

VILLAGE OF FONTANA ON GENEVA LAKE  
WALWORTH COUNTY, WISCONSIN

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REGULAR MEETING of the COMMUNITY DEVELOPMENT AUTHORITY

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(OFFICIAL MINUTES)

Wednesday, July 11, 2007 @ 6:00 PM

Chairman Turner called the regular monthly meeting of the CDA Board to order at 6:00 pm in the Village Hall, 175 Valley View Drive, Fontana, Wisconsin.

Commissioners present: Roll call vote: Chairman Turner, Fisk, Hibbard, Chanson & Bliss.

Commissioners absent: Commissioners Petersen & Wilson.

Also present: Village President Ron Pollitt (Arrived @ 6:20 pm), Treasurer Peg Pollitt, Librarian Nancy Krei & CDA Executive Director Joseph A. McHugh.

Visitors Heard

Chairman Turner asked if there were any visitors who wished to be heard and no response was received.

Announcements

Chairman Turner reviewed the announcements listed on the agenda.

Approve Minutes

Commissioner Bliss/Commissioner Chanson 2<sup>nd</sup> made a MOTION to approve the minutes for meeting held on June 06, 2007 and the MOTION carried without negative vote.

Approval of Current Payables

Executive Director McHugh presented the Claims Payable Report prepared by Treasurer Pollitt for a total amount of \$86,975.65. In addition, he distributed a report detailing the total capital cost for the Mill Street Park Entrance to the Hildebrand Conservancy and noted that the current bill from BEK Specialties would cause the total budget to exceed the \$25k originally approved by the group for the project.

Chairman Turner/Commissioner Fisk 2<sup>nd</sup> made a MOTION to remove the invoice for BEK Specialties, for a total amount of \$540, from the list of claims under review and to refer it back to the Park Commission for consideration, and the MOTION carried without a negative vote.

Commissioner Chanson asked for clarification of the payment to Fontana Jewelers and Executive Director McHugh explained that it was a payment being made under the Façade Improvement Program for the Hurkman's recent renovation of the building's storefront. Commissioner Bliss asked for detail on the \$1,602.05 bill from Ingersoll. Executive Director McHugh explained that DPW Workman authorized the repair of damage to the irrigation system that had been caused as part of the STH 67 Improvement project. With respect to project budgets, Chairman Turner asked that Treasurer Pollitt and Executive Director McHugh work to add a column to the Full Accounting Statement that lists the total amount approved for each CDA project. Commissioner Hibbard asked for the status of charges on the pending crosswalk repairs on the highway and Executive Director McHugh reviewed the plan to seek reimbursement from Crispell Snyder for the costs of the repairs and noted that the repairs were scheduled to commence on the following Monday.

Commissioner Bliss/Commissioner Hibbard 2<sup>nd</sup> made a MOTION to approve the Claims Payable for a total amount of \$86,975.65 minus the invoice for BEK Specialties, for a total of \$540, and the MOTION carried without a negative vote.

Finance Reports

Full Accounting Statement & Value Increment Calculations

Chairman Turner reviewed the updated Full Accounting Statement prepared by Treasurer Pollitt. Commissioner Fisk asked that the 2001 through 2005 columns be collapse to a single column representing the historical data. Treasurer Pollitt noted that the projected increment had been adjusted to reflect the approved status of the Cliffs of Fontana project.

PRESENTATIONS

No Presentations

TID #1 Infrastructure Projects - Public Works Director Workman

General Construction Updates

In DPW Workman's absence, Executive Director McHugh noted that the current TID #1 projects were progressing steadily.

Wild Duck Road & Pedestrian Path – Bidding Status & Final Cost Estimate

Chairman Turner noted that the bid opening for both the Wild Duck Road project and the Porter Court Plaza project had been postponed from the previous week to the next day following the meeting. To avoid the need for a special meeting, Chairman Turner suggested that DPW Workman and the engineers review the results and forward them to the Village Board for review and approval if they are within the budgets approved by the CDA. Executive Director McHugh explained that the CDA budget for 2007 included a total of \$989,600 for the entire group of projects. He noted that the portion of the work within the DPW site was estimated to cost over \$200k, which would exceed the \$87k budgeted. If the bid opening results were to be near the top end of Ruckert Mielke's cost estimates, they would be in excess of the approved budget amounts. Commissioner Bliss asked why the amount for the work in the DPW site was so much more than anticipated, and Executive Director McHugh relayed that DPW Workman had considered the scope of the work necessary to accomplish the move of DPW materials currently stored on the site of the former village garage. Chairman Turner asked that Executive Director McHugh review the results of the upcoming bid opening and distribute them to the group. The need for a special meeting would be determined at that time.

Porter Court Plaza – Bidding Status & Final Cost Estimate

This Item was discussed in conjunction with the previous Wild Duck Road & Pedestrian Path Agenda Item.

TID #1 Development Projects

Mill Street Plaza (FairWyn, Ltd.) – Update

Chairman Turner noted that he and Executive Director McHugh had recently met with Mr. Brian Pollard. He relayed to the group that Mr. Pollard had still not located a tenant, even with rental rates that were half what was being asked by Keefe for the Newport Development in Lake Geneva. Executive Director McHugh stated that the building was approximately 3,600 gsf. Chairman Turner noted that he had been discussing the space with Mr. Ken Hnilo (owner of Gilberts in Lake Geneva) and other local businessmen. Executive Director McHugh informed the group that he was working with Denise Schultz of the Geneva Lake West Chamber of Commerce to organize an open house on the site after the Porter Court Plaza project was underway. Chairman Turner informed the group that he was currently working on a list of project FAQ's and he would be sending it out to the group for comments.

Village President Ron Pollitt arrived and entered the meeting @ 6:20 pm.

The Cliffs of Fontana (PAR Development) – Update

Executive Director McHugh informed the group that a pre-construction meeting for the Cliffs of Fontana Development had been scheduled for the 15<sup>th</sup>.

General Business

Referendum Question – September 11<sup>th</sup> Election

Executive Director McHugh reviewed the final wording of the referendum question which would be put to the voters on September 11<sup>th</sup>.

STH 67 – Crispell Snyder Crosswalk Issue – Update

This item discussed earlier in the meeting during Claims Payable

Duck Pond –Project Billboards (Design & Budget)

Executive Director McHugh reviewed the proposal to post a billboard on the site of the Wild Duck Road Project. The graphic of the proposed sign was produced by Terry Guen Design Associates, and was intended to inform residents of the total extent of the Duck Pond project. Commissioner Bliss offered that a much simpler sign would be less expensive. Chairman Turner suggested that an informational sign be placed up at the Duck Pond Pavilion with a much simpler sign along the highway.

Chairman Turner/Commissioner Hibbard 2<sup>nd</sup> made a MOTION to approve a simpler billboard to be mounted along the highway and a more detailed display to be located at the site of the Duck Pond Pavilion, and the MOTION carried without a negative vote.

ASLA (American Society of Landscape Architects) Award – TGDA Application Request

Executive Director McHugh informed the group that this agenda item had been pulled by Terry Guen Design Associates.

Duck Pond RFP for Environmental Engineering Services

Executive Director McHugh reviewed the recent letter submitted by Mr. Brian Hinrichs of Liesch Associates, Inc. He further explained that Mr. Joe Eberle and DPW Workman were recommending that the CDA select STS Consultants, Ltd. as a result of the RFP and interview process. Executive Director McHugh reviewed the recommendation letter prepared by Mr. Joe Eberle. The staff's recommendation was based on the lower cost, a more cautious approach, the wide range of previous experience, the relative depth and experience of staff, and the tremendous level of resources available in-house to STS.

STS Consultants Proposal – Environmental Engineering Services – Duck Pond

Commissioner Chanson/Commissioner Bliss 2<sup>nd</sup> made a MOTION to approve a the proposal from STS Consultants, Ltd., for a total amount of \$31,700, plus \$1,200 for a preliminary review meeting with village professionals and staff, and the MOTION carried without a negative vote.

Village Board Report – Chairman Turner

Chairman Turner reviewed the conclusions of the Reid Park Tree debate and noted that the trees had been relocated to the satisfaction of the Park Commission and the Village Board.

Lakefront & Harbor Report – Commissioner Chanson

Commissioner Chanson stated that there was no report.

Park Commission Report – Commissioner Hibbard

Commissioner Hibbard noted that the minutes from the Park Commission meeting were in the CDA's meeting packets for review.

Beach Fence Layout & Panel Design – Update

Executive Director McHugh reviewed an exhibit prepared by PDI (Planning Design Institute) which showed the planned layout of the proposed Beach Fence. It will run the same path as the current fence from the Beach House to Harvard Avenue. For the design of the fence itself, the Lakefront and Harbor Committee unanimously recommended Design "A". The Park Commission originally

recommended design "A", but asked that the bottom portion of the pickets be removed below the bottom rail and expressed serious concern with the spikes along the top. They further requested that a new design be prepared with a draped top rail, which was prepared by Mr. Jim Lemke of JNL Fence and is labeled as Design "F" in the packets. Commissioner Bliss asked if there were still talks ongoing with Country Club about replacing the fence around their lakefront parking lot as part of the project. Executive Director McHugh explained that the current project was for the east side of the street only, and Chairman Turner noted that he had recently talked with Country Club Association President FJ Frazier, who had expressed interest in simply removing their fence without replacement.

#### Sample Fence Installation (Budget & Location)

Executive Director McHugh informed the group that he was working with Mr. Jim Lemke to install a sample fence on the lakefront.

#### Wayfinding Signage – Revised Design

Chairman Turner directed the group's attention to the full size sample of the proposed Wayfinding Signage, which was on display in the meeting room. Executive Director McHugh stated that the sample was being presented to the CDA for comment, and that it was planned to go to the Park Commission for review and consideration at the group's upcoming meeting. Chairman Turner offered that he would prefer to do away with the concept of Wayfinding Signs on the Highway altogether, if the DOT was requiring them to be so large. He noted that the community had operated for years without the proposed signage. Commissioner Hibbard agreed that the proposed sign was too large. Commissioner Chanson agreed as well, and noted that some of the locations, for which wayfinding were being provided, would only be of use to residents anyway (Grade School, Post Office, etc.). Executive Director McHugh explained that there was nothing that prevented the community from submitting a wayfinding signage application to the Wisconsin DOT which incorporated smaller signs, although it would admittedly be more difficult to be successful. Commissioner Chanson/Chairman Turner 2<sup>nd</sup> made a MOTION to abandon the concept of installing wayfinding signs on the highway.

Executive Director McHugh called for a Roll Call Vote, because the results of the 1<sup>st</sup> vote were unclear:

Commissioner Fisk – Yes  
Commissioner Hibbard – No  
Chairman Turner – Yes  
Commissioner Chanson – Yes  
Commissioner Bliss – No

The MOTION carried on a 3-2 vote, with Commissioners Petersen and Wilson absent.

#### Executive Director Report – CDA Director McHugh

##### Fontana Spa – Discussion of Property Assessment Methodology

Executive Director McHugh informed the group that he had been asked to confirm the methodology the Assessor would use to place a property value on the Abbey Resort's Fontana Spa, as it was technically a commercial condominium unit within the Abbey Resort Condominium Hotel. Preliminary discussions have revealed that the method of assessment is an independent process defined under State Statute, and as such, it would be difficult to guarantee a property value by use of an agreement with the owner. The issue, he reported, is that commercial property owners can ask that commercial property be assessed using an income approach, which can substantially reduce the value of the asset regardless of the apparent value of the real estate. Regarding the recent changes in ownership at the resort, Commissioner Fisk commented that a new General Manager had been hired. Chairman Turner offered that the CDA should be working to ensure that the Abbey Resort is successful since it is a primary component of the financial success of the TIF District. Beyond the pending renovation of the Fontana Spa, one of the resort's owners and managing partner, Cary Kerger, is still planning to come back to the CDA with a proposal to replace both the entrance and

corner monument signage on the property. Commissioner Chanson asked what type of financial participation was being contemplated for the Fontana Spa renovation project, and Chairman Turner offered that it may be from \$50k, up to \$250k, based on a \$1 million dollar renovation. Commissioner Chanson expressed concern with the CDA concentrating too much on development and increment generation. Commissioner Fisk reconfirmed the group's position from the previous meeting that the CDA would be interested in working with the Abbey to ensure that it remained financially healthy. He noted that the recent hiring of professional management was surely a step in the right direction. Commissioner Bliss asked Treasurer Pollitt what type of documentation the Abbey had been submitting to verify their room tax, and Treasurer Pollitt indicated that a 3<sup>rd</sup> party audit had been completed within the last two years and that no irregularities had been identified. Commissioner Bliss asked that any future agreement with the Abbey include a requirement for a yearly audit. Chairman Turner asked Village President Pollitt, in his capacity as Finance Committee Chairman, to review the room tax issue with his committee. He further offered that the Village could consider working with the Abbey to rebate a portion of the room tax as occupancy rates increased.

Confirm Quorum for upcoming Meetings

Next Regular Monthly Meeting – August 01, 2007 @ 6:00 pm (No Closed Session)

Chairman Turner confirmed that the next meeting was scheduled for August 1<sup>st</sup>.

August Agenda Item Requests

No requests for agenda items were made by the group.

Pending / Future Items

FEN Bird House Project (\$2k Budget approved – June 02, 2007) – No Discussion

TID #1 – 30% Department of Revenue Audit – No Discussion

Mill House Park Structure (CDA Funding Commitment) – No Discussion

RM Proposal – Little Foot Playground & Reid Park Engineering Services – No Discussion

Industrialization of VOF Compost Operations (DPW Proposal) – No Discussion

Fontana-Walworth Pedestrian Grant Application – No Discussion

Fontana Boulevard Landscaping Project – No Discussion

Abbey Resort – Path Easements & New Corner Monument Sign Proposal – No Discussion

Executive Director Employment Contract – No Discussion

Adjournment

Commissioner Chanson/Commissioner Fisk 2<sup>nd</sup> made a MOTION to adjourn the meeting at 7:10 pm, and the MOTION carried without negative vote.

Minutes prepared by: Joseph A. McHugh, CDA Executive Director

APPROVED:      **05 SEPT 2007 - CDA**