

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

MONTHLY MEETING of the CDA BOARD OF DIRECTORS
Wednesday, November 5, 2008

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

CDA Commissioners present: Chairman Turner, Jeff Fisk, Gail Hibbard, Arvid Petersen, Bob Chanson

CDA Commissioners absent: Cindy Wilson, Skip Bliss

Also present: Administrator Kelly Hayden, Trustee Pat Kenny, Executive Director Joseph McHugh, Treasurer Peg Pollitt, Terry Tavera, Director of Public Works Craig Workman

Visitors Heard

None

Announcements

1. Volunteer Planting Day at Duck Pond – Saturday, November 22, 2008
2. Blue Ribbon Committee Meeting – Thursday, November 13, 2008
3. Plan Commission Monthly Meeting – Monday, November 24, 2008
4. Village Hall Closed for Thanksgiving – Thursday, November 27 to 29, 2008
5. Village Board Monthly Meeting – Monday, December 1, 2008

Approve Minutes

Commissioner Chanson/Chairman Turner 2nd made a MOTION to approve the minutes for the meeting held October 1, 2008 as submitted with two typo corrections, and the MOTION carried without negative vote.

Approval of Claims Payables

McHugh presented a spreadsheet with the payables that were being recommended for approval. Commissioner Chanson/Commissioner Hibbard 2nd made a MOTION to approve the payables as presented, and the MOTION carried without negative vote.

Finance Report – Treasurer Pollitt

McHugh distributed the full accounting statement and stated that the borrowing costs will have to be adjusted based on the calculations to be provided by Jim Mann of Ehlers and Associates. Commissioner Chanson/Commissioner Petersen 2nd made a MOTION to accept the finance report, and the MOTION carried without negative vote.

Presentations

None scheduled.

TID #1 Infrastructure Projects – Public Works Director Workman

Utility Burial Project – Update

Workman stated that the project is about 80 percent complete, and the utility poles are scheduled to be removed by Thanksgiving. Turner asked if more utilities could be buried if there are funds leftover in the budget. Chanson asked how the CDA can just add more projects to the project plan. Workman asked if there is a desire by the CDA to determine if the Village can bury more stuff. Workman suggested that the CDA wait until spring to review the budget and make a decision at that time. Turner stated that it would be a good idea to bury the utility lines at the intersection of Kinzie Avenue and North Lakeshore Drive if the budget permits.

Municipal Beach Fence Replacement Project – Update

Century Fence Pay Request No. 2 (\$51,718.79)/Tabled: 09.03.2008, Denied 10.01.2008

Century Fence Ray Request No. 2A (\$9,567.45)

Turner stated that any discussion on the beach fence project should take place in a closed session, since the contract may involve litigation.

Chairman Turner/Commissioner Petersen 2nd made a MOTION to table the items, and the MOTION carried without negative vote.

Schmitz License Agreement (404 Harvard Avenue) – Update

McHugh stated that there was nothing new to present, so no action was required.

Kinzie Avenue Reconstruction Project – Update

Pay Request No. 2 – Odling Construction (\$109,768.96)

Turner stated that the pay request has been reviewed by the village engineer and Workman and was previously approved by the Village Board.

Commissioner Petersen/Chairman Turner 2nd made a MOTION to approve the \$109,768.96 pay request as recommended, and the MOTION carried without negative vote.

Third Avenue Reconstruction Project (Incl. Boat Trailer Parking Lot, High St. & Reid St.)

Pay Request No. 2 – Mann Brother, Inc. (\$219,308.17)

Turner stated that the pay request has been reviewed by the village engineer and Workman and was previously approved by the Village Board.

Commissioner Petersen/Commissioner Hibbard 2nd made a MOTION to approve the \$219,308.17 pay request as recommended, and the MOTION carried without negative vote.

Porter Court Plaza – Update

Pay Request No. 7 – Mann Brothers, Inc. (\$10,278.32)

Turner stated that the pay request has been reviewed by the village engineer and Workman and was previously approved by the Village Board.

Commissioner Petersen/Commissioner Hibbard 2nd made a MOTION to approve the \$10,278.32 pay request as recommended, and the MOTION carried without negative vote.

Duck Pond Phase I – Gateway Triangle Landscaping

Change Order No. 1 – P.T.S. Landscaping, Inc. (\$1,922 Decrease)

Tavera stated that the change order represents a change in the specified landscaping plants.

Chairman Turner/Commissioner Fisk made a MOTION to approve the change order as presented, and the MOTION carried without negative vote.

Pay Request No. 3 – P.T.S. Landscaping, Inc., (\$13,966.74)

McHugh stated that the pay request was withdrawn so no action was required.

General Construction Updates

Workman stated that Kinzie Avenue was scheduled to be blacktopped the next day. Curb and gutter was scheduled to be completed by the next day on Third Avenue and the blacktop was scheduled to be completed by next week. Workman stated that Mann Brothers is behind schedule. Chanson asked what the contracted final completion date was, and Workman responded that binder course asphalt had to be completed by Thanksgiving.

TID #1 Development Projects

Mill Street Plaza (FairWyn, Ltd.) – Update

McHugh stated that Pam and Chad Carper are planning to expand their restaurant operations into the empty half of the Mill Street Plaza Commercial Building.

General Business

Kinzie Path (“Path Closed”) – PDI Proposal

McHugh stated that he received a quote from PDI, but they still need to work with Ruckert-Mielke to obtain a cost for its portion of the project. McHugh requested that the item be tabled since the proposal just arrived that day and he needs time to review it before it is considered by the CDA. Turner asked if the path will be continued through the Abbey Resort property. McHugh stated that it is intended to continue through the Abbey property, but that is not part of the current project. Commissioner Hibbard/Commissioner Petersen 2nd made a MOTION to table the item, and the

MOTION carried without negative vote.

Commissioner Bliss Reappointment

The term of Commissioner Bliss expires December 3, 2008.

Commissioner Chanson/Chairman Turner 2nd made a MOTION to recommend the reappointment of Skip Bliss to a four-year term on the CDA Board of Commissioners, and the MOTION carried without negative vote.

Village Board Report – Chairman Turner

Sidewalk Removal & Replacement Along Gordy's Marina (Third Avenue Project)

Workman stated that the project was approved on October 16, 2008 by the Village Board, subject to CDA approval. McHugh stated that the minutes from the Village Board meeting were in the packet. Chanson asked if the sidewalk was included in the original project. Workman stated that it was not part of the original proposed project. Workman stated that when the project was originally proposed, the planters were not going to be removed. In response to a question, Workman Craig confirmed that the sidewalk is entirely on private property. Workman stated that Gordy's indicated that they would like to see the sidewalk replaced, and asked if the Village would be willing to do it if the planters were removed. Workman stated that the cost is about \$10,000 and explained that the Village Board was in favor of doing the project at this time in order to have a more usable and safe sidewalk. Petersen stated that proposal is already a done deal. Workman stated that Mann Brothers is already doing the work.

Commissioner Petersen/Commissioner Chanson 2nd made a MOTION to approve the proposal and to have Mann Brothers, Inc. complete the work and fund it as part of the Third Avenue Project. The MOTION carried without negative vote.

Mill House – Final Cost Summary

McHugh stated that he distributed the final cost summary for informational purposes, and that the CDA financial commitment is now complete. President Ron Pollitt prepared the summary of revenues and expenses. McHugh stated that Peg Pollitt has already transferred the funds from the CDA account. Hayden stated that the funds remaining in the budget are intended for landscaping and other miscellaneous details.

Lakefront & Harbor Report – Commissioner Chanson

Chanson stated that the committee discussed the fees for launching on the lakefront and it is going to move that issue forward to the Village Board. Chanson asked that the CDA members be aware of the fact that the purpose of reducing the spaces in the boat trailer parking lot was to reduce the amount of congestion on the lakefront. Chanson stated that the committee members did not want to reduce the amount of parking and then set an artificially low fee that would put the Village right back where it started. Chanson stated that the Village should not be subsidizing marinas at the expense of the public and the taxpayer. Chanson stated that the public launch should not be used for in-out services or the Village will be right back where it was after spending millions of dollars on refurbishing the boat launch parking lot. Chanson asked if the CDA is in favor of encouraging use of the launch and Petersen responded that it has nothing to do with the CDA. Turner stated that raising the launch rate will have little to do with the number of launches. Chanson stated that it would then increase the revenue for the Village, and if the Village doesn't care about the amount of revenue raised, then launching should just be free. Turner asked if it is possible to close the launch after the parking lot is full and stated that Williams Bay closes it launch when their lot is full. Hibbard stated that it is important to have residents be able to launch at a reasonable fee. Petersen stated that it is impossible to control residential versus commercial launches. Chanson stated that he disagrees with Petersen. The CDA members then discussed the cost of launching boats at the Abbey Resort and Turner stated that it is \$40 per launch. Chanson asked why the Village allows commercial launch operators to pay only \$7. Turner suggested that the CDA members think about it and the board will get back to it at a later date.

Park Commission Report – Commissioner Hibbard/Executive Director McHugh

Hibbard stated that she was not at the last Park Commission meeting. McHugh stated that the bulb planting was finished on the weekend of October 25, 2008 and that 5,250 bulbs were planted on

Fontana Boulevard and Highway 67. McHugh stated that a volunteer seeding event for the native prairie area at the Duck Pond Gateway Triangle is being planned for November 27, 2008. McHugh stated that the CDA cannot continue to pay Agrecol to take care of these areas for the Village, and the Village needs to develop a volunteer base to maintain the prairie areas in the future.

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

Turner stated that the survey results have been compiled. McHugh stated that he distributed the results to the committee members via email before the meeting and copies of the results were provided at the meeting. McHugh stated that the committee members reviewed the results at their last meeting, and the members were instructed to present the results to each respective group for input. Turner asked when the committee is going to wrap up its mission and for confirmation of the group's scope. McHugh stated that the group is charged with developing the final details of the proposed lakefront project. Hayden stated that the group is advisory only. McHugh stated that the Village Board and the CDA are the approving entities. McHugh stated that the purpose of the Blue Ribbon Committee for the Lakefront Building is to coordinate the various groups and committees in the village for the planning process. Chanson asked if the group is aware that they are not the final decision makers on the project. Turner stated that the charge was to choose an architect and get on with the design of the lakefront building. Turner stated that the group decided to back up and start the process with a survey. Turner stated that he is concerned that the project will slow down and come to a halt. Hayden stated that the CDA should keep in mind that the proposed project has to go to referendum. Petersen stated that he agrees that the Blue Ribbon Committee should be encouraged to get the project moving. McHugh stated that the process with the Blue Ribbon Committee is the best way to proceed and that the committee members and the community need to be involved in the process if there is any hope of proposing a project that is capable of being approved in a referendum. McHugh stated that the CDA members should keep in mind that the Blue Ribbon Committee for the Lakefront Building is made up of members of each Village committee and commission. Hayden stated that the CDA that the Blue Ribbon Committee have no final spending authority, they are just recommending bodies. The CDA directed McHugh to go back to the Blue Ribbon Committee for the Lakefront Building and state that the CDA wishes for them to hire a design team and move forward and hire an architect. Turner and Petersen stated that if the Blue Ribbon Committee members decide that there is no need for a building, than they are then done with their charge.

Executive Director Report

TID No. 1 Maintenance Project – Update

McHugh presented the TID Maintenance Report and stated that anyone who has anything to add to the list should contact him or Workman. Turner stated that the CDA has an obligation to make sure that the projects are taken care of, and if they are not being taken care of, the CDA needs to know about it. McHugh stated that the report will become a regular Park Commission meeting item.

138 Fontana Boulevard – Update

McHugh stated that no discussion or action was required for the proposed purchase of the property at 138 Fontana Boulevard. McHugh stated that Patricia MacGowan has not responded to the CDA's decision that he relayed to her based on the discussion at the last CDA meeting.

Confirm Quorum for upcoming Meetings

Turner stated that the next monthly meeting of the CDA is Wednesday, December 3, 2008 at 6:00 pm. Turner stated that he would like to move forward with the Fontana Boulevard lighting and landscaping project. The 12-month meeting scheduled was reviewed.

Pending/Future Items

1. 286 Valley View Drive – Façade Improvement Discussion (Canopy Renovation)
2. Comprehensive TID #1 Tree Enhancement Project – Funding Discussion
3. Abbey Property – Pedestrian Trails Project & Monument Signage Proposal
4. 2009 CDA Work Plan & 2009 Budget
5. Walworth-Fontana Pedestrian Path Project – Update

Adjournment

Commissioner Chanson/Commissioner Fisk 2nd made a MOTION to adjourn the meeting at 6:32 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: 7/1/09