD-283	499 MAIN AVE	GENCAP DE PERE 1 LLC	\$60,400.00	\$60,400.00	\$40.10
92	ED-841	417 GEORGE ST	GET REEL ENTERTAINMENT LLC	\$227,100.00	\$227,100.00	\$397.43
93	WD-1659	555 MAIN AVE 114	GLENDA R ENDERSON	\$160,800.00	\$0.00	\$0.00
94	WD-623	500 GRANT ST	GRANT STREET HOLDINGS LLC	\$600,300.00	\$600,300.00	\$1,050.53
95	ED-961	600 GEORGE ST	GREGORY J CORNELL	\$361,200.00	\$361,200.00	\$632.10
96	ED-823	150 S WISCONSIN ST	H&M LOMITA LLC	\$2,491,300.00	\$2,491,300.00	\$1,950.00
97	WD-367	300 MAIN AVE	HAWK HOLDINGS LLC	\$323,400.00	\$323,400.00	\$565.95
98	ED-766	233 N BROADWAY ST	HEARTLAND AFFORDABLE HOUSING DE PERE LLC	\$2,437,700.00	\$0.00	\$0.00
99	ED-828	111 S BROADWAY ST	HZ PROPERTIES LLC	\$169,900.00	\$169,900.00	\$297.33
100	WD-386	436 MAIN AVE	ISC PROPERTY LLC	\$337,100.00	\$337,100.00	\$589.93
101	WD-1676	555 MAIN AVE 216	IVETE C MILLER	\$200,400.00	\$0.00	\$0.00
102	WD-1649	555 MAIN AVE 104	JAMES F ROBINSON, ETAL	\$151,700.00	\$0.00	\$0.00
103	WD-387-1	0 MAIN AVE	JAMES J KROPP	\$70,600.00	\$70,600.00	\$123.55
104	WD-889	421 MAIN AVE	JAMES J KROPP	\$387,600.00	\$387,600.00	\$678.30
105	WD-965	401 REID ST	JAYAMBEY LLC	\$581,600.00	\$581,600.00	\$1,017.80
106	ED-376	0 N BROADWAY ST	JCA INVESTMENTS LLC	\$564,000.00	\$564,000.00	\$987.00
107	ED-377	435 N BROADWAY ST	JCA INVESTMENTS LLC	\$20,300.00	\$20,300.00	\$35.53
108	ED-918	502 GEORGE ST	JDA ENTERPRISES OF WISCONSIN LLC	\$363,700.00	\$363,700.00	\$636.48
109	WD-1671	555 MAIN AVE 211	JOHN VANDEVEN	\$235,100.00	\$0.00	\$0.00
110	WD-1668	555 MAIN AVE 208	JONATHAN P ANDERSON	\$196,300.00	\$0.00	\$0.00
111	WD-1651	555 MAIN AVE 106	KARIE A VERBOOMEN	\$129,600.00	\$0.00	\$0.00
112	WD-888	417 MAIN AVE	KENNETH J MARTIN	\$138,500.00	\$138,500.00	\$275.00
113	ED-831	107 S BROADWAY ST	KEVIN J KRYSKAK	\$280,000.00	\$280,000.00	\$490.00
114	ED-952-1	0 S SUPERIOR ST	KEVIN L CHARLES	\$8,600.00	\$8,600.00	\$15.05
115	ED-949-1	614 GEORGE ST	KEVIN L CHARLES	\$181,500.00	\$181,500.00	\$317.63
116	WD-910	321 MAIN AVE	KEY PROPERTY MANAGEMENT LLC	\$158,500.00	\$158,500.00	\$277.38
117	WD-1667	555 MAIN AVE 206	KHALED BOUBENIDER	\$257,600.00	\$0.00	\$0.00
118	WD-885	407 MAIN AVE	KIP A DETRY	\$141,300.00	\$141,300.00	\$247.28
119	WD-886	409 MAIN AVE	KIP A DETRY	\$138,500.00	\$138,500.00	\$242.38
120	WD-1673	555 MAIN AVE 213	KYLE H VANDENHEUVEL	\$205,000.00	\$0.00	\$0.00
121	ED-1103	115 S ERIE ST	LEDGE HEAVEN LLC	\$240,400.00	\$240,400.00	\$420.70
122	ED-850	124 N BROADWAY ST	LEE BUILDING CORP THE	\$1,562,700.00	\$1,562,700.00	\$1,498.24
123	ED-840	421 GEORGE ST	LEE BUILDING CORP THE	\$471,200.00	\$471,200.00	\$451.76
124	ED-778	100 FRONT ST	LEFEBVRE INVESTMENT CO LLC	\$1,506,600.00	\$0.00	\$0.00
125	ED-897	519 GEORGE ST	LFT INVESTMENTS LLC	\$295,400.00	\$295,400.00	\$516.95
126	WD-909	317 MAIN AVE	LIFE CHURCH GREEN BAY INC	\$643,600.00	\$643,600.00	\$1,126.30
127	WD-1674	555 MAIN AVE 214	LINDA L BOYWID, TRUSTEE	\$275,000.00	\$0.00	\$0.00
128	WD-1652	555 MAIN AVE 107	LINDA L STEENO	\$131,800.00	\$0.00	\$0.00
129	ED-901	106 N WISCONSIN ST	LKW HOLDINGS LLC	\$156,700.00	\$156,700.00	\$275.00
130	ED-1006	109 N HURON ST	LTF INVESTMENTS LLC	\$97,500.00	\$97,500.00	\$170.63
131	ED-1010	114 N SUPERIOR ST	LTF INVESTMENTS LLC	\$20,100.00	\$20,100.00	\$35.18
132	ED-1008	705 GEORGE ST	LTF INVESTMENTS LLC	\$279,700.00	\$279,700.00	\$489.48
133	ED-1007	715 GEORGE ST	LTF INVESTMENTS LLC	\$54,200.00	\$54,200.00	\$94.85
134	WD-930	330 REID ST	LUTSEY ENTERPRISES LLP	\$822,900.00	\$822,900.00	\$1,440.08
135	WD-915	345 MAIN AVE	MANNING RONALD G & MARY A PFUTZENREUTER JT REV	\$169,800.00	\$169,800.00	\$297.15
136	ED-775	107 N BROADWAY ST	MARC P BRUMMEL	\$226,300.00	\$226,300.00	\$396.03
137	WD-1656	555 MAIN AVE 111	MARTIN L VANDEVEN	\$136,000.00	\$0.00	\$0.00
138	WD-1675	555 MAIN AVE 215	MATTHEW R CRULL	\$190,100.00	\$0.00	\$0.00
139	ED-767-1	131 N BROADWAY ST	MC KIM T BOYD	\$102,000.00	\$102,000.00	\$275.00
140	WD-1663	555 MAIN AVE 202	MELODY R GOTTOWSKI	\$228,200.00	\$0.00	\$0.00
141	WD-1670	555 MAIN AVE 210	MERVYN G LALLY	\$257,600.00	\$0.00	\$0.00
142	WD-913	337 MAIN AVE	MIRHASHEMI INC	\$259,200.00	\$259,200.00	\$453.60
143	ED-783	100 S BROADWAY ST	MP BROADWAY LLC	\$68,100.00	\$68,100.00	\$119.18
144	ED-784	106 S BROADWAY ST	MP BROADWAY LLC	\$22,900.00	\$22,900.00	\$40.08
145	ED-785	114 S BROADWAY ST	MP BROADWAY LLC	\$67,200.00	\$67,200.00	\$117.60
146	ED-788	118 S BROADWAY ST	MP BROADWAY LLC	\$19,300.00	\$19,300.00	\$33.78
147	ED-790	132 S BROADWAY ST	MP BROADWAY LLC	\$64,400.00	\$64,400.00	\$112.70
148	ED-798	302 GEORGE ST	MP BROADWAY LLC	\$42,100.00	\$42,100.00	\$73.68

#	PARCEL ID	ADDRESS	PROPERTY OWNER	PROPERTY VALUE	BID PROPERTY VALUE	ASSESSMENT
149	WD-306	525 REID ST	N E W DEVELOPERS LLC	\$432,000.00	\$432,000.00	\$756.00
150	ED-1065	109 N ERIE ST	NEW HORIZON ENTERPRISES LLC	\$47,400.00	\$47,400.00	\$82.95
151	ED-1066	821 GEORGE ST	NEW HORIZON ENTERPRISES LLC	\$393,700.00	\$393,700.00	\$688.98
152	WD-912	331 MAIN AVE	NICK BROTHERS PARTNERSHIP	\$311,600.00	\$311,600.00	\$545.30
153	WD-310	430 GRANT ST	NICOLET HIGHLANDS LLC	\$5,899,400.00	\$0.00	\$0.00
154	ED-960	610 GEORGE ST	NIP IT LLC	\$141,900.00	\$141,900.00	\$275.00
155	ED-869	302 N BROADWAY ST	NORTHERN GAS LLC	\$366,100.00	\$366,100.00	\$640.68
156	ED-1067	805 GEORGE ST	OFFICE HARMONY LLC	\$247,800.00	\$247,800.00	\$433.65
157	WD-380	380 MAIN AVE	OLD NELL PROPERTIES LLC	\$404,800.00	\$404,800.00	\$708.40
158	ED-916	119 S WISCONSIN ST	PALS RENTALS LLC	\$126,700.00	\$126,700.00	\$275.00
159	WD-295	444 REID ST	PARK PLACE HOLDINGS REID STREET LLC	\$1,900,000.00	\$1,900,000.00	\$1,950.00
160	WD-1665	555 MAIN AVE 204	PATRICK J DUCHATEAU	\$151,700.00	\$0.00	\$0.00
161	WD-1648	555 MAIN AVE 103	PAUL A SULLIVAN	\$151,700.00	\$0.00	\$0.00
162	WD-374	342 MAIN AVE	PAUL H WILLEMS	\$97,800.00	\$97,800.00	\$275.00
163	WD-288	441 MAIN AVE	PEOPLES MARINE BANK OF GREEN BAY	\$1,020,500.00	\$1,020,500.00	\$1,785.88
164	WD-890-1	441 MAIN AVE	PEOPLES MARINE BANK OF GREEN BAY	\$200.00	\$0.00	\$0.35
165	WD-906	301 MAIN AVE	PHE WI LLC	\$415,100.00	\$415,100.00	\$726.43
166	WD-1650	555 MAIN AVE 105	RACHEL MUHS	\$174,300.00	\$0.00	\$0.00
167	WD-403	103 N SIXTH ST	RALPH E SANDERS	\$346,700.00	\$346,700.00	\$606.73
168	WD-955	303 REID ST	REID STREET RETAIL LLC	\$1,180,000.00	\$1,180,000.00	\$1,950.00
169	WD-373	338 MAIN AVE	RICK J HERYMAN	\$142,300.00	\$142,300.00	\$275.00
170	ED-660	1002 GEORGE ST	ROBERT L VANDEURZEN	\$158,200.00	\$158,200.00	\$276.85
171	ED-1094	920 GEORGE ST	ROBERT VANDEURZEN	\$110,500.00	\$0.00	\$0.00
172	ED-949	620 GEORGE ST	ROYLE PROPERTIES LLC	\$441,000.00	\$441,000.00	\$771.75
173	ED-861	230 N BROADWAY ST	RSS WFCM 2015-NX52-WI MRL LLC	\$446,500.00	\$446,500.00	\$328.99
174	ED-875	230 N WISCONSIN ST	RSS WFCM 2015-NX52-WI MRL LLC	\$2,200,000.00	\$2,200,000.00	\$1,621.01
175	ED-432	432 N WISCONSIN ST	RYAN D PICHLER	\$249,000.00	\$249,000.00	\$435.75
176	ED-914	135 S WISCONSIN ST	SAINT FRANCIS XAVIER CONGREGATION	\$0.00	\$0.00	\$0.00
177	WD-634	0 GRANT ST	SAINT NORBERT COLLEGE INC	\$0.00	\$0.00	\$0.00
178	WD-216	300 GRANT ST	SAINT NORBERT COLLEGE INC	\$3,819,600.00	\$3,819,600.00	\$1,950.00
179	WD-634-2	400 GRANT ST	SAINT NORBERT COLLEGE INC	\$0.00	\$0.00	\$0.00
180	ED-833	101 S BROADWAY ST UNIT A	SAKS HOLDINGS LLC	\$218,900.00	\$218,900.00	\$181.71
181	ED-774	109-113 N BROADWAY ST	SAKS HOLDINGS LLC	\$285,200.00	\$285,200.00	\$236.75
182	ED-772	115 N BROADWAY ST	SAKS HOLDINGS LLC	\$166,700.00	\$166,700.00	\$138.38
183	ED-826	123 S BROADWAY ST	SAKS HOLDINGS LLC	\$196,900.00	\$196,900.00	\$163.45
184	WD-917	353 MAIN AVE	SAKS HOLDINGS LLC	\$275,000.00	\$275,000.00	\$228.28
185	WD-920	365 MAIN AVE	SAKS HOLDINGS LLC	\$649,000.00	\$649,000.00	\$538.74
186	WD-379	368 MAIN AVE	SAKS HOLDINGS LLC	\$270,000.00	\$270,000.00	\$224.13
187	WD-923	377 MAIN AVE	SAKS HOLDINGS LLC	\$287,400.00	\$287,400.00	\$238.57
188	WD-884	401 MAIN AVE	SCHLEIS PROPERTIES LLC	\$472,000.00	\$472,000.00	\$826.00
189	WD-381	400 MAIN AVE	SECOR JEROME J REVOCABLE TRUST	\$283,800.00	\$283,800.00	\$496.65
190	ED-848	116 N BROADWAY ST	SERA K PROPERTIES LLC	\$325,600.00	\$325,600.00	\$569.80
191	ED-917	115 S WISCONSIN ST	SEROOGY BROTHERS LLP	\$251,700.00	\$251,700.00	\$372.68
192	ED-893	144 N WISCONSIN ST	SEROOGY BROTHERS LLP	\$1,065,300.00	\$1,065,300.00	\$1,577.32
193	WD-388	486 MAIN AVE	SMOOTH MONEY OF DE PERE LLC	\$390,200.00	\$390,200.00	\$682.85
194	ED-878	310 N WISCONSIN ST	SRK REALTY GROUP LLC	\$1,159,700.00	\$1,159,700.00	\$1,950.00
195	WD-371	330 MAIN AVE	STAGECOACH ENTERPRISES LLC	\$181,400.00	\$181,400.00	\$317.45
196	ED-847	112 N BROADWAY ST	STARRY DEVELOPMENT LLC	\$320,100.00	\$320,100.00	\$560.18
197	ED-915	127 S WISCONSIN ST	STECK LLC	\$302,600.00	\$0.00	\$0.00
198	ED-1088	921 GEORGE ST	SUMMERLEIGH ASSOCIATES INC	\$274,000.00	\$274,000.00	\$479.50
199	WD-1657	555 MAIN AVE 112	SUSAN A MINTEN	\$129,200.00	\$0.00	\$0.00
200	WD-369	320 MAIN AVE	THE CONNECTIVE LLC	\$446,100.00	\$446,100.00	\$780.68
201	WD-1669	555 MAIN AVE 209	THOMAS R KRAUSE	\$251,100.00	\$0.00	\$0.00
202	WD-911	327 MAIN AVE	TILKENS HOLDINGS LLC	\$394,300.00	\$394,300.00	\$690.03
203	WD-1658	555 MAIN AVE 113	TIMOTHY LINDERS	\$125,600.00	\$0.00	\$0.00
204	WD-961	325 REID ST	TWEET BROTHERS RENTAL PARTNERSHIP	\$3,510,000.00	\$3,510,000.00	\$1,950.00
205	ED-857	200 N BROADWAY ST	UNION HOTEL CORP	\$379,400.00	\$379,400.00	\$663.95
206	ED-968-2	609 GEORGE ST RR	VANEGEREN MARSHA REVOCABLE LIVING TRUST	\$400.00	\$400.00	\$275.00
207	ED-432-1	340 N WISCONSIN ST	VOYAJONES LLC	\$500,100.00	\$500,100.00	\$875.18
208	ED-842	415 GEORGE ST	WADE CONARD	\$244,700.00	\$244,700.00	\$428.23
209	WD-1664	555 MAIN AVE 203	WARREN J HAGANES	\$151,700.00	\$0.00	\$0.00
210	ED-970	114 N MICHIGAN ST	WILDROOT LLC	\$184,600.00	\$184,600.00	\$323.05
211	ED-880	320 N WISCONSIN ST	WISCO STREET PARTNERS LLC	\$488,400.00	\$488,400.00	\$854.70
212	ED-737	0 FRONT ST	WISCONSIN DEPT OF NATURAL RESOURCES	\$0.00	\$0.00	\$0.00
213	ED-957	121 S MICHIGAN ST	WISCONSIN DEPT OF TELEPHONE CO	\$0.00	\$0.00	\$0.00
214	WD-404-2	0 MAIN AVE	WISCONSIN DEPT OF TRANSPORTATION	\$0.00	\$0.00	\$0.00
215	ED-870	314 N BROADWAY ST	WITZYTOO HOLDINGS LLC	\$61,000.00	\$61,000.00	\$106.75
216	ED-871	330 N BROADWAY ST	WITZYTOO HOLDINGS LLC	\$289,000.00	\$289,000.00	\$505.75
217	ED-829	115 S BROADWAY ST	ZOELLER THOMAS G REVOCABLE TRUST	\$292,700.00	\$292,700.00	\$512.23

ASSESSMENT TOTAL

\$82,438,700.00

\$65,994,300.00

\$83,304.50

## APPENDIX D: Wisconsin Statutes Section 66.1109

### Wisconsin 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 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.

Copied from: <https://docs.legis.wisconsin.gov/statutes/statutes/66/XI/1109/1/b> (accessed November 1, 2020)

**Unofficial text from Wis Stats. database. See printed Statutes and Wis. Acts for official text under s. 35.18(2) stats. Report errors to the Revisor of Statutes at (608) 266-2011, FAX 264-6978.**

## APPENDIX E: Adopted Bylaws

### BUSINESS IMPROVEMENT DISTRICT

#### ARTICLE I

#### MEMBERS

All owners of property located within the District shall automatically be members of the De Pere Business Improvement District ("BID Members.") All BID Members shall have the right to vote on any issue that is placed before the members by the Board of Directors ("BID Board".)

#### ARTICLE II

#### MEMBERSHIP MEETINGS

Section 1. Annual Meeting. An annual meeting of the membership shall be held in each calendar year at such time and place as may be determined by the BID Board for the purpose of transacting such business as may be properly brought before the meeting.

Section 2. Special Meeting. Special meetings of the membership shall be held at any time and place as may be designated in the notice of said meeting, upon call of the Chair of the BID Board.

Section 3. Notice. Email (or mail) notice of every meeting of the membership (annual or special), stating the place, date, and hour of the meeting, shall be sent to each member not less than seven (7) or more than thirty (30) days before the date of the meeting. Other interested parties shall be given such notice of meetings as the Board of Directors deem appropriate. Public Notice of all meetings of the BID Board shall be given as required under Wis. Stats. §19.84 *et seq.*

Section 4. Proceedings. Roberts Rules of Order shall govern the parliamentary procedures at all meetings when not in conflict with these Bylaws except that there shall be no minimum number of BID Members necessary to attend any meeting by a majority vote of the BID Members present.

#### ARTICLE III

#### BOARD OF DIRECTORS

Section 1. Federal Requirement. BID Members can recommend future BID Board members appointments to the BID Board. The BID Board will provide the recommended nominations to the Mayor. The Mayor shall appoint members to the BID Board, subject to confirmation of the Common Council, members from these nominations to the BID Board. Pursuant to Wis. Stats. §66.1109(3), the BID Board shall have at least 5 members. A majority of board members shall own or occupy real property in the business improvement district. The BID Board shall also include a representative of the Mayor or Council. Common Council

Section 2. Responsibilities. The BID Board's shall be responsible contracting for services to implement the current year's DBID Operating Plan, contracting for preparation of an annual report and audit of the District, annually considering and making changes to the DBID Operating Plan and submitting the DBID Operating Plan for the following year to the Common Council of the City of De Pere for approval, together with all other powers granted under Wis. Stats. §66.1109 and under the DBID Operating Plan and Bylaws. These duties include the BID Board negotiating with providers of services (primarily to Definitely De Pere) and

materials to carry out the DBID Operating Plan; entering into various contracts for services, including to monitor development activity; and to ensure the District's compliance with the provisions of applicable statutes and regulations.

Section 3. BID Board Composition. The BID Board shall consist of seven (7) members. A majority (at least 4) of the members shall be owners or occupants of real property within the District. The Board shall have the following composition:

- a. 2 Owners of property in the District.
- b. 1 representative from Service/Retail, Hospitality and Office.
- c. 1 Community representative with no property ownership or business interests within the District. The appointee shall be a resident of the City of De Pere.
- d. 1 representative of the City of De Pere, appointed by the Common Council.

Any BID Board member who because of transfer of ownership of property is no longer eligible to act as a representative shall be replaced.

Section 4. BID Board Term. Appointments to the BID Board shall be for a period of 3 years, except that initially 3 members are appointed for a period of 3 years, 2 members shall be appointed for 2 years, and 2 members shall be appointed for 1 year, each term ending on December 31 of the applicable year. The BID Board may remove, by majority vote, a BID Board member who is absent from more than 3 meetings, without valid excuse. Any BID Board vacancy (except the Mayor's or Common Council's Member) shall be filled by nomination of the Mayor.

Section 5. Compensation. The BID Board members shall receive no compensation for serving on the BID Board.

Section 6. Meetings. All meetings of the BID Board shall be governed by the Wisconsin Open Meetings Law (Wis. Stats. §19.84 *et seq.*). Meeting agendas will be provided as required under Wis. Stats. 19.84 and will be posted on the City of De Pere's website. Minutes will be recorded and submitted to the City Clerk and the BID Board. Roberts Rules of Order shall govern the parliamentary procedures at all meetings when not in conflict with these Bylaws.

Section 7. Record Keeping. Files and records of the BID Board's affairs shall be kept pursuant to the requirements of the Public Records Law (Wis. Stats. §19.35 *et seq.*) and shall be kept and maintained by the City Development Services Department..

Section 8. Staffing. The BID Board shall contract for staffing services pursuant to this DBID Operating Plan and subsequent modifications thereof. It is contemplated that such staff and services shall be contracted with Definitely De Pere, unless requested otherwise by the BID Board; the Board of Directors of Definitely De Pere may attend all meetings of the BID Board, but are not members of the Board and do not have voting authority.

Section 9. Officers. The BID Board shall appoint a Chair, Vice-Chair, Treasurer and Secretary, any two of the three of which shall have the power to execute documents on behalf of the full BID Board, for such purposes as are authorized by the full BID Board.

Section 10. Quorum. At all meetings of the BID Board, a majority of the Board shall constitute a quorum for the transaction of business. If a quorum shall not be present at any meeting of the BID Board, the meeting shall be rescheduled.

Section 11. BID Board Powers. The BID Board shall have all the powers authorized by law, including but not limited to, the following powers:

1. To manage the affairs of the District.
2. To undertake on its own accord or to assist in development, underwriting or guaranteeing public improvements within the District.
3. To apply for, accept, and use grants and gifts for these purposes.
4. To contract on behalf of the BID with Definitely De Pere, to carry out the DBID Operating Plan under the direction of the BID Board.
5. To develop, advertise and promote the existing and potential benefits of the District.
6. To promote new investment and appreciation in value of existing investments.
7. To elect officers, and contract out work as necessary to carry out these goals.
8. To add to the beautification and/or maintenance of the District.
9. To annually consider and make changes to the DBID Operating Plan which may include termination of the BID.

It is anticipated that the BID Board will utilize the above powers in the capacity of directing and delegating to Definitely De Pere, many of its duties and responsibilities while retaining the overall authority and responsibility for such drafting and implementation of the DBID Operating Plan.

Section 12. BID Board Authority. The BID Board of Directors shall be required to conform to the DBID Operating Plan presented to and approved by the De Pere Common Council each year and shall be subject to the Wisconsin Statutes Section 66.1109 covering the Business Improvement Districts (BIDs).

#### **ARTICLE IV** **COMMITTEES**

Section 1. There shall be such standing committees as the BID Board may determine. The terms of the committees shall be for 1 year commencing at the time of the annual membership meeting.

#### **ARTICLE V** **OFFICERS**

Section 1. General. The Officers of the BID Board shall consist of a Chair, Vice-Chair, Secretary, Treasurer and such other Officers as may be deemed necessary.

Section 2. Election. Officers shall be BID Board members who shall be elected by the Board of Directors annually at the annual meeting. No BID Board member may hold more than one Office. Officers may serve more than one term if reelected.

Section 3. Powers and Duties. Except as hereinafter provided, the officers of the BID Board shall each have such powers and duties as generally pertain to their respective office, as well as those that from time to time may be conferred by the membership of the BID Board.

- A. Chair. The Chair shall preside at all business meetings. In the absence of the Chair, the Vice-Chair shall preside. The Chair may appoint other Officers to preside at meetings of the BID Board other than business meetings. The Chair shall perform such duties as are usually incumbent upon that

office, together with such other duties as may be directed by resolution of the BID Board.

- B. Secretary. The Secretary shall record and maintain in good order all minutes of all meetings and all records and correspondence of the District , and shall email copies of the minutes of each membership meeting to all members within 60 days of the conclusion of each meeting. The Secretary shall also have such duties as may be assigned by the BID Board.
- C. Treasurer. The Treasurer shall maintain in good order all financial records of the District. The Treasurer shall also have such other duties as may be assigned by the BID Board.
- D. Temporary Officers. In case of absence or disability of any Officer and of any person authorized to perform duties in the Officer’s place during such periods of absence or disability, the Chair may, from time to time, delegate the powers and duties of other such Officers or to any BID Member.

**ARTICLE VI**  
**FINANCES**

Section 1. Authority. Except as the BID Board may generally or in particular cases authorize the execution thereof in some other manner, all checks, drafts, and other instruments for the payment of money and all instruments of transfer of securities, shall be signed in the name and on behalf of the BID by two of the four officers.

Section 2. Financial Institution. All funds of the BID shall be deposited from time to time to the credit of the BID in such banks, trust companies, or other depositories as the BID Board may select.

Section 3. Funding Services. The BID Board may accept on behalf of the BID any contribution, gift, bequest or device for general purposes or for any special purpose of the BID.

**ARTICLE VII**  
**AMENDMENTS**

Section 1. Authority. The Common Council of the City of De Pere, upon the consent of the BID Board, shall have the power to alter, amend, or repeal the Bylaws or adopt new Bylaws.

Section 2. Process. The BID Board may also annually present amendments to the Bylaws. The following process for approval of the amended Bylaws will be as follows:

- A. The BID Board will review the proposed BID Bylaws and make a recommendation to the De Pere Common Council.
- B. The Common Council will act on the proposed amended BID Bylaws.

Section 3. Generally. It is anticipated that the BID Board will continue to revise and develop the Bylaws annually, in response to changing development needs and opportunities in the District, within the purpose and objectives defined herein and in the DBID Operating Plan.

<b>Adopted by BID Board on:</b>	<b>TBD</b>
<b>Adopted by City of De Pere Common Council on:</b>	<b>TBD</b>



City of De Pere, Wisconsin

**Request For Business Improvement District Board Action**

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**MEETING DATE:** December 14, 2021

**DEPARTMENT:** Economic Development

**FROM:** Daniel Lindstrom

**SUBJECT:** Review Definitely De Pere 2020 Annual Report and Financial Statement.

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**ATTACHMENTS:**

- DDP Financial Statements 2019\_2020 (PDF)

**DOWNTOWN DE PERE, INC.**  
**STATEMENT OF FINANCIAL POSITION**  
**December 31, 2020 and 2019**

ASSETS	<u>2020</u>	<u>2019</u>
<b>Assets</b>		
Cash, including interest-bearing deposits	\$ 26,205	\$ 54,744
Accounts Receivable	37,221	34,827
Security Deposit	500	500
Net Property and Equipment	6,429	9,048
<b>TOTAL ASSETS</b>	<b>\$ 70,355</b>	<b>\$ 99,119</b>
 <b>LIABILITIES AND NET ASSETS</b>		
Credit Cards	\$ 640	\$ 2,550
Payroll Taxes	\$ 3,688	
<b>TOTAL LIABILITIES</b>	<b>\$ 4,328</b>	<b>\$ 2,550</b>
 <b>Net Assets</b>		
Without Donor Restrictions	\$ 66,027	\$ 96,569
<b>Total Net Assets</b>	\$ 66,027	\$ 96,569
<b>TOTAL LIABILITIES AND NET ASSETS</b>	<b>\$ 70,355</b>	<b>\$ 99,119</b>

**DOWNTOWN DE PERE, INC.**  
**STATEMENT OF ACTIVITIES**  
**Years Ended December 31, 2020 and 2019**

	<u>2020</u>			<u>2019</u>		
	Without Restrictions	With Donor Restrictions	Total	Without Restrictions	With Donor Restrictions	Total
<b>REVENUES, GAINS AND OTHER SUPPORT</b>						
City of De Pere - BID	\$ 105,769		\$ 105,769	\$ 115,384		\$ 115,384
Fire Relief Fund			-		22,619	22,619
Public Art		11,004	11,004		33,173	33,173
Beautification Income	14,610		14,610	13,320		13,320
Interest Income	27		27	207		207
Corporate Contributions	600		600	-		-
Individual Contributions	1,725		1,725	2,930		2,930
Other Income	34,382	46,200	80,582	1,302		1,302
Program Services	47,195		47,195	70,245		70,245
<b>Total Revenues, Gains and Other Support</b>	<b>\$ 204,308</b>	<b>\$ 57,204</b>	<b>\$ 261,512</b>	<b>\$ 203,388</b>	<b>\$ 55,792</b>	<b>\$ 259,180</b>
<b>NET ASSETS RELEASED FROM RESTRICTIONS</b>	<b>\$ 57,204</b>	<b>\$ (57,204)</b>	<b>\$ -</b>	<b>\$ 55,792</b>	<b>\$ (55,792)</b>	<b>\$ -</b>
<b>EXPENSES</b>						
Program Services	\$ 227,233		\$ 227,233	\$ 218,176		\$ 218,176
Management and General	64,821		64,821	54,379		54,379
<b>Total Expenses</b>	<b>292,054</b>	<b>-</b>	<b>292,054</b>	<b>272,555</b>	<b>-</b>	<b>272,555</b>
<b>Change in Net Assets</b>	<b>\$ (30,542)</b>	<b>\$ -</b>	<b>\$ (30,542)</b>	<b>\$ (13,375)</b>	<b>\$ -</b>	<b>\$ (13,375)</b>
<b>NET ASSETS BEGINNING OF YEAR</b>	<b>\$ 96,569</b>		<b>\$ 96,569</b>	<b>\$ 109,944</b>		<b>\$ 109,944</b>
<b>ENDING NET ASSETS</b>	<b>\$ 66,027</b>	<b>\$ -</b>	<b>\$ 66,027</b>	<b>\$ 96,569</b>	<b>\$ -</b>	<b>\$ 96,569</b>

**DOWNTOWN DE PERE, INC.**  
**STATEMENT OF FUNCTIONAL EXPENSES**  
**Years Ended December 31, 2020 and 2019**

	2020			2019		
	Program Services	Management/General	Total	Program Services	Management/General	Total
<b>LABOR</b>						
Wages	\$ 77,005	\$ 52,754	\$ 129,759	\$ 77,611	\$ 38,806	\$ 116,417
Payroll Taxes	6,610	4,371	10,981	7,474	3,737	11,211
Total LABOR	<u>83,615</u>	<u>57,125</u>	<u>140,740</u>	<u>85,085</u>	<u>42,543</u>	<u>127,628</u>
<b>OPERATING EXPENSE</b>						
Accounting		1,858	1,858		3,372	3,372
Admin Expenses	3,622		3,622	4,545		4,545
Advertising	2,662		2,662	4,598		4,598
Art Walk			-	5,057		5,057
Bank Charge		841	841		531	531
Beautification	10,510		10,510	9,444		9,444
Business Relief Efforts	64,374		64,374			-
Choose Local Campaign	33,882		33,882			-
Decorations	973		973	1,224		1,224
Depreciation	2,620		2,620	2,027		2,027
Dues & Subscriptions		3,396	3,396		4,142	4,142
Education			-	25		25
Farmers Market	5,182		5,182	15,365		15,365
Fashion Event			-	2,396		2,396
Fire Relief Grant			-	22,749		22,749
Food Truck Rally			-	3,930		3,930
Foodie Walk			-	536		536
Holiday Event	600		600	2,937		2,937
Insurance	3,437		3,437	4,012		4,012
Meals		175	175		607	607
Office Supplies		1,190	1,190		1,843	1,843
Organization			-	977		977
Other Expenses		236	236		1,341	1,341
Postage and Shipping	171		171			-
Printing and Promotion	514		514			-
Promotional Events	233		233	1,041		1,041
Public Art	11,004		11,004	26,055		26,055
Registrations			-	541		541
Rent	3,120		3,120	4,680		4,680
Soup Walk			-	594		594
Streetscape	85		85	17,052		17,052
Telephone	484		484	2,319		2,319
Travel	145		145	749		749
Wine Walke			-	10		10
Yoga Expense			-	228		228
Total OPERATING EXPENSE	<u>143,618</u>	<u>7,696</u>	<u>151,314</u>	<u>133,091</u>	<u>11,836</u>	<u>144,927</u>
<b>TOTAL OPERATING EXPENSES</b>	<u>\$ 227,233</u>	<u>\$ 64,821</u>	<u>\$ 292,054</u>	<u>\$ 218,176</u>	<u>\$ 54,379</u>	<u>\$ 272,555</u>

**DOWNTOWN DE PERE, INC.**  
**STATEMENT OF CASH FLOWS**  
**December 31, 2020 and 2019**

	<u>2020</u>	<u>2019</u>
<b>CASH FLOWS FROM OPERATING ACTIVITIES</b>		
Change in Net Assets	(30,542)	(13,374)
Adjustments to reconcile excess (deficiency) of revenues over expenses to net cash provided (used) by operating activities:		
Depreciation	2,620	2,027
(Increase) decrease in:		
Assessments receivable	(2,394)	(20,023)
Increase (decrease) in:		
Accrued liabilities	<u>1,778</u>	<u>1,445</u>
Total Cash Provided from Operations	\$ (28,538)	\$ (29,925)
<b>CASH FLOWS USED IN INVESTING ACTIVITIES</b>		
Event Trailer		(5,295)
Total Cash Used in Investing Activities	-	(5,295)
<b>NET INCREASE (DECREASE) IN CASH</b>	(28,538)	(35,220)
<b>CASH AT BEGINNING OF YEAR</b>	<u>54,744</u>	<u>89,964</u>
<b>CASH AT END OF YEAR</b>	<u>\$ 26,206</u>	<u>\$ 54,744</u>

**DOWNTOWN DE PERE, INC.**  
**OTHER REVENUE DETAIL**  
**Years Ended December 31, 2020 and 2019**

	<u>2020</u>	<u>2019</u>
PROGRAM SERVICE REVENUE		
Art Walk Income		\$ 7,383
Farmers Market Income	5,425	26,017
Fashion Event		1,140
Food Truck Rally		14,685
Foodie Walk		6,205
Holiday Event Income	2,000	2,150
Promotional Events	250	2,425
Soup Walk Income		6,140
Yoga in the Park		3,500
Wine Walk		600
TOTAL OTHER REVENUE	<u>\$ 7,675</u>	<u>\$ 70,245</u>