

DOWNTOWN OSHKOSH BUSINESS IMPROVEMENT DISTRICT

2021 OPERATING PLAN



**BID Board Approved: October 20, 2020
Common Council Approved: October 27, 2020**

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Downtown Oshkosh Business Improvement District Boundaries

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

INTRODUCTION

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

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

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

BID LAW

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

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

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

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

DOWNTOWN OSHKOSH BUSINESS IMPROVEMENT DISTRICT 2021 OPERATING PLAN AND ASSESSMENT

The Downtown Oshkosh BID has established allocations for the 2021 Operating Plan for each program category after reviewing previously supported activities and soliciting proposals for events. All costs related to the program categories listed below will be incurred in the calendar year 2021.

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

The BID will assess itself \$140,610.00 in 2021.

PROGRAM CATEGORIES

Leadership \$74,000

Oshkosh Convention and Visitors Bureau Service Contract (BID Manager) \$70,000

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

Website Maintenance & Office Supplies \$4,000

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

Recruitment/Retention/Mural Grant Programs \$0

Money to be disbursed based on approved applications submitted; grant amounts vary based on requested/approved grant amounts. \$10,000 to be transferred from Reserves/Capital Improvements to Recruitment/Retention/Mural Grant Program in 2021.

Recruitment Fund Grant

The Recruitment Fund Grant is offered as an incentive tool to recruit small businesses to fill vacant spaces and energize the downtown. This grant can be used for leasehold improvements, signage, fixtures and inventory/equipment. Recruitment print materials are also taken from this line item.

Retention Grant Program

The Retention Grant Program was created to provide funds to businesses and/or property owners within the BID to assist with exterior building improvements including but not limited to facades, windows, doors and signage. The purpose of this grant is to improve the business climate in Downtown Oshkosh, enhance the quality of life and to encourage the development and maintenance of the buildings within the Business Improvement District. Retention print materials are also taken from this line item.

Mural Grant Program

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

Events \$11,500

Waterfest \$2,000

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

Live at Lunch \$500

Live at Lunch is a free family-friendly event showcasing the area's best local music artists, restaurants and businesses over the noon hour. Live at Lunch takes place every Wednesday, June through August at Opera House Square and is organized by the Oshkosh Chamber of Commerce. The BID support reflects the increased traffic generated by this event to the downtown area.

Wine Walk(s) \$750

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

Holiday Parade \$750

Previously ran for many years by the Oshkosh Chamber of Commerce, the BID continues the tradition of holding a nighttime parade in Downtown Oshkosh in the month of November. This is a great community event that brings thousands of people to the downtown area.

Farmers Market \$5,000

With over 140 vendors every Saturday morning, the Downtown Market brings the Oshkosh community fresh, in-season produce, meats, flowers, hand-crafted items and more. It is a major attraction that brings thousands of people downtown each week. This event takes place every Saturday from 8:00am-12:30pm on the 400 and 500 blocks of N Main Street and 100 block of Church Avenue.

Downtown Events \$2,500

An additional \$2,500 has been budgeted for new and other miscellaneous downtown events and activities throughout 2021.

Advertising \$0

Zero dollars will be assessed for the 2021 Advertising budget. However, \$15,000 will be transferred from Reserves/Capital Improvements to the Advertising budget and will be used to promote and market Downtown Oshkosh throughout 2021.

Gift Card Program \$1,000

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

MemberCO \$3,000

Membership Donations

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

Additional Activities & Marketing Materials \$850

Seed money to be used for any additional activity ideas generated in 2021. In addition, these funds are used for marketing materials, such as block captain brochures and holiday promotions.

Holiday \$2,000

Holiday is a combination of events and marketing pieces put together in November and December. The majority of this fund goes towards Whoville Holiday, featuring Breakfast with the Grinch, which is the main event. The Holiday Committee also promotes *Shop Local* throughout the holiday season.

Downtown Chalk Walk \$150

2021 will be the 8th annual Chalk Walk event in Downtown Oshkosh. The money on this line item is used to cover the cost of street barricades for the day of the event.

Beautification \$50,450

Contracted Services \$25,000

The BID contracts with a private contractor to undertake certain routine cleaning, removing litter and landscape maintenance. This also includes the watering of our 104 flower pots, removal of flowers in all pots and bump outs in the fall and removal of holiday boughs at the end of winter/early spring. A portion of these funds are also used for expenses related to maintaining and improving landscaped areas.

Holiday \$8,500

These funds will be used for holiday decorations including holiday décor for the BID's 104 flower pots, lighting of the nine trees around Opera House Square and replacement light strands.

Planter Maintenance \$13,950

These funds will be used for contracted maintenance and plant materials for spring planting of the BID's 104 flower pots and also plant material and maintenance of the clock and sign area in Opera House Square. These funds also cover costs for plantings and maintenance of the bump outs within the BID. \$3,050 will be transferred to Planter Maintenance out of Reserves/Capital Improvements in 2021.

Seagull Mitigation Project \$3,000

The BID contracts with the U.S. Department of Agriculture's Wildlife Services team for the removal of seagull eggs and nests throughout the downtown area. This is a multi-year process and the \$3,000 will be designated for the 2021 contract with the USDA.

Parking \$0

Zero dollars will be assessed for the 2021 City Parking Utility obligation. However, \$15,000 will

be transferred from Reserves/Capital Improvements to be paid to the Parking Utility.

Storage Unit \$660

This line item is to cover the rental cost of the BID's storage unit. The storage unit is needed to store Marketing Consortium event materials and any additional materials.

Reserves/Capital Improvements

These funds have been set aside by the Board for projects and programs to support BID businesses. Any unspent funds from 2021 will be transferred into this account, unless otherwise mentioned as a rollover or transfer into a different line item.

ORGANIZATION

Pursuant to Section 66.1109(3), Wisconsin Statutes, a Downtown Business Improvement District Board has been appointed by the Mayor and confirmed by the Common Council. The Board is comprised of thirteen (13) members and two (2) alternate members representing the following interests: The Mayor may also appoint two non-voting youth members.

- 3 Owner/Non-Occupant
- 5 Non-Owner/Occupant
- 5 Owner/Occupant
- 2 Alternates

By-Laws Amended March 19, 2019

The distribution of non-occupant owners and owners/occupants may vary from time to time, as members are reappointed or as new members join the Board. Per section 66.1109 (3a), Wisconsin Statutes, a majority of the board members shall own or occupy real property in the Business Improvement District. Nonresidents of the City of Oshkosh are permitted as members of the Downtown Oshkosh Business Improvement District Board. Other membership requirements may apply per the "By-Laws of the Downtown Oshkosh Business Improvement District" (dated December 19, 1989, amended June 15, 2004, April 19, 2011, April 18, 2017 October 16, 2018 and March 19, 2019).

In addition, Board members represent different areas within the District, including large and small businesses. As a City entity, the Board will conduct its affairs under the open meetings law and public record requirements. The Director of Community Development or designee serves as the Secretary of the Board. Board meetings are held the third Tuesday of the month, starting at 8:00am, at Oshkosh City Hall or other venue within the BID. A roster of the 2021 BID Board members is included as Appendix E.

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

RELATIONSHIP TO DOWNTOWN PLANNING

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

DOWNTOWN OSHKOSH BID ASSESSMENT METHOD

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

In 2019, the BID increased the minimum special assessment from \$400.00 to \$420.00 and the maximum special assessment from \$8,000.00 to \$8,400.00, representing a 5% increase. The 2021 minimum and maximum assessments will not be increased, staying at \$420.00 & \$8,400.00, respectively.

Properties with a proportionate value between 0.0000% and 0.2486% are assessed the minimum special assessment of \$420.00.

Properties with a proportionate value greater than 5.7100% are assessed the maximum special assessment of \$8,400.00.

For properties with a proportionate value between 0.2487% and 5.7099% - The property's proportionate value is multiplied by \$1,633.5862, resulting in the special assessment for the property.

Example: 101 Algoma Boulevard has a Proportionate Value of 0.330955%. When multiplied by \$1,633.5862, the special assessment is \$540.64.
(0.330955% x \$1,633.5862= \$540.64)

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

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

APPENDIX A: 2021 DOWNTOWN OSHKOSH BUSINESS IMPROVEMENT DISTRICT BUDGET

REVENUE - 2021 BID ASSESSMENT		\$ 140,610
EXPENSES		\$ 140,610
	Breakdown	Total
Leadership		\$ 74,000
Oshkosh CVB Service Contract (BID Manager)	\$ 70,000	
Website Maintenance/Office Supplies	\$ 4,000	
	\$ 74,000	
Recruitment, Retention & Mural Grant Programs*		\$ -
(*\$10,000 to be transferred from Reserves/CI)		
Events		\$ 11,500
Waterfest	\$ 2,000	
Live at Lunch	\$ 500	
Wine Walk(s)	\$ 750	
Holiday Parade	\$ 750	
Farmers Market	\$ 5,000	
Other Events	\$ 2,500	
	\$ 11,500	
Advertising (\$15,000 to be transferred from Reserves/CI)		\$ -
Gift Card Program		\$ 1,000
MemberCO		\$ 3,000
Membership Fees	\$ -	
Additional Activities and Marketing Materials	\$ 850	
Holiday	\$ 2,000	
Chalk Walk	\$ 150	
	\$ 3,000	
Beautification		\$ 50,450
Contracted Services	\$ 25,000	
Holiday	\$ 8,500	
Planter Maintenance*	\$ 13,950	
Seagull Mitigation Project	\$ 3,000	
(*Additional \$3,050 to be transferred from Reserves/CI)	\$ 50,450	
Parking (\$15,000 to be transferred from reserves/CI)		\$ -
Storage Unit		\$ 660
		\$ 140,610
Reserves/Capital Improvements		
(Approximately \$63,500 at beginning of 2021; \$20,450 after transfers)		

**APPENDIX B: 2021 DOWNTOWN OSHKOSH BUSINESS IMPROVEMENT DISTRICT ASSESSMENT ROLL
ASSESSMENT OF \$140,610.00, \$420.00 MINIMUM, \$8,400.00 MAXIMUM ASSESSMENT***

TAX ID NO.	OWNER	ADDRESS	ASSESSED VALUE	% TOTAL ASSESSED VALUE	FRONTAGE	% TOTAL FRONTAGE	TOTAL % (VALUE % + FRONTAGE %)	TOTAL %/2 (Proportionate Value)	2021 ASSESSMENT ON \$140,610	2020 ASSESSMENT ON \$140,610	\$ CHANGE FROM 2020	% Change from 2020
0100960000	NELS H/CAROL J NASLUND	101 ALGOMA BLVD	\$ 227,200	0.377%	24.00	0.285%	0.662%	0.331%	\$ 540.64	\$ 547.49	\$ (6.85)	-1.25%
0100950000	ONE SIX EIGHT ENTERPRISE LLC	103 ALGOMA BLVD	\$ 415,700	0.690%	50.00	0.594%	1.283%	0.642%	\$ 1,048.22	\$ 1,061.98	\$ (13.76)	-1.30%
0700060000	HOOPMAN & CO DOWNTOWN LLC	110 ALGOMA BLVD	\$ 663,200	1.100%	83.87	0.996%	2.096%	1.048%	\$ 1,712.08	\$ 1,734.85	\$ (22.77)	-1.31%
0701220000	STAPEL PROPERTIES LLC	138 ALGOMA BLVD	\$ 142,500	0.236%	100.00	1.187%	1.424%	0.712%	\$ 1,162.78	\$ 1,184.09	\$ (21.32)	-1.80%
0701230000	146 ALGOMA BLVD LLC	146 ALGOMA BLVD	\$ 638,400	1.059%	80.00	0.950%	2.009%	1.005%	\$ 1,640.94	\$ 1,662.72	\$ (21.77)	-1.31%
0100600101	BAYSHORE DEVELOPMENT II LLC	101 COMMERCE ST	\$ 6,303,800	10.460%	385.32	4.574%	15.034%	7.517%	\$ 8,400.00	\$ 8,400.00	\$ -	0.00%
0100990100	WILLIAM R MANISKE	300 DIVISION ST	\$ 91,000	0.151%	40.00	0.475%	0.626%	0.313%	\$ 511.19	\$ 520.02	\$ (8.83)	-1.70%
0701240000	STAPEL PROPERTIES LLC	0 DIVISION ST	\$ 33,600	0.056%	40.00	0.475%	0.531%	0.265%	\$ 433.40	\$ 441.71	\$ (8.32)	-1.88%
0701250000	STAPEL PROPERTIES LLC	420 DIVISION ST	\$ 139,300	0.231%	80.00	0.950%	1.181%	0.590%	\$ 964.51	\$ 981.79	\$ (17.28)	-1.76%
0100860000	101 HIGH AVE LLC	101 HIGH AVE	\$ 108,000	0.179%	20.00	0.237%	0.417%	0.208%	\$ 420.00	\$ 420.00	\$ -	0.00%
0100850000	BROWN BELL PROPERTIES LLC	103 HIGH AVE	\$ 283,600	0.471%	40.00	0.475%	0.945%	0.473%	\$ 772.22	\$ 782.79	\$ (10.57)	-1.35%
0100890000	MAX P/KARIN L HERMANS	114 HIGH AVE	\$ 112,200	0.186%	20.00	0.237%	0.424%	0.212%	\$ 420.00	\$ 420.00	\$ -	0.00%
0100870000	KINGS LAUNDRY INC	118 HIGH AVE	\$ 24,300	0.040%	90.00	1.068%	1.109%	0.554%	\$ 905.61	\$ 923.86	\$ (18.25)	-1.98%
0101010000	OSHKOSH LUXURY LOFTS LLC	132 HIGH AVE	\$ 739,700	1.227%	130.00	1.543%	2.771%	1.385%	\$ 2,263.06	\$ 2,295.76	\$ (32.70)	-1.42%
0101060000	GILLENS LLC	135 HIGH AVE	\$ 27,800	0.046%	38.00	0.451%	0.497%	0.249%	\$ 420.00	\$ 420.00	\$ -	0.00%
0101050000	KLRR INC	139 HIGH AVE	\$ 129,800	0.215%	30.00	0.356%	0.572%	0.286%	\$ 466.81	\$ 473.99	\$ (7.18)	-1.51%
0101040000	KLRR INC	141 HIGH AVE	\$ 121,500	0.202%	20.00	0.237%	0.439%	0.220%	\$ 420.00	\$ 420.00	\$ -	0.00%
0101000000	NORTHERN TELEPHONE & DATA CORP	144 HIGH AVE	\$ 210,700	0.350%	50.00	0.594%	0.943%	0.472%	\$ 770.39	\$ 793.76	\$ (23.37)	-2.94%
0101030000	WILKINS T45 LLC	145 HIGH AVE	\$ 36,000	0.060%	60.00	0.712%	0.772%	0.386%	\$ 630.58	\$ 642.92	\$ (12.34)	-1.92%
0101020000	OSHKOSH LUXURY LOFTS LLC	0 HIGH AVE	\$ 40,700	0.068%	60.00	0.712%	0.780%	0.390%	\$ 636.95	\$ 649.33	\$ (12.39)	-1.91%
0100990000	WILLIAM R MANISKE	0 HIGH AVE	\$ 30,900	0.051%	60.00	0.712%	0.764%	0.382%	\$ 623.67	\$ 635.96	\$ (12.30)	-1.93%
0100400000	OSHKOSH INVESTORS LLC	1 N MAIN ST	\$ 8,944,100	14.841%	257.49	3.057%	17.898%	8.949%	\$ 8,400.00	\$ 8,400.00	\$ -	0.00%
0800570000	DAYMARK 100 N MAIN LLC/OSHKOSH 620 LLC	100 N MAIN ST	\$ 4,695,800	7.792%	306.11	3.634%	11.426%	5.713%	\$ 8,400.00	\$ 8,400.00	\$ -	0.00%
0100300000	FIRST WISC NATL BANK OSHKOSH	111 N MAIN ST	\$ 3,293,000	5.464%	348.30	4.135%	9.599%	4.799%	\$ 7,840.30	\$ 7,939.71	\$ (99.41)	-1.25%
0200030000	206 NORTH MAIN LLC	206 N MAIN ST	\$ 177,900	0.295%	40.20	0.477%	0.772%	0.386%	\$ 630.91	\$ 640.56	\$ (9.65)	-1.51%
0200190000	JON P GRUENSTERN	210 N MAIN ST 100	\$ 241,500	0.401%	16.68	0.198%	0.599%	0.299%	\$ 489.04	\$ 494.56	\$ (5.51)	-1.12%
0200190200	JON P GRUENSTERN	210 N MAIN ST 150	\$ 46,200	0.077%	16.68	0.198%	0.275%	0.137%	\$ 420.00	\$ 420.00	\$ -	0.00%
0200190100	NIAGARA FALLS LLC	210 N MAIN ST 200	\$ 320,700	0.532%	16.68	0.198%	0.730%	0.365%	\$ 596.38	\$ 602.61	\$ (6.23)	-1.03%
0200190300	NIAGARA FALLS LLC	210 N MAIN ST B50	\$ 16,900	0.028%	16.68	0.198%	0.226%	0.113%	\$ 420.00	\$ 420.00	\$ -	0.00%
0200180000	PAUL J ESSLINGER	216 N MAIN ST	\$ 143,800	0.239%	26.70	0.317%	0.556%	0.278%	\$ 453.79	\$ 460.43	\$ (6.64)	-1.44%
0100140000	CLOVER INVESTMENTS LLC	217 N MAIN ST	\$ 542,500	0.900%	120.00	1.425%	2.325%	1.162%	\$ 1,898.83	\$ 1,927.75	\$ (28.92)	-1.50%
0200020000	THOMAS N RUSCH ETAL	220 N MAIN ST	\$ 218,000	0.362%	67.00	0.795%	1.157%	0.579%	\$ 945.12	\$ 960.50	\$ (15.38)	-1.60%
0100130000	KINDRED INVESTMENTS LLC	223 N MAIN ST	\$ 223,800	0.371%	24.00	0.285%	0.656%	0.328%	\$ 536.03	\$ 542.85	\$ (6.82)	-1.26%
0200120000	MCDAY HOLDINGS LLC	224 N MAIN ST	\$ 49,600	0.082%	20.00	0.237%	0.320%	0.160%	\$ 420.00	\$ 420.00	\$ -	0.00%
0200010000	BND ENTERPRISES LLC	226 N MAIN ST	\$ 122,800	0.204%	20.00	0.237%	0.441%	0.221%	\$ 420.00	\$ 420.00	\$ -	0.00%
0200760000	BBLD LLC	300 N MAIN ST	\$ 499,100	0.828%	156.00	1.852%	2.680%	1.340%	\$ 2,189.08	\$ 2,224.82	\$ (35.74)	-1.61%
0200820000	EXCLUSIVE COMPANY CORP	318 N MAIN ST	\$ 282,800	0.469%	72.00	0.855%	1.324%	0.662%	\$ 1,081.42	\$ 1,098.39	\$ (16.97)	-1.54%
0700010000	BAERBROTHER LLC	401 N MAIN ST	\$ 142,200	0.236%	54.00	0.641%	0.877%	0.439%	\$ 716.33	\$ 728.43	\$ (12.10)	-1.66%
0400790000	404 N MAIN ST LLC	404 N MAIN ST	\$ 687,100	1.140%	92.00	1.092%	2.232%	1.116%	\$ 1,823.31	\$ 1,847.92	\$ (24.61)	-1.33%
0700010200	THANK YOU VERY MUCH FOR THE MONEY LLC	407 N MAIN ST	\$ 149,700	0.248%	40.00	0.475%	0.723%	0.362%	\$ 590.75	\$ 600.11	\$ (9.36)	-1.56%
0401000000	FKP PROPERTIES LLC	408 N MAIN ST	\$ 280,400	0.432%	62.00	0.736%	1.168%	0.584%	\$ 954.10	\$ 968.87	\$ (14.76)	-1.52%
0700010300	C ODY R PYFER/ERICA P WULLOY	411 N MAIN ST	\$ 79,000	0.131%	29.20	0.347%	0.478%	0.239%	\$ 420.00	\$ 420.00	\$ -	0.00%
0700020000	JOSEPH F KRUMRICH ETAL	413 N MAIN ST	\$ 37,400	0.062%	20.00	0.237%	0.299%	0.150%	\$ 420.00	\$ 420.00	\$ -	0.00%
0400990000	JAMES A GIOMBETTI	414 N MAIN ST	\$ 30,900	0.051%	16.00	0.190%	0.241%	0.121%	\$ 420.00	\$ 420.00	\$ -	0.00%
0700030000	HOOPMANS DOWNTOWN LLC	415 N MAIN ST	\$ 367,100	0.609%	59.80	0.710%	1.319%	0.660%	\$ 1,077.38	\$ 1,092.66	\$ (15.28)	-1.40%
0400800000	GIOMBETTI JAMES A	416 N MAIN ST	\$ 81,800	0.136%	20.00	0.237%	0.373%	0.187%	\$ 420.00	\$ 420.00	\$ -	0.00%
0400810000	EXCLUSIVE CO CORP THE	418 N MAIN ST	\$ 60,700	0.101%	20.00	0.237%	0.338%	0.169%	\$ 420.00	\$ 420.00	\$ -	0.00%
0400820000	D & M RENTALS LLC	420 N MAIN ST	\$ 131,400	0.218%	20.00	0.237%	0.455%	0.228%	\$ 420.00	\$ 420.00	\$ -	0.00%
0700080000	HOOPMANS DOWNTOWN OSHKOSH LLC	421 N MAIN ST	\$ 364,100	0.604%	20.00	0.237%	0.842%	0.421%	\$ 687.40	\$ 694.68	\$ (7.28)	-1.05%
0400830000	HOOPMANS DOWNTOWN OSHKOSH LLC	422 N MAIN ST	\$ 114,100	0.189%	18.00	0.214%	0.403%	0.202%	\$ 420.00	\$ 420.00	\$ -	0.00%
0700010000	ESCAPE RENTALS LLC	423 N MAIN ST	\$ 89,900	0.149%	20.00	0.237%	0.387%	0.193%	\$ 420.00	\$ 420.00	\$ -	0.00%
0400840000	HOOPMANS DOWNTOWN OSHKOSH LLC	424 N MAIN ST	\$ 108,100	0.179%	18.00	0.214%	0.393%	0.197%	\$ 420.00	\$ 420.00	\$ -	0.00%
0400850000	JAMES EVANS/GAIL PANSKE	426 N MAIN ST	\$ 80,200	0.133%	20.00	0.237%	0.371%	0.185%	\$ 420.00	\$ 420.00	\$ -	0.00%
0700110000	STAPEL PROPERTIES LLC	428 N MAIN ST	\$ 336,000	0.558%	82.75	0.982%	1.540%	0.770%	\$ 1,257.76	\$ 1,277.37	\$ (19.60)	-1.53%
0400860000	HOOPMANS DOWNTOWN OSHKOSH LLC	428 N MAIN ST	\$ 97,400	0.162%	20.00	0.237%	0.399%	0.200%	\$ 420.00	\$ 420.00	\$ -	0.00%
0400870000	GRINDERS LLC	430 N MAIN ST	\$ 167,100	0.277%	20.00	0.237%	0.515%	0.257%	\$ 420.40	\$ 425.91	\$ (5.51)	-1.29%
0400880000	TOD MAR PROPERTY MANAGEMENT LLP	434 N MAIN ST	\$ 282,500	0.469%	38.00	0.451%	0.920%	0.460%	\$ 751.34	\$ 761.49	\$ (10.15)	-1.33%
0700120000	BRADFORD C BRITTON	435 N MAIN ST	\$ 67,100	0.111%	27.30	0.324%	0.435%	0.218%	\$ 420.00	\$ 420.00	\$ -	0.00%
0400980000	TODMAR PROPERTY MANAGEMENT LLP	436 N MAIN ST	\$ 168,500	0.280%	22.00	0.261%	0.541%	0.270%	\$ 441.69	\$ 447.61	\$ (5.92)	-1.32%

APPENDIX C

66.1109 Business improvement districts.

(1) In this section:

66.1109(1)(a)(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.

**APPENDIX D
Legal Opinion**

CITY HALL
215 Church Avenue
P.O. Box 1130
Oshkosh, Wisconsin
54903-1130

City of Oshkosh



OSHKOSH

October 21, 2020

Mr. Allen Davis
Director of Community Development
City of Oshkosh
215 Church Avenue
PO Box 1130
Oshkosh, WI 54903-1130

Re: Downtown Oshkosh Business Improvement District – 2021 Operating Plan

Dear Mr. Davis:

I have reviewed the proposed 2021 operating plan submitted by the Downtown Oshkosh Business Improvement District (BID), specifically with regard to the requirements set forth in Section 66.1109(1)(f) Wis. Stats., which calls for a legal opinion that certain requirements are met in the operating plan.

The operating plan includes a provision indicating the special assessment method applicable to the BID. Real property used exclusively for manufacturing purposes will be assessed under the plan. A description of the kind, number, and location of the proposed expenditures within the BID is included as well as a description of the methods of financing to be used. The Plan specifies that all costs will be incurred during calendar year 2021. Finally, the operating plan contains the required description of how the BID promotes the orderly development of the municipality, including its relationship to the City's Comprehensive Plan and Downtown Action Plan. It is, therefore, my opinion that requirements of Section 66.1109(1)(f) have been complied with.

Yours truly,

CITY OF OSHKOSH

David J. Praska
Deputy City Attorney

Cc: Jeff Nau, Staff Liaison to BID



APPENDIX E

Downtown Oshkosh Business Improvement District Board Members

Board Member	Category	Term Expires
Marlo Ambas	Owner/Occupant	5/31/2021
Chanda Anderson	Non-Owner/Occupant	5/31/2021
Megan Lang, Chair	Owner/Non-Occupant	5/31/2022
Kris Larson, Vice Chair	Owner/Occupant or Non-Owner/Occupant	5/31/2022
VACANT	Non-Owner/Occupant	5/31/2023
Sandy Prunty	Owner/Occupant	5/31/2022
David Krumplitsch	Non-Owner/Occupant	5/31/2023
Carrie Olson	Owner/Occupant	5/31/2022
James Stapel	Owner/Non-Occupant or Owner/Occupant	5/31/2023
VACANT	Non-Owner/Occupant	5/31/2021
Andy Ratchman	Non-Owner/Occupant	5/31/2021
James Evans	Owner/Occupant	5/31/2023
Aaron Armstrong	Owner/Occupant	5/31/2021
Dr. Jill Anderson	Alternate #1	5/31/2021
VACANT	Alternate #2	5/31/2022