

**VILLAGE OF FONTANA ON GENEVA LAKE
WALWORTH COUNTY, WISCONSIN**
(Official Minutes)

MONTHLY MEETING of the CDA BOARD OF DIRECTORS
Wednesday, July 1, 2009

Chairman Turner called the monthly meeting of the CDA to order at 6:02 pm in the Village Hall, 175 Valley View Drive, Fontana, Wisconsin.

CDA Commissioners present: Bill Turner, Village President Pete Petersen, Cindy Wilson, Jeff Fisk Bob Chanson (arrived at 6:05 pm), Skip Bliss (arrived at 6:11 pm)

CDA Commissioner absent: Gail Hibbard

Also present: Dale Broeckert, William Dunlop, Joe Eberle, Carolyn Esswein, Susan Gilkes, Administrator/Treasurer Kelly Hayden, Kevin Kirkland, Library Director Nancy Krei, Village Clerk Dennis Martin, Joseph McHugh, Sharon O'Brien, Trustee Micki O'Connell, Margaret Reuland, David Werner, Director of Public Works Craig Workman

Visitors Heard

None

Announcements

1. Fontana Public Library Children's Events at Duck Pond Pavilion – **Wednesday, July 1, 15 & 29, 2009 at 10:00 am**
2. Village of Fontana Music in the Park Program – **Saturday, July 4, 2009 at 4:00 pm**
3. Village of Fontana Fireworks Display – **Saturday, July 4, 2009 at Dusk**
4. Village Board Monthly Meeting – **Monday, July 6, 2009, 6:00 pm**
5. Fontana Public Library Event at Fontana Fen – **Tuesday, July 7, 2009 at 10:00 am**
6. Blue Ribbon Lakefront Building Committee Meeting – **Thursday, July 9, 2009, 5:00 pm**
7. Summer Story Wagon at Village Hall – **Tuesday, July 14, 21 & 28, 2009 at 10:00 am**
8. Park Commission Monthly Meeting – **Wednesday, July 15, 2009 at 6:00 pm**
9. VOF Assessor Village Hall Office Hours – **Friday, July 17, 2009, 10:00 am to 2:00 pm**
10. Fontana Library Reading Program Workshop – **Wednesday, July 22, 2009, 9:30 am**
11. Library Board Monthly Meeting – **Wednesday, July 22, 2009 at 10:00 am**
12. Open Book at the Fontana Village Hall – **Thursday, July 23, 2009, 3:00 to 5:00 pm**
13. Open Book at the Fontana Village Hall – **Saturday, July 25, 2009, 10:00 am to Noon**
14. Big Foot Lions Club Lobster Boil and Steak Fry – **Saturday, July 25, 2009**
15. Plan Commission Monthly Meeting – **Monday, July 27, 2009, 5:30 pm**

Approval of Minutes for November 5, 2008 and June 3, 2009 Monthly Meetings

Commissioner Fisk/President Petersen 2nd made a MOTION to approve the minutes as submitted for the meetings held November 5, 2008 and June 3, 2009, and the MOTION carried without negative vote.

Approval of Current Payables

The payables totaling \$44,699 were reviewed and approval was recommended.

President Petersen/Commissioner Fisk 2nd made a MOTION to approve the payables as submitted, and the MOTION carried without negative vote.

Finance Report – Treasurer Hayden-Staggs

Update/Review – Full Accounting Statement & TIF Revenue Increment Projections

Hayden stated that in order to make the documents clearer and easier to follow, she drafted a straight Profit and Loss Statement and a summary sheet to be presented with the monthly Full Accounting Statement and TIF Revenue Increment Projections. Fisk stated that he reviewed the documents and it is his opinion that they provide good information and he is confident that the numbers are correct. Chairman Turner stated that revised Full Accounting Statement and summary sheet are in order and

during the next month Hayden will update the increment side of the statement after the state provides the new equalized valuation figures for the TID.

Presentations

Shabbona Path Project – Engineering Bids for Storm Water Portion of Proposal

Workman stated that at the direction of the CDA Board, he solicited engineering bids from Ruekert-Mielke, Graef and Foth for the stormwater management portion of the project. Workman presented a summary of the bids and stated that the best option is dependant on how much of the project the CDA wants to undertake at this time. Workman stated that if the CDA just wants to address the stormwater problems in the area and open the path area, Graef submitted the low bid. Workman stated that although he had the engineering firms investigate and provide bids on an above-ground option to handle the stormwater runoff, an open channel system will not solve the problem. Workman stated that there will be too much erosion caused by the runoff that will deteriorate any above-ground trenching system. An option to directionally drill a stormwater pipe into the hill was discussed but not considered because the option will not clear the pedestrian path and the pedestrian path is the reason the CDA became involved in the project. Turner stated that the bid submitted by Graef is the best option on the exact items that were specified. Bliss stated that Ruekert-Mielke indentified an option to tie into two existing 8-inch stormwater lines and that option could save the Village a lot of money on the overall project. Bliss stated that the bids were close enough that the CDA should recommend approval of the Ruekert-Mielke bid to reward them for coming up with an idea to save the Village money.

Chairman Turner/Commissioner Chanson 2nd made a MOTION to recommend approval of the engineering bid submitted by Graef for a subsurface storm sewer system, for an amount not to exceed \$23,000, and the MOTION carried on a 4-2 vote, with President Petersen and Commissioner Bliss voting no and Commissioner Hibbard absent.

Lakefront Marina Building Redevelopment Recommendation – PDI/Graef

Carolyn Esswein presented a PowerPoint presentation featuring conceptual plans for the lakefront marina building site, municipal beach parking lot and Lake Street. Esswein stated that her recommendation is based on past public surveys, information gathered at meetings and the results of the structural engineering report. Esswein stated that she would propose a new building, either one- or two-stories, for multiple uses including space for Kevin Kirkland’s current marina business and a public activity center. Esswein stated that a new building could house an indoor public area, an office area for Kirkland, an area for non-motorized seasonal rentals, a coffee shop, and an open entrance area. Esswein stated that sticking very close to the existing building footprint, there would be enough space in a one-story building to accommodate all the desired uses, or a two-story building could expand one or two of the areas and provide space for people to look out over the lake. Esswein stated that no matter what is decided regarding the building, she would recommend reconfiguring the current beach parking lot. Esswein stated that if the lot is reconfigured the Village will gain open space on the lakefront and improve the traffic safety conditions without losing a significant number of stalls. In response to concerns about the new building adequately serving the needs of the current marina business, Kirkland stated an office area and a presence on the lakefront are all he requires. Kirkland stated that the boat servicing operations are being moved from the lakefront site out to the Willow Bend Marina and he would just need to manage the in-and-out service from the lakefront building. Esswein stated that a new building and reconfigured parking lot could be developed using the route of the existing Lake Street, but it would be better to have the street reconfigured to turn at the north end of the beach parking lot. If the street is moved, there would be more open space and pedestrians wouldn’t be crossing any roads to get from the parking lot to the beach or the lakefront. Workman stated that Lake Street needs to be reconstructed regardless of the decision to have it rerouted, because the current street has to be elevated to the same level as the foundation of the beach house to address stormwater concerns. Turner stated that Esswein did a great job and he suggested that the Blue Ribbon Lakefront Building Committee members view the presentation, since only Nancy Krei and Cindy Wilson were able to attend the CDA meeting that night. Turner stated that the CDA Board should consider a motion to accept the recommendation made by Esswein and to direct her to work with the Blue Ribbon Committee to take the next steps in drafting the proposed design for a new building and the interior layout, to develop a second public opinion survey with regard to rerouting Lake Street, and to finalize the recommendation to be made to the

Village Board. Fisk stated that he agrees with Turner and the recommendation made by Esswein is a good idea. Fisk stated that the Blue Ribbon Committee should move forward with the planning process. Fisk stated that the CDA should approve Turner's motion since it will not be approving any final commitment. Petersen stated that he also supports Turner's motion since a referendum is required for any proposed development projects on the marina building, beach parking lot and Lake Street. Chanson stated that he is fine with moving forward with the planning process and not tearing down the current building until it is necessary. Wilson stated that she agrees with Chanson and moving forward with the planning process, not razing the current building until it is necessary and developing another public opinion survey. Bliss stated that he also agrees with Turner, but sooner or later a decision is going to have to be made with regard to rerouting Lake Street.

Chairman Turner/President Petersen 2nd made a MOTION to accept the recommendation made by Carolyn Esswein to plan for a new lakefront building, to direct the Blue Ribbon Lakefront Building Committee to meet with Esswein to take the next steps in drafting the proposed design for a new building and its interior layout, to develop and send out a second public opinion survey with regard to rerouting Lake Street, and to finalize the recommendation to be made to the Village Board. The MOTION carried without negative vote.

Village of Fontana/Village of Walworth Pedestrian Path Project Construction Bids

Workman stated that he analyzed the bids with Foth Infrastructure & Environment, LLC engineers Dale Broeckert and William Dunlop and he presented the review to CDA members. The bids came in higher than the budgeted amount, so alternatives were considered to reduce the construction cost. Dunlop stated that the proposed boardwalk element of the construction plan is extremely expensive at about \$200,000. Workman presented "Alternate No. 3" calling for a pipe and cover to handle the stormwater aspect of the plan and to eliminate the boardwalk. Workman stated that it would bring the construction costs down closer to the budgeted amount. Workman stated that he talked to the low bidder, Mann Brothers, and broke down their bid and he recommended moving forward with the project while a change order is prepared for consideration at next month's meeting. Following a lengthy discussion on the requirement for a railing along the top of a retaining wall required with the new plan, the CDA board members directed Workman to have a wrought iron railing installed instead of a chain link fence. Bliss stated that the CDA should move forward with the development of the pedestrian path and accomplish what it intended to do in the first place – provide a safe pedestrian path that is not on the highway.

Chairman Turner/Commissioner Chanson 2nd made a MOTION to recommend approval of the low bid submitted by Mann Brothers, Inc., for the Village of Fontana/Village of Walworth Pedestrian Path Project and to direct the engineers to prepare a change order to bring the project in under budget and to accommodate the Alternate No. 3 plan, with a railing along the retaining wall instead of a chain link fence. The MOTION carried without negative vote.

Workman stated that as part of the project, he requested that the bids include estimates for constructing stormwater system ditches and berms to address runoff problems in the area. The work would address a stormwater problem that has developed on the Abbey Hill property. Buildings in the Abbey Hill development are experiencing major foundation problems because of the increased runoff on the property. Turner stated that the work has not yet been discussed by the CDA, but Workman put together the proposal to address the problem as part of the pedestrian path project because of the proximity of the project. Turner stated that there are funds available in the CDA Environmental Master Plan that could cover the \$51,241 estimated project cost. Following discussion, the CDA Board members were in consensus that since Mann Brothers was going to be completing the construction work on the path, the firm should also complete the ditching and berming work at the same rate proposed in the low bid. Turner stated that although the work was initially planned for this year, the funds are available in the CDA's overall Project Plan. Abbey Hill Association President Susan Gilkes stated that the property owners have been advised that runoff is causing severe foundation problems that must be addressed prior to winter.

Commissioner Chanson/President Petersen 2nd made a MOTION to recommend approval of the proposal to have Mann Brothers, Inc. complete the stormwater system trenching and berming work as delineated in the alternative bids for the Village of Fontana/Village of Walworth Pedestrian Path Project for a cost not to exceed \$51,241, with the funds to be allocated from the CDA Environmental Master Plan account. The MOTION carried without negative vote.

TID #1 Projects – Public Works Director Workman

General Construction Updates

Workman stated that there currently is a lull in project activity, with the 2008 projects completed and the 2009 projects still in the bidding and planning stages. In response to a question from Bliss, Workman stated that the two remaining utility poles on Third Avenue will be taken down after Charter Communications splices a major fiber optic line. Workman stated that he has been in contact with the cable company, and the work was supposed to be completed by now. The CDA Board directed Workman to continue to pressure Charter Communications to complete the work so the poles can be taken down as soon as possible. Workman stated that there are some sections of the newly installed beach fence that need to be touched up. Turner directed the staff to have Village Attorney Dale Thorpe contact Century Fence Company and urge them to also finish the sections of the fence that have not been installed to contract specifications.

TIF Project Maintenance Activity Report

Martin was directed to add to the report the ongoing project to abate the invasive trees, weeds and Garlic Mustard in the Fontana Fen. In particular, the Buckthorn needs to be addressed.

Third Avenue Contract Pay Request No. 10

Turner stated that the \$94,960 pay order submitted by Mann Brothers, Inc. for the Third Avenue Project Contract was reviewed by the Village engineer and approval is recommended. Commissioner Chanson/President Petersen 2nd made a MOTION to approve the \$94,960 Pay Order No. 10 submitted by Mann Brothers, Inc. for the Third Avenue Project Contract as recommended, contingent on Village Board approval, and the MOTION carried without negative vote.

Highway 67 Landscaping Contract Pay Request No. 3 (Final)

Turner stated that the \$5,809 final pay order submitted by P.T.S. Landscaping, Inc. for the Highway 67 Landscaping and Irrigation Contract was reviewed by the Village engineer and approval is recommended. Commissioner Chanson/Commissioner Bliss 2nd made a MOTION to approve the \$5,809 Pay Order No. 3 submitted by P.T.S. Landscaping, Inc. for the Highway 67 Landscaping and Irrigation Contract as recommended, contingent on Village Board approval, and the MOTION carried without negative vote.

Approve Purchase of Lights for Fontana Boulevard Project

Workman stated that the Village can save funds by purchasing the lights at this time directly from the manufacturer, StressCrete, Atchison, KS. Workman stated that the Village's options are very limited by the style and design of the street light poles and fixtures. Workman stated that unit price has not increased since the Kinzie Avenue and Third Avenue projects. In response to a question from Bliss, Workman stated that the 36 lights will run along Fontana Boulevard from Highway 67 to the Abbey Harbor bridge. The \$125,545 proposal calls for the lights to cost \$3,487 each. Workman stated that if the lights are purchased now, they will be delivered in time for installation in the fall. Commissioner Fisk/President Petersen 2nd made a MOTION to approve the purchase of 36 light poles and fixtures from StressCrete for \$125,545 as presented, and the MOTION carried without negative vote.

General Business

Abbey Resort Driveway Modification

Workman stated that there was nothing to present that night with regard to the Abbey Resort property owners' request to modify the driveway located at the intersection of Highway 67 and Dewey Avenue. Workman stated that B.R. Amon and Sons, Inc., Elkhorn, was going to submit a proposal, but it still has not been submitted.

Update on Environmental Master Plan

Turner stated that he, Chanson and Workman toured the Big Foot Country Club property prior to the meeting and discussed the stormwater runoff problems in the wooded area and streams. Turner stated that the country club representatives showed them some highly polluted streams that all lead to the lake. Turner stated that the stormwater problems have escalated in recent years on the country

club property because of the development of the subdivisions up the hill. Turner stated that it should be the goal of the CDA to correct the stormwater problems in the TID and to assist with the rehabilitation of the streams that have been left a mess. Chanson stated that the goal of the CDA is to protect Geneva Lake into the future and the streams that lead into the lake play a significant role in depositing silt and pollution in the lake. Chanson stated that the CDA needs to help get the stormwater runoff problem corrected. Turner stated that the Village has a great opportunity to work with Big Foot Country Club. Turner stated that Workman pointed out a polluted pond that could be dredged and used with the Village's ongoing stormwater management system planning. The Village engineers were looking at developing a stormwater feature on the old body shop property owned by the Village, but if the Big Foot Country Club pond could be rehabilitated, it could be incorporated into the plan and save thousands of dollars. Turner stated that the CDA should get a professional engineer involved on the environmental plan for the area east of Highway 67 and send out requests for qualifications to Ruckert-Mielke, Foth and Graef as well as to Terry Guen Design Associates. Following further discussion, the board directed Workman to contact Trout Unlimited and the Wisconsin DNR to solicit planning assistance. The local chapter of the Trout Unlimited organization and the DNR are working with the Park Commission and Abbey Resort to improve and clean up Van Slyke Creek, and there is a clean-up event scheduled for Saturday, September 19, 2009 on the Abbey property.

Chairman Turner/Commissioner Chanson 2nd made a MOTION to direct Workman to contact Trout Unlimited representative Wes Milner and the Wisconsin Department of Natural Resources to determine if they can provide assistance on planning and implementing environmental restoration projects to address the stormwater runoff concerns and pollution in the natural area located east of Highway 67, and if they recommend hiring a design engineer, send requests for qualifications to Ruckert-Mielke, Foth, Graef and Terry Guen Design Associates. The MOTION carried without negative vote.

Village Board Report – Chairman Turner

Nothing presented

Lakefront & Harbor Report – Commissioner Chanson

Nothing presented

Park Commission Report – Commissioner Hibbard

Duck Pond Recreation Area Triangle Park Oak Tree Recommendation – Contract Amendment for Weed Abatement Spraying Services

Sharon O'Brien stated that the Park Commission recommended approval of a proposal to replace the 3-inch oak trees that have died but are under warranty with 1-inch oak trees, because they will have better chance to survive the transplanting process. The credit the Village would receive on the initial contract for the less expensive trees could be used to fund additional weed spraying services that are required for the prairie restoration project. In response to a concern stated by Petersen, Workman stated that the less mature oak trees have been surviving the transplanting process.

President Petersen/Commissioner Wilson 2nd made a MOTION to approve the proposal to replace the 3-inch oak trees that have died with 1-inch oak trees, and to direct the credited contact funds to pay for weed abatement spraying services, and the MOTION carried without negative vote.

Request for Fence Along Lake Street Alley/Little Foot Playground

O'Brien stated that the Park Commission members are concerned about the safety of the children at Little Foot Playground in the area along the east side of the park adjacent to the alley. O'Brien stated that although the shrubs planted along the alley will grow in, there currently is space between the new arborvitae bushes where children could run out or fall into the alley in front of a delivery truck or other vehicle. O'Brien stated that the committee would like to work with the CDA in order to have a fence erected, and if necessary, the Park Commission could add funds for the fence in next year's budget. Turner stated that O'Brien should meet with Hayden and Workman to determine the cost for extending the wrought iron fence along the alley, and review the Third Avenue Project budget to determine if there are any funds remaining in the project budget. Turner stated that staff should determine if the extra fencing can be added to the CDA budget. Wilson asked if the proposal was to replace the arborvitae bushes with the fence, or if there is room for both the fence and bushes.

Petersen stated that the old cyclone fencing along the alley was taken down during the construction project, but there should be enough room for both the fence and the bushes. Workman stated that the initial plan was to keep the cyclone fence up, but it had to be taken down during construction when a new utility line had to run along its path -- and the old fencing has not been re-erected.

Blue Ribbon Committee for the Lakefront Building – Commissioners Wilson (Alt: Fisk)

A meeting will be scheduled with the committee and Carolyn Esswein.

Confirm Quorum for upcoming Meetings

Next Regular Monthly Meeting – August 5, 2009 @ 6:00 pm

Agenda Item Requests

Fisk stated that he would like to have the staff draft a document that tracks and records the total savings the Village is realizing because of the CDA maintenance type projects – such as the new main lift pumping station.

Pending/Future Items

1. 286 Valley View Drive – Façade Improvement Discussion (Canopy Renovation)

Adjournment

President Petersen/Commissioner Chanson 2nd made a MOTION to adjourn the CDA meeting at 7:47 pm, and the MOTION carried without negative vote.

Minutes prepared by: Dennis L. Martin, village clerk

Note: These minutes are subject to further editing. Once approved by the CDA, the official minutes will be kept on file at the Village Hall.

APPROVED: 7/29/09