

VILLAGE OF FONTANA ON GENEVA LAKE
WALWORTH COUNTY, WISCONSIN

REGULAR MEETING of the COMMUNITY DEVELOPMENT AUTHORITY

(OFFICIAL MINUTES)

Tuesday, August 01, 2006 @ 6:00 PM

Chairman Turner called the regular meeting of the CDA Board to order at 6:03 pm in the Village Hall, 175 Valley View Drive, Fontana, Wisconsin.

Commissioners present: Roll call vote: Chairman Turner, Fisk, Hibbard, Chanson, Wilson, Bliss (arrived @ 6:14 pm).

Commissioners absent: Petersen

Also present: Village Treasurer Peg Pollitt, Trustee Ron Pollitt, Trustee Micki O'Connell (arrived @ 6:16 pm), Carolyn Esswein (Planning & Design Institute), Terry Tavera (Ruekert Mielke), Village Librarian Nancy Krei, Carol and Jamie Whowell, Mark Robertson, Brian Pollard (FairWyn Development), Rick Rosenow, Jim Feeney, Pete Novak, Don Roberts, and Robert Hutchinson (arrived @ 6:55 pm).

Visitors Heard

Chairman Turner asked if any visitors wished to be heard. Mr. Don Roberts asked to speak regarding the availability of CDA meeting minutes on the Village of Fontana website. Mr. Roberts explained that the minutes from the June and July meetings were not yet posted on the website. Executive Director McHugh explained that they had been approved and should be posted on the site. He assured Mr. Roberts that the issue would be resolved. With respect to preliminary minutes, Mr. Don Roberts asked the group to authorize the Executive Director to post the minutes prior to their official approval. Executive Director McHugh stated that while the Village Clerk does post preliminary minutes prior to their approval, it was his procedure to only post minutes following their official approval by the board. Commissioner Wilson asked if it was an official rule to only post minutes that had been approved. Chairman Turner stated that preliminary minutes could be posted if they were clearly identified as being "preliminary" and subject to change. The group directed Executive Director McHugh to post the minutes as soon as they are available with the disclaimer as discussed.

Next under Visitors Heard, Ms. Carol Whowell asked to address an issue she had discussed with the Park Commission at their recent meeting. Ms. Whowell reviewed a proposal she made to the Park Commission to install a sidewalk through Reid Park to the south side of Chuck's Lakeshore Inn. She explained that people have worn a path through the park to the building's side entrance and had destroyed the grass and bushes in that area. She stated that the Park Commission had approved the concept of installing a permanent sidewalk to the center of the building and re-landscaping the area. In addition, Ms. Whowell discussed her proposal to install a sidewalk on the east side of Lake Street, adjacent to the back of the curb, from the Boat Launch all the way south along the front of the existing businesses. From that point, the sidewalk would then head back to intersect with the existing sidewalk along the shore of the lake. At this time, explained Ms. Whowell, the sidewalk that is currently in place is not continuous and has several gaps between the Gordy's Bait Shop and the Chuck's property. Chairman Turner clarified that the existing path comes out from the sea-wall and runs along the street in front of the Chuck's property. Ms. Esswein presented an exhibit PDI had prepared for the section of shore path to the north of the area. Chairman Turner confirmed that the shore path in the plan for the lakefront includes a sidewalk adjacent to the road along the front of the businesses. Chairman Turner explained that the CDA is currently in the process of surveying the

area in advance of future planning. Based on survey work completed so far, it appears that the owners of the businesses own the property on the opposite side of Lake Street as well. What has not been determined is the actual width of the right-of-way. Once that is determined, it would be known if there was sufficient land to install a sidewalk within the right-of-way. Ms. Whowell thinks the plan makes sense, regardless of whether the businesses install the sidewalk on their own property, or the Village installs the sidewalk within the right-of-way. Chairman Turner asked Ms. Esswein to incorporate Ms. Whowell's suggestions in future planning for the lakefront.

Commissioner Bliss arrived @ 6:14 PM

Announcements

Chairman Turner reviewed the announcements listed on the agenda. He invited everyone to attend the Town Hall meeting on Saturday, August 5, 2006 @ 9:00 am. He informed the group of the upcoming Village Board meeting on Monday, August 7, 2006 @ 6:00 pm. He reminded everyone present that the south half of the STH 67 Improvement project would be closed to traffic beginning Monday, August 21. Finally, he reminded everyone of the half-day community planning workshop scheduled for Saturday, September 30, 2006 @ 9:00 am to discuss the lakefront, as well as the half-day community planning workshop scheduled for Saturday, October 21, 2006 @ 9:00 am to discuss the Duck Pond area.

Approve Minutes

Commissioner Chanson / Commissioner Fisk 2nd made a MOTION to approve the minutes for the regular CDA meeting held on July 5th, 2006, and the minutes from the informational meeting with the Wisconsin Department of Natural Resources held on July 20th, and the MOTION carried without negative vote.

Approval of Current Payables

Chairman Turner asked Treasurer Pollitt and Executive Director McHugh to review the list of current payables. Chairman Turner asked for confirmation that the claims had been approved by staff, and the project engineers where relevant, and Executive Director McHugh explained that they had been.

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

Finance Reports

Full Accounting Statement

Chairman Turner introduced the Full Accounting Statement and noted that the revised document no longer forecasted a significant deficit for the district. Treasurer Pollitt explained that the new interest amounts had been incorporated from the recent bonding. The actual interest was now going to be lower over the life of the Bond than what was originally projected. She further explained that income and expense forecasts are adjusted on a continual basis as the actual amounts become known. Executive Director McHugh added that the revised construction estimates from Ruckert Mielke had also been incorporated into the expense projections, but he cautioned that they were still estimates and not actual contract numbers. The final numbers will be known when the Third Avenue project bids are opened on August 31st. Chairman Turner acknowledged the potential for increases going forward, but felt that the conservative estimates on the revenue side of the equation, along with the inclusion of uncommitted funds for redevelopment within the district, pointed to a very financially healthy TIF district. Treasurer Pollitt offered that the one really important unknown was the total amount and expense of bonding for future projects. She stressed that any future increases in interest expense would certainly have an impact. Chairman Turner explained for the group that the recent engineering estimates for the Third Avenue project came in practically unchanged compared to what was included in the plans the previous year. Terry Tavera (Ruckert Mielke) explained that some of the costs had gone up, primarily for the asphalt type products. He

further explained that some of the some components of the previous plans had been removed, while others had been added.

Value Increment Calculations

Chairman Turner pointed out that the increment projections still did not show any potential impact from the “Cliffs of Fontana” development proposed by PAR Development for the old quarry across the street. Executive Director McHugh informed the group that the developer had received a positive recommendation from the Plan Commission at the most recent meeting. Included along with the site plan recommended for approval was a development agreement which requires the developer to obtain permanent easements on two neighboring properties. To date, those easements had not been obtained by the developer. Chairman Turner reviewed the issue for those present. Once the grading is performed on the property, 90 feet along the top of the slope is located on the neighboring Audino property. The reason for the permanent easement is to ensure that the land is maintained in such a way as to prevent future erosion of the slope. In order to guarantee that the approved landscaping and maintenance plan is implemented, the developer is negotiating a permanent easement on behalf of the home owners, which will allow them to implement the plan themselves, if the neighboring property owner ever fails to do so. Commissioner Wilson asked why the developer would move forward without having the necessary easements in place. Chairman Turner explained that temporary easements for the proposed grading were already in place, but the permanent easements for ongoing maintenance were not.

Approve Minutes (Continued...)

Commissioner Bliss asked if the previous motion to approve the minutes had included the minutes from the July 20th informational meeting with representatives of the Wisconsin Department of Natural Resources. Executive Director McHugh and Chairman Turner both confirmed that it had. Commissioner Bliss referenced his request to improve the walking path through the Hildebrand Conservancy which had been discussed at that meeting. He explained that the DNR had prohibited the Village from laying wood chips along the path. At the informational meeting, Ms. Pam Schense (WDNR) had indicated that there may be avenues available to the Village in terms of routine trail maintenance. Commissioner Bliss suggested that the CDA should request the Park Commission to explore whatever options are available to improve the walkability of the path. Chairman Turner informed the group that he had walked the path recently. He noted that a great deal of the new plantings were coming in and acknowledged that the path could be improved. Commissioner Wilson stated that Ms. Schense had suggested a Board Walk was something that would be allowed by the DNR, but she recalled that the Park Commission was not in favor of installing a Board Walk. Commissioner Bliss / Commissioner Fisk 2nd made a MOTION to request the Park Commission to pursue available options with the DNR to improve the trail through the Hildebrand Conservancy, and the MOTION carried without a negative vote.

PRESENTATION #1 | Ruckert Mielke (6:23 pm)

Third Avenue Engineering Plans

Chairman Turner reminded the group that the Village was going out for bids on Third Avenue, including High Street, Reid Street, Boat Trailer Parking Lot, and various improvements along the Little Foot Park playground. Executive Director McHugh provided a brief history of the design and planning on the project to date. He reviewed for the group the significant reduction in lighting compared to what was originally proposed by the representatives of Commercial Lighting, Inc. The current plan specifies a single 25-foot light pole at each intersection, with shorter 15-foot light poles along the south side of the street within each block. Terry Tavera explained that the project would be advertised for bid on August 10, 2006, with a deadline for submittals on August 31, 2006. He also noted that lighted bollards had been added to the paths within Reid Park. Chairman Turner asked if decorative paving would be installed in the intersections, similar to STH 67. Terry Tavera indicated that the plans called for decorative brick pavers at the corners where the crosswalks were located, but that nothing was included for the intersections. Executive Director McHugh explained that the

original plans called for fully reconstructed intersections, including brick pavers throughout, at the main intersections with the highway, and potentially at intersections on Fontana Boulevard. There were no plans to use the same treatment at any of the smaller intersections. Chairman Turner asked if the group was in favor of that concept. The general consensus of the group was to proceed with the plans as designed. Terry Tavera explained that the project called for complete reconstruction of the sections of High and Reid between Third Avenue and Fontana Boulevard, as well as the section of Third Avenue from High Street all the way to Lake Street. The last block of Third Avenue at Lake Street will be resurfaced only, with the existing curb and gutter to be preserved. There will be a water main relay run through that section which will be trenched in. The landscaping for the project extends all the way to STH 67, as well as the lighting. The sidewalk along the south side of Third Avenue will extend all the way to where the existing sidewalk ends at the post office. At this time, the plan proposes that the sidewalk in front of the post office will be shifted to the south to allow for standard size parking stalls in front of the building. Chairman Turner asked for clarification regarding the absence of the Beach Fence in the project that went out to bid. Mr. Tavera explained that the item could easily be added to the project, but he relayed Ruckert Mielke's concerns with a future water main relay that is proposed for installation in that same area. At this time there is no engineering in place that would show exactly where the line would be located. If the fence were to be installed prior to the installation of the water line, the Village would run the risk of damage to the fence, or perhaps even the need remove it in places and subsequently reinstall it. The most likely location for the future water main relay will be right along the beach side of the street; exactly where the fence is proposed to be located. In closing, Mr. Tavera stated that he would recommend that the installation of the fence be postponed.

PRESENTATION #2 | Planning & Design Institute (6:35 pm)

Third Avenue Landscaping – Fence Details

Carolyn Esswein displayed a couple of exhibits showing the proposed locations of the fence in the Boat Trailer Parking Lot. Since the original concept, the fence had been limited to just the northern corners of the parking lot, as well as a section running along the southern boundary with Fontana Boulevard. Originally the plan called for a stone pier every two fence sections, which are 8-feet in length. For both cost and aesthetic issues, Ms. Esswein is recommending that the stone piers be spaced with four sections of fence between them. She displayed an exhibit showing different spacing options for those present. For the Boat Trailer Parking Lot, they are recommending a 4-foot fence. For the fence along the Little Foot playground, they are recommending a 3-foot fence. In order to make the fence and stone pier spacing fit in the overall plan, it will be necessary to vary the spacing in certain areas to end up with stone piers where needed, such as the entrance to the Little Foot playground. With respect to the Beach fencing, they have been working with the Park Commission and are currently planning on a five foot fence. Executive Director McHugh directed the group's attention to a sample of the proposed fencing which was on display in the meeting room.

Concerning the stone piers, Ms. Esswein noted that the bid specifications for the project call for a limestone cap. The Park Commission had originally suggested a field stone cap. Mr. Tavera suggested that the use of a piece of flat limestone would help tie the stone piers into the rest of the design which includes a lot of square brick pavers. He did note that the caps come in a range of colors. Chairman Turner suggested that the details of the stone piers should be left to the Park Commission, but that he did prefer the limestone cap over a fieldstone cap.

Chairman Turner/Commissioner Chanson 2nd made a MOTION to refer the selection of the various fence and stone pier details to the Park Commission, to accept the Third Avenue project engineering as presented, and to accept the fence and stone pier spacing as recommended by PDI, and the MOTION carried without a negative vote.

Trustee O'Connell asked if the CDA was officially accepting the specific fence proposed for the project. Chairman Turner stated that the fence had been recommended by the Park Commission and accepted over six (6) months earlier. Trustee O'Connell stated that the Lakefront and Harbor Committee had never seen the fence; "...it's just a Park Fence. It's not Lakefront and Harbor, it's

not the Beach, it's not anything else, other than Park's." She asked if the Park Commission had ever considered the maintenance of the fence. She further expressed concern that wherever there is a rivet there is going to be rust. Chairman Turner explained that he had done research himself and learned that modern steel fences are constructed with galvanized steel, and are not as prone to rust. He asked Mr. Tavera to confirm the specifications of the proposed fence. Commissioner Bliss asked that the warranty on the fence be checked into. Ms. Esswein explained that the Park Commission had considered maintenance and durability when they originally made their selection and recommendation. At the time, the proposed steel component fence was chosen over alternate types of fence, such as aluminum and wrought iron; specifically for maintenance and durability reasons. Chairman Turner reviewed the history of the fence selection process which began over a year earlier. He expressed his opinion that the Village should not be reevaluating the original selection at this time. Mr. Turner did relay concerns he has heard about using the fence around the beach, due to a perception that it will be easy to jump. He explained that the same fence comes with a picket top, if desired. Chairman Turner stated he had recently spoken with two employees on the beach house staff who had indicated that they had not personally witnessed anyone attempt to jump the fence. Treasurer Pollitt and Trustee O'Connell both stressed that fence jumping is a regular occurrence. Ms. Esswein reminded the group that the Park Commission had considered the picket top and determined that the look was too hostile. Commissioner Fisk claimed he had been listening to the debate and had been looking to find an alternative to placing pickets on top of the fence that could become a liability issue for the Village should anyone get hurt. He researched the issue with his grounds staff at the Grand Geneva Resort and Spa, and they suggested that the Village could consider planting a hedgerow along the fence. He produced a branch of a thorn bush that had been provided by his staff for the group to inspect. Commissioner Bliss worried about the potential for view obstruction. Commissioner Fisk explained that the bush can be trimmed to a desired height. Commissioner Chanson stated his belief that the village was going to a lot of effort and expense to deter a few people. After general discussion, the group consensus was that the matter of jumping the fence was a non-issue. Commissioner Chanson stated his opinion that the fence simply had to serve as a boundary and look nice; beyond that the Village was putting too much into it. In closing, Chairman Turner stated that the fence had been recommended by the Park Commission, accepted by the CDA, and was included in the project. Executive Director McHugh explained that the Park Commission was going to take up the fence issue at its next meeting. If the fence selection is changed by any of the other groups in the Village, it can be changed in the project with a change-order. Commissioner Bliss asked if there was still a plan to install a sample of the fence before it was permanently installed. Executive Director McHugh stated that he currently had a quote from a fence contractor to install a small sample of the fence. Commissioner Bliss requested that the sample be the exact type, style and height as whatever is selected for the project. Chairman Turner explained that he had directed Executive Director McHugh to install the sample before the end of the month.

TID #1 Project Schedule

In response to a question from Mr. Rick Rosenow, Chairman Turner reviewed the schedule for the landscaping along Fontana Boulevard. The current plan is to finalize a big landscaping project for the Spring of 2007, which will include the STH 67 landscaping, the Porter Court plaza, anything contemplated for Duck Pond Road, as well as Fontana Boulevard. Chairman Turner stated that it was paramount to initiate conversations with the Abbey regarding the Fontana Boulevard Landscaping. Executive Director McHugh noted that he already had a meeting scheduled with representatives of the Abbey Resort. Ms. Esswein stated that landscaping plans for the Porter Court Plaza were on-hold pending final plans for the Retail Building component of the Mill Street Plaza Development. Executive Director McHugh explained that Brian Pollard of FairWyn Development was aware of the scheduling issues and was being pushed to get the final designs for the Retail Building completed. Mr. Rick Rosenow asked if the plans for the boulevard landscaping project incorporated any trees or landscaping. Ms. Esswein noted that the final details regarding design elements, such as street trees, street lights and landscaping, were not yet decided. Chairman Turner instructed Ms. Esswein to finish the landscaping plans for the Boulevard, and assured Mr. Rosenow

that the details would be coordinated with the Abbey.

TID #1 Infrastructure Projects

STH 67 Improvement Project

Executive Director McHugh reviewed the status of the STH 67 Improvement Project in DPW Workman's absence. He explained that the contractor is currently working on miscellaneous "punch list" items, such as fixing the alignment of the pedestrian cross-walks, and seeding the median and terrace areas along the highway. The next stage is currently scheduled to commence the week of August 20th.

PRESENTATION (Cont...)

Wild Duck Road Pedestrian Path

Ms. Esswein reviewed the proposed layout for the Wild Duck Road pedestrian path from the STH 67 intersection to the recreation area. She explained that they had previously addressed the 10' path from the highway to the intersection of Dade Road. They were present at the current meeting to review the section of the path west of Dade Road. She stated that the topography of the area would require the path to come up to the street and then require users to cross the existing bridge. Commissioner Bliss asked if they could use a board walk bridge to cross the drainage ditch at an alternate location. Ms. Esswein noted that they could explore that option, if desired by the Village. She presented two board exhibits that showed two alternate options for the path. The first option calls for the path to be located approximately 10' off the road, along the tree line. The plan would impact a couple of trees. The path would then cross the street from the north to the south just past the DPW building. From there the path would meander through the trees; emerging at the recreation area, as opposed to entering into the parking lot. Ms. Esswein suggested that the path be reduced to 6' feet in width as it meanders through the trees, in order to reduce its impact. Per Ms. Esswein, the only difference between the two options, is that the path runs adjacent to the roadway in Option #2. This would need to be coordinated with any planned reconstruction of Wild Duck Road from Dade Road to the DPW Shop; the path would basically become an extension of the roadway. Several CDA Commissioners expressed their preference to keep the path back from the street along the tree line. Ms. Esswein stated that there would probably be a cost difference between the two options that would need to be investigated. She noted that she had provided Executive Director McHugh with the actual lineal feet of the two options, in order to obtain cost estimates. Executive Director McHugh explained that the plans for the path had been forwarded to Mann Brothers, because they are the contractor for the STH 67 project, but a response had not yet been received. Commissioner Bliss and Commissioner Wilson asked for clarification of the proposed construction schedule. Executive Director McHugh explained that the path was originally planned for construction during Stage 1 of the highway project. Because Mann Brothers has not yet provided a cost for the work, the work has been postponed. Chairman Turner asked if the Park Commission has reviewed the options for the path. Executive Director McHugh explained that they had not. Chairman Turner suggested that the Park Commission should be asked to make a final recommendation so that the path can be installed in conjunction with the highway project. Executive Director McHugh stated that he was requesting a cost estimate for the entire path to insure that the project could be completed within the proposed budget before moving forward with the section between Dade Road and STH 67. With respect to actual construction, he suggested that the engineering for Wild Duck Road be completed first. Commissioner Wilson asked if it would still be necessary to wait if the off-road option was chosen. Ms. Esswein claimed that the final engineering for the road would still be necessary to layout the path, especially if the Village was to proceed with widening the road as planned. Executive Director McHugh explained that the existing road narrows down just west of the Dade Road intersection. The current plan is to widen the roadway to a standard width, if and when it is reconstructed. Chairman Turner asked if the path could be laid out in such a way that it would not interfere with any future reconstruction of Wild Duck Road. Executive Director McHugh cautioned that future redevelopment of the area could possibly result in a revised location for the road. Mr. Jamie Whowell asked if the concept of shifting

the road to the north had been considered, which would then allow for the construction of the path on the south side of the road. Ms. Esswein stated that the concept could be considered, but that the area's topography would need to be investigated. Trustee Pollitt asked where the proposed path from the pending PAR Development to the south would connect with the path under discussion. Executive Director McHugh reviewed the proposed location of the path from the south and noted that it would terminate at the recreation area; it would not interconnect with the path along Wild Duck Road.

Chairman Turner / Commissioner Chanson 2nd made a MOTION to construct the first section of the path, from STH 67 to Wild Duck Road, as part of the STH 67 project, and then to complete the second section of the path, from Dade Road to the recreation area, at such time as Wild Duck Road is reconstructed, and the MOTION carried without a negative vote.

Commissioner Wilson suggested that the entire path should be constructed now, as opposed to waiting for the final reconstruction of Wild Duck Road. Chairman Turner informed the group that Ruckert Mielke had already looked into redesigning the intersection of Wild Duck Road and Dade Road. Mr. Tavera explained that they had completed preliminary engineering for the intersection. Their proposal, which allows the existing stone bridge to remain in place, is to actually use fill to raise the elevation of Wild Duck Road to the East. Commissioner Wilson asked how the road could be elevated to the east and then still line up with STH 67. Mr. Tavera stated that they had not looked at the intersection with the highway, but that it would be workable. Chairman Turner asked Mr. Tavera what it would cost to do the engineering on Wild Duck Road. He then suggested that Ruckert Mielke prepare a proposal for the engineering and bring it back for the next CDA meeting.

Pioneer Park – Bayview Street Vacation Concept

Ms. Esswein reviewed their firm's work on a concept for the Pioneer Park Turnaround, which was requested by Commissioner Bliss at the previous CDA meeting. The concept they were asked to look at was the potential vacation of a portion of Bayview adjacent to the Fontana Shores Condominiums. The concept results in a gain of .06 acres of park where the current road is located, as compared to the .1 acres lost for the installation of the turnaround. Commissioner Chanson asked why the Village would go through the effort and expense of tearing up the street for such a minor gain in park land. Commissioner Bliss stated that the gain would help compensate for the loss in park land that would be realized if the turnaround were ever constructed. Commissioner Wilson asked how the traffic on Bayview would be re-routed. Commissioner Bliss suggested that the street would become two-way; so that vehicles could return back up the street. Commissioner Chanson suggested that there is already too much confusion with the existing combination of one-way and two-way streets at the lakefront. Commissioner Bliss suggested that vacating the end of the street would help to further reduce the amount of traffic running up Kinzie Avenue. Chairman Turner suggested that the concept be forwarded to the Park Commission for their consideration and then brought back to the CDA for further review and discussion.

Chairman Turner/Commissioner Chanson 2nd made a MOTION to forward the revised concept for Pioneer Park, which incorporates the partial vacation of Bayview Street, to the Park Commission for review and recommendation, and then bring the idea back to the CDA, and the MOTION carried without a negative vote.

Shore Path – Kinzie Avenue to Third Avenue

In conjunction with the recent proposal by the Fontana Shores Condominiums to re-landscape the shoreland area across the street, Ms. Esswein introduced a first-look at a plan to layout the lakeshore path from where it currently ends at the intersection of Third Avenue and Lake Street, north to the turn where Lake Street becomes Kinzie Avenue. Due to the nature of the topography, the logical location for the path would be adjacent to the back of the curb along the street. Chairman Turner clarified that the Fontana Shores Condominiums had recently removed the landscaping in that area, and were now looking to coordinate whatever landscaping was installed with the Village. Executive Director McHugh explained that the Condos would need to receive approval from the

Plan Commission as part of a revised BSOP (Building, Site & Operational Plan), before re-landscaping the area. Ms. Esswein explained that the path could run along the street and then return down to the shoreline on the existing stairs at the corner. Commissioner Chanson notified those present that the existing stairs are located on Buena Vista property. Commissioner Bliss asked if there would be any reason why the path could not simply tie into the stairs, since a majority of the lake path is located on private property. Executive Director McHugh reminded the group that the entire length of the path under discussion would be located on private property. He further explained that the Village was hoping to work with each of the private property owners in order to install a continuous uniform path. Commissioner Chanson reminded the group that there was already an existing set of stairs that led back down to the shore path on the property in front of the Fontana Shores Condominiums. Commissioner Chanson stated that the Buena Vista Homeowners Association would object to a permanent sidewalk that was continued onto Buena Vista property, if the path down along the shore in front of the condominiums was to be abandoned at the same time. Chairman Turner suggested that the Plan Commission would need to coordinate any relocation plans with the Buena Vista Homeowners Association, as the Fontana Shores project moved forward.

TID #1 Infrastructure Projects (Cont...)

Fontana Boulevard Utility Project

Change Order #1 to Mann Brothers Contract

Executive Director McHugh reviewed for the group the reason for Change Order #1. The engineer for the Boulevard Project (Crispell Snyder) had used historical as-built plans for the existing utilities underneath the street. Unfortunately, the plans did not accurately show the depth of the existing pipes; as a result, the new storm water sewer main needed to be redesigned in order to get around the existing force main. The engineers designed a solution that eliminated the conflict by substituting a shallower elliptical pipe for the originally proposed 48" diameter circular pipe. The result of the change was an \$18,620 net increase to the contract. Executive Director McHugh relayed information from DPW Workman that the increase would be reduced in an upcoming pay-request, since the Village would be receiving a credit for the section of pipe that would not be installed. The total change to the contract would then be closer to \$6k. Commissioner Bliss asked how the credit would be realized. Executive Director McHugh reviewed the 'schedule of quantities' that accompanies every pay-request. Since the section of pipe under discussion would never be installed, the contractor would never be able to submit for payment under that particular line item in the contract. When the final pay-request is prepared by the engineers, the actual quantities for every item in the contract will be adjusted to reflect what was actually installed.

(Note – This item was approved with the following item, Pay Request #6, in a combined motion)

Carolyn Esswein (PDI) and Terry Tavera (Ruekert Mielke) left the meeting at this point.

Pay Request #6 – Mann Brothers

Chairman Turner quickly reviewed the recently submitted pay-request #6 for the Mann Brothers Fontana Boulevard Utility Contract.

Chairman Turner/Commissioner Chanson 2nd made a MOTION to approve Change Order #1 and Pay Request #6, for the Mann Brothers contract for the Fontana Boulevard Utility Project, and the MOTION carried without a negative vote.

Main Lift Pump Station / Reid Park Restroom and Pavilion

Chairman Turner quickly reviewed the status of the Main Lift Pump Stations and the Reid Park Restroom and Pavilion. He informed the group that the litigation at the beginning of the project had delayed the ordering of a large odor-control device that was specified for the station. Until the odor-control vessel was in place, the contractor could finish pouring the final slab. As such, the contractor for the restroom and pavilion had been delayed as well.

Beach Improvement Project

Chairman Turner informed the group that the contractor was busy rectifying several “punch list” items. Executive Director McHugh confirmed that the Beach House contractor, Gilbank Construction, was working to address several items identified by the architect, as well as Village staff.

TID #1 Development Projects

Mill Street Plaza (FairWyn, Ltd.) – PIP Application (Precise Implementation Plan)

Chairman Turner acknowledged Mr. Brian Pollard in the audience and asked him to address the schedule for the Retail Building; noting that it would have a significant impact on the schedule for the STH 67 landscaping project. Executive Director McHugh quickly addressed the status of Mr. Pollard’s PIP application. He informed the group that Mr. Pollard had already made a submittal which had been reviewed by the Village staff. It included the revised plans and elevations; relevant parts of which had been distributed to the group in the meeting packets. Executive Director McHugh went on to inform the group that the Building and Zoning Department had some issues with the overall landscaping, the location of the dumpster, landscape screening of the dumpster, as well as signage for the development. As such, the final consensus between Mr. Pollard and the Building and Zoning Department was to put off the review and consideration of the final PIP by the Plan Commission for one month. Mr. Pollard stated that it was his plan to be in the ground with the Retail Building before the end of September. Chairman Turner asked if Mr. Pollard had any tenants lined up. Mr. Pollard indicated that he had no tenants under contract at this time, but that he still planned to move forward with construction. He did note that he was currently in discussions with a few potential tenants. With respect to the overall project, Mr. Pollard noted that they did have contracts on all fourteen (14) of the town homes and had closed on twelve (12) of them. The value for the residential portion is anticipated to be approximately \$3.6 to \$3.7 million. The existing office building has been assessed at approximately \$700k. With just two phases of the project completed, Mr. Pollard anticipates that his development will already exceed the \$4 million required for the entire project. This exceeds the CDA’s overall requirement for the development, which was targeted for the year 2013, with one phase still yet to go. With respect to the town-home project, they are finishing up the private drive this week. The landscaper is lined up to come in next week, but they are still waiting on Odling to finish the sidewalk on Mill Street. Mr. Pollard noted that the original schedule didn’t even anticipate commencement of construction on the final four town home units until May of 2007. Commissioner Bliss noted that the east-end of the Retail Building appeared to be “horribly plain”. He expressed concern that the east-end would be the most readily visible to people driving up to the project from Fontana Boulevard. Mr. Pollard explained that the plans for the Retail Building had not changed since they were originally presented to the Village eighteen (18) months earlier. Chairman Turner noted that the west-end elevation was more attractive. He further added that the north and the south elevations were quite interesting with the split-roof. Mr. Pollard noted that one of his concerns with moving forward without a retail tenant signed on is that he may likely have to change the elevations, specifically the window locations that are currently shown on the plans. Chairman Turner asked that Mr. Pollard take Commissioner Bliss’s comment back to Jan (Jan van den Kieboom – Project Architect) for his feedback. Mr. Pollard reminded the group that he was scheduled to submit final plans to the Village on August 20th for review and approval by the Plan Commission. He asked if he would be able to get approval contingent on window changes that were submitted at a later date. Chairman Turner advised Mr. Pollard to pursue approval contingent on potential window relocations. Executive Director McHugh reviewed the PIP process for the group and noted that unless the CDA was planning to specifically object to the current plans, or ask that they come back for final review, it would be going to the Plan Commission for review and approval of the final details. Chairman Turner asked that Mr. Pollard go to Jan and address Commissioner Bliss’s concerns on the east elevation. Mr. Pollard asked if the group was looking for more windows in the elevations, and Commissioner Bliss answered that simply “more style” be incorporated. Chairman Turner confirmed that the east-elevation would be seen by everyone that drove down Fontana Boulevard and Mr. Pollard should review the elevation with the architect. Commissioner Wilson asked if it was always Mr. Pollard’s intention to use asphalt shingles for the roof material. She

also asked if there was a possibility to use a different roofing material on the Retail Building. Mr. Pollard explained that the architect was very specific in detailing a black 3-tab asphalt shingle for the project. Commissioner Wilson reviewed her understanding that the project was originally intended to have standing-seam metal roofing, and Mr. Pollard noted that portions of the Retail Building did actually incorporate standing-seam metal roofing in the porch areas; very similar to the office building across the street. Commissioner Wilson asked if the standing-seam metal roof could be used more throughout the project. Mr. Pollard explained that it was a very expensive item. Commissioner Wilson stated that the roofs were the most noticeable aspect of the development as one drives down highway 67 going south. Chairman Turner stated that the CDA should be proactive about making sure projects happen the way the Village wants them to, and should step in where cost is an issue. He further noted that the Mill Street Plaza Development was likely to generate over \$1 million more in tax increment than originally anticipated. As such, Chairman Turner suggested that the CDA had the ability to contribute additional funds to the project to ensure that it incorporates design details requested by the Village. Mr. Pollard answered that he could price the building out both ways; with the changes and without. Chairman Turner reviewed a project that had been previously researched by the CDA in Shorewood, WI, where the development agency had contributed to the project to make sure that the facade was what the community wanted. Mr. Pollard stated that he would have the changes reviewed and priced out for the Executive Director within the next couple of weeks. Mr. Pollard asked if the group was looking for standing-seam metal roofing throughout. Commissioner Wilson clarified that Mr. Pollard should figure out a way to do something different, yet while still making it compatible with the rest of the project. Executive Director McHugh questioned if the group was asking him to consider something like a dormer to break up the roof mass, and Commissioner Wilson stated that she just wanted him to investigate roofing material options. Chairman Turner offered that members of the CDA could meet with Mr. Pollard and Mr. Kieboom to review the options.

Timber Retaining Wall – One year review.

Mr. Pollard distributed recent photographs of the retaining wall in front of the commercial building. Executive Director McHugh reminded the group that Mr. Pollard had previously entered into an agreement which called for a one year review of the timber retaining wall and the associated landscaping material. Mr. Pollard stated that he had added more landscaping and reviewed the site conditions that led to the original selection of a timber retaining wall. He reminded the group that the building suffered a sewer main break the previous year due to the poor soils. The timber retaining wall selected is built in such a way that it shifts up and down as the earth underneath it shifts up and down. The existing landscaping has been in place for just over a year, and Mr. Pollard stated that he believes that it is really starting to take shape. Mr. Pollard reminded the group that he is a majority owner of the building, and as such, he is very concerned with the appearance of the property. Mr. Pollard further stated that the tenants he has in place are very happy with the building and like the look of the building. Chairman Turner asked the group for their opinions. Commissioner Fisk; "It's fine." Commissioner Hibbard; "I think it's fine." Chairman Turner; "I think it's fine too." Commissioner Bliss; "I don't like it." Commissioner Chanson; "I don't necessarily like it, but I think that additional landscaping...almost twice as much as what is currently there...would be in order." Commissioner Chanson asked if a boulder wall had been considered. Mr. Pollard explained that the location of the sidewalk and the required pitch of a boulder retaining made it impossible. On the opposite side of the street, in the town home development, they chose to use interlocking blocks for the retaining walls. The alternate option of installing an actual cement wall and facing it with real stone would require the installation of stone piles and would be very costly, Mr. Pollard stated. He added that piles cost \$700 to \$1000 per pile. Mr. Pollard noted that the commercial building was built on over 100 piles to keep the building from shifting. Commissioner Chanson asked if Mr. Pollard had considered cutting out a section of wall every so many feet to install a boulder, in order to break up the monotony of the wall. He mentioned that he had a similar wall built along the driveway of his home, if Mr. Pollard wished to see it. Chairman Turner agreed that something to breakup the uninterrupted line of the retaining wall would be

beneficial. Mr. Pollard indicated that he would be interested in investigating the idea of adding boulders as an element to the retaining wall. Commissioner Wilson asked Mr. Pollard if the plantings could be more consistent with what the Village had planted in the medians on Fontana Boulevard. Mr. Pollard stated that he had been working with Brad Drefcinski to coordinate the landscaping plans. Commissioner Wilson stated the Mr. Roy Diblik (Northwinds Perennials) had designed the Boulevard medians. Mr. Pollard reminded the group that he had been directed by the CDA and the Village to work with Mr. Drefcinski. Chairman Turner suggested that Mr. Pollard get Roy Diblik to look at the landscaping, and offered to coordinate a meeting with Roy and Mr. Pollard.

The Cliffs of Fontana – Update

Chairman Turner noted that this item had been discussed earlier in the meeting.

(See: Finance Reports – Value Increment Projections)

General Business

Whowell Apartment Complex – Unit #318 Expansion.

Executive Director McHugh introduced Ms. Carol Whowell who was in attendance to present the proposed addition to the apartment building that both she and her husband own on Third Avenue. Executive Director McHugh quickly reviewed the requirement that any addition be reviewed by the CDA, in accordance with the Village's adopted resolution which requires that any exterior construction over \$10k receive a recommendation from the CDA. He further noted that the plans would need to be reviewed and addressed by the Plan Commission due to the building's location in the Village's VCP (Village Center Preservation) District. Ms. Carol Whowell explained that the plans had been revised from what had been distributed in the commissioner's meeting packets; the window configuration had been changed to include "French Doors." Executive Director McHugh reviewed the various options available to the group: The group could chose to approve the concept plan at this level and then delegate the details of the proposal to the Plan Commission; or, the group could direct the applicants to move forward to the Plan Commission to develop the plans, with the condition that they come back to the group for final approval; or, the group could chose to ask that the applicants fully develop the plans for review and approval by the CDA before moving forward. Chairman Turner stated that the group should be concerned with making sure that the applicant's proposal was in conformance with the Village's plan for the area. Commissioner Bliss asked if the design standards adopted by the CDA were known to the Plan Commission, and Executive Director McHugh explained that the performance standards were formally incorporated into the municipal code, which the Plan Commission would be using to evaluate the project.

Commissioner Chanson / Commissioner Fisk 2nd made a MOTION to approve the planned expansion of Unit #318 of the Whowell's Apartment Complex, located on Third Avenue, subject to a final review and approval by the Plan Commission, conditioned on a "finding of fact" by the Plan Commission that the project complied with the "Performance Standards," adopted by the CDA and incorporated in the Village's Municipal Code, and the MOTION carried without a negative vote.

Following the approval, Mr. Jamie Whowell noted that the Mill Street Project was once compared to his apartment complex, and he noted that they were trying to continue in that direction; which was to make it compatible with the older buildings in Fontana.

Lakefront Community Workshop – Meeting Outline & Agenda

Executive Director McHugh explained that the group had originally planned on a workshop back on March 4th. That event had been postponed due to the litigation surrounding the project. The workshop was now scheduled for September 30th. PDI had prepared an outline for the meeting which will last from 9:00 am till Noon. The plan is to review the concepts that have been developed to date and gather public input as the projects move into the design development phase.

Fontana Sports Parking Lot Reconstruction – Cost Sharing Proposal

Chairman Turner reviewed for the group the plan to work with the owners of the four existing businesses on STH 67 to reconstruct the common parking area. He informed the group that he and Executive Director McHugh had recently met with the property owners. During that meeting, the business owners came to an agreement that they would purchase the excess right-of-way along STH 67 from the WisDOT. Further, the group has agreed to pay their share of the parking lot project in regular payments over a five year time period. The actual interest rate has yet to be determined. Executive Director McHugh informed the group that certain property owners have expressed a desire to make the entire payment in a lump sum, as opposed to working out a payment arrangement with the Village. While the final details of the repayment arrangements are negotiated between the property owners and the Village, Executive Director McHugh asked that the CDA formally approve the concept of a cost-sharing agreement with the property owners. Executive Director McHugh asked if the CDA would still be willing to fund 50% of the project, if the actual bid prices came in higher than the current cost estimate. Commissioner Bliss stated his opinion that the CDA's commitment should be capped at \$15,000.

Commissioner Bliss / Commissioner Chanson 2nd made a MOTION to move forward with the Fontana Sports Parking Lot Reconstruction project, and to authorize a 50/50 cost-share with the individual property owners, but not to exceed \$15k of the total estimated \$30k project, and the MOTION carried without a negative vote.

Lakefront Survey Project (Ramaker & Associates) - Update

Chairman Turner informed the group that Ramaker had not yet submitted a final survey, but that the firm was working closely with Ruckert Mielke to get the project finished.

Mill House Park Structure - Update

Trustee Ron Pollitt provided a brief update on the status of the project. He began by reminding those present that the CDA had previously authorized \$35k for the project. He went on to review the extent of the research that had been completed on the former Mill House, including quite a great deal of information gathered from local resident and historian, Phil Harvey. Chairman Turner asked that Executive Director McHugh provide copies of Phil Harvey's write up on the Mill House to each of the CDA members. Trustee Pollitt explained that he and a small programming group had already met with two architects and were investigating the possibility of constructing a roof for the newly proposed structure that would recreate the original roofline, including the cupola. The work on the grant application to the Kikkoman Foundation is progressing steadily and it is expected to be submitted within the next couple of weeks. Trustee Pollitt stated that he was hoping to obtain at least \$35k from the foundation to match the CDA's commitment. His overall goal is to leverage as many funding options as possible; to a point where the project may not require the full amount of money budgeted by the CDA. Chairman Turner commended Trustee Pollitt and the Park Commission on their efforts, and asked when the group planned to begin construction. Trustee Pollitt stated that they planned to begin construction in the Spring of 2007. Chairman Turner suggested that the group review options with the architect that might allow for the project to be constructed in stages. He explained that there was surely a need for the type of facility being planned, and it would be nice to have it started during the current year. With respect to the status of the Park's non-profit entity, Trustee Pollitt noted that the group did just receive a ruling from the IRS stating that the 501(c)3 was currently active. This would help the group as it pursued further grants and donations.

Village Board Report

Chairman Turner stated that there had not been a Village Board meeting yet that month. As such, he did not have a report.

Lakefront & Harbor Report

Commissioner Chanson stated that the Lakefront & Harbor committee did not have a meeting the

previous month. As such, he did not have a report.

Lakefront Redevelopment / RFP Update

Chairman Turner reminded the group that the RFP responses are due to the Village on August 31st. Executive Director McHugh informed the group that he had already received several inquiries in response to the recently issued RFP. He noted that Mr. Peter Scherrer (Scherrer Construction) had stopped in to review the latest plans and visited the site. Mr. Scherrer did note that the ability of the Village to retain all concepts and ideas submitted was troubling. He asked what would protect him from the Village taking his idea and running with it. Chairman Turner asked Executive Director McHugh to follow up with Mr. Scherrer and explain to him that the Village would be reasonable.

Park Commission Report

Executive Director McHugh quickly reviewed the items from the most recent Park Commission meeting and noted that each of them had already been addressed during the current meeting.

Executive Director Report

Executive Director McHugh noted that he had nothing additional to report.

Confirm Quorum for Upcoming Meetings

Next Regular Monthly Meeting

Chairman Turner reminded the group that the next regular meeting of the Community Development Authority would be held on September 6th at 6:00 pm.

Pending / Future Items

Duck Pond Redevelopment – “Green Team”

Executive Director McHugh reminded the group that a meeting had been scheduled with the “Green Team” for August 23rd. Chairman Turner reviewed his thoughts for the Duck Pond property. He suggested that the upper area where people currently walk their dogs should always remain recreational. He further suggested that nothing should be contemplated for the wooded area along the south side of Wild Duck Road. He went on to note that the 5-acre site on which the former DPW garage was located would make a perfect location for a small professional office building. With those concepts in mind, the plan is to continue with the “Green Team” and work to rectify the environmental issues with the property. With respect to the triangle property that lies adjacent to the highway, Mr. Turner suggested that the CDA should consider incorporating the property into the STH 67 Landscaping Project and go with a design that wouldn’t require constant mowing.

Hildebrand Conservancy – Boundary Delineation Project – No Discussion.

WDNR Non-Point Source & Stormwater Grant Applications – No Discussion.

Novak’s Restaurant – Facade Improvements / Parking Reconfigurations – No Discussion.

Lakeshore Path Improvements – Fontana Shores Condominiums – No Further Discussion.

Adjournment

Commissioner Chanson / Commissioner Fisk 2nd made a MOTION to adjourn the meeting at 8:17 pm, and the MOTION carried without a negative vote.

Minutes prepared by: Joseph A. McHugh, Executive Director

APPROVED: 09.06.2006