

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

REGULAR MEETING of the COMMUNITY DEVELOPMENT AUTHORITY
Wednesday, November 7, 2012

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

CDA members present: Chairman Chanson, President Arvid Petersen, Trustee Cindy Wilson, Gail Hibbard, Jay Hicks, Jeff Fisk, Vice Chairman Skip Bliss
Also present: Administrator/Treasurer Kelly Hayden, Village Clerk Dennis Martin, Tom McGreevy, David Rasmussen, Gary Wapinski, Director of Public Works Craig Workman

Visitors Heard

None

Approval of Minutes for August 8, 2012

Commissioner Hibbard/Commissioner Hicks 2nd made a MOTION to approve the minutes as submitted, and the MOTION carried without negative vote.

Approval of Current Payables

None

Finance Report – Administrator/Treasurer Hayden

Update/Review – Full Accounting Statement & TID Worksheet for 2013 Increment

Hayden stated that the finance reports have been updated and because there has been no development the increment projections are getting worse.

Cash Flow Shortage

Hayden stated that the Village will have to allocate about \$375,000 from the General Fund in the 2013 budget to cover the TID debt payments. If there is no significant increment generated in the TID, there will not be a positive cash flow balance until 2027.

General Business

Signage for 138 Fontana Boulevard Property

Hayden stated that two examples for the layout of a promotional/marketing sign for the 138 Fontana Boulevard site were distributed and the one suggestion she received was to change the initial wording to “Develop This Site.” Following discussion, the CDA members also directed staff to have the Village of Fontana and CDA logos removed from the sign; however, they directed staff to have a graphic depiction of the tax parcels and site boundaries (like a small site survey map) inset on the sign. Hicks suggested that the CDA may also want to create another sign for displaying right on or adjacent to the existing building. Following further discussion, the board reached a consensus that staff should order a 4-by-4-foot, double-sided sign with a graphic map featuring the site dimensions to be erected on the southeast corner of the site facing north and south.

Vice Chairman Bliss/Commissioner Hicks 2nd made a MOTION to direct staff to purchase a double-sided, 4-by-4-foot sign stating “Develop This Site” and “Contact the Village of Fontana, 262-275-6139,” as presented, with the addition of a map graphic of the site that features the total lot dimension calculations. The MOTION carried without negative vote.

Future Increment Generating Ideas

Hayden stated that the CDA Board members need to get refocused and reenergized and come up with some ideas to build increment in the TIF District. Hayden stated that as well as the Duck Pond site and the 138 Fontana Boulevard site, there are other properties for potential increment generation in the TID. Hayden stated that maybe some of the CDA members could meet again with Kent Shodeen, who owns vacant property in the TID, and find out what if he has a current scope for

future development plans. Hicks stated that the CDA not only needs to sell some of the Village owned property, they also have to generate increased property value with appropriate developments. Hayden stated that ideally the Village would want to sell one its parcels for at least \$100,000 to a developer who will also generate increment. Bliss stated that the village can't give the land it owns away, but the CDA has to offer some incentive for the land to make it attractive to potential developers. Chanson stated that the CDA has to be careful when negotiating with potential developers that they don't tie up one of the parcels for years. Chanson stated that the CDA will want to have a contingency plan in place for long term planning and negotiations with a potential developer to have a buyout agreement for their accumulated expenses if the CDA finds another developer who is willing to purchase the land immediately. Chanson stated that he and Hicks will schedule a meeting with Kent Shodeen to talk about his potential development plans for his property located in the TID.

Duck Pond Development Potential

Gary Wapinski and Trustee Tom McGreevy presented their preliminary concept for a senior housing development on the CDA's Duck Pond site. Wapinski stated that he would like to use his experience in real estate development and community banking and work with his partner, McGreevy, and their company, West End Holdings, LLC, to develop some type of senior housing or assisted living apartments or condominium units. Wapinski stated he and McGreevy have been gathering information and meeting with staff for a couple of months and there are some issues that need to be addressed with the overall site limitations and the ultimate scope of the proposal before they can begin to seek investors and the development company. Wapinski stated that the entire site is about 11 acres; however, the exact building footprint and total available development space has to be delineated. Wapinski stated that it appears there could be 4 acres of developable land for a building on the site, but it is not certain because of the environmental issues on the portion of the lot that used to be a village dump site. Wapinski stated that as well as potential hurdles to design a building footprint that can accommodate the necessary minimum number of residential units and parking spaces, there are potential storm water management concerns. Wapinski stated that it could make the site more attractive for developers if the former dump site in the middle of the area is separated from the rest of the parcel because it would eliminate any potential need for DNR permits or approvals. Wapinski stated that the site of the former dump cannot be disturbed or ground broken without having to deal with the DNR. Wapinski stated that if pursued, they would also like to have the parcel zoned in a Planned Development District. Hayden stated that the Village of Fontana Master Plan Future Land Use Map does call for mixed use zoning in the area. Wapinski stated that storm water management is an area that they need initial direction on prior to formulating a proposal that can be presented to potential investors. In order to secure a 4-acre building envelope, Wapinski stated that storm water could be piped from the northeast corner of the development site to the northern end of the Village owned triangle parcel that abuts Highway 67 and Dade Road. Wapinski stated that they need to know if the Village would allow them to develop some type of storm water facility or detention pond on the triangle parcel of land. Wapinski stated that exactly what type of storm water facility will be needed and most appropriate for the site can be determined at a later date; they just need to know if the Village would be willing to have a storm water management facility on the triangle parcel. McGreevy stated that he began to look at the parcel as a possible site for nice, upscale senior housing when he had difficulty finding a place for his father. McGreevy stated that because of the limitations of the unique site and the need to create a larger building envelope, they have come to the realization over the past several weeks that it would be best for the storm water management plan to jet the water off the site and pipe it to a storm water management device on the north end of the triangle parcel. Bliss stated that he would support the use of the public property for a storm water management device with the condition that it is very attractive and that it enhances the main northern entrance route in and out of the village. Wapinski stated that the storm water management feature on the triangle parcel would most likely be some type of retaining device. Chanson asked if the Village approves the use of the triangle parcel for a storm water management device for the development, would the developer be paying for the cost of construction or are they expecting the Village to fund that portion of the project. Wapinski stated that their initial thought was to seek a development agreement similar to the deal that was approved for FairWyn, Ltd. and the Mill Street Planned Development. Wapinski stated that before they can develop an official proposal to be presented for CDA consideration, they need to get the exact boundaries of the developable site, and

an official survey; they need to determine if there is at least 4 acres of developable land; and the DNR has to be contacted for clarification on what, if anything can be done on the former dump site. McGreevy stated that they are aware of the ongoing effort for VPLE approval from the DNR on the former site, and if approved, it would open the door for creating parking spaces on that portion of the parcel; however, if the VPLE is not approved, they would like the CDA to consider having that portion of the lot separated into its own lot. Following discussion on if the Village should allocate funds on hiring a surveyor, Hayden stated that the Village may already have on file an up-to-date survey. Hayden stated that other information also may be available to assist the potential developers formulate their final proposal, but it would take a few weeks to review the Village files. Hayden stated that if it is determined that the Village will need to contract with a surveyor to draft an updated certified survey, staff will solicit a cost estimate and report back to the CDA at the next meeting. McGreevy stated that they also may want the CDA to consider selling them just the front part of the 11-acre site in order to give the planning, promoting, selling and developing processes a better chance for success. Chanson asked the CDA members if they had any initial concerns with the concepts presented that night and there were none stated. Chanson directed Wapinski and McGreevy to continue working with staff and to report back at the next meeting.

VPLE Application Update

Hayden stated that the Village was previously informed by AECOM Environment, Madison, that the Volunteer Party Liability Exemption status with the DNR can be considered for the former dump site at the Duck Pond even though it was licensed by the state at some time in the past; however, the initial application fee will require \$3,000 more to begin the required review work. Hayden stated that unfortunately, the DNR wants the \$3,000 up front, there is no indication of how much more money will have to be allocated for the VPLE approval process, and there is no guarantee that the Village of Fontana site will receive final VPLE approval. Hayden stated that the funds allocated to date on the VPLE application have been used for a very cursory review and not much time has been allocated by AECOM. The next step is a more comprehensive review of the site test results gathered to date, and possibly more site monitoring tests. Hayden stated that she asked DNR Hydrogeologist Jeff Ackerman if it would be worth the additional \$3,000 and how much more he thinks the Village may have to allocate on the application approval process. Ackerman replied that he will review the documentation filed to date and provide an estimate on what additional testing may be requested. Hayden stated that she will report back to the CDA at its next meeting.

Final Bill for Highway 67 Reconstruction Contract

Hayden stated that the Village received from the DOT the executed contract amendment that reduced the final invoice for the Highway 67 reconstruction contract to \$110,881, and authorized a settlement agreement that the DOT and the village would each pay half the final amount, or \$55,440. Hayden stated that the payment has been made and the contract has been closed out.

Confirm Quorum & Dates for Upcoming Meetings

Next Meeting Date

The next meeting date was scheduled for Wednesday, December 12, 2012 beginning at 6:00 pm.

Adjournment

Commissioner Hicks/President Petersen 2nd made a MOTION to adjourn the CDA meeting at 7:12 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: 12/12/2012