

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, November 02, 2005 @ 6:00 PM**

Chairman Turner called the regular 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, Petersen, Chanson, Wilson

**Commissioners absent:** Commissioner Bliss

**Also present:** Department of Public Works Director Craig Workman, Treasurer Peg Pollitt, Reporter Chris Schultz.

**Announcements**

Chairman Turner announced the Bid Opening of the Beach House on November 17<sup>th</sup> @ 2:00 PM. Chairman Turner indicated that Scott Lowell of Lowell Management was interested in bidding the Beach House project. Executive Director McHugh reviewed the list of contractors that have expressed an interest in bidding the project to date.

**Approve Minutes**

Commissioner Petersen/Commissioner Chanson 2<sup>nd</sup> made a MOTION to approve the minutes for the Joint Meeting held on October 24<sup>th</sup>, 2005 with the Village Board and the Plan Commission, and the MOTION carried without negative vote.

**Approve Current Payables**

Chairman Turner reviewed the list of current payables with the group and asked Treasurer Pollitt if there was anything special to report. Executive Director McHugh noted that the current bill from Crispell Snyder was the result of an expanded project scope and the amended contract was to be discussed later on the agenda. Chairman Turner reviewed the standard operating procedures for paying current payables and indicated that, unless the project was running over budget, the expectation was that Public Works and Staff would review the bills and include them for payment. Commissioner Petersen requested clarification on the CDA's responsibility for the Agrecol invoice. Executive Director McHugh explained that the CDA had originally agreed to fund the first year of the Agrecol contract and that this invoice is part of that responsibility.

Commissioner Petersen / Commissioner Chanson 2<sup>nd</sup> made a MOTION to approve the current payables, and the MOTION carried without a negative vote..

Chairman Turner suggested that in the future the payables should be presented by Public Works and Staff with a statement regarding whether or not they are within the budget parameters and contracts previously approved by the CDA.

**Finance Reports**

**Full Accounting Statement & 2006 Budget**

Chairman Turner reviewed the Full Accounting Statement and explained the relationship between the accounting over the Life of the TIF District and the detail regarding the 2006 expenditures. Chairman Turner pointed out the fact that the preliminary estimates of 2006 expenditures indicate the CDA will be spending approximately \$11 Million dollars next year. This amount represents a large portion of the CDA's overall project plan. Treasurer Pollitt was requested to add a 2006 column to

the Full Accounting Statement. Commissioner Wilson requested clarification from Treasurer Pollitt regarding the current amount of money remaining from the 2005 Bond Issue. It was explained that of the \$5 million borrowed, \$1.5 million went to pay back the short term obligations of the CDA.

Chairman Turner explained that one of the reasons we are trying to determine exactly how much money we are going to spend next year is that the CDA is going to be authorizing the Bonding and Borrowing for 2006 at the December meeting. Chairman Turner directed Treasurer Pollitt and Exec. Dir. McHugh to finalize the projections for next year's expenditures and the specific sources and uses of funds. Chairman Turner requests that updated Tax Increment Calculations be distributed along with the Full Accounting Statement at each regular meeting. Chairman Turner points out that the current lifetime budget report indicates a \$3.8 million dollar shortfall. Chairman Turner requests clarification from Executive Director McHugh as to whether or not the current Cost-to-Complete estimates incorporate the apparent cost savings in the Fontana Boulevard project. Pending confirmation on the total project costs from DPW Workman and Ruckert Mielke, the numbers have remained unchanged.

Chairman Turner explains the rationality behind being prudently short. The ultimate goal is to maximize the potential of the TIF District while planning to close the district without a negative balance. Treasurer Pollitt explained that the CDA is currently borrowing money on a short-term basis from the Village to pay certain liabilities that were not included in the 2005 Bonding Series. Chairman Turner suggested that in the future we should make sure to be as all-inclusive as possible to make sure that we are able to fund projects as necessary. He further explained that the CDA has other options for borrowing, such as the State Trust Fund which the Village currently has the right to access up to \$2 million dollars per year. Treasurer Pollitt explained that the State Trust Fund monies have to be specifically tied to individual projects. Per Bill, the moral of the story is to get the project plan right.

Commissioner Petersen / Commissioner Chanson 2<sup>nd</sup> made a MOTION to approve the Full Accounting Report submitted by Treasurer Pollitt and the MOTION carried without a negative vote.

### **TID #1 Infrastructure Projects**

#### **Highway 67 – Project Update**

DPW Workman explained that the final PS&E (Plans, Specifications & Engineering) have been submitted. At this point only minor changes are being made to the basic design of the project. The project is still scheduled for a March Bid Letting with construction anticipated to start in May 2006. DPW Workman notified the CDA that Crispell Snyder is not currently contracted to do any of the construction inspection on the highway construction project. DPW Workman explains that the DOT feels there is an advantage to bringing another set of eyes on the project. DPW Workman expressed disappointment at the thought of not having Crispell Snyder involved from beginning to end. Chairman Turner reviewed the current PDI conceptual landscape plans addressing the interface between the Highway 67 Project and adjacent private property areas. Specific areas that are being addressed include the Village Hall, the Travel Agency, the Citgo Station and Fontana Outdoor Sports. PDI is continuing to develop the Highway 67 Landscape Plans and Executive Director McHugh will distribute the current concept plans for the private property areas along highway 67 to the CDA Commissioners.

#### **Mill & Main – Project Update**

DPW Workman explained that the Mill and Main Street projects were nearing completion with nothing new to report.

#### **Main Lift Station – Project Update**

DPW Workman notified the CDA that the Lift Station Project was awarded. There was a pre-construction meeting last Friday to review the project schedule with Kovilic Construction Company. Kovilic should start mobilization in the next couple of weeks and will be driving the sheet piling shortly after that.

### **Main Lift Station – Authorize CDA Funding**

Executive Director McHugh explained that formal authorization of the CDA's \$1 million dollar funding contribution would prevent DPW Workman from having to submit project Pay Requests to both the CDA and the Village Board for approval. Chairman Turner states that the CDA has already approved the expenditure of \$1 million dollars by approving the original project plan.

### **Fontana Boulevard – Project Update**

DPW Workman explained that Mann Brothers Construction Company was awarded the Fontana Boulevard project. The primary purpose of the Boulevard project is to complete the stormwater utility connection that is necessary for the Highway 67 project next year.

### **Fontana Boulevard – Crispell Snyder Contract Amendment**

DPW Workman reviewed the proposed amendment to the Design Engineering and Construction Services Contract between the Village and Crispell Snyder for the Fontana Boulevard project. He explained that the original project scope involved nothing more than storm sewer between Highway 67 and the Lake. Since that time, different components of the plan have been added to the project and the design services have become more elaborate and extensive. In addition, the project had to be redesigned as a result of the inability to acquire easements from the Abbey. Chairman Turner asked how much of the proposed \$47,000 was specifically for the reengineering. DPW Workman explained that only about \$10,000 was the result of the recent redesign. The remainder of the cost reflects the addition of several items which were not part of the original plan, such as the addition of the water main and sanitary sewer components. Chairman Turner requests clarification as to why we did not include the additional items when we first contracted with Crispell Snyder. Per DPW Workman, the original plan was to simply get the required stormwater utilities installed prior to the Highway 67 project.

Commissioner Petersen / Commissioner Chanson 2<sup>nd</sup> made a MOTION to approve Contract Amendment #1 - Agreement for Design Engineering Services, submitted by Crispell Snyder for the Fontana Boulevard Contract, and the MOTION carried without a negative vote..

### **Beach House – Project Update**

Executive Director McHugh explains that all of the construction documents are completed and the project is going to bid. The Bid Notice was submitted to the official paper last week and will actually be published in the paper tomorrow. The Bid Opening will be 2:00 PM on November 17<sup>th</sup>. Workshop Architects is in the process of revising the construction estimate which was presented at the October 5<sup>th</sup> CDA meeting.

Commissioner Fisk requests clarification of the \$375,000 line item on the construction estimate from Workshop Architects. Per Executive Director McHugh, that amount was not carried over into the final estimate. The number was originally included when the plan was still to construct the Beach House and the Stone Fence around the Beach at the same time. At this point, the estimate includes only that section of stone wall that is integral to the structure of the building. Commissioner Fisk states that even without the additional site work the cost is still a concern. Executive Director McHugh explains the few items which contribute to the cost of the structure, such as the proposed skylights. Chairman Turner reviews the history of the project, noting that the concept throughout the process was to do something really cool on Fontana's lakefront. Commissioner Fisk suggests that we work with builders and developers currently working within the Village in order to take advantage of economies of scale.

### **Beach House – Ruckert Mielke Proposal**

Executive Director McHugh presented a proposal from Ruckert Mielke for the Civil Engineering portion of the Beach House project. The estimated range for the services is \$13,000 to \$16,000. The civil engineering portion of the project encompasses the actual site design and is outside the architectural services for the building which are the responsibility of Workshop Architects. Commissioner Chanson / Commissioner Petersen 2<sup>nd</sup> made a MOTION to approve the proposal from Ruckert Mielke for civil engineering services related to the Fontana Beach House, in the range of \$13,000 to \$16,000, and the MOTION carried without a negative vote..

### **Third Avenue**

Chairman Turner requested an update from DPW Workman regarding Ruckert Mielke's engineering work on Third Avenue, as well as the Boat Trailer Parking Lot and portions of the Little Foot Playground. Per Workman, Ruckert Mielke is currently working on all three projects. Executive Director McHugh explains that the final proposals for the current engineering work are still forthcoming. Planning and Design Institute is finishing the Design Development work simultaneously with the commencement of the Construction Documents by Ruckert Mielke.

### **Reid Park – Little Foot Playground**

Commissioner Chanson expressed concern that the Little Foot playground is incorrectly labeled as the "Tot Lot" on the Project Management Plan. Executive Director McHugh notified the commissioners that PDI (Planning & Design Institute) will be attending the Park Commission meeting on November 16<sup>th</sup> to review the various design details that still require decisions: Location of the Frog Statute, location and number of drinking fountains, final tree specie selections, final choice of swingset equipment, etc. Chairman Turner states that the specific details of the plan are the responsibility of the Park Commission.

### **TID #1 Development Projects**

#### **Cliffs of Fontana – Planned Unit Development - Update**

Chairman Turner reviewed the current status of PAR Development's proposal for the old Audino Quarry. PAR Development received their approval in terms of density and use at the Joint Meeting held October 24<sup>th</sup>. They are going to be coming in for a meeting with Village Staff to review the PIP (Precise Implementation Plan) on November 7<sup>th</sup>, Monday @ 1:00 PM. At this time it does not look like they will be starting the project this year. Executive Director McHugh asked the Commissioners for their comments regarding the proposed landscaping along Highway 67. Ryan Trottier of PAR Development is looking for input regarding the level of screening the CDA is expecting. Chairman Turner directs Exec. Dir. McHugh to keep the revenue projections up to date by reflecting upcoming projects, such as the Cliffs of Fontana. McHugh confirms that the PIP submittal from PAR Development will have to be reviewed and approved by the CDA.

#### **Mill Street Plaza – Project Update**

Executive Director McHugh explained that Brad Drefcinski of BD Design had completed a revised landscaping plan for the timber wall at the Commercial Building. This information was asked for by the CDA following a suggestion from Sharon O'Brien at the October 5<sup>th</sup> meeting. The proposed plan has been forwarded to Brian Pollard for comment, but he had not yet formally responded. Executive Director McHugh explained that he had spoken with Mr. Pollard briefly on the phone and his initial concern was whether or not planting the wall as suggested would remove the possibility of replacing the wall. Chairman Turner maintains that because the CDA has agreed to fund 50% of any future replacement, it is still a possibility. Commissioner Wilson states that we should be careful in assuming that simply replacing the timbers with a stone wall will look better. Executive Director McHugh informed the Commissioners that Mr. Pollard's CUP was just in front of the Plan Commission for its one year review and that they moved to take the landscaping issue back up in May. Chairman Turner suggested that McHugh take the revised plan to Brian and work to get it implemented. Commissioner Hibbard contends that we should stick to our original plan and wait the year as agreed with Mr. Pollard.

### **Mill Street Plaza – Tree Restoration Proposal**

Executive Director McHugh informed the group that Mr. Pollard had removed a tree which was not originally planned to be removed in order to accommodate a relocated utility pipe. He has already submitted a restoration proposal to the Village for the replacement of the tree elsewhere on the site.

### **Mill Street Plaza – Plan & Elevation Changes**

Executive Director McHugh informed the group that Mr. Pollard is planning to approach the Plan Commission in order to request an amendment to the approved PIP. He needs to go through the process because he wishes to make some minor changes to the approved elevations for the townhome buildings.

### **General Business**

#### **Winter Workshop w/ Park Commission**

Executive Director McHugh explained that members of the Park Commission have suggested a group workshop to initiate the planning process for the Duck Pond recreation area as well as to coordinate efforts on the multiple projects currently underway in the Village. Chairman Turner suggested that the final landscaping plans for Highway 67 be discussed at the proposed workshop as well. Chairman Turner suggested picking a Saturday in December but after much discussion, it was decided to pick a Saturday in either January or February, after the Holidays.

#### **Hildebrand Conservancy**

Executive Director McHugh explained that the Village Attorney, Dale Thorpe, had raised a few issues with the proposed Conservation Easement with the Geneva Lake Conservancy. Chairman Turner suggested the Executive Director McHugh work with Thorpe to get the issues worked out.

#### **CDA Letterhead**

Executive Director McHugh explained that the existing letterhead included some of Ms. Wilson's personal contact information and as a result, revised letterhead was going to be ordered.

#### **CDA and Village Board Resolutions Authorizing CDA Review of Projects**

##### **Village Board Amendment to Section 23 of the Village Municipal Code**

Executive Director McHugh explained that the resolution was being revised to include a reference to the Municipal Code within the CDA Section – Chapter 23. Commissioner Wilson questioned how someone reading the Zoning Ordinance would be directed to the CDA chapter. Executive Director McHugh explained that there would be no such reference within the actual Zoning Ordinance itself, however, it will still be codified into the code and all village staff are very aware of the CDA's position in the review process. Chairman Turner reviewed the actual resolution and pointed out the two specific revisions.

Commissioner Petersen / Commissioner Fisk 2<sup>nd</sup> made a MOTION to recommend adoption to the Village Board of proposed Resolution 10-24-05-00 in order to clarify the review procedures originally delineated in Resolution 06-03-02-2, and to recommend adoption by the Village Board of proposed Ordinance 10-24-05-00 to create section 23-3 of the Village of Fontana Municipal Code such that it references resolution 10-24-05-00, and the MOTION carried without a negative vote.

#### **Village Board Report**

Chairman Turner reported that he and Executive Director McHugh had met with the Village Administrator regarding the increase in the budget for the Beach House. As a result of those negotiations, the funds received from the sale of beach passes, which were previously set aside into a separate account, will be redirected to the CDA. With this agreement in place, the CDA will fund the full construction costs of the new facility and the future beach pass revenues will be transferred to the CDA until such time as the difference between the original budget and the actual construction costs has been refunded to the CDA. Treasurer Pollitt cautioned the Commissioners that the revenues from the beach passes will not be consistent on a year to year basis, but will instead fluctuate based on the level business.



### **Lakefront and Harbor Report**

Commissioner Chanson indicated that there was no Report

### **Park Commission Report**

Prior to reviewing the actions and activities from the last Park Commission meeting, Executive Director McHugh informed the group that there was no longer a Park Commission Liaison due to Sharon O'Brien's resignation from the CDA. Commissioner Hibbard stated she would attend the next Park Commission meeting, and Commissioner Petersen stated that he typically attends every Park Commission meeting.

### **Headwaters Park & Path**

Executive Director McHugh informed the commissioners that the Park Commission was working to redesign the path through Headwaters Park.

### **Wayfinding Signage**

Executive Director McHugh informed the group that the Park Commission was in the process of picking out signs and working on a logo for the Wayfinding Signage program.

### **Executive Director Items**

#### **CDA 2006 Budget**

*The CDA's 2006 Budget was reviewed earlier in the meeting along with the Full Accounting Statement from Treasurer Pollitt.*

### **Duck Pond**

Executive Director McHugh explained that DPW Workman had received a Phase One Environmental Assessment for the Audino Quarry project. The firm that prepared the report was being considered for further work on the Duck Pond property. DPW Workman informed the commissioners that the addition to the Duck Pond pavilion was underway. Commissioner Petersen explained that Andy Pierce was in the process of ordering the trusses for the building.

### **Lakefront Commercial Building / Lakefront Community Building**

Chairman Turner informed the group that the planning process for the Lakefront Buildings needs to get underway. Executive Director McHugh reminded the group that there is only a total of twelve months and thus twelve meetings between now and the time these projects should be going to Bid. Chairman Turner contends that while a decision does not have to be made immediately, a decision should be made at the December meeting. Chairman Turner states that the first question is does the group wish to have PDI do the detailed land planning on the Lakefront. Several seconds of discussion follow.

Commissioner Petersen / Commissioner Chanson 2<sup>nd</sup> made a MOTION to request a proposal from PDI to do the Land Planning for the Lakefront Projects, and the MOTION carried without a negative vote.

Executive Director McHugh explained that the schematic design process for every aspect of the CDA's total redevelopment project has been completed and is represented in the formally adopted plans for the Highway and the Lakefront. At this point, the next step is to do the Design Development. In order to start the process, the group should consider selecting a Land Planner, an Engineering Firm, and an Architectural Firm for the actual buildings themselves. DPW Workman reviewed the three engineering firms currently working on CDA projects: Ruckert Mielke, Crispell Snyder and Strand. After discussion it was decided to put the engineering portion of the project out to bid.

The final selection that needs to be made is an Architect. Chairman Turner asks the new members of the Commission if they have seen the original schematic plans prepared for the Lakefront Buildings. Executive Director McHugh was directed to get the original plans out to the Commissioners. The original plan included two buildings on the Lakefront. Commissioner Hibbard

asked what the plan was for the existing park house. Chairman Turner and Commissioner Wilson both explained that the Park House was planned to stay in its current location. Chairman Turner suggested that the CDA request “expressions of interest” from developers on the Commercial Building in order to ascertain what types of uses the market is currently demanding. Commissioner Chanson expressed concern that by designing the building specifically for a single tenant, we would be effectively prohibiting the use of the building for anything else. He contends the building should be design in such a way that it accommodates a variety of future tenants.

Chairman Turner believes that Jan and Workshop Architects have done an excellent job and it would be a mistake to change architects at this stage. Several members agreed, but concerns were raised that using the same architect for all of the Public Buildings could end up with too much uniformity. The group decided to postpone the final decision until the December meeting.

#### **NFWF Native Plant Conservation Initiative**

Executive Director McHugh informed the group that the grant application prepared by Cedarburg Science, for a grant to fund additional work by Agrecol on the Hildebrand Property, had been cut during the NFWF’s pre-selection process.

#### **Ruekert-Mielke Grant Writing Proposal**

Executive Director McHugh reviewed the summary submitted by Sarah Hawks of Ruekert Mielke, regarding the Village’s chance of success in securing funding under the WDNR Non-Point Source and Stormwater Grant Program. Commissioner Petersen requested that the statement regarding the Villages location within the Turtle Creek Watershed be confirmed.

#### **Confirm Quorum for Upcoming Meetings**

Executive Director McHugh confirmed the date of the December 7<sup>th</sup> CDA meeting and informed the group that the February and March meetings had been rescheduled. (February 8<sup>th</sup> & March 8<sup>th</sup> respectively)

#### **Pending Items**

##### **Mill House**

Chairman Turner explained to the Group that the Village was looking to the CDA to financially assist in the Demolition of the Mill House at 454 Main Street.

Commissioner Chanson / Commissioner Hibbard 2<sup>nd</sup> made a MOTION to authorize up to \$5,000 in financial assistance to be used to cover the demolition costs of the Mill House at 454 Main Street, subject to coordination with the Park Commission regarding the final use of any structural timbers salvaged during the demolition process, and the MOTION carried without a negative vote.

##### **Novaks’s - Façade Improvement**

Executive Director McHugh stated that he had spoken with Mr. Novak and that he intends to be submitting a request for funding under the CDA’s Façade Improvement Program in time for the December meeting.

##### **Hurkman Jewelry – Façade Improvement**

Executive Director McHugh stated that he haad spoke with Eric Hurkman and been informed that the project was progressing. The majority of the approved façade cannot be completed until the Highway 67 Project has begun and a revised plan for the parking lot in front of the building is developed.

#### **Adjournment**

Commissioner Chanson /Chairman Fisk 2<sup>nd</sup> made a MOTION to adjourn the meeting at 7:18 pm, and the MOTION carried without negative vote.

Minutes prepared by: Joseph A. McHugh, Executive Director

**APPROVED: 12.07.2005 - CDA**