

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

MONTHLY MEETING of the COMMUNITY DEVELOPMENT AUTHORITY
Wednesday, August 4, 2010

Chairman William Turner called the monthly meeting of the CDA Board to order at 5:30 pm in the Village Hall, 175 Valley View Drive, Fontana, Wisconsin.

CDA members present: Roll call: Chairman Turner, President Arvid Petersen, Gail Hibbard, Cindy Wilson, Bob Chanson, Skip Bliss (arrived at 5:34 pm)

CDA member absent: Jeff Fisk

Also present: Administrator/Treasurer Kelly Hayden, Village Clerk Dennis Martin, Trustee Micki O'Connell, Village Attorney Dale Thorpe, Director of Public Works Craig Workman

Announcement to Consider Going Into Closed Session

President Petersen/Commissioner Chanson 2nd made a MOTION to go into closed session to deliberate or negotiate the purchase of public properties, the investment of public funds, or to conduct other specified public business, whenever competitive or bargaining reasons require a closed session, specifically a proposed development agreement with the Big Foot Country Club, and the Roll Call vote followed:

President Petersen – Aye

Commissioner Hibbard – Aye

Commissioner Wilson – Aye

Commissioner Chanson – Aye

Chairman Turner – Aye

The MOTION carried on a 5-0 vote. Commissioner Fisk was absent and Commissioner Bliss had not yet arrived at the meeting.

Adjournment of Closed Session

Commissioner Bliss/President Petersen 2nd made a MOTION to adjourn the Closed Session at 6:04 pm, and the MOTION carried without negative vote.

Also Present: Carol Coccia, Rob Ireland, Bruce Jensen, Library Director Nancy Krei, Robert Leibsle, Karen Morris, Michael Van Den Bosch

Visitors Heard

None

Announcements

1. Scrapbook Programs at Library – **Saturdays, August 7 & 14, 2010, 10:00 am**
2. Assessor Office Hours at Village Hall – **Friday, August 13, 2010, 10:00 am to 2:00 pm**
3. 2010 Board of Review – **Monday, August 16, 2010, 2:00 pm**
4. Big Foot Recreation Movie Nights at the Fontana Beach – **Saturdays, August 7 (Jaws) & 21 (Toy Story), 2010, Dusk**
5. Plan Commission Staff Meeting – **Wednesday, August 18, 2010, 1:00 pm**
6. Library Board Meeting – **Wednesday, August 18, 2010, 10:00 am**
7. Park Commission Meeting – **Wednesday, August 18, 2010, 6:00 pm**
8. Lakefront and Harbor Committee Meeting – **Wednesday, August 25, 2010, 4:30 pm**
9. Public Works Committee Meeting – **Saturday, August 28, 2010, 8:00 am**
10. Plan Commission Monthly Meeting – **Monday, August 30, 2010, 5:30 pm**
11. Protection Committee Monthly Meeting – **Monday, August 30, 2010, 5:45 pm**

Approval of Minutes for July 7 & 26, 2010 Meetings

Commissioner Chanson/President Petersen 2nd made a MOTION to approve the minutes as submitted for the meetings held July 7 and 26, 2010, and the MOTION carried without negative

vote.

Approval of Current Payables

The monthly payables were reviewed and approval was recommended.

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

Finance Report – Administrator/Treasurer Hayden

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

Hayden stated that there were very minor changes made to the full accounting statement, but the increment projections were not updated because the final assessment report for the TID is not scheduled to be released by the state until August 16, 2010. Hayden stated that when the updated assessment numbers are received from the state, the TIF revenue increment projections will be updated and sent out to the CDA members for review.

TID #1 Projects – Public Works Director Workman

Development Agreement with Big Foot Country Club

Turner stated that the CDA is working with the Big Foot Country Club to resolve storm water runoff problems and to negotiate a developer's agreement for proposed project sites to be located on Big Foot Country Club property. Some of the issues were discussed in the closed session.

TIF Project Maintenance Activity Report

Turner requested that the landscaped areas in front of Village Hall be reviewed to determine if some of the specific plants should be replaced. Turner stated that some of the plants always seem to start looking bad at this time of the year.

Duck Pond Phase I Landscaping Contract Final Pay Request – Tabled 7/7/10

Turner stated that the Duck Pond native prairie restoration areas are looking great and he thanked Gail Hibbard and the Garden Club volunteers for their service. Hibbard stated that a small group of Garden Club members take care of weeding the areas; however, for the seed sowing events, the Park Commission and Garden Club have been able to attract large groups of volunteers, with family members of all ages and friends all participating. Turner stated that the CDA should hold a volunteer recognition party as a way to thank the volunteers for their hard work. Workman stated that the \$20,154 final pay request submitted by PTS Landscaping, Inc., for the Duck Pond Phase I Landscaping Contract has been reviewed and approval is recommended. Workman stated that the project has been complete for about two years; however, the final payment has been held until all the oak trees that died were replaced. The Village Board approved a motion at its August 2, 2010 meeting to approve the \$20,154 final pay request submitted by PTS Landscaping, Inc., for the Duck Pond Phase I Landscaping Contract as recommended, contingent on CDA approval.

Commissioner Hibbard/Commissioner Chanson 2nd made a MOTION to approve the \$20,154 final pay request submitted by PTS Landscaping, Inc., for the Duck Pond Phase I Landscaping Contract as recommended, and the MOTION carried without negative vote.

Fontana Boulevard Lighting and Landscaping Contract Change Order and Final Pay Request

Workman stated that the change order submitted by PTS Landscaping, Inc. for the Fontana Boulevard Lighting and Landscaping Contract calls for a contract increase of \$4,652 for 432 additional feet of concrete sidewalk work in front of each paver crosswalk. With the change order, the final pay request submitted by PTS Landscaping, Inc. totals \$9,876. Workman stated that the change order and pay request have been reviewed by the village engineer and approval is recommended. In response to a question from Turner, Hayden stated that the total contract cost is about \$7,000 over the initially approved budget. Workman stated that the contract was for more than \$400,000, and the budget overrun was due mainly to the addition of beach fencing. Petersen stated that the Village approved a motion to approve the change order and pay request as recommended, contingent on CDA approval.

President Petersen/Commissioner Chanson 2nd made a MOTION to approve the change order calling for a \$4,652 increase in the Fontana Boulevard Lighting and Landscaping Contract, and the

final pay request totaling \$9,876 submitted by PTS Landscaping as recommended. The MOTION carried without negative vote.

General Construction Updates

Workman stated that with the two pay requests approved that night, the CDA currently has no open construction contracts. Hayden stated that the Reid Park gazebo replacement pavilion is still in the planning stages, and the referendum for the Lakefront Building Proposal will be held September 14, 2010.

General Business

WCEDA Feasibility Study for Duck Pond Site – Michael Van Den Bosch

Van Den Bosch stated that he looked at the demographics and business trends in the area and came up with a spectrum of possible uses for the development site at the Duck Pond Recreation Area. Van Den Bosch stated that a general office building or medical offices would be a good fit for the area. Van Den Bosch stated that site is not really good for a manufacturing facility, but an office building would work out well. Van Den Bosch stated that the feasibility study includes map exhibits that delineate where individual doctor or physician offices are located, and plotted their proximity to the Village of Fontana. Van Den Bosch stated that there is a gap in the area for individual medical sector offices and a sole practitioner may be a perfect fit for the site. Turner stated that the CDA needs to appoint a subcommittee to commence work on marketing the site. Turner directed Martin to add the item to the next agenda and requested that the CDA members begin to think of possible developers and marketing strategies for the site.

Cost Estimate for Underground Burial of Remaining Lakefront Utility Lines

Turner stated that a meeting was held with representatives from the utility companies to talk about the construction cost estimate to have the final six power poles removed from the lakefront area and the utility lines buried. Turner stated that when the Fontana Boulevard contract was being finalized it was determined that the \$150,000 it would have cost to finish the removal of the last six poles would have put the project over budget. Turner stated that when directed to revisit the proposal, Workman received cost estimates totaling \$250,000 to \$300,000. Turner stated that following the recent meeting, the total cost of the project was determined to be about \$240,000. Turner stated that the Alliant Energy representatives suggested that the CDA move forward at this time with a project to drill borings under the channel for about \$60,000. Workman stated that the project could cost less than \$60,000; however, since it is a directional boring project, the total cost can not be determined until work is commenced on the drilling. Turner stated that Alliant could do the boring at this time and install a conduit that can be capped until the rest of the utility burial project is undertaken. Turner stated that if the directional boring is not too complicated, the cost of that aspect of the project could be much lower; however, if it becomes complex, it could cost even more. Turner stated that once the conduit is installed, the pipe can be capped for up to 50 years. Petersen stated that Alliant would be drilling the borings and installing the conduit on a time and material basis. Bliss stated that it is a good idea to commence the infrastructure improvement work at this time and consider the completion of the entire project when the cost estimates are certain. The borings would be drilled and the conduit installed on the Abbey harbor side of the lakefront bridge. Workman stated that once the drilling is commenced, if it is determined that the initial project will cost more than \$60,000, the project can be stopped and reconsidered.

Chairman Turner/President Petersen 2nd made a MOTION to authorize Alliant Energy to commence with the directional boring to install a conduit for utility line burial under the lakefront channel on the Abbey Harbor side of the bridge for a cost not to exceed \$60,000. The MOTION carried without negative vote.

Joint Review Board Update

Martin stated that the minutes for the Joint Review Board's July 13, 2010 meeting were distributed. Turner stated that the additional projects added to the Environmental Master Plan were unanimously approved by the Joint Review Board.

Lakefront Building Proposal Informational Mailer Approval

Turner stated that with the most recent revisions included, he likes the format and content of the

informational mailer. Turner stated that the CDA members should take one final look at the pamphlet and contact Wilson or Hayden with any suggestions or concerns.

Lakefront Status Report

Turner stated that some concerns he received with regard to the CDA using Chicago Title Company to research the lakefront business titles and deeds were discussed and resolved. Turner stated that the title company will commence with gathering all the official records and supplying them to attorney Hank Gempeler for his review. Turner stated that the entire process will be open and that he would like to have the information back by the next monthly meeting of the CDA. Bruce Jensen asked if following the review by Gempeler a determination is made in favor of the current owners actually owning the Lake Street riparian rights in front of their business properties, how long it would take to reach an agreement on the proposed assessor's plat. Turner stated that the findings of the legal review have to be presented first and then the surveying process can be commenced. Once a preliminary survey is drafted, it will have to be presented to the property owners, the Plan Commission and the Village Board for consideration. Turner stated that it would be a minimum of three months to draft an assessor's plat and have it go through the approval process. Jensen asked if the legal review determines that the Village owns the riparian rights in front of the businesses, what would be the next step the Village would take. Jensen asked if an agreement will be made to lease the property to the business owners. Turner stated that it has not been discussed. Turner stated that his main concern with the legal review is that the upcoming referendum for the Lakefront Building Proposal is not clouded. Turner stated that if approved, the project construction won't commence until the fall of 2011.

Village Board Report – President Petersen

Petersen stated that all the Village Board related matters were addressed in other agenda items.

Lakefront & Harbor Report – Commissioner Chanson

Chanson stated that the committee discussed the issue of boat trailer parking on the Village streets and a subcommittee was appointed to formulate a recommendation. Trustee O'Connell stated that an initial meeting of the subcommittee was held that day and some ideas to address the problem were discussed.

Park Commission Report – Trustee Wilson

Wilson stated that the Park Commission reviewed the request by the CDA to prohibit the erection of tents in Reid Park, and to prohibit picnicking and the erection of tents, canopies or awnings on the lake side of the street and in the triangle area adjacent to the marine building. Wilson stated that following discussion at the July 21, 2010 monthly meeting, the Park Commission came to the unanimous consensus that the problem is really only a concern on the Fourth of July and there is no reason to change the park policy. It was also stated that the Lake Street right-of-way and lake side of the street are not part of Reid Park. Wilson stated that if a clearer definition of a camping tent was provided, the Park Commission could reexamine that issue in the future. Wilson stated that the Park Commission also discussed the Pig in the Park event scheduled for Saturday, September 4, 2010 and the financial reports for the initial two events. Wilson stated that the Park Commission will be discussing if it should continue to plan these types of events as there are a lot of related planning duties that require a tough commitment by the Park Commission members. Wilson stated that volunteers are needed to help plan, set-up and operate, and take-down this year's event. Hibbard stated that the Garden Club members really like the event and love to provide volunteer service at the event. Hibbard stated that the Park Commission needs other volunteers to pitch in and help with the event. Hayden stated that the situation is not dire and it has not been a horrible experience for the planning committee in previous years. Hayden stated that the Labor Day weekend has become a fun event for the local residents. Hayden stated that the message just needs to be spread that volunteers are needed to assist the Park Commission and the Garden Club. Turner stated that he will be glad to help at the event. Turner stated that he also has some concerns that there aren't too many events planned for the park and that the Village has to be careful when considering future proposals.

Confirm Quorum & Dates for Upcoming Meetings

The next monthly meeting date is Wednesday, September 1, 2010.

Agenda Item Requests

None

Adjournment

Commissioner Chanson/President Petersen 2nd made a MOTION to adjourn the meeting at 6:46 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: 9/8/10